

## RFA / IRFA DEFICIENCY

OFCCP Has Not Published an IRFA Analyzing Small Defense Tech Startup Burden — Renewal Must Be Denied Until Published

VEVRAA Recordkeeping | 38 U.S.C. §4212 | Due: MARCH 9, 2026 | [regulations.gov](https://www.regulations.gov)

### ⚠️ URGENT — COMMENT DEADLINE: MARCH 9, 2026 ⚠️

File at [regulations.gov](https://www.regulations.gov) | Docket OFCCP-2025-0100 | DOL-OFCCP, 200 Constitution Ave NW, Room C-3325, Washington DC 20210

<b>Filer</b>	James Hunter Poole, Executive Chairman & CEO — Obelisk Tech Systems Inc.
<b>CAGE / UEI</b>	9S0L8   U34MSJ6A6413   Thomasville, Thomas County, Georgia (Rural, ~23% poverty, ~14% BA attainment)
<b>Contracts</b>	Navy · Army · SOCOM · AFSOC — Cybersecurity, AI, Quantum Comms, Encrypted Comms, Submarine/Aerial Drone Systems
<b>Standing</b>	ETAAC Nominee   DARPA SBIR HR0011SB20254-12   14-Patent Portfolio   DTIC AD1348980   NIST 800-171   ITAR DS-2032   BIS SNAP-R S745686   FinCEN MSB   DOE Energy-AI Nexus
<b>Entity</b>	Delaware Corporation — Defense Technology   CAGE 9S0L8   SAM.gov Active   SBIR Applicant

## I. THE REGULATORY FLEXIBILITY ACT REQUIRES A CURRENT IRFA

The Regulatory Flexibility Act, 5 U.S.C. §§601-612, requires every federal agency to analyze the impact of proposed rules and information collection renewals on small entities and to consider less burdensome alternatives. The PRA renewal for OMB 1250-0004 does not include an Initial Regulatory Flexibility Analysis. OFCCP's submission describes the collection, estimates aggregate burden, and requests renewal — but contains no analysis of the disproportionate burden on small contractors, no analysis of less burdensome alternatives, and no consideration of whether the one-size-fits-all framework is the least burdensome approach consistent with VEVRAA's statutory objectives.

This is not a procedural technicality. The RFA's IRFA requirement exists precisely to protect small businesses like Obelisk from regulatory burdens that were designed for large entities but applied uniformly without analysis. OFCCP administers VEVRAA obligations that cover 89,978 contractor establishments — a population that includes thousands of small defense technology startups, rural companies, remote-first firms, and first-time federal contractors for whom the 48.18-hour estimate is not even close to accurate.

## II. WHAT A VALID IRFA MUST CONTAIN

### A. Small Entity Identification

The IRFA must identify the number and types of small entities subject to 1250-0004 that are disproportionately burdened — specifically: first-time federal contractors (under 5 years of contracting experience); contractors with fewer than 25 employees; remote-first companies with no physical establishment; rural contractors in high-poverty census tracts; defense technology startups with SBIR awards as primary revenue.

### B. Burden Disaggregation

The IRFA must disaggregate the 48.18-hour estimate by contractor size, age, and establishment type — not present a single average that masks 800–1,100% burden overstatement for small entities (as documented in Comment 1).

### C. Alternatives Analysis

The IRFA must analyze at least the following less burdensome alternatives: (1) three-year phased compliance for first-time contractors (Comment 2); (2) remote workforce safe harbor (Comment 3); (3) tiered recordkeeping by

contractor size (Comment 5); (4) template-based AAP safe harbor (Comment 4); and (5) unified electronic portal replacing multiple agency submissions (Comment 4). For each, the IRFA must explain why the alternative was adopted or rejected.

### III. SBA OFFICE OF ADVOCACY INTERVENTION REQUEST

Obelisk formally requests that OFCCP notify the SBA Office of Advocacy of this comment and request formal SBA intervention in this PRA renewal on RFA grounds, pursuant to 15 U.S.C. §657. The SBA Office of Advocacy has previously challenged OFCCP regulations for inadequate small business analysis. This renewal presents an equivalent or greater RFA deficiency.

- Request: SBA Office of Advocacy to file a formal IRFA challenge to the 1250-0004 renewal.
- Request: OFCCP to delay OMB submission of the renewal pending completion of a full IRFA.
- Request: OMB to decline to approve the renewal until a full IRFA is published for public comment.

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*Respectfully submitted,*

**James Hunter Poole**

Executive Chairman & CEO | Obelisk Tech Systems Inc.

CAGE: 9S0L8 | UEI: U34MSJ6A6413 | Thomasville, Georgia

14-Patent Portfolio | DTIC AD1348980 | ETAAC Nominee | DARPA SBIR HR0011SB20254-12  
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