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November 12, 2026

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
H-232
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader
U.S. House of Representatives
H-222
Washington, D.C. 20515

The Honorable John Thune
Majority Leader
U.S. Senate
511 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Speaker Johnson, Leader Jeffries, Leader Thune, and Leader Schumer:

On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I write to share NFIB's priorities to lower costs and provide long-term certainty for small businesses during the lame duck session of the 119th Congress. We look forward to working with you over the coming months to help the small business economy grow and flourish.

Small businesses remain optimistic, largely thanks to the certainty provided by tax and regulatory relief. Specifically, small businesses are grateful the 20% Small Business Tax Deduction (Section 199a) was made permanent, ensuring that 9 out of every 10 small businesses did not face a significant tax increase. This permanent relief has allowed small businesses to grow, hire, and reinvest back into their businesses, employees, and communities. However, more must be done. Small businesses continue to feel cost pressures that contribute to uncertainty.[1]

With the remaining lame duck period, NFIB urges Congress to consider legislation outlined below to provide permanent relief from burdensome regulations, lower healthcare costs, and prevent anticompetitive practices.

[1] William C. Dunkelberg and Holly Wade, NFIB Small Business Economic Trends, September 2026, https://www.nfib.com/wp-content/uploads/2026/10/NFIB-SBET-Report-September-2026.pdf.

Permanently End BOI Reporting for US Small Businesses

Until recently, tens of millions of law-abiding small businesses were subject to civil and criminal penalties of up to two years in prison and $10,000. Small businesses are the foundation of our economy, yet the Beneficial Ownership Information (BOI) reporting law targets only the smallest of businesses. The Department of the Treasury's August 2026 final rule ended the BOI reporting requirement for US small businesses. In doing so, Treasury protected over 32 million small businesses from an invasive mandate and saved over $128 billion in regulatory compliance costs. Without Congressional action to fully repeal the BOI law (H.R. 425/S. 100) or codify Treasury's final rule, America's small businesses could once again be subject to the BOI mandate and its disproportionate penalties.

Protect Small Businesses from OSHA's Proposed Heat Standard Mandate

In late 2024, the Occupational Safety and Health Administration (OSHA) proposed to establish the first ever federal heat standard, affecting nearly all small businesses nationwide regardless of industry or if work is performed indoors or outdoors. The one-size-fits-all proposal, in part, would add burdensome new paperwork, training, and recordkeeping requirements, along with unworkable new mandates like active supervision requirements and a paid 15-minute break every two hours. This massive 375-page regulation would disproportionately impact small businesses, who would likely be forced to hire additional staff to comply. Many would have to raise prices and/or pause hiring, raises, and bonuses to offset the new compliance costs. For some small businesses, the added costs could be too much to bear, forcing them to close their doors forever or sell off to a larger competitor. Small businesses go to great lengths to ensure the safety of their employees. Congress must end this one-size-fits-all mandate by enacting the *Heat Workforce Standards Act* (H.R. 6213/S. 4427), which would prevent OSHA from establishing a federal heat standard.

Reduce the Cost of Healthcare for Small Business Owners

For over 40 years, rising health care costs have been the top problem facing small businesses. Today, many are struggling to keep up. Congress can help level the playing field by expanding access to affordable, flexible coverage options and promoting greater transparency throughout the healthcare system. Congress can allow small businesses to set aside pre-tax contributions to their employees through health reimbursement arrangements, expand access to Association Health Plans (AHP) and health savings accounts (HSA), or eliminate the time limits on Short Term, Limited-Duration (STLD) insurance plans. Unless Congress takes action to address rising healthcare costs, millions of small businesses will continue to face difficult choices.

Give Small Businesses and Consumers the Right to Repair

Large manufacturers use their size, technology, and position in the market to prevent small independent repair shops from fixing broken cars, tractors, and smartphones. Congress can stop these anticompetitive practices by large manufacturers through "Right to Repair" or "Freedom to Fix" legislation. Congress can do this by passing the bipartisan *REPAIR Act* (H.R. 1566/S. 1379), which would provide independent repair shops with access to the diagnostic data and parts that are needed to repair cars. The *REPAIR Act* will reduce costs for consumers and small businesses and provide consumers with the freedom to decide where to get their cars repaired.

Expedite the Permitting Process for Energy and Manufacturing Projects

For years, Members of Congress have identified the dire need to reform America's antiquated and cumbersome permitting process. Recently, a bipartisan bill would establish strict deadlines for environmental reviews and time limits for permit challenges of projects. These deadlines will provide businesses with the certainty they need to move forward in a timely fashion and end bureaucratic delays of projects. With any permitting package that moves forward, Congress must ensure that ratepayers and small businesses are not saddled with cost increases from energy transmission of more expensive or unnecessary energy. Addressing the significant permitting and environmental review challenges is an important step for small business growth and more affordable energy and construction costs.

Small businesses are the foundation of the American economy. NFIB urges Congress to continue addressing the cost pressures that contribute to uncertainty by passing pro-small business legislation that lowers costs, prevents anticompetitive practices, expands affordable and flexible health coverage options, and permanently protects small businesses from burdensome and invasive regulations.

Sincerely,



Adam Temple
Senior Vice President for Advocacy
NFIB