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PilieroMazza Client Alert

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SBA Seeks Comments on Reducing Unnecessary Regulatory Burden

On August 15, 2017, the U.S. Small Business Administration (“SBA”) released a [request for information](#) (“RFI”) seeking input from the public as to which SBA regulations should be repealed, replaced, or modified because they are obsolete, unnecessary, ineffective, or burdensome. The RFI is prompted by various Executive Orders seeking to reduce the number and costs of federal regulations, including Executive Order 13771, signed by President Trump on January 30, 2017, requiring agencies to identify two existing regulations that the agency may cancel for every new regulation it proposes to implement, and Executive Order 13777, in which President Trump ordered agencies to evaluate existing regulations to determine ones to be repealed, replaced, or modified.

Through the RFI, SBA seeks comments from the public as to SBA regulations that parties “believe impose unnecessary burdens or costs that exceed their benefits, eliminate jobs or inhibit job creation, or are ineffective or outdated.” To guide such public input, the RFI includes the following list of questions for commenters:

- (1) Are there SBA regulations that have become unnecessary or ineffective and, if so, what are they?
- (2) Are there SBA regulations that can be repealed without impairing SBA’s regulatory programs and, if so, what are they?
- (3) Are there SBA regulations that have become outdated and, if so, how can they be modernized to better accomplish their regulatory objectives?
- (4) Are there SBA regulations that are still necessary, but which have not operated as well as expected such that a modified approach is justified, and what is that approach?
- (5) Are there SBA regulations or regulatory processes that are unnecessarily complicated or could be streamlined to achieve regulatory objectives more efficiently?
- (6) Are there any technological developments that can be leveraged to modify, streamline, or repeal any existing SBA regulatory requirements?

- (7) Are there any SBA regulations that are not tailored to impose the least burden on the public?
- (8) How can SBA best obtain and consider accurate, objective data about the costs, burdens, and benefits of existing SBA regulations?
- (9) Are there any specific suggestions of ways SBA can better achieve its regulatory objectives?

In submitting comments, and responding to these questions, SBA asks the public to keep the following in mind: “One of SBA’s primary objectives in carrying out these efforts is to continue to promote economic growth, innovation, and job creation in the small business sector, and to ensure that disaster survivors have the clear policy and procedural guidance they need to quickly obtain financial assistance to rebuild their lives.”

We would like to hear your views and we encourage all interested parties to submit comments. Comments are due to SBA by **October 16, 2017**. If you would like our assistance preparing comments, or if you would like to share your views, please contact John Shoraka, Megan Connor, or Katie Flood at ajshoraka@pilieromazza.com, mconnor@pilieromazza.com, or kflood@pilieromazza.com.