

# Achieving Regulatory Fairness for Small Business

## National Ombudsman

Entrepreneurs, associations, nonprofits, and small government entities who have an issue with an existing federal regulation or policy can receive assistance from the SBA's National Ombudsman. The Office of the National Ombudsman is an independent voice for small business within the federal government.

We can help to:

- resolve regulatory disputes with federal agencies
- reduce unfair penalties and fines
- seek remedies when rules are inconsistently applied
- recover payment for services performed by government contractors

The National Ombudsman analyzes small business concerns to detect recurring issues and trends that create barriers to small business growth. The SBA partners with the appropriate federal agencies to create smart solutions to resolve these issues.

## Making Your Voice Heard

Regional Regulatory Fairness Boards across the United States connect you with resources, provide advice and policy recommendations on regulations that affect the small business community. These boards are made up of small business owners within the SBA's 10 Regions.

By participating in a Regional Regulatory Enforcement Fairness Roundtable or public hearing hosted by the SBA's National Ombudsman you're able to amplify your concerns. These events are posted periodically on our website, [sba.gov/ombudsman](https://sba.gov/ombudsman).

This process is not a substitute for any other action you may take regarding specific federal enforcement activity, so you should continue to pursue all legal and administrative remedies you believe are in your best interest.

SBA programs and services are provided on a nondiscriminatory basis.

We Listen



## File a Comment or Complaint

Your concerns will be directed to the appropriate federal agency for review. The SBA will collaborate with you and the agency to help resolve the issue.

### What to include?

- Describe the issue
- State the action or outcome you're seeking
- Provide supporting documentation

### How to File

Visit [sba.gov/ombudsman/comments](https://sba.gov/ombudsman/comments) to file your comment online, or you may download the form and submit it by email, fax or regular mail.

**Email:** [ombudsman@sba.gov](mailto:ombudsman@sba.gov)

**Fax:** (202) 481-5719

U.S. Small Business Administration  
Office of the National Ombudsman  
409 3rd St, S.W., Washington, DC 20416

### For More Information:

Contact the Regulatory Fairness Helpline  
1-888-REG-FAIR (734-3247)  
or [sba.gov/ombudsman](https://sba.gov/ombudsman)



U.S. Small Business  
Administration

**SBA.gov**

## FAQs

### **Q. What constitutes excessive enforcement action by a federal agency?**

Excessive federal regulatory enforcement may include, but is not limited to, repetitive audits or investigations, punitive fines, penalties, threats, retaliation or other unfair enforcement action taken by a federal agency.

### **Q. How long does it take to get a response to my comment?**

Our goal is to be able to secure a response from the federal agency describing the results of its review within 30 days. Generally, you should receive a response within no more than 60 days. When comments are complex, a response may take longer.

### **Q. I would like to present testimony at a Regulatory Fairness Hearing but am unable to travel to the event. Can I present without testimony to have read into the record?**

Yes. If circumstances prevent you from personally attending a Regulatory Fairness Hearing, you may submit written testimony to be read into the record.

### **Q. I have testified at a Regulatory Fairness Hearing. Will my testimony be made public?**

Yes. Transcripts of all appropriate Regulatory Fairness Hearing comments will be placed on the Internet at the website of the National Ombudsman [archive.sba.gov/ombudsman](http://archive.sba.gov/ombudsman).

### **Q. I do not want my identity made known to the federal agency about which I wish to comment. Is this possible?**

Yes. You must be sure to clearly indicate on the comment form the level of confidentiality you desire. However, by requesting confidentiality the federal agency may not have sufficient information to investigate or resolve your situation.

### **Q. In appropriate cases can my comment or complaint be forwarded to the Inspector General of a federal agency by the Office of the National Ombudsman?**

Yes. In appropriate cases comments or complaints may be forwarded to the Inspector General of a federal agency and your identity can be kept confidential.

### **Q. Is there a charge for using the services of the Office of the National Ombudsman?**

No. The Office of the National Ombudsman was established by Congress and its services are provided at no fee to the public.

### **Q. If I file a comment, am I protected from agency retaliation against my business?**

Yes. Federal agencies and their employees are prohibited from retaliating against small businesses for filing a complaint regarding the agency. We take any allegation of retaliation extremely seriously, and should it ever occur will refer the matter to the Office of the Inspector General for review and investigation.

