

## Credit Card Competition Act of 2024:

Not yet reintroduced in 119

Latest News: Durbin to Reintroduce Credit Card Competition Bill | Payments Dive

	U.S. House of Representatives	U.S. Senate
Bill Number:	H.R.3881 — 118th Congress (2023-2024)	<b>5.1838</b> — 118th Congress (2023-2024)
Introduced:	June 7, 2023	June 7, 2023
Sponsor(s):	Rep. Lance Gooden (R-TX-5)	Senator Dick Durbin (D-IL)
Cosponsor(s)	Rep. Zoe Lofgren (D-CA-18) Rep. Thomas P. Tiffany (R-WI-7) Rep. Jefferson Van Drew (R-NJ-2) Rep. Max L. Miller (R-OH-7) Del. Gregorio Kilili Camacho Sablan (D-MP-At Large) Rep. Bob Good (R-VA-5) Rep. James P. McGovern (D-MA-2) Rep. Chellie Pingree (D-ME-1)	Sen. Marshall, Roger (R-KS) Sen. Welch, Peter (D-VT) Sen. Vance, J. D. (R-OH) Sen. Hawley, Josh (R-MO) Sen. Reed, Jack (D-RI)
Referred to:	House Committees - Financial Services	Senate Committees - Banking, Housing, and Urban Affairs
Hearing Date:		WATCH Senate Judiciary —11/19/2024

**Background:** Originally introduced in 2022 by Senators Roger Marshall (R-Kan.) and Richard Durbin (D-III.) the *Credit Card Competition Act* aims to increase competition in the credit card processing market by requiring large financial institutions (those with over \$100 billion in assets) to offer merchants at least two network options for processing credit card transactions. The bill seeks to lower transaction fees and reduce costs for small businesses.

#### **Key Provisions:**

- Requires major banks to enable credit card transactions to be processed on at least two networks.
- Prohibits Visa and Mastercard from being the only processing networks on cards issued by large banks.
- Increases competition to drive down swipe fees, benefiting small businesses.

**Support & Endorsements:** National Retail Federation (NRF), Merchants Payments Coalition, International Franchise Association, National Association of Convenience Stores, National Restaurant Association, National Grocers Association, **Over 200** state and regional business associations, **More than 2,000** retailers, platforms, and small businesses

#### **Further Reading:**

- Press Release: <u>Durbin Questions Visa Witness During Senate Judiciary Committee Hearing On Enhancing</u> <u>Competition In The Credit Card Market, Lowering Fee</u>
- Pass the Credit Card Competition Act | NRF



## Addressing Swipe Fee Reform in Congressional Meetings

Credit card processing fees have become one of the largest expenses for small businesses, increasing costs for suppliers, builders, and consumers. The **Credit Card Competition Act** aims to introduce market competition to reduce these fees and ensure fairer pricing for businesses. When meeting with members of Congress, use the following guidelines to effectively advocate for swipe fee reform.

#### 1. Share Your Personal Experience

Legislators respond best to real-world examples. Be prepared to explain how high credit card fees affect your business and customers. Consider these points:

- 1. What percentage of your transactions are paid by credit card, and how much do you pay in swipe fees each year?
- 2. Have rising processing fees forced you to raise prices, cut services, or delay investments?
- 3. If swipe fee reform lowered these costs, how would you reinvest the savings? Would you hire more workers, upgrade equipment, or expand your business?
- 4. How do swipe fees impact the cost of building materials, and in turn, the affordability of housing in your community?

#### 2. Advocate for the Credit Card Competition Act

• **Remember:** Not everyone understands what it means to introduce competition into the credit card processing market. When explaining this, try to put it in real-world terms that resonate with your business experience. Here's an example:

**Think of it this way:** If you could only buy materials from one supplier—one that also controlled the entire supply chain and the software you use to process orders—you'd have no negotiating power, and prices would keep rising. That's exactly what's happening with swipe fees today. This bill gives businesses a choice and breaks up the monopoly that is driving up costs across industries.

#### 4. Offer to Provide More Information or Data

- ABMA has supplied you with more information regarding both sides of the argument. Make sure to leave it behind with the legislators and their staff.
- Let lawmakers know that ABMA has data and resources available to help them understand how swipe fees impact the LBM industry and local economies.
- Invite them for a yard tour to see firsthand how swipe fees impact operations, speak with employees, and understand how lower processing costs would benefit businesses and consumers.



## A Closer Look at the Credit Card Competition Act Debate

The Credit Card Competition Act (CCCA), introduced by Senator Dick Durbin (D-IL), aims to increase competition in the credit card processing market by requiring large banks to enable at least two network options for transaction processing. This legislation seeks to reduce swipe fees, which have become one of the largest operating expenses for businesses, particularly small and mid-sized enterprises.

#### The Issue: The Rising Cost of Swipe Fees

Visa and Mastercard collectively control approximately 75-80% of the U.S. credit card processing market. This duopoly allows them to set swipe fees without competition, resulting in ever-increasing costs for merchants and, ultimately, consumers.

- In 2023, U.S. businesses paid more than \$170 billion in swipe fees.
- The average American household indirectly pays over \$1,100 per year due to these fees.
- Small businesses pay higher swipe fee rates than large retailers, placing them at a competitive disadvantage.

#### Legislative Solution: The Credit Card Competition Act

The CCCA seeks to introduce competition into the payments market by requiring banks with over \$100 billion in assets to offer at least two processing network options for each credit card transaction.

#### **Key Provisions:**

- Requires large banks to enable a **second, unaffiliated processing network** on credit cards they issue.
- Prohibits Visa and Mastercard from being the **only two** networks available on a given card.
- Provides merchants with the **option** to choose the most cost-effective network, as they already do for debit transactions.
- Ensures continued **fraud protection** and **security standards** across all network providers.

#### Potential Benefits of the Credit Card Competition Act (CCA)

Benefit	Impact
Lower costs for businesses	Merchants could save an estimated <b>\$15-16 billion annually</b> through reduced fees.
Lower prices for consumers	Savings from reduced fees are expected to help stabilize or reduce retail prices.
Increased competition	Would break the Visa-Mastercard duopoly, promoting a more competitive payments market.
Security improvements	Alternative networks have fraud rates reportedly <b>five times lower</b> than Visa and Mastercard.



## **CCCA** Argument Comparison

The arguments for and against the Credit Card Competition Act (CCCA) reflect a fundamental divide between proponents of the legislation, such as merchants and lawmakers like Senator Dick Durbin, and opponents, including Visa, Mastercard, and financial institutions. Here is a comparison of their key positions:

Aspect	Proponents' Arguments	Visa and Mastercard's Arguments
Merchant Fees	Proponents argue that the act will reduce "swipe fees" by introducing competition, saving businesses billions annually <u>256</u> .	Visa and Mastercard claim these fees are necessary to fund secure and innovative payment systems <u>12</u> .
Consumer Prices	Supporters believe lower fees will translate into reduced prices for consumers <u>25</u> .	Opponents argue there is no guarantee merchants will pass on savings to consumers, citing past experiences with debit card regulation <u>12</u> .
Market Competition	Advocates say the bill will break Visa and Mastercard's duopoly, fostering competition among networks <u>56</u> .	Visa and Mastercard contend that the payments market is already competitive and the legislation imposes artificial controls <u>23</u> .
Security Concerns	Proponents argue that increased competition could lead to better security through innovation <u>46</u> .	Opponents warn that routing mandates could compromise transaction security by forcing reliance on less secure networks <u>23</u> .
Rewards Programs		Visa and Mastercard claim reduced interchange fees will eliminate or diminish rewards programs, as seen with debit cards <u>34</u> .
Small Businesses	Advocates highlight benefits for small businesses struggling with high fees, enabling them to stay competitive <u>56</u> .	Opponents argue the act would harm small banks and credit unions that rely on interchange revenue to provide services <u>23</u> .
Economic Impact	Proponents emphasize potential savings of billions for merchants and consumers alike <u>57</u> .	Visa and Mastercard warn of unintended consequences like reduced access to credit for low-income consumers <u>3</u> .

#### **Further Reading:**

National Restaurant Association—Just the facts: Credit Card Competition Act

Riffing Out Loud: The Credit Card Competition Act of 2023

Myth vs. Fact: The Credit Card Competition Act (CCCA) of 2023

Merchant Payments Coalition: The Credit Card Market is Broken

Learn the truth about the Credit Card Competition Act



## A Stronger Workforce for America Act (2023-2024)

Not yet reintroduced in 119

Latest News: On March 5, 2025 The House Subcommittee on Higher Education and Workforce Development held its first hearing of the 119th Congress to examine the Workforce Innovation and Opportunity Act (WIOA). Get the Recap

	U.S. House of Representatives (Only)		
Bill Number:	<u>H.R.6655</u>		
Introduced:	December 12, 2023		
Sponsor(s):	Rep. Virginia Foxx (R-NC-05)		
Cosponsor(s)	Rep. Burgess Owens (R-UT-4) Rep. Glenn Thompson (R-PA-15) Rep. Rick W. Allen (R-GA-12) Rep. Lloyd Smucker (R-PA-11) Rep. Lisa C. McClain (R-MI-9) Rep. Tim Walberg (R-MI-5) Rep. Nathaniel Moran (R-TX-1) Rep. Mark DeSaulnier (D-CA-10) Rep. Joe Courtney (D-CT-2) Rep. Lucy McBath (D-GA-7) Rep. Gregorio Kilili Camacho Sablan (D-MP) Rep. Donald Norcross (D-NJ-1) Rep. Suzanne Bonamici (D-OR-1) Rep. Ryan K. Zinke (R-MT-1) Rep. Jake LaTurner (R-KS-2)	Rep. Stephanie I. Bice (R-OK-5) Rep. John Joyce (R-PA-13) Rep. Erin Houchin (R-IN-9) Rep. Chuck Edwards (R-NC-11) Rep. Harold Rogers (R-KY-5) Rep. Michael Lawler (R-NY-17) Rep. Mark Takano (D-CA-39) Rep. Alma S. Adams (D-NC-12) Rep. Susan Wild (D-PA-7) Rep. Jahana Hayes (D-CT-5) Rep. Kathy E. Manning (D-NC-6) Rep. Frank J. Mrvan (D-IN-1) Rep. Frederica S. Wilson (D-FL-24)	
Referred to:	House - Education and the Workforce; Ways and Means	**6:	
Action Overview: 118 Congress	<ul> <li>On April 9, 2024, the House passed H.R. 6655 by a vote of 378-26.</li> <li>On April 10, 2024, The bill was received in the Senate, read twice, and referred to the Committee on Health, Education, Labor, and Pensions.</li> </ul>	**Since the 118th Congress has ended and the 119th Congress has begun, H.R. 6655 will need to be reintroduced in the 119th Congress to continue its legislative process. **	

#### **Key Provisions:**

- **Employer-Directed Skills Development:** The bill introduces the concept of employer-directed skills • development, allowing programs tailored to meet specific skill demands of employers or groups of employers.
- Expanded Youth Funding: Significant changes are proposed to youth funding under WIOA, including permitting • funds to be used for workforce development programming targeting in-school youth populations.

Support & Endorsements: The U.S. Chamber of Commerce, National Association of Manufacturers (NAM), National Association of Workforce Boards (NAWB), National Skills Coalition, Apprenticeship Advocates

#### **Further Reading:**

- Congress.gov: H.R. 6655 A Stronger Workforce for America Act •
- House Education and the Workforce Committee: A Stronger Workforce for America Act
- Congressional Research Service Report: A Stronger Workforce for America Act (H.R. 6655): In Brief



## Addressing Workforce Development in Congressional Meetings

Workforce development is a key priority for the lumber and building materials (LBM) industry. Many businesses are facing labor shortages, while outdated federal policies create barriers to hiring and training skilled workers. When meeting with members of Congress, use the following guidelines to effectively communicate the importance of workforce development and advocate for solutions that support the industry.

#### 1. Share Your Personal Experience

Legislators respond best to real-world examples. Be prepared to share how workforce shortages affect your business, your ability to expand, or your customers. Consider these points:

- Are you struggling to find qualified CDL drivers, crane operators, or skilled tradespeople?
- Have you had to turn down projects or delay deliveries due to a lack of workers?
- What barriers do you face in hiring and training employees?

#### 2. Emphasize the Need for Employer-Led Training Programs

- Current federal training requirements, such as CDL licensing rules and OSHA crane certification, are misaligned with industry needs and create costly, unnecessary barriers to workforce entry.
- Employer-led training programs allow businesses to train workers on the job, ensuring they gain relevant, industry-specific skills without the burden of expensive third-party programs.
- Congress should support policies that expand access to employer-based training and apprenticeships in the LBM industry.

#### 3. Offer to Provide More Information or Data

- Let lawmakers know that ABMA has data and resources available to help them better understand workforce challenges in the LBM industry.
- ABMA has supplied you with more information regarding the LBM industry's experience and commitment to develop and implement training programs. **Make sure to leave it behind with the legislators and their staff.**
- Invite them for a yard tour to see operations firsthand, speak with employees, and better understand the workforce needs and career opportunities within the industry.



## **Building the Future Workforce**

Advocating for a Balanced Approach to Training

## Workforce Development: Support Industry-Specific Training Solutions

Workforce development is a critical challenge for the Lumber and Building Materials (LBM) industry. With the average worker now over **40 years old**, the pipeline for new talent is shrinking as increasing barriers to entry discourage prospective employees. Federal training requirements, while well-intentioned, often fail to align with the specific needs of the industry, leaving small businesses struggling to develop and retain a skilled workforce.

The LBM industry has a long history of supporting workforce development through **educational foundations** operated by its trade associations. These nonprofit entities offer a wide range of courses, training programs, and scholarships designed to help workers build fulfilling, lifelong careers in the industry. Additionally, many trade associations directly provide other training programs tailored to meet the evolving needs of their members and the broader workforce.

Despite these efforts, current regulations restrict the industry's ability to create **industry-specific training curricula** that can be delivered in both educational settings and on the job. Policymakers must amend these regulations to enable the LBM industry to fully leverage its expertise and infrastructure to address workforce challenges.

## CDL Licensing (FMCSA Regulation: 49 CFR Part 380)

While Federal Motor Carrier Safety Administration (FMCSA) rules technically allow for employer-based CDL training programs, the requirements to establish these programs are far beyond the capacity of most small businesses. Employers must navigate complex accreditation processes, strict compliance regulations, and substantial equipment investments, which are unattainable for many independently owned LBM businesses operating on profit margins averaging just **5%**.

As a result, most employers are forced to send prospective drivers to commercial schools, where the cost of training has risen to approximately **\$8,000**—a stark increase from the **\$200** cost of on-the-job training that was previously allowed. This significant expense represents a prohibitive barrier for young workers and career changers seeking entry into the industry.

### OSHA Crane Certification (OSHA Regulation: 29 CFR 1926 Subpart CC)

Similarly, current OSHA crane certification requirements focus on skills needed for operating large construction cranes, leaving workers unprepared for the operation of boom trucks, which are critical to the LBM industry. This misalignment results in costly, time-consuming training programs that provide little practical value for our employees' day-to-day responsibilities.

### The Solution: Employer-Based Training Options

By expanding access to employer-based training programs, we can build on the success of the LBM industry's educational foundations and association-driven training initiatives. These programs will create meaningful career pathways that:

- Lower barriers to entry, making it easier for young workers and career changers to join the industry.
- Provide on-the-job, industry-specific training, ensuring relevance and immediate applicability.
- Offer clear pathways to career advancement, with wages that consistently exceed the minimum wage and opportunities for lifelong, well-paying careers.

These programs would empower LBM businesses and trade associations to design and execute training that is tailored to the specific needs of the industry, delivered both in traditional educational settings and through hands-on workplace learning.



#### The Workforce Crisis and Housing Affordability

The **American Trucking Associations (ATA)** estimates a nationwide shortage of **82,000 CDL drivers**, with projections for 2025 indicating that this gap will continue to grow as retirements outpace new workforce entries. This shortage directly impacts the LBM industry, which relies heavily on CDL drivers to transport building materials essential for construction.

A strained supply chain caused by a lack of CDL drivers leads to:

- Increased costs for building materials, as transportation challenges drive up delivery expenses.
- Extended construction timelines, as delays in material delivery slow down projects.
- **Higher housing costs**, as builders pass these increased expenses on to consumers, further exacerbating the affordability crisis.

The LBM industry supplies nearly all the materials required for construction, from framing lumber and roofing to drywall and cabinetry. Without sufficient CDL drivers to ensure timely delivery of these products, the supply chain falters, and the ripple effects are felt throughout the housing market. In a time when affordable housing is a critical need across the country, addressing this workforce crisis is essential to keeping construction costs manageable and projects on schedule.

