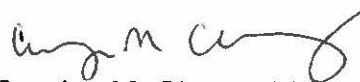# Memorandum

Department of Veterans Affairs

Date: March 26, 2021

From: Acting Deputy Secretary (001)

Subj: Non-Retaliation Statement for Small Entities Seeking Assistance from the Small Business Administration (SBA) Office of the National Ombudsman (ONO) (VIEWS 4647278)

To: Under Secretaries, Assistant Secretaries, Head of Contracting Activities and Other Key Officials

1. The Small Business Regulatory Enforcement Fairness Act (SBREFA) requires agencies to take steps to collect input from small entities on regulations and to determine whether a rule is expected to have a significant economic impact on a substantial number of small entities. SBA ONO was created to assist small businesses when they experience excessive or unfair Federal regulatory enforcement actions, such as repetitive audits or investigations, excessive fines, penalties, threats, retaliation or other unfair enforcement action by a Federal agency.

2. This memorandum communicates the Department of Veterans Affairs' (VA) policy on non-retaliation and small entities' rights under SBREFA, including the right to file a comment with the SBA ONO. VA prohibits retaliatory actions by VA employees against any small business regarding SBA ONO assistance, questions or complaints about VA regulatory enforcement actions, requirements or policies.

3. VA takes allegations of retaliation very seriously and will take corrective appropriate actions necessary to thoroughly investigate any allegation of retaliation, including referring all allegations of threats or retaliation against small businesses to the cognizant senior executive, the Inspector General or other responsible official. The content of this notice will be made available to the public on the website of the Office of Small and Disadvantaged Business Utilization (OSDBU).

4. If you have any questions, please contact Ms. Sharon G. Ridley, Executive Director, OSDBU, or Ms. Kimberly P. McLeod, Deputy Executive Director, OSDBU, at 202-461-4600 or OSDBUExecCorr@va.gov.

Carolyn M. Clancy, M.D.