

SBA

SOP 90 78 1

Marketing

Office of Communications and Public Liaison (OCPL)
U.S. Small Business Administration



SMALL BUSINESS ADMINISTRATION
STANDARD OPERATING PROCEDURE
NATIONAL

SUBJECT: Marketing	S.O.P.		REV
	SECTION 90	NO. 78	1

INTRODUCTION

1. Purpose. This SOP establishes Agency policy on marketing.
2. Personnel Concerned. All SBA employees.
3. Directives Cancelled. None.
4. Originator. Office of Communications and Public Liaison.

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Chapter 1: General Overview

1. What is the purpose of this Standard Operating Procedure?

The purpose of this SOP is to provide guidance to SBA personnel on appropriate procedures in relation to branding and marketing efforts for the Agency, including appropriate use of the Agency's seal and logo, advertising, employee identification, required disclaimers, and other promotional efforts.

In 2017, the SBA embarked on a modernization project which included an Agency rebranding effort. The resulting brand is characterized by a shift in tone from Agency-centric and educational to customer-centric and collaborative. The new brand is also characterized by a shift from promotion of a single program or service at a particular interaction or point in the business life cycle to holistic presentation of SBA programs and services, not just at this point in the life cycle but with the future of the business in mind.

Prior to the Agency's rebranding effort, restrictions on the use of the SBA logo were considered by some to be counterproductive to promoting the SBA's support of the small business community. Thus, in addition to the new SBA logo, i.e., the primary visual representation of the new brand, window decals and digital icons were created to provide more flexibility and raise awareness of specific types of SBA partners. This SOP is intended to clarify and underscore the need for consistent use of these visual representations so that the Agency is to be able to build brand recognition and manage its brand integrity.

2. To whom does this SOP apply?

This SOP applies to all SBA employees and contractors, except for employees of the Office of the Inspector General and the Office of Advocacy, unless otherwise noted. This SOP also provides guidance on the use of SBA's name and logo by the general public. In addition, it provides tools for SBA partner identification, including SBA Lenders, Resource Partners, grantees, and cosponsors. SBA employees should use it as a reference as they answer questions about the use of the SBA logo and/or brand.

3. What is SBA's authority for marketing?

SBA marketing is governed by various Public Laws and authorities including:

- a. SBA's regulations on Cosponsored Activities, SBA-sponsored activities, and gifts, 13 C.F.R. §106.
- b. Authority to use SBA's seal, 13 C.F.R §101.105.
- c. Small Business Act, section 8(b)(1)(A)(iii-iv), 15 U.S.C. 637(b)(1)(A)(iii-iv)
- d. Small Business Act, section 8(b)(15), 15 U.S.C. 637(b)(15)
- e. Small Business Act, section 7(b)(5), 15 U.S.C. 636(b)(5).

4. What is not covered by this SOP?

Outreach Activities and Agreements are covered by SOP 90 75, which includes guidance on Outreach Activities, Cosponsored Agreements, Strategic Alliance Memoranda, and Memoranda of Understanding. Gifts to the Agency are covered under Gifts SOP 90 50 3 and gifts to individual SBA employees are governed by ethics regulations, 5 CFR § 2635 Subpart B. This SOP applies only to external activities, i.e., those that are public-facing. As such, this SOP does not apply to internal activities that are conducted **solely** for SBA employees and its contractors.

Chapter 2: Use of the SBA Seal and Logo

1. What is the official SBA seal?



The SBA’s seal was created to provide a “seal of authenticity” on official correspondence as governed by the Code of Federal Regulations (13 CFR § 101.105). The seal is generally reserved for “higher-level” functions, while the logo is used as the “visual identifier,” which helps the public recognize the Agency. Thus, at no time should the seal be used in conjunction with the logo.

2. For what purpose is the SBA seal to be used?

The use of SBA’s seal is set forth in regulation at 13 C.F.R. § 101.105. This regulation authorizes use for specific purposes:

- a. Certification of originals and copies of SBA documents;
- b. SBA awards and medals;
- c. Career service awards;
- d. Security credentials and ID cards;
- e. Business cards for political appointees;
- f. Official signs;
- g. Plaques;
- h. The SBA flag;
- i. Officially authorized reports or publications; and
- j. Other purposes determined necessary by the Administrator.

Any intended use of the SBA seal that is outside the parameters explicitly stated within the regulation must receive written approval from the Administrator.

If the SBA receives an external request to reproduce the seal in circumstances other than those outlined in the regulation, the Administrator, under the guidance of the General Counsel, shall consider factors including the benefit or cost to the Agency of granting the request; the unintended appearance of endorsement or authentication by the SBA; the potential for misuse; the

reputability of the use; the extent of control by the SBA over the use; and the extent of control by the SBA over the distribution of any products or publications bearing the SBA seal.

This policy on the use of SBA seal does not supersede the legal principles of fair use of trademarks. Thus, the SBA seal may be used by outside organizations for news reporting and other critiques without the SBA's prior permission, providing the seal use does not imply an endorsement or sponsorship by the SBA.

3. What are improper uses of the SBA seal?

The official seal shall not be used, except as authorized by the Administrator, in connection with:

- a. Any manner that implies SBA endorsement of commercial products or services or of the user's policies or activities;
- b. Contractor operated facilities;
- c. Souvenir or novelty items;
- d. Toys or commercial gifts or premiums;
- e. Letterhead design, except on official SBA stationery;
- f. Clothing or equipment;
- g. Business cards (except for political appointees, per above);
- h. Presentations (unless officially authorized, per above); or
- i. Any article which may disparage the seal or reflect unfavorably on the SBA.

As a matter of Agency policy, parties to SBA Cosponsorship Agreements and Strategic Alliance Memoranda are prohibited from using the seal. This prohibition also extends to grantees and resource partners, e.g., SCORE, Women's Business Centers, Small Business Development Centers, and Veterans Business Outreach Centers.

The regulations also make clear that the seal may not be used in any manner which implies an SBA endorsement of commercial products or services or of the user's policies or activities.

Any fraudulent or wrongful use of the SBA's seal may lead to criminal penalties. Therefore, the SBA's Office of General Counsel (OGC) should be consulted about any proposed use that does not fall within one of the permitted uses identified above, or if there is uncertainty whether the proposed use falls within one of the permitted categories of use. OGC should also be advised of any improper seal use by third parties.

4. What are the general rules regarding the use of the SBA's logo?

In general, the SBA logo is the primary visual identifier that is used to brand the Agency. Thus, it may be used for promoting, publicizing, branding, and identifying the SBA and its programs, services and activities on official business cards, presentations, reports, correspondence, signs, marketing and outreach materials, and similar publications. The SBA logo may also be used on or in connection with certain permitted promotional items, subject to applicable guidelines and restrictions.

The current SBA full color logo is depicted below, and additional formats for two-color printing and dark backgrounds are available at www.sba.gov/brand. All previous versions of the SBA logo should no longer be used.



5. May the SBA logo be altered in any way other than size?

Only OCPL staff has the authority to modify the Agency's logo. No other employee or outside party may alter the color, proportions, or content of the SBA logo. Aside from the Office of the Inspector General and the Office of Advocacy, no program office or employee outside of OCPL's Office of Marketing and Customer Service (OMCS) has the authority to create new SBA logos related to particular programs, offices, or initiatives. Furthermore, the SBA logo may not be merged, combined, or cobranded with the logos of any other parties, unless authorized by OMCS.

6. What are improper uses of the SBA logo?

SBA's logo cannot be used in a way that suggests that the Agency is endorsing any individual, organization, product, or service or in a way which implies that an improper relationship exists between the SBA and an outside party. SBA's logo also must not be used in any manner that is liable to bring the Agency into a negative light. For example, SBA's logo may not appear in connection with any products or services related to the alcohol, gambling, or adult entertainment industries. Further, SBA's logo must not be used in connection with any lobbying efforts, political activities, or in conjunction with religious activities.

Additional guidelines about use of the SBA logo and brand (including style guide) are issued by OCPL and can be found at www.sba.gov/brand.

7. Can the SBA logo be used in conjunction with the SBA seal?

No. Due to the distinct purposes of the seal and the logo, at no time should the logo be used in conjunction with the seal.

8. Does SBA official letterhead use the seal or the logo?

The answer to this question depends on the purpose of the letterhead. Official documents, such as contracts, other legal documents or letters from the Administrator should depict the SBA seal, as the seal would elevate the document's importance and legitimacy. However, because the logo is the SBA's visual identifier to the public, the logo is used on most public communications requiring letterhead.

A template for SBA letterhead is available on the OMCS SharePoint page at <https://sba123.sharepoint.com/offices/OMCS/SitePages/sba-letterhead.aspx>

9. Does an internal memo use the SBA seal or the logo?

Internal communications should generally use the logo. MS Word memo and internal project templates can be found on SBA computers with Windows 10. Under File, click on New and open the Standard SBA Templates folder. An SBA memo template can also be found on the OMCS SharePoint page at <https://sba123.sharepoint.com/offices/OMCS/SitePages/templates.aspx>

10. Do SBA buildings display the seal or the logo?

If a GSA building is intending to display SBA signage externally, the SBA seal should be displayed. If external signage is intended for a non-GSA building, the SBA logo should be used.

Internal signage should default to the SBA logo. However, an SBA seal may be displayed within a district or other SBA office when in proximity to the official photos of the President of the United States, the Vice President, and the SBA Administrator.

11. Can the electronic directory in my building's lobby depict the SBA logo?

Yes, an electronic directory may display the SBA logo when directing the public to the SBA office housed within the building.

Chapter 3: Use of SBA Branding Tools and Marketing Materials

SBA Branding Tools and Consistency

1. What is a brand?

Originally used to distinguish cattle in the mid-17th Century, a brand has come to mean something much more comprehensive than the mark of ownership. Today, a brand is the sum of all the experiences the consumer has had with that company or product. Simply put, a brand is the emotional connection that's formed to a company or product by a series of consistent – or inconsistent – experiences with that company or product.

SBA brand strategy underscores the need for consistency to solidify the consumer's positive experience of the SBA brand. When the experience with the company or its products is inconsistent, the brand is weakened.

2. What is a brand identity?

The logo, color palette, fonts and any sub-brands are collectively referred to as the brand identity.

3. What is brand equity?

A positively recognized logo is the mark of a strong, reliable brand. When a brand consistently offers the same positive experience, we say it has brand equity. Brand equity is the commercial value that is placed on the consumer's perception of that brand. For example, a popular brand launches a new product that is priced higher than its lesser known competitor's version of that product. The two products are virtually the same, but the public will pay for the pricier version because of brand equity, i.e., the value it places on the recognized brand. Similarly, when a small business owner has a consistently positive experience with SBA and its programs and services, he or she helps build our brand equity by "telling a friend."

4. What is the difference between the SBA brand and the logo?

The logo is the mark, or one of the visual identifiers, by which a person identifies a brand. That is why a person tends to remember the logo of a company or product with which they've had a repeatedly positive experience. That consistently positive experience builds brand loyalty. Similarly, when a person has had a consistently negative experience with a particular brand, they tend to avoid products bearing its logo.

5. What fonts and color palette correspond to the SBA brand?

The SBA has specific fonts and a standard color palette as part of its visual identity for all communication. This can be found at www.sba.gov/brand. When primary fonts are unavailable, substitutions can be found on the brand page. For every color within the palette, CMYK values are provided for four-color process printing and can be printed on coated and uncoated paper. RGB values are provided for desktop publishing programs such as Microsoft Word, PowerPoint, and similar applications. This is to ensure the Agency reproduces colors that look consistent no matter where they appear. Whenever possible, the SBA's logo should be reproduced in full color and only in the colors listed. Although variations in color will occur, it is important to adhere to these colors and match them as closely as possible.

Creation and Approval of SBA Marketing Materials

6. What are SBA "marketing materials"?

SBA marketing materials are any items used to promote SBA programs, events, and activities. Examples include but are not limited to printed fliers, factsheets and brochures; infographics; stand-up and table-top banners; and promotional items intended for outreach to the public. Marketing materials must adhere to the SBA's brand identity guidelines described on www.sba.gov/brand to ensure the integrity of the SBA's visual identity.

SBA marketing materials created pursuant to a Cosponsorship Agreement ("Cosponsored Materials"), Cooperative Agreement, or contract are also considered SBA marketing materials. However, because they are created in collaboration with or by another entity, materials created within this context should follow the terms of the branding requirements set forth in their respective agreements.

7. Who is authorized to create SBA marketing materials?

OMCS is the SBA office tasked with development and promotion of SBA marketing materials. To ensure branding consistency and coordination of messaging, any office desiring to create its own marketing materials, whether in-house or through a contract, must first seek approval from OCPL's Associate Administrator (AA) and, upon receipt of said approval, apprise the Director of Marketing and Customer Service in writing.

8. Who approves SBA marketing materials?

All SBA marketing materials must be either created or approved by OMCS. Responsible Program Officials (RPO) who are creating SBA-branded or cobranded materials must consult with OMCS to obtain approval of their materials. RPOs may also consult with OGC and the Office of Strategic Alliances (OSA) as needed for advice on creating SBA marketing materials prior to seeking OMCS approval.

All digital materials created for the public require additional clearance pursuant to other SBA web policies and guidelines. SBA offices considering web pages, sites, or social media accounts must confer with OCIO and OCPL prior to making arrangements and commitments. OCPL's Digital Team will have final review of all content of web pages/sites/accounts prior to launch.

Partner Identification: SBA Lenders

9. Can SBA Lenders use the SBA logo to advertise their relationship with the SBA?

No. A lender may not use the SBA seal or logo in any manner in any advertisement, brochure, publication or promotional piece, or state or imply that the lender or its borrowers will receive any preferential treatment by the SBA.

10. How can SBA Lenders advertise their relationship with the SBA?

An SBA Lender may publicize its relationship with the SBA by identifying itself as an SBA participating Lender. SBA has created an SBA Lender window decal and an identical digital icon for website use. Use of the SBA-approved decal and icon is intended to protect the lender from any perceived misrepresentations or false impressions by the public of SBA endorsement. See SOP 50 10 for additional guidance.

11. How is the SBA Lender window decal to be displayed?

The SBA Lender decal may only be used to inform the public of the lender's relationship with the SBA and may not be used to promote, endorse, or appear to promote or endorse, the lender's non-SBA products or services. Therefore, they should be displayed alongside the required decals of other regulating institutions such as the FDIC. Window decals are available from OMCS and SBA District Offices.

12. Can the SBA Lender digital icon be displayed on lender websites?

Yes. The SBA Lender digital icon is an exact replica of the window decal and may only be used to inform the public of the lender's relationship with SBA. The SBA Lender icon may not be used to promote, or appear to promote, the lender's non-SBA products or services. Thus, when using the SBA Lender decal icon on a website, the lender must include the following public statement: "Approved to offer SBA loan products under SBA's X Program" (e.g., SBA Preferred Lenders, SBA Express, etc.)

The SBA Lender digital icon can be viewed in Appendix B of this SOP and may be downloaded from the SBA brand page here: <https://www.sba.gov/brand/external-partners/sba-lenders/>

13. Can the SBA Lender digital icon be used on an SBA Lender's stationery and/or business cards?

No. Neither the SBA logo nor the SBA Lender icon may be used on a grantee's stationery or business cards.

14. Can the SBA Lender icon be used in an SBA Lender's advertising?

Yes. However, the SBA Lender icon may only be used in print, television and digital advertising, and exhibit signage dedicated exclusively to SBA lending products, e.g., brochure, advertisement, publication or promotional piece. The icon may not be used to promote, or appear to promote, the Lender's non-SBA products or services.

15. Can an SBA Lender create marketing materials that depict their logo, the SBA Lender icon, and the logo of another entity?

The answer to this question depends on the identity of the third party. If the logos are of other federal agencies, such as the FDIC or another regulating body, they

may appear with the SBA Lender icon in an SBA Lender's advertisement. However, the SBA Lender icon should not appear with logos representing non-federal entities unless there is a documented relationship between the SBA and the other organizations represented, such as a cosponsorship.

16. May an SBA Lender display the Powered by SBA decal or digital icon?

Some SBA Lenders receive funding from the SBA, such as microloan intermediaries. These lenders may choose to display the Powered by SBA decal or icon rather than the SBA Lender decal or icon. If an SBA Lender falls into both categories, it is permissible to use one or both visual identifiers.

17. Can the SBA logo, SBA Lender icon, or Powered by SBA icon be depicted on construction signage in connection with construction made possible by an SBA guaranteed loan?

The answer to this question is dependent on the nature of the signage. The three most frequently encountered scenarios are the following:

- **The SBA Lender initiates the signage and invites the SBA to add its logo.** The SBA Lender icon may be used with the following disclaimer: *This project is made possible by an SBA-guaranteed loan.* It is also acceptable for the lender to choose only to display the disclaimer.
- **The construction company, with whom SBA has no relationship, posts the signage and invites the bank and SBA to add their logos.** In this case, the SBA Lender icon should be placed in close proximity to the logo of the lending institution with the above-mentioned disclaimer.
- **The construction company invites SBA to add its logo to the signage; no mention is made of the lender's logo.** As SBA has no relationship to the construction company, it is not appropriate for the SBA logo or SBA Lender icon to appear on the signage, and no SBA disclaimer should be used.

Partner Identification: SBA Resource Partners and Grantees

18. Why was the Powered by SBA decal and digital icon created?

The Powered by SBA window decal and digital icon, depicted in Appendix B, were created to raise awareness of SBA's role in financially supporting the outreach and educational activities of other organizations within the small business community. Thus, all grantees, including SBA Resource Partners, 7(j) technical assistance and STEP grantees, may use the Powered by SBA window decal and digital web icon per the guidance found in their cooperative agreements.

SBA-created decals and web icons cannot be altered, used in any manner inconsistent with this SOP, or used in a manner that has not been previously approved through an agreement with the SBA, such as a cosponsorship, grant or a cooperative agreement. District office personnel may distribute SBA window decals to qualifying parties. To order window decals, contact OMCS. Digital icons for display on SBA grantee websites can be found at [Resource Partners/Grantees | SBA Brand Guide \(ussba.github.io\)](https://ussba.github.io).

19. Who are SBA's Resource Partners?

For the purposes of this SOP, SBA Resource Partners include the following organizations with which the SBA has grantee relationships: Small Business Development Centers (SBDCs), SCORE, Women's Business Centers (WBC), and Veteran's Business