#### **ABMA's Call to Action**

We urge policymakers to:

- Amend current training regulations to allow a mix of employer-driven, on-the-job training and formal education delivered through trade association educational foundations and other industry programs. These training initiatives would be vetted and approved by regulators to ensure safety, quality, and compliance.
- Empower trade associations and their educational foundations to expand workforce development programs, providing workers with the skills and knowledge needed to build lifelong, fulfilling careers in the LBM industry.
- **Reduce regulatory burdens** to enable small businesses and associations to act as key drivers of workforce development, fostering economic growth and addressing critical labor shortages.

The LBM industry has the experience, infrastructure, and commitment to develop and implement training programs that combine hands-on learning with formal education, ensuring workers are well-prepared for industry-specific challenges. By supporting these efforts, policymakers can help build a skilled workforce, ensuring the LBM industry can continue to supply affordable materials for housing and infrastructure across the nation.

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#### Prove it Act of 2025:

	U.S. House of Representatives	U.S. Senate
Bill Number:	H.R. 1163	S. 495
Introduced:	February 10, 2025	February 10, 2025
Sponsor(s):	Rep. Brad Finstad (R-MN) Rep. Harriet Hageman (R-WY-At Large) Rep. Nathaniel Moran (R-TX-1)	Senator Joni Ernst (R-IA)
Cosponsor(s)	Rep. Maria Elvira Salazar (R-FL-27) Rep. Daniel Meuser (R-PA-9) Rep. Zachary Nunn (R-IA-3) Rep. Bryan Steil (R-WI-1) Rep. Pete Stauber (R-MN-8) Rep. Mike Flood (R-NE-1) Rep. Mike Flood (R-NE-1) Rep. Mike Carey (R-OH-15) Rep. Glenn Thompson (R-PA-15)	
Referred to:	House Committees - Judiciary; Small Business	Senate Committees - Homeland Security and Governmental Affairs
Hearing Date:	4/01/2025	

**Background:** The Prove It Act of 2025 empowers small businesses by greatly increasing their input in the rulemaking process, granting them a check on agencies that claim new regulations will not affect small businesses' operations. Previously passed the House with bipartisan support in the 118th Congress, the Prove it Act was reintroduced in the 119<sup>th</sup> Congress on February 10, 2025.

#### **Key Provisions:**

- 1. Empowering small businesses to petition federal agencies to review proposed regulations that could negatively impact them.
- 2. Requiring federal agencies to analyze the direct and indirect costs of their regulatory actions on small entities.
- 3. Allowing small businesses to request a review of agencies' work by their chief advocate in government.
- 4. Exempting small businesses from regulations if agencies fail to comply with the review process.

**Support & endorsements:** U.S. Chamber of Commerce, National Federation of Independent Business (NFIB), Associated Builders and Contractors (ABC), National Association of Home Builders (NAHB)

#### **Further Reading:**

- Press Release: Finstad, Hageman, Moran, Ernst Reintroduce the House Passed Prove It Act
- The Regulatory Flexibility Act: <u>Turning a Paper Tiger into a Legitimate Constraint on One-Size-Fits-All Agency</u> <u>Rulemaking</u> | NFIB



## Tax Cut and Jobs Act (TCJA) Permanency Act:

Legislation Information Coming Soon



## Addressing Tax Priorities in Congressional Meetings

Federal tax policy has a direct impact on the affordability of building materials, the ability of LBM businesses to invest in growth, and the overall stability of the construction supply chain. When meeting with members of Congress, use the following guidelines to effectively communicate the importance of tax policies that support the industry.

#### 1. Share Your Personal Experience

Legislators respond best to real-world examples. Be prepared to explain how tax policy affects your business operations, ability to invest, and long-term sustainability. Consider these points:

- How would restoring full bonus depreciation impact your ability to invest in new equipment or expand your operations?
- Have changes in tax policy affected your ability to hire or retain workers?
- What impact would the expiration of the Sec. 199A small business deduction have on your bottom line?

#### 2. Advocate for Policies That Keep Building Materials Affordable

- Bonus Depreciation (Full Expensing) H.R. 7024: Restoring full expensing allows businesses to immediately deduct major capital investments, such as delivery trucks, forklifts, and sawmill upgrades, reducing costs and improving supply chain efficiency.
- Sec. 199A Deduction for Pass-Through Businesses: Small businesses structured as S-Corporations, partnerships, or sole proprietorships rely on this 20% deduction to stay competitive. Without it, tax burdens will rise, making materials more expensive.
- Repealing the \$10,000 cap on state and local tax (SALT) deductions creates double taxation for both individuals and business owners like us. *We support full repeal.*

**\*\*Talking Point:** We understand the original intent was to pressure high-tax states to lower their rates—but in reality, it puts the burden on taxpayers, not the policymakers. It doesn't change state policies—it just increases the cost of living and doing business.

As small business owners, we already pay our fair share. Repealing the SALT cap would put money directly back into the hands of working families and employers who drive the economy.\*\*

#### 3. Emphasize the Impact of These Policies on Housing and Jobs

- **Reducing business tax burdens helps keep material costs stable**, preventing unnecessary increases in housing prices.
- Share success stories of how tax provisions have helped your businesses invest, hire, and expand.

#### 4. Offer to Provide More Information or Data

- Let lawmakers know that ABMA has data and resources available to help them understand how tax policy impacts the LBM industry and housing affordability.
- Invite them for a yard tour to see firsthand how LBM businesses operate, speak with employees, and understand how tax policy decisions impact local jobs and the housing supply chain.



# **Supporting Smart Tax Policy**

Keeping Building Materials Affordable & Supporting Housing Growth

Federal tax policy plays a crucial role in controlling the cost of building materials and ensuring that suppliers, contractors, and homeowners can access affordable products. With rising housing costs a major concern, Congress must support tax policies that keep small and family-owned LBM businesses competitive while promoting investment in supply chain efficiency.

### Bonus Depreciation (Full Expensing) – H.R. 7024

#### Ensuring Tax Incentives for Business Growth

Bonus depreciation allows businesses to immediately deduct a greater portion of capital investments, such as forklifts, delivery trucks, and warehouse upgrades, rather than spreading deductions over multiple years. This provision encourages reinvestment in infrastructure, reduces financing burdens, and helps businesses manage operational costs effectively.

However, without legislative action, full bonus depreciation will continue to phase down, limiting the ability of LBM suppliers to invest in efficiency-improving equipment. By restoring full expensing, businesses can reinvest in modern infrastructure, stabilize material costs, and strengthen the construction supply chain.

#### Why It Matters:

- Reduces costs for suppliers, keeping building materials affordable for builders and homeowners.
- Encourages investment in new equipment and technology, improving supply chain efficiency.
- Helps businesses absorb inflationary pressures instead of passing costs to consumers.

**ABMA's Call to Action:** Congress must restore full bonus depreciation to support reinvestment, keep supply chains competitive, and prevent unnecessary cost increases in the housing industry.

### Sec. 199A Deduction for Pass-Through Businesses

#### Protecting Small Business Tax Fairness

Many LBM businesses operate as S-Corporations, partnerships, or sole proprietorships, meaning they are taxed at individual rates rather than as large corporations. The Sec. 199A deduction provides these businesses with a 20% tax reduction, ensuring they remain competitive against big-box competitors.

Without congressional action, this critical tax provision will expire at the end of 2025, leading to substantial tax increases for small businesses. This could result in higher prices for building materials, job losses, and reduced reinvestment in workforce development and infrastructure.

#### Why It Matters:

- A tax increase on LBM businesses would lead to higher costs for homebuilders and contractors.
- Small businesses would face additional financial strain, reducing their ability to reinvest in growth.
- Losing Sec. 199A could put 2.6 million jobs at risk in industries tied to construction and material supply.

**ABMA's Call to Action:** Congress must make Sec. 199A permanent to protect small businesses, ensure tax fairness, and maintain the affordability of building materials.



**Keeping Housing Affordable Through Smart Tax Policy:** The cost of building materials directly impacts housing affordability.

ABMA urges policymakers to support tax policies that:

- Lower construction costs by preventing tax hikes on suppliers.
- Encourage investment in supply chains to reduce inefficiencies and delays.
- Ensure tax fairness so family-owned businesses remain competitive.
- Prevent supply chain disruptions that could drive up material prices.

By addressing these key tax priorities, Congress can help keep homebuilding costs under control and ensure that small businesses continue to thrive in the housing industry.

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