

SUPPORTING STATEMENT
U.S. Small Business Administration
PAPERWORK REDUCTION ACT SUBMISSION
SBA FORM 1993, Federal Agency Comment Form
OMB Control No. 3245-0313

A. JUSTIFICATION

1. Circumstances necessitating the collection of information

The Small Business Regulatory Enforcement Fairness Act of 1996, 15 U.S.C. § 657, as amended, (SBREFA) established the Small Business & Agriculture Regulatory Enforcement Ombudsman, known as the National Ombudsman at the U.S. Small Business Administration. (A copy of the pertinent legislation is attached). SBREFA requires the National Ombudsman to work with the small business regulatory agencies to ensure that those small entities, including small businesses, non-profits and certain units of government that receive or are subject to an audit, onsite inspection, compliance assistance effort, or other enforcement type action by a regulatory agency, are provided a means to comment on the enforcement action by those agencies. The National Ombudsman is also required to establish a means to receive comments on such enforcement activities, including, but not limited to, environmental, health, safety, and taxation actions. SBA Form 1993, Federal Agency Comment Form provides that mechanism.

SBA has made the following changes to the information to be collected:

- Added the type of small entity question
- Added a debanking question
- Requested the bank name
- Requested the reason for the debanking

2. How, by whom, and for what purpose information will be used?

Form 1993 is used by small businesses and other small entities to submit comments to the Office of the National Ombudsman (ONO) about the conduct of a particular Federal agency and what these entities consider unfair or excessive in an agency's conduct of regulatory enforcement toward the commenter. The information is used by ONO to identify properly commenting small entities, as well as the Federal agency involved. It is also used as a basis for ONO's communication to the agency on the action that the small entity considers unfair. ONO ultimately evaluates the agency's responsiveness to the small entity's complaint and includes an aggregated assessment of the results in its annual report to appropriate Congressional Committees.

3. Technological collection techniques

In FY 25, 81.5% of the collections were from online submissions and 18.2% via electronic mail. The form used for this information collection is available as a fillable PDF document on the ONO website (address is listed on the form), which can then be submitted online at the same address after completion. Commenters that encounter difficulty using this PDF version, or for other reason opt not to use it, can download the form from the same website and

submit it by email, regular mail, or fax to the ONO address that is also provided on the form.

4. Avoidance of Duplication

Because of the nature of this information collection, there is no similar information already available to the Agency that would satisfy the purposes of the collection. Each submission is situational and is based on the commenter's experience with a particular agency action.

5. Impact on small businesses or other small entities

This information collection from small entities will not have a significant economic impact on small entities. The form requires the minimum of information needed by the ONO to identify the small entity commenting, communicate with the entity, identify the Federal agency involved, allow a small business to choose a level of disclosure or confidentiality for its comment, and authorize the ONO to review the enforcement or compliance activities commented on by the small entity. In addition, by making the form readily accessible by mail, Fax, and internet, and allowing submission through these same methods, ONO has made it easy and convenient for the commenters to provide the necessary information.

6. Less frequent collections

Failure to collect this information would adversely impact ONO's ability to fulfill SBREFA's mandate. Without the information, ONO would not have sufficient data to assist federal agencies with mitigating civil penalties and champion small entity penalty relief. This information is collected once per report, so it cannot be collected less frequently.

7. Existence of special circumstances

No special circumstances exist.

8. Solicitation of Public Comment

Notice for public comment was published in the *Federal Register*, on August 11, 2025 at 90 FR 38691. The comment period ended October 10, 2025. No comments were received.

9. Payment of gifts

No payment or gifts of any kind will be given to the respondents.

10. Assurance of Confidentiality

This form collects personally identifiable information (PII) on a voluntary basis. A disclosure section on the form notifies respondents pursuant to the Small Business Regulatory Enforcement Fairness Act, the Office of the National Ombudsman (ONO) will keep confidential the identities of small entities filing Federal Agency Comments ("Comments"). The form also provides respondents with the option to keep their identity confidential or allow disclosure. If a respondent does not make an election, ONO treats the respondent's identity as confidential.

11. Questions of a sensitive nature

This form does not request any information that is sensitive in nature.

12. Estimate the hourly burden of the collection of information

The ONO receives about 1,000 comments annually with most entities filing one comment. The form and accompanying information take about 20 minutes/.333 to complete, resulting in an estimated annual hour burden of 333.33 hours. Assuming an hourly compensation of \$44.57 (Bureau of Labor Statistics “mean hourly wage” for professional and business services for August 2025) for the 333.33 hours required to generate the 1,000 comments to the ONO results in an annual cost of approximately \$14,841 for all the respondents, or an average cost of \$14.84 each. Those who wish to submit multiple comments may duplicate the form and change the name of the Federal agency involved.

Burden per Response:

	Time Per Response	Hours	Cost Per Response
Reporting	20 minutes	.333	\$14.84
Record Keeping			
Third Party Disclosure			
Total	20 minutes	.333	\$14.84

13. Estimate the total annual cost burden for submission

There are no additional costs to the respondents.

14. Annualized Cost to the Federal Government

Based on the cost of two employees at an average GS level of 13/\$48.89/hour ([OPM 2025 Salary Table](#)) for the intake processing and dissemination to Federal agencies of small entities' written comments, monitoring agencies' responses, and preparing responses for small entities, the estimated cost to the agency for this collection of information is approximately \$244,450 annually or an average cost of \$244.45 per comment.

Annual Burden:

	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Reporting	5 hours	244.45
Record Keeping		
Third Party Disclosure		
Total	5 hours	244.45

15. Explanation of program changes in Items 13 or 14 on OMB Form 83-I

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	1000					0
Annual IC Time Burden (Hour)	333.33					0
Annual IC Cost Burden (Dollars)	\$14,841					0
Annual Cost of 2 GS-13 employees	\$204,058					

16. Collection of information whose results will be published.

SBREFA requires the National Ombudsman to report findings and recommendations annually to Congress, based on information it receives from respondents, subsequent substantiation efforts with the Federal agencies involved, enforcement and compliance analysis, and the Regulatory Fairness Boards' advice. However, the information collected will not be reported in any individually identifiable format.

17. Expiration date for collection of information

The SBA will display the expiration date.

18. Exceptions to certification in block 19 on OMB Form 83-I

N/A.

Part B: COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable