



DEPARTMENT OF THE ARMY
OFFICE OF THE SECRETARY OF THE ARMY
OFFICE OF SMALL BUSINESS PROGRAMS
106 ARMY PENTAGON
WASHINGTON DC 20310-0106

SASB

MEMORANDUM FOR OFFICE OF SMALL BUSINESS PROGRAMS PERSONNEL

SUBJECT: Standard Operating Procedures for Enforcement of the Small Business Regulatory Enforcement Fairness Act of 1996

1. Purpose: The purpose of this standard operating procedure (SOP) is to provide policy and implementing instructions for the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).
2. Applicability: This SOP applies to all personnel assigned to the Department of Army Office of Small Business Programs (OSBP).
3. Policy: All personnel have a statutory responsibility to follow U.S. laws and to implement regulations in a manner that ensures fair and equitable treatment, including due process. The OSBP will not condone retaliatory actions against firms based upon their expressing concerns or complaints involving regulatory enforcement or compliance matters. All OSBP personnel will be equitable in treatment of all vendors; address the public responsively and politely; be objective and base decisions on facts and solid judgment; and avoid even the appearance of impropriety.
4. Responsibilities:
 - a. The Director, OSBP maintains overall responsibility for ensuring the timely response to inquiries from the Small Business Administration (SBA), Office of the National Ombudsman (ONO). The Director, OSBP will:
 - 1) Receive, review and task OSBP Program Managers to prepare response(s) for the Director's signature to SBA ONO inquiry.
 - 2) Ensure the Small Business Community is aware of the OSBP SBREFA policy by posting to the OSBP website.
 - 3) Include the following information for firms to contact if they feel they have been unfairly treated.

National Ombudsman and Assistant Administrator for Regulatory Enforcement Fairness, Office of the National Ombudsman, U.S. Small Business Administration, 409 3rd Street, S.W., Washington, DC 20416, telephone: (886) 734-3247;
<http://www.sba.gov/ombudsman>.

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b. Program Managers, OSBP shall:

- 1) Coordinate with the OSBP Staff Action Control Officer (SACO) to establish a task in the Task Management Tool (TMT) for the cognizant Command Associate Director for Small Business to research and draft a Command response to the SBA ONO inquiry. Include a suspense date for the Command's response. The suspense date shall not be more than 25 days from the receipt of the inquiry.
 - 2) Inform the Command Associate Director for Small Business of the task so that the task can be properly routed and accepted in a timely manner at the Command.
 - 3) Monitor progress against the task completion through weekly communication with the Command Associate Director. Elevate any issues to the Director OSBP.
 - 4) Prepare a cover letter in accordance with Army Regulation 25-50 for Director OSBP signature that will accompany the Command response to SBA ONO. Prepare the email with attachments that will be used to forward the official response to the SBA ONO.
 - 5) Prepare an interim response for the Director OSBP's signature if the Command's response will extend beyond the SBA generated suspense (e.g. 30 days).
 - 6) Coordinate closure of the task with the OSBP SACO.
5. The point of contact for this action is James Lloyd, at (703) 693-6118 or email at james.lloyd@us.army.mil.

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Director, Small Business Programs