



MEMORANDUM

TO: Heads of Federal Agencies  
General Counsels  
Agency Regulatory Staff

FROM: Claudia Rayford Rodgers  
Senior Counsel  
Office of Advocacy, U.S. Small Business Administration

DATE: November 13, 2002

SUBJECT: Advocacy Issues its RFA Guidance Document for Federal Agencies Pursuant to Executive Order 13272

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On August 13, 2002, President Bush signed Executive Order 13272 requiring federal agencies to implement polices protecting small business when writing new rules and regulations. The purpose of the Executive Order is to ensure that we work closely together to ensure that small business issues, particularly as they relate to disproportionate regulatory burden, are addressed as early as possible in the regulation writing process.

On August 22<sup>nd</sup> Chief Counsel Thomas M. Sullivan sent a memorandum alerting the heads of federal agencies of the Executive Order's requirements. Under the Executive Order, all federal agencies are required to submit draft plans, by November 13, 2002, on how they account for small business in their rulemaking process. If your agency has not yet submitted its draft plan to Advocacy, you are urged to contact our office immediately at the number below.

The Executive Order also requires Advocacy to notify the heads of federal agencies of the basic requirements of the Regulatory Flexibility Act (RFA) by November 13, 2002. Accordingly, we have revised our RFA implementation guide for federal agencies. It contains information on the requirements of the Regulatory Flexibility Act, recommendations for agency compliance, examples of rules promulgated in accordance with the mandates of the RFA, as well as detailed RFA case law information. The guide is attached for your convenience. It is also available on our website: [www.sba.gov/advo](http://www.sba.gov/advo). We hope that it will become a useful tool for agencies as they consider the impact of their regulations on small business in compliance with the requirements of the RFA.

If you have any comments on our new RFA compliance guide or questions and concerns regarding the Executive Order or the RFA, please feel free to contact me at 202-205-6804 or at [Claudia.Rayford@sba.gov](mailto:Claudia.Rayford@sba.gov). A copy of the Executive Order is also attached for your convenience.