

Comment from (Alternate) Government Member Joe Solomey on *Best Practices for Adjudication not Involving an Evidentiary Hearing*  
October 11, 2023

One issue I'd raise related to the use of an Ombuds: The Small Business Administration has a role related to those companies considered a small business like an Ombuds, a company or regulated entity may file a comment or complaint related to an agency activity (generally enforcement or adjudication related, and it could related to Type A, B, or C adjudications). The SBA is supposed to work with the agency to answer the comment or complaint—including modifying or reversing an agency action or improving an agency process. This is provided for under the Small Business Regulatory Enforcement Fairness Act (SBREFA). Do we want to acknowledge the SBA's role for small businesses in the recommendation (perhaps a footnote) or do we want to add a footnote to the official report for historical reasons and to show this potential path was considered by the Committee on Adjudication?