
On January 1, 2021 the Senate voted to enact the National Defense Authorization Act (NDAA) for fiscal year 2021. The NDAA features plenty of updates that will directly affect the defense industrial base and it is recommended that all those with a vested interest take the time to review it on Congress.gov. Below are highlights that have a direct impact on small businesses specifically.

• Sect. 863. Employment size standard requirements for small business concerns. Extends the averaging period for SBA’s employee-based size standards to 24 months, effective one year after enacted.
• Sect. 864. Maximum award price for sole source manufacturing contracts. Raises the sole-source threshold for manufacturing contracts in the 8(a), WOSB, HUBZone, and SDVOSB programs to $7 million.
• Sect. 865. Reporting requirement for expenditure amounts for the Small Business Innovation Research Program and the Small Business Technology Transfer Program -Requires a report to Congress on SBIR/STTR agencies’ program expenditures.
• Sect. 866. Small businesses in territories of the United States. Defines a covered territory and extends surplus property and mentor-protégé benefits to covered territories.
• Sect. 868. Past performance ratings of certain small business concerns. Permits small businesses that performed contracts through a joint venture or as a first-tier subcontractor to use that past performance toward offers as a prime contractor.
• Sect. 869. Extension of participation in the 8(a) program -Allows 8(a) participants participating on or before Sept. 9, 2020 to extend their 8(a) participation for one year, regardless of whether they had suspended their program term; requires a rulemaking within 15 days.
• Sect. 870. Compliance of Offices of Small and Disadvantaged Business Utilization -Requires OSDBUs to report remedial actions to Congress if found by GAO to be out of compliance with section 15(k) of the Small Business Act.
• Sect. 871. Category Management training -Requires SBA and OFPP to develop a training curriculum on category management and avoiding conflicts with the Small Business Act.
The incoming Biden administration has signaled that it plans to prioritize Native economic development, which may continue the trend of increasing opportunities for Native-owned businesses. 

SBA Extends COVID-19 Economic Injury Disaster Loan Application Deadline through Dec. 31, 2021 SBA

The U.S. SBA announced that the deadline to apply for the Economic Injury Disaster Loan (EIDL) program for the COVID-19 Pandemic disaster declaration is extended to Dec. 31, 2021.

Biden releases national COVID strategy, will order agencies to use Defense Production Act DVIDS The Hill

President Biden released his national strategy to end the COVID-19 pandemic, which will include using the Defense Production Act (DPA) and other powers to speed up the manufacturing of testing and vaccine supplies and other items needed to fight COVID-19.

SBA Eliminates the Three-in-Two Rule for Joint Ventures JDSUPRA

The SBA issued a final rule to merge the 8(a) Business Development Mentor Protégé Program and the All Small Mentor-Protégé Program to eliminate confusion and remove unnecessary duplication of functions.