

115TH CONGRESS  
1ST SESSION

# S. 1146

To enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 17, 2017

Mrs. SHAHEEN (for herself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

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## A BILL

To enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Regu-  
5 latory Relief Act of 2017”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1           (1) the term “Ombudsman” has the meaning  
 2           given that term in section 30(a) of the Small Busi-  
 3           ness Act 15 U.S.C. 657(a)); and

4           (2) the term “small business concern” has the  
 5           meaning given that term under section 3 of the  
 6           Small Business Act (15 U.S.C. 632).

7 **SEC. 3. SBA REGULATORY ENFORCEMENT OMBUDSMAN.**

8           (a) IN GENERAL.—Section 30(b) of the Small Busi-  
 9           ness Act (15 U.S.C. 657(b)(2)) is amended—

10           (1) in paragraph (2)—

11           (A) in subparagraph (A)—

12           (i) by striking “with each agency with  
 13           regulatory authority” and inserting the fol-  
 14           lowing: “with—

15           “(i) each Federal agency with regu-  
 16           latory authority”;

17           (ii) by inserting “and” after the semi-  
 18           colon; and

19           (iii) by adding at the end the fol-  
 20           lowing:

21           “(ii) each Federal agency with regu-  
 22           latory authority over small business con-  
 23           cerns or that makes grants or enters into  
 24           contracts or cooperative agreements with

1 small business concerns to develop best  
2 practices to assist the Federal agency in—

3 “(I) establishing a program to  
4 assist small entities, as defined in sec-  
5 tion 601 of title 5, United States  
6 Code, in meeting regulatory require-  
7 ments imposed by that Federal agen-  
8 cy, including by responding to inquir-  
9 ies under section 213 of the Small  
10 Business Regulatory Enforcement  
11 Fairness Act of 1996 (5 U.S.C. 601  
12 note);

13 “(II) educating small entities  
14 about the regulations of that Federal  
15 agency that are applicable to small en-  
16 tities;

17 “(III) training small entities to  
18 comply with the regulations of that  
19 Federal agency;

20 “(IV) assisting small entities in  
21 completing forms required by the reg-  
22 ulations of that Federal agency;

23 “(V) addressing any specific  
24 question or concern of small entities;

1 “(VI) evaluating compliance  
2 guides described under section 212 of  
3 the Small Business Regulatory En-  
4 forcement Fairness Act of 1996 (5  
5 U.S.C. 601 note);

6 “(VII) ensuring that the compli-  
7 ance guides described in subclause  
8 (VI) are available to small business  
9 development centers and to other re-  
10 source partners of the Administration;

11 “(VIII) developing webinars re-  
12 lating to compliance assistance for—

13 “(aa) recently finalized rules  
14 of the Federal agency; and

15 “(bb) rules relating to which  
16 the Federal agency or Ombuds-  
17 man receives a significant num-  
18 ber of compliance inquiries from  
19 small business concerns; and

20 “(IX) conducting customer serv-  
21 ice surveys on an ongoing basis of  
22 small business concerns that interact  
23 with the Federal agency to assess the  
24 timeliness and quality of the activities  
25 of the Federal agency, which shall be

1                   conducted in a manner that allows the  
2                   results of the surveys to be incor-  
3                   porated into the rating of the respon-  
4                   siveness of the Federal agency under  
5                   subparagraph (C);”;

6                   (B) in subparagraph (D), by striking  
7                   “and” at the end;

8                   (C) in subparagraph (E), by striking the  
9                   period and inserting a semicolon; and

10                  (D) by adding at the end the following:

11                  “(F) in collaboration with the employee of  
12                  a Federal agency designated by the head of the  
13                  Federal agency as the primary point of contact  
14                  with the Ombudsman, establish a procedure re-  
15                  lating to how the Federal agency will provide  
16                  information—

17                  “(i) to small business concerns re-  
18                  garding the Ombudsman; and

19                  “(ii) to the Ombudsman regarding the  
20                  nature, scope, and resolution of requests to  
21                  the Federal agency from small business  
22                  concerns about proposed, final, or existing  
23                  rules;

24                  “(G) work with each Federal agency with  
25                  regulatory authority over small business con-

cerns and with programs of the Administration (including the Service Corps of Retired Executives authorized under section 8(b)(1)(B), women's business centers operating under section 29, and small business development centers) to conduct a robust outreach initiative, including through the use of the Internet, to increase the visibility of the Ombudsman and promote awareness of the services available from the Ombudsman; and

“(H) make information regarding the education, training, and compliance assistance services of the Ombudsman readily available on the website of the Ombudsman.”; and

(2) by adding at the end the following:

“(3)(A) The head of each Federal agency with regulatory authority over small business concerns or that makes grants or enters into contracts or cooperative agreements with small business concerns shall designate an employee of the Federal agency as the primary point of contact with the Ombudsman.

“(B) The employee designated under subparagraph (A) shall have the authority to make changes necessary to address compliance issues raised by small business concerns.”.

1       (b) RESOURCES.—The Ombudsman shall appoint ad-  
2       ditional individuals to positions in which they will provide  
3       education, training, and compliance assistance to small  
4       business concerns.

5       **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

6       Section 30 of the Small Business Act (15 U.S.C. 657)  
7       is amended by adding at the end the following:

8       “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
9       are authorized to be appropriated to carry out this section  
10      such sums as are necessary.”.

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