

U.S. SMALL BUSINESS ADMINISTRATION

OFFICE OF ADVOCACY

REGULATION • RESEARCH • OUTREACH



The Voice of Small Business in Government

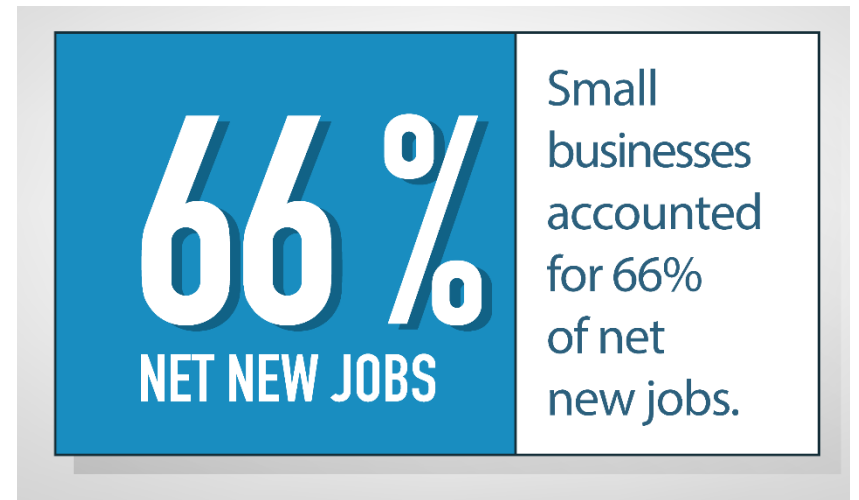
May 2019

OUR NATION'S JOB CREATORS

Our nation depends on small businesses.

Small Businesses:

- Employ 47.5% of the private workforce
- Pay 40.8% of total U.S. private payroll
- Account for 99.7% of all firms with paid employees
- Created 66% of net new jobs in the past 25 years



SMALL BUSINESS CHALLENGES

- It's not easy being small. Small businesses face many costs and challenges.
- What goes on in Washington, D.C., has a big effect on small businesses.
- New regulations can unduly burden small businesses: added complexity, paperwork, labeling, product redesign, costly outside expertise, licensing, training, permits
- Small businesses lack the resources—time, personnel, expertise, and money—to get involved in the federal rulemaking process.



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OFFICE OF ADVOCACY

The Office of Advocacy is the independent voice for small business within the federal government.

- **Created by Congress** in 1976
- Located in Washington, DC, with 10 regional field offices
- **Represents small businesses** before Congress, the White House, and the federal agencies
- **Functions independently** of the SBA, Congress, and the White House



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ADVOCACY'S MISSION

- **Regulatory Mission**

Advocacy oversees compliance with the Regulatory Flexibility Act (RFA). This law requires federal agencies to consider flexible approaches to health, safety, and other regulatory goals

- **Research Mission**

We research small business issues and the small business economy. We sponsor and disseminate small business data and statistics

- **We monitor proposed congressional legislation** for its potential impact on small business

- **Outreach**

We gather small business input from around the country

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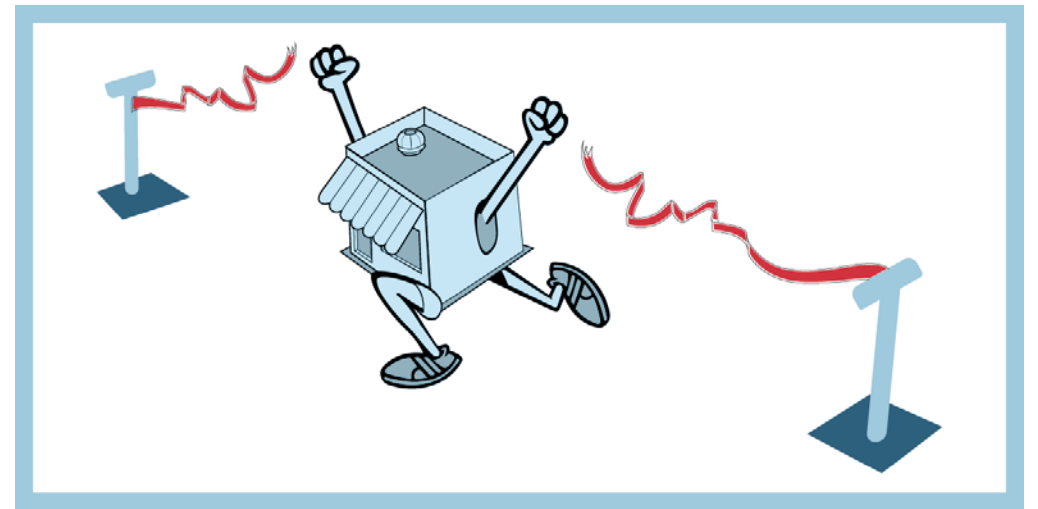
REGULATION

The Regulatory Flexibility Act of 1980:

- Requires agencies to estimate the impact of proposed regulations on small businesses.
- Requires agencies to consider less costly ways of achieving their goals.
- Requires 10-year review for rules that impact small entities

Regulatory Cost Savings:

- In FY2018, Advocacy's intervention resulted in changes to 18 specific rules that reduced the small business regulatory burden, including \$253.3 million in quantifiable cost savings.



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REGULATORY FLEXIBILITY ACT OF 1980

Threshold Question

Will the rule, if promulgated, have a “significant economic impact” on a “substantial number of small entities”?

- Agency must consider this question at proposed and final rulemaking.
- If no, agency head may so “certify” and no further analysis is required.
- If yes, agency must prepare and publish for comment an Initial Regulatory Flexibility Analysis (IRFA) for a proposed rule and Final Regulatory Flexibility Analysis (FRFA) for the final rule.

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SBREFA PANELS

- Small Business Regulatory Enforcement and Fairness Act (SBREFA) Panels
 - EPA and OSHA must conduct a Small Business Advocacy Review (SBAR) Panel before publishing an IRFA.
 - *Dodd-Frank created CFPB and made it a covered agency under the SBREFA*
- Small Entity Compliance Guides
- Judicial review

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WHITE HOUSE REVIEW OF REGULATIONS

- Executive Order 12866 and the Office of Information and Regulatory Affairs (OIRA)
- Centralized interagency review of significant regulatory actions.
 - The Office of Advocacy participates on a confidential basis.
- “Regulatory Impact Analysis.”
 - assess aggregate costs and benefits
 - consider feasible alternatives
 - avoid duplication
 - choose the most cost-effective alternative
- Meetings upon request with Interested Stakeholders during review
- *See* <http://reginfo.gov>

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REGULATORY REFORM

- Two recent regulatory Executive Orders.
 - [Executive Order 13771 - Reducing Regulation and Controlling Regulatory Costs](#)
 - [Executive Order 13777 - Enforcing the Regulatory Reform Agenda](#)
- Advocacy is working to leverage these Executive Orders to achieve cost savings for small businesses.

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REGULATORY ROLLBACK AND REFORM

- Advocacy has always stood for reducing unnecessary new burdens on small business.
- Now, Advocacy is helping reform existing regulatory burdens
- We are seeking input on regulations that stall job creation and impose excessive costs
- We are hosting Regulatory Reform Roundtables around the country
- Fill out the Regulatory Feedback Form on our webpage



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EX: INITIAL REGULATORY FLEXIBILITY ANALYSIS

What is the potential economic impact of the rule on small entities?

What significant alternatives might exist?

- Are there multiple ways to achieve the statutory objectives?
- Perform outreach activities to identify other alternatives

Does the rule duplicate, overlap or conflict with other Federal rules?

What is the economic impact?

- Compare compliance costs to revenue, profit, other financial/ nonfinancial characteristics
- Calculate disproportionality

What are the *reasons* for the rule?

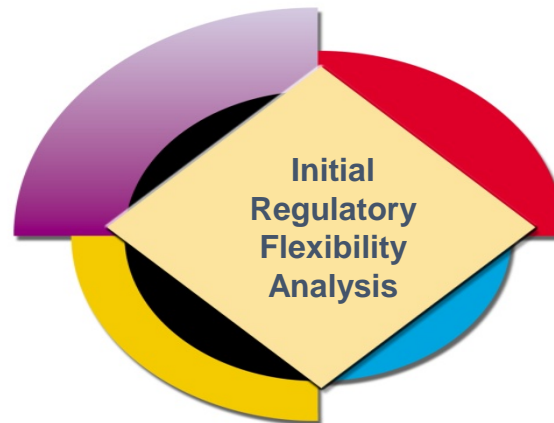
- Often taken from Preamble of the rule
- Explains the need for the rule in terms the public can understand

What are the agency *objectives*?

- Explains the legal basis
- The rule must achieve statutory requirements

What small entities are regulated?

- Identify and describe diversity
- Estimate numbers



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TYPICAL COMPLIANCE COSTS TO CONSIDER

Implementation Costs	Capital & Equipment Costs	Operation & Maintenance Costs
<ul style="list-style-type: none">• Rule familiarization• Consultants (e.g., lawyers, accountants, engineers)• Process changes• Financial management• Human resources management	<ul style="list-style-type: none">• Software• Hardware• Machinery• Safety equipment• Retrofitting/ Remodeling	<ul style="list-style-type: none">• Employee training• Additional labor• Recordkeeping and reporting• Administrative• Maintenance and repair• Inventory management

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DATA RESOURCES

➤ Agency outreach

- Roundtables/ public meetings
- Requests for Information (RFIs)
- Advanced Notice of Proposed Rulemaking
- Public comments
- Other information collections

➤ Internal agency data

- Supervisory data
- Administrative data

➤ Office of Advocacy resources

- Roundtables
- SBREFA panels
- Staff economists
- Small business economic research studies

➤ Public government data

- Census Bureau
 - Statistics of U.S. Businesses (SUSB)
 - Survey of Business Owners (SBO)
 - Annual Survey of Entrepreneurs (ASE)
- Bureau of Labor Statistics
 - PPI
 - Wage data

➤ Trade associations

- Member data
- Survey data

➤ Other sources

- Academic studies
- Private industry/market reports

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OFFICE OF ECONOMIC RESEARCH

Mission:

- “Examine the role of small business in the American economy and the contribution which small business can make in improving competition, encouraging economic and social mobility, ..., promoting exports, stimulating innovation and entrepreneurship...”
- “Study the ability of financial markets and institutions to meet small business credit needs...”
- “Assist the development and strengthening of minority and other small business enterprises.”

Objectives:

- Conduct and promote economic research that provides an environment for small business growth.
- Sponsor datasets on small businesses to investigate their status and role in the economy.
- Analyze the economic impact of policy proposals that affect small businesses to inform policy decisions.

Resources:

- Team of 4 research economists, 4 regulatory economists, 1 economic research fellow, and 1 Acting Director of Economic Research.

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SMALL BUSINESS RESEARCH AND DATA

- **Research:**
 - Contributions of Small Businesses (Small Business GDP, Jobs supported by small business, Patented innovations)
 - State of Small Businesses (Small Business State Profiles, Trends in Entrepreneurship)
 - Needs of Small Businesses (Access to capital, Regulatory Relief)
- **Data:**
 - Disseminate small business data to the public, White House, and Congress
 - Identify data gaps measuring small business economic activity
 - Cosponsor, analyze, and update small business data

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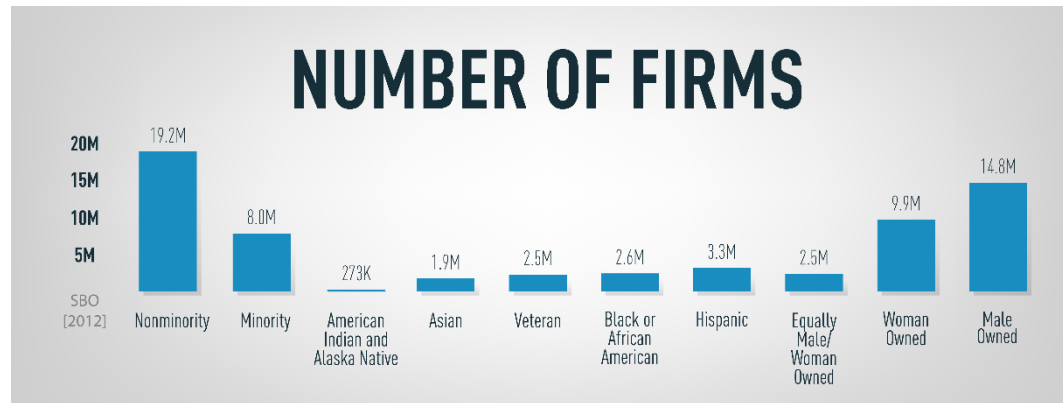
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RESEARCH

Examples:

- Small Business Profiles for each state
- Studies on small business lending and alternative finance
- Small business statistics on frequently asked questions
- Research on minority-, veteran-, and woman-owned businesses
- Contract reports on timely small business topics

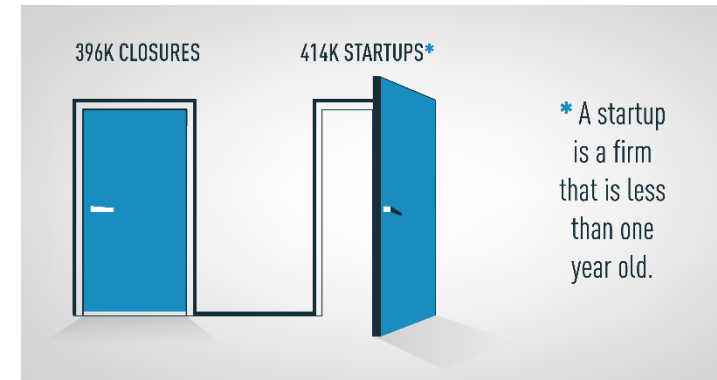
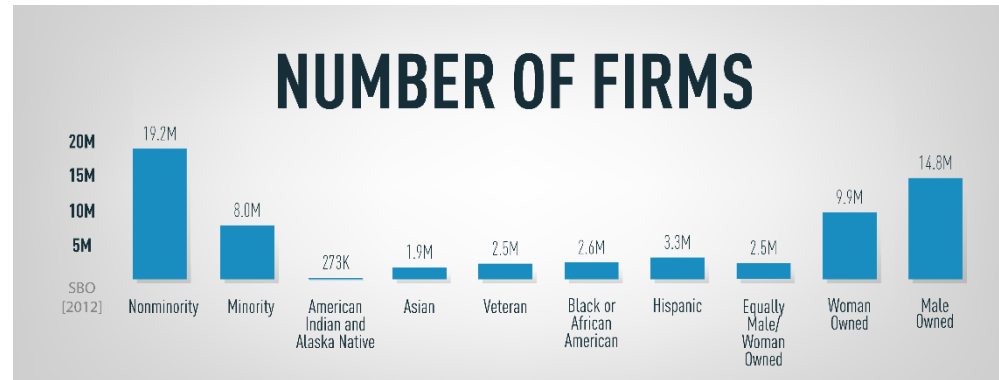
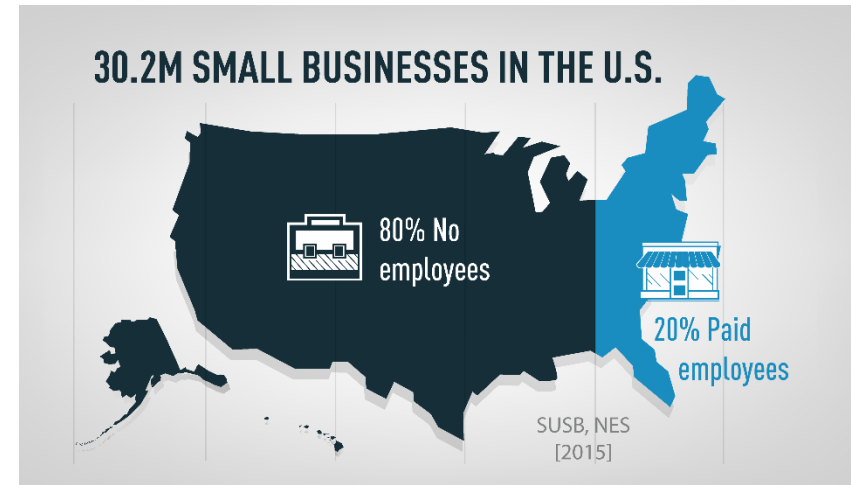


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INFOGRAPHICS: U.S. SMALL BUSINESS CONTRIBUTIONS

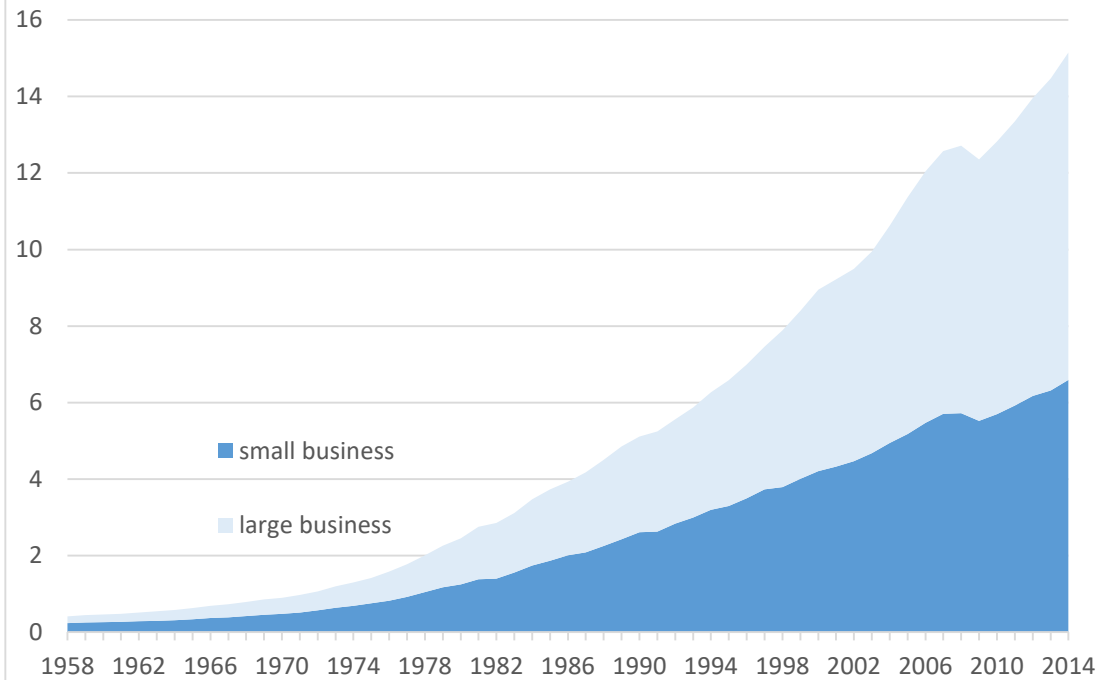


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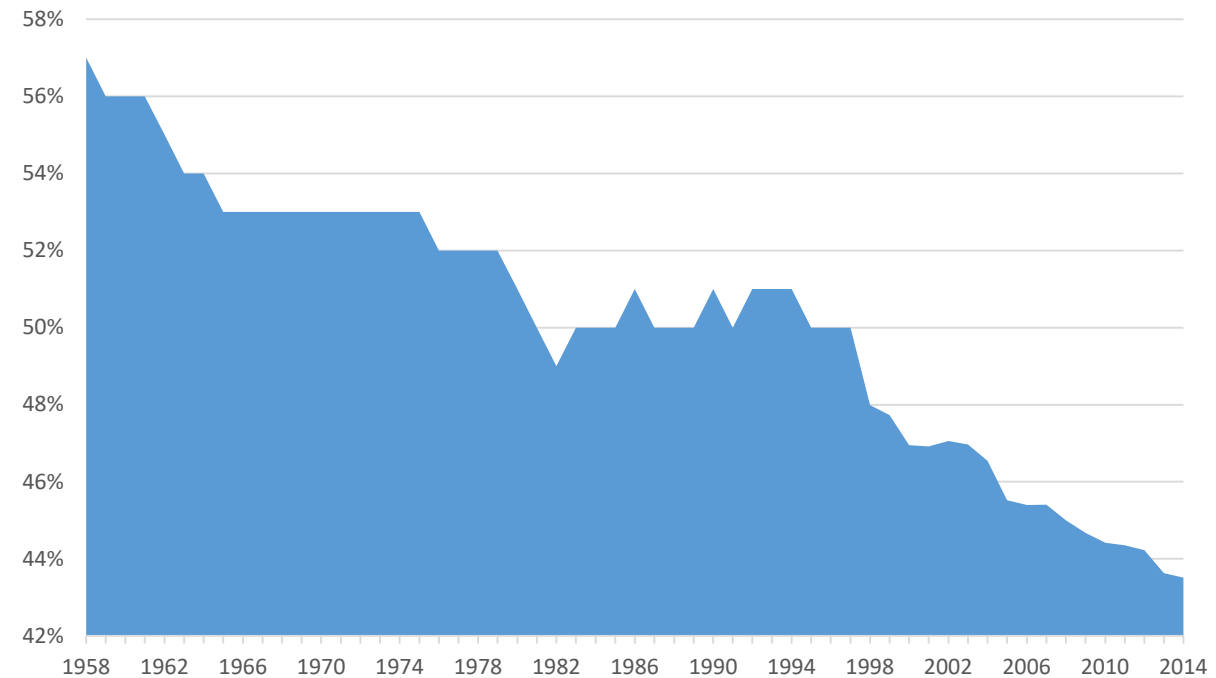
SMALL BUSINESS IN THE U.S. ECONOMY

Small and Large Business GDP, 1958–2014 (Trillions \$)



Source: SBA Office of Advocacy calculations of data from the U.S. Department of Commerce, Bureau of Economic Analysis. Prepared under contract SBAHQ-15-M-0146

Small Business Share of GDP, 1958–2014 (percent)



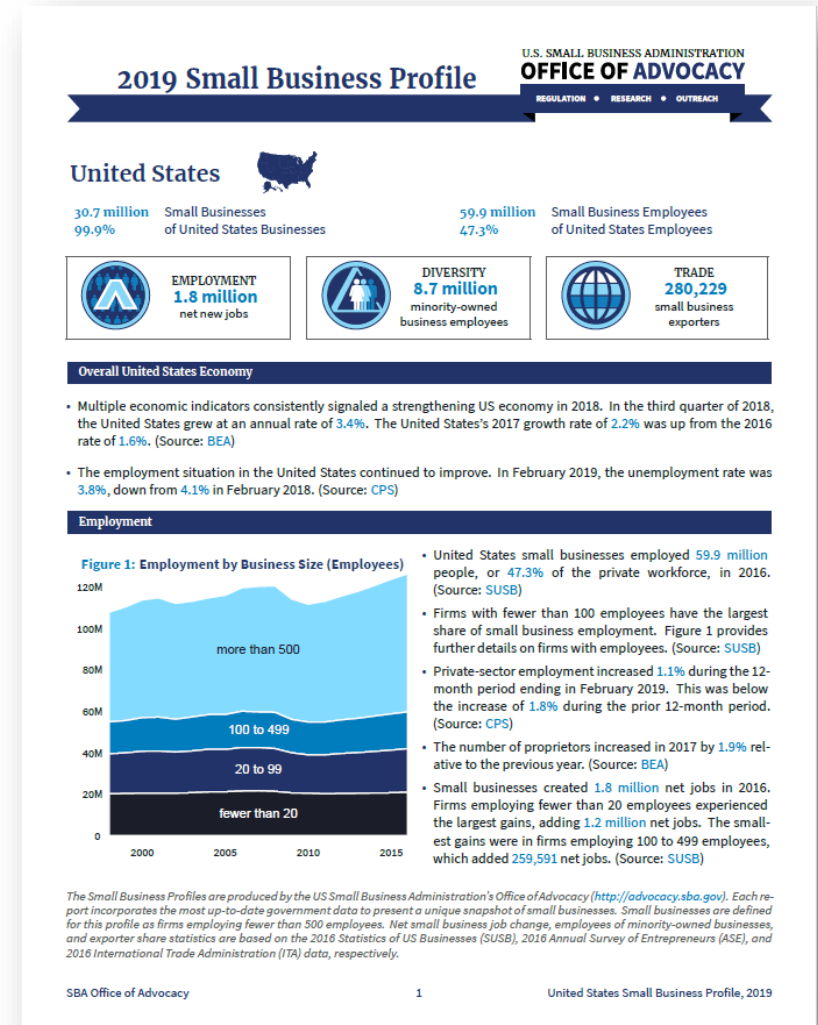
Source: SBA Office of Advocacy calculations of data from the U.S. Department of Commerce, Bureau of Economic Analysis. Prepared under contract SBAHQ-15-M-0146

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SMALL BUSINESS DATA

- Economic Activity
 - Firms, Establishments, Employment, Receipts, Payroll
- Industry
 - NAICS Sectors (2 digit) and Industries (6 digit)
- Geographic Area
 - US, State, County, Congressional District, MSA
- Firm Size
 - Employment Size
 - Receipt Size
- Business Characteristics
- Characteristics of Business Owners



OTHER FEDERAL DATA



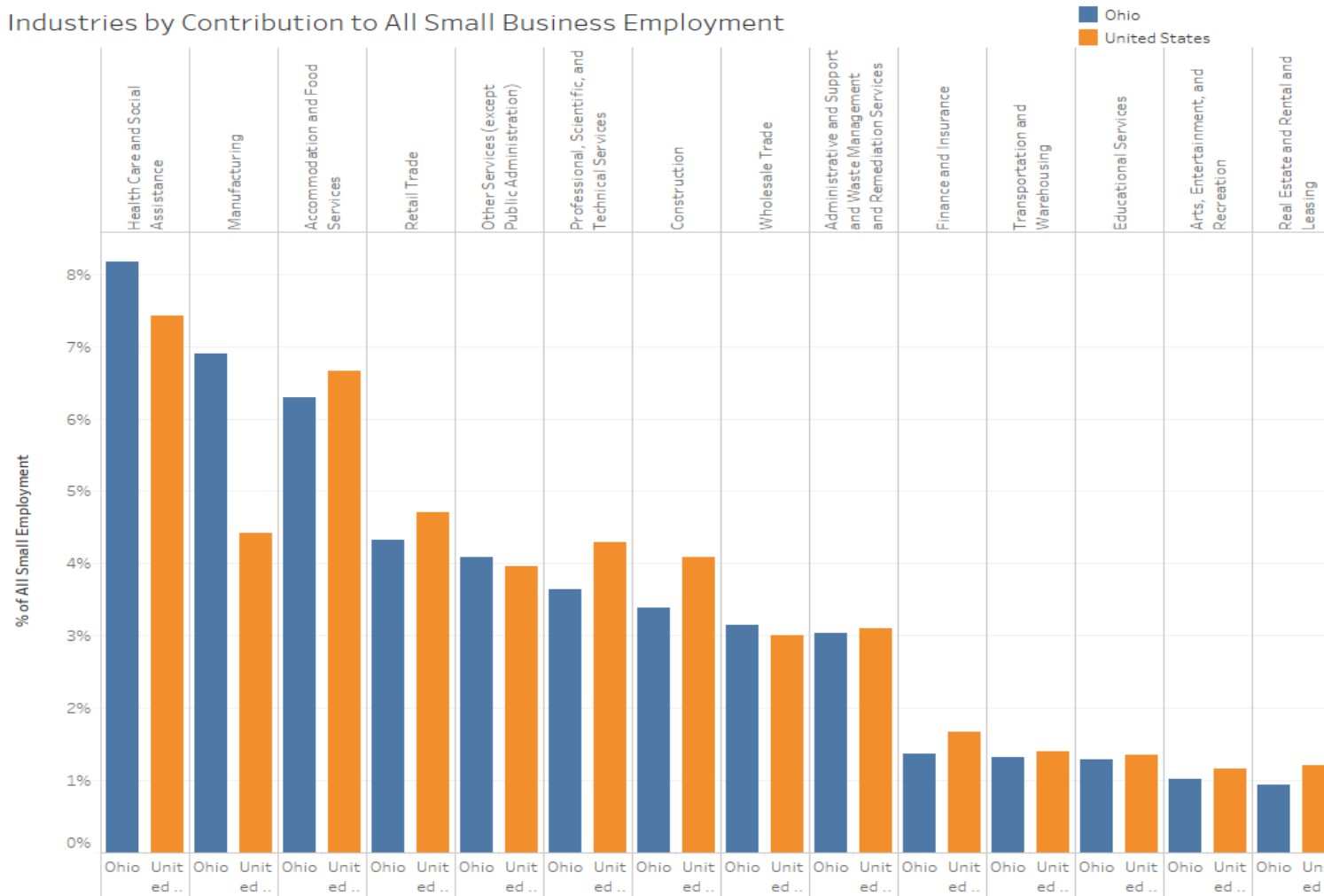
Small Business Data Resources

Small Business Data Resources: U.S. Federal Government

Agency	Data Program	Demographics	Employment	Exports / International	Finance	Firm Size Data	Firms / Establishments	Payroll / Benefits	Income / Sales / Expenses	Industry &br/>Geography	Taxes	Oldest data / Avg < 6 mo.	Frequency**	Link	
Popular Programs for Small Business Data															
Bureau of Labor Stat.	Business Empl.		✓			✓	✓			✓		1992*	q.	www.bls.gov/bdm/	
Census Bureau	Ann. Business Surv.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	2018	a.	www.census.gov/programs-surveys/ase.html	
Census Bureau	Ann. Surv. of	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	2014	a.†	www.census.gov/programs-surveys/ase.html	
Census Bureau	Business Dynamics Stat.		✓			✓	✓			✓		1977	a.	www.census.gov/ces/dataproducts/bds/index.html	
Census Bureau	Nonemployer Statistics					✓	✓		✓	✓		1997	a.	www.census.gov/programs-surveys/nonemployer-statistics.html	
Census Bureau	Statistics of U.S. Bus.		✓			✓	✓	✓	✓	✓		1987	a.	www.census.gov/programs-surveys/susb.html	
Census Bureau	Survey of Business	✓	✓	✓	✓	✓	✓	✓	✓	✓		1982	5†	www.census.gov/programs-surveys/sbo.html	
Federal Reserve Board	Sr. Loan Off. Opinion				✓	✓			✓			1990*	q.	www.federalreserve.gov/data/sloos.htm	
Federal Reserve Board	Small Business Credit	✓	✓		✓	✓	✓		✓	✓	✓	2010*	a.	www.newyorkfed.org/smallbusiness	
FDIC/FFIEC	Qtrly. Small Bus. Loans				✓							1995*	b.	www.fdic.gov/bank/analytical/qbp/index.html	

USING STATE DATA

Industries by Contribution to All Small Business Employment



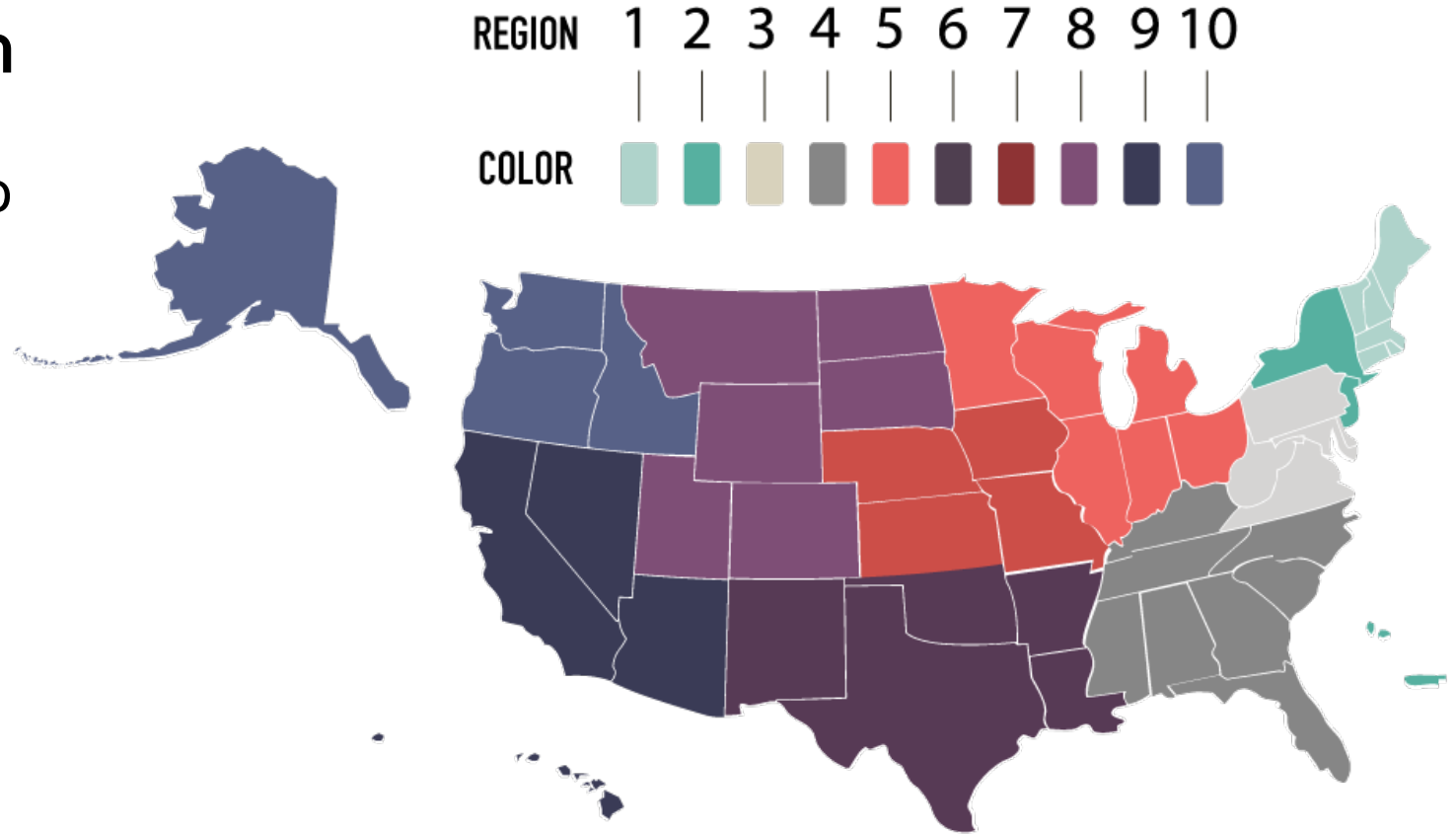
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NATIONWIDE OUTREACH

Advocacy's Regional Outreach

- Our 10 regional advocates and two national advocates bridge the gap between small businesses and Washington policymakers
- We meet with small businesses around the nation, discover the real-world effects of federal policies and regulations, and inform Capitol Hill and federal agencies



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NATIONWIDE OUTREACH

Advocacy's Outreach: Rural Issues

National Rural Affairs Advocate: Joseph Knilans

- Advocates for small business, small government entities and non-profit organizations
- Represents rural areas in all regions
- Helps identify new issues and concerns of small business owners

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NATIONWIDE OUTREACH

Advocacy's Outreach: Manufacturing and Technology

National Advocate for Manufacturing and Technology: Thomas Rossomando

- Identify federal regulations damaging to small business employment growth and its bottom line through national forums and roundtables.
- Represent small businesses' federal regulatory concerns in all industries, and with an emphasis on manufacturing and technology.
- Address and organize small business interests regarding upcoming trade negotiations.

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PROVIDING INPUT

- Advocacy relies on small business input, but we need input that helps build our case to the agency.
- If an existing or proposed regulation is causing your problems, we need details—
 - Which regulation and which provisions of it?
 - Can you propose a better way of meeting the goal?
 - How can you measure the burden of the regulation?
 - How much would it cost you?
 - In what specific ways – such as added payroll costs, hiring lawyers or consultants?

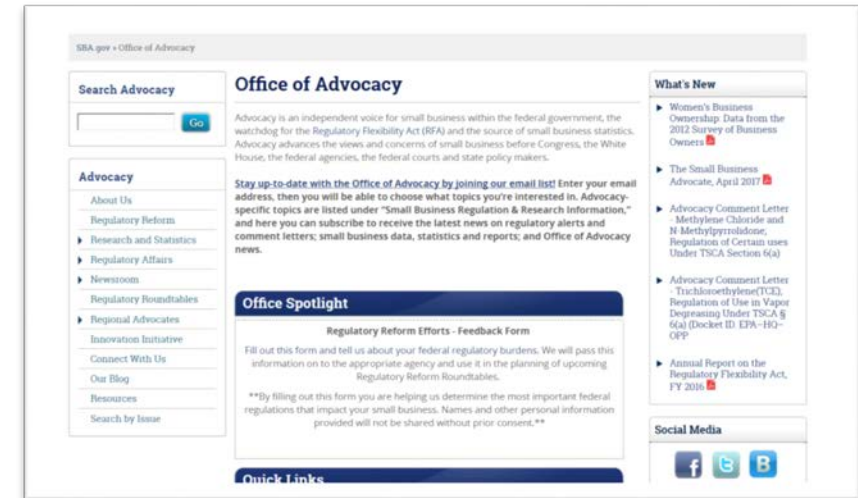
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GET INVOLVED

- Visit Advocacy's website and share your experiences complying with federal regulations on our Regulatory Feedback Form:
www.sba.gov/advocacy
- Subscribe to our email listservs and follow us on social media to stay up to date on new regulation and other key issues.
- Attend Regional Regulatory Reform Roundtables in your area



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Social Media

- LinkedIn

U.S. Small Business Administration - Office of Advocacy
239 followers
3w • Edited

Advocacy is hosting a Small Business Outreach Meeting on trade agreements with Japan, European Union, and United Kingdom in Columbus, Ohio on March 26.

Tuesday, March 26, 2019
9:00 AM – 12 PM

Ohio State University Fisher College of Business
Mason Hall
2nd Floor Mason Rotunda
250 W Woodruff Ave
Columbus, OH 43210

Your participation will greatly assist the Office of Advocacy in communicating to Congress how the trade agreements being negotiated will affect your business. Small businesses do not need experience in all three markets to participate, and can provide feedback on a particular market.

<https://go.usa.gov/xEGkk> - Go here to see more info and Register!

INTERNATIONAL TRADE
Outreach Meeting

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SBA Office of Advocacy
April 2 at 1:57 PM · ⚙️

SBA Office of Advocacy is hosting a National Waters of the U.S. Roundtable in Tampa, FL on Thursday. Check out the website for more info and to RSVP.
<https://advocacy.sba.gov/.../sba-office-of-advocacy-national.../>

ADVOCACY.SBA.GOV
SBA Office of Advocacy National Waters of the U.S. Roundtable, April 4, 2019

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Advocacy Website

<http://advocacy.sba.gov>

The screenshot shows the homepage of the U.S. Small Business Administration Office of Advocacy. The header includes the organization's name and navigation links for News, Regulation, Research, Resources, Connect, and About. The main content area features several key articles and sections:

- REGULATION:** A large article titled "REPORT Regulatory Flexibility Act" with a sub-headline "Regulatory Burden Reduced For Small Businesses In FY 2018" and a date of "Apr 3, 2019". The background image shows a scale of justice.
- REGULATORY ALERTS:** A section with two items: "DOL Proposes 35K Overtime Rule Threshold" (with a photo of a building) and "Alcohol And Tobacco Tax And Trade Bureau Announces 2019 Trade Practice..." (with a photo of the Supreme Court building).
- NEWSLETTER:** A section titled "You Speak, We Listen" for the "March 2019 Small Business Advocate" featuring a photo of a hand holding a speech bubble.
- RESEARCH:** A section titled "Small Business Facts: Spotlight On Women-Owned Employer Businesses" with a map of the United States.
- AGENCY ROUNDTABLES:** A section titled "Advocacy to Hold Roundtables Across the United States to Hear from Small Businesses" dated "Mar 25, 2019". It includes a map of the United States and a brief description of outreach meetings on trade agreements.

At the bottom right, there is a search bar with a "SEARCH" button and a "Let Us Know" button.

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What's New?

- 13 regulatory issue roundtables in Washington.
- 23 regional roundtables in 16 states.
- Visits to 67 small businesses in 15 states
- Changes to 18 specific rules.
- \$253.3 million in small business cost savings.



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What's New?

- On March 21, 2019, the Environmental Protection Agency published a proposed rule seeking comment on two different aspects of the nation's gasoline supply.
 - A change to fuel standards that would allow gasoline with 15 percent ethanol to be sold during the summer.
 - Changes to the credit market that drives the Renewable Fuel Standard.
- Advocacy submitted a letter to EPA during the comment period.



REGULATORY ALERTS

EPA Requests Comment On Increasing Ethanol In Summertime Gasoline And On Reforms To The Renewable Fuel Standard Credit Market

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Monthly Regulatory Alerts

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SMALL BUSINESS ALERTS
Regulations and Research Affecting You

March 28, 2019

Please see the update from the SBA Office of Advocacy. You can stay up-to-date on our office by reading our comment letters and reviewing our research. As always, we are seeking your input on current regulatory alerts and your participation in our regulatory roundtables. Please be in touch directly with the listed Advocacy contact for any questions or comments on these topics. Feel free to contact me with other questions or concerns.

- Les Davies
Region 5 Advocate

REGULATORY REFORM INITIATIVE

President Trump has made regulatory reform a centerpiece of his agenda. Since the Office of Advocacy is the independent voice for small business within the federal government, our office has developed a Regulatory Reform Action Plan to make sure the agencies keep small business issues in mind as they work to accomplish this goal. We are hosting Regional Regulatory Reform Roundtables across the country to gather small businesses' input about federal regulations that are most burdensome to them. Advocacy is using the information gathered at these roundtables to inform agencies, Congress, and the public on how specific regulations can be modified or removed to help small businesses.

We will be planning more roundtables soon. Keep an eye on [this webpage](#) for updated information on Advocacy's involvement in helping to reduce the regulatory burden on our nation's small businesses.

Also, we have created a form for small businesses to let us know about the federal regulations that are burdensome to them. Please feel free to fill that form out [here](#) and distribute to small businesses who may be interested. It will help us shape our future regional regulatory roundtables.

CALL FOR SMALL BUSINESS RESEARCH TOPICS

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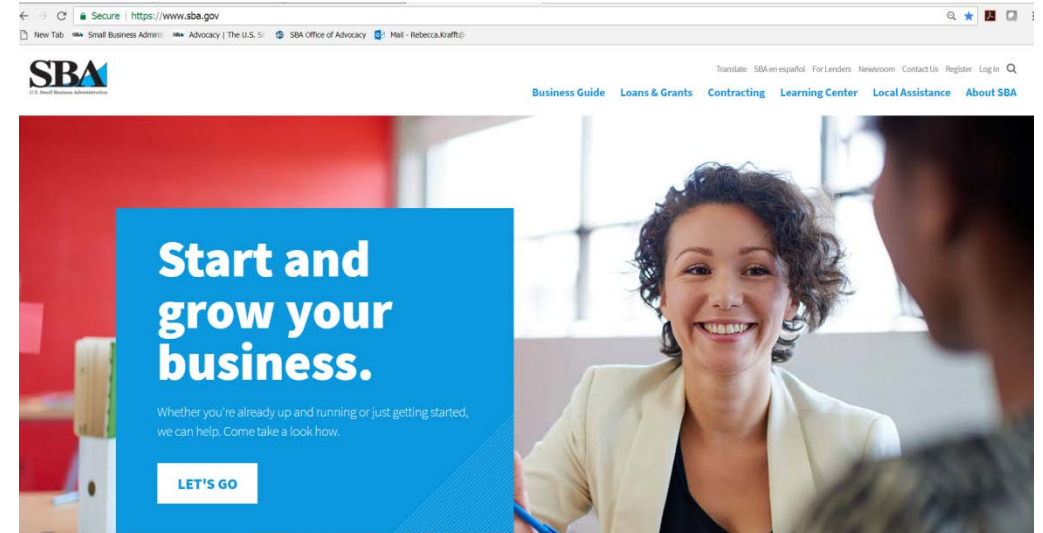
ABOUT SBA PROGRAMS AND SERVICES

Small Business Administration programs

Some of SBA's programs include:

- Small business loan guarantees: 7(a) loans, 504 loans
- Disaster assistance
- The National Ombudsman
- Government contracting information and assistance

To learn more, visit the SBA website, www.sba.gov, or contact your SBAdistrict office.



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SUMMARY

- Independent office
- Listens to small business concerns
- Fights burdensome regulation on small business
- Provides research and statistics on small business
- Brings your input back to our nation's leaders



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STAY IN TOUCH!

-  **Listservs** (News, regulatory news, research and statistics)
www.sba.gov/content/connect-us-0
-  **Website** advocacy.sba.gov
-  **Email** advocacy@sba.gov
-  **Facebook** facebook.com/AdvocacySBA
-  **Twitter** twitter.com/AdvocacySBA
-  **LinkedIn** <https://www.linkedin.com/company/u-s-small-business-administration-office-of-advocacy>

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-  **Twitter** twitter.com/AdvocacySBA
-  **LinkedIn** <https://www.linkedin.com/company/u-s-small-business-administration-office-of-advocacy>

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- **Joe Knilans**
National Rural Affairs Advocate:
joseph.knilans@sba.gov
(608) 441-5264
- **Tom Rossomando**
National Manufacturing and
Technology Advocate
thomas.rossomando@sba.gov
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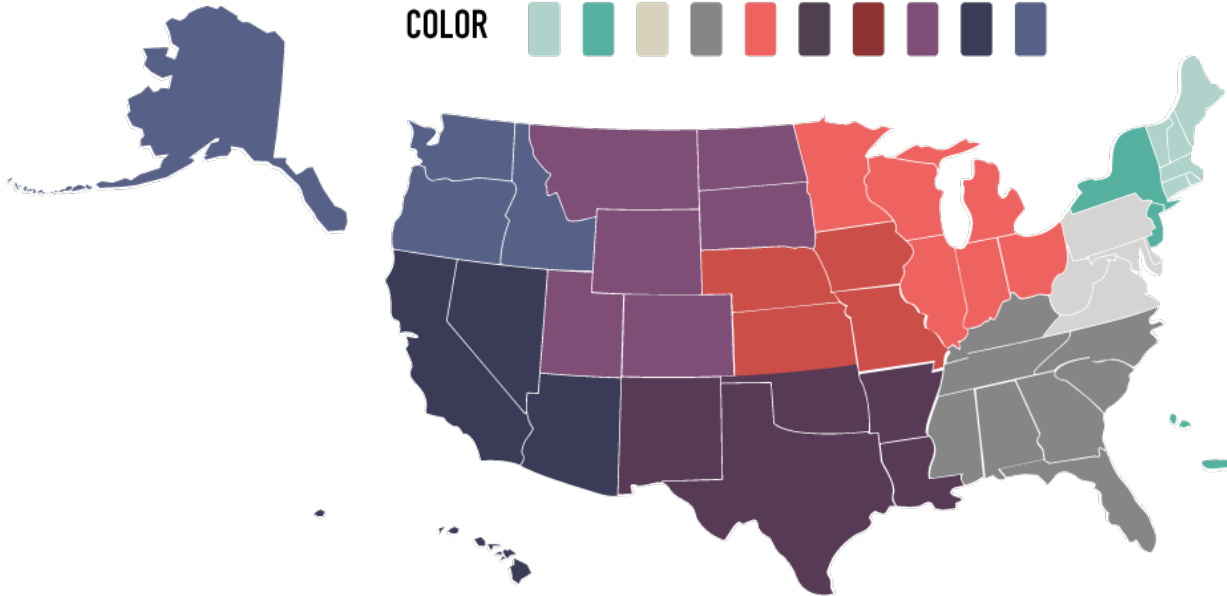
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STAYIN TOUCH: REGIONAL ADVOCATES

REGION	1	2	3	4	5	6	7	8	9	10	
COLOR											



Region 1: Keegan Shepardson
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Region 2: Christine Myers
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(212) 264-7752

Region 3: Elmo Rinaldi
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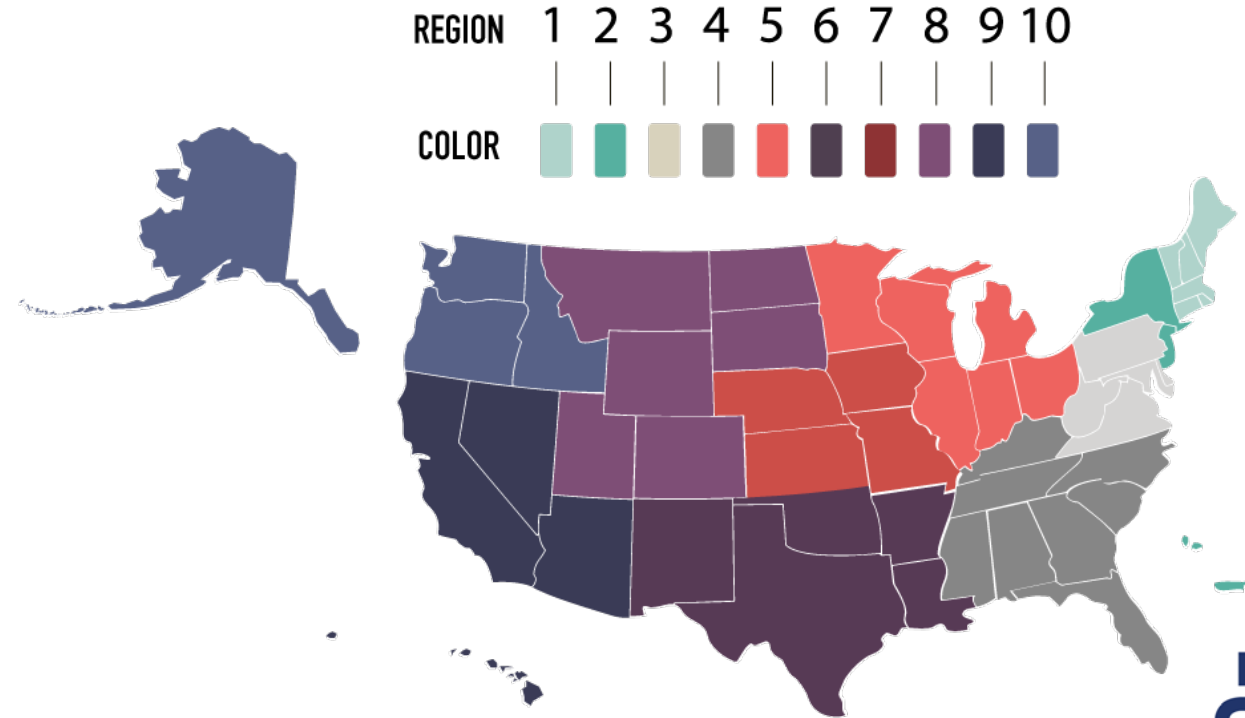
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