

The considerable free rein federal agencies have over interpreting and enforcing laws passed by Congress is too often done in a way that harms Small Businesses.

While various regulatory-reform initiatives have prohibited the enactment of a range of onerous rules, those reforms are only as strong as the agency dedicated to their enforcement.

Additionally, since 2017 the position of Chief Counsel in the Small Business Administration (SBA) Office of Advocacy has not been filled, relegating the duties of this position to an already resource-strapped staff at the office.

By the numbers:

- The SBA Office of Advocacy efforts at monitoring federal agency compliance with the Regulatory Flexibility Act (RFA) have resulted in changes to four specific rules in 2023 that led to \$91.3 million in quantifiable Small-Business regulatory compliance cost savings.
- In FY2023—the most recent data available—Advocacy hosted 28 issue roundtables to provide a forum for Small Businesses to express their concerns with federal regulations. They also submitted 46 comment letters to 27 agencies to publicly register official comments on behalf of Small Businesses.

Congress must ensure it is allocating required financial resources for the Office of Advocacy.

WORKING SOLUTIONS

Lawmakers must ensure policy, rules, and regulations are devoted to serving America's Small Businesses. This will ensure maximized opportunities to achieve Washington's far-reaching objectives of providing reliable information about the status and role of Small Business in the U.S. economy, advocating for Small Business within the federal government's agencies and rule-making processes, and fostering public awareness of Small-Business contributions and concerns.

NSBA recommends that:

- Advocacy be fully staffed with a strong and capable leader at its helm.
- Advocacy be fully funded and afforded appropriate strength within the Administration to ensure that agencies adhere to the RFA, the Small Business Regulatory Enforcement Fairness Act, and the Plain Language Act in determining the true cost of regulations for America's Small Businesses, as well as ensuring Small Businesses can understand regulations.
- The Office of Management and Budget and Office of Information and Regulatory Affairs maintain close contact with Advocacy and provide strong support in their efforts to ease regulatory burdens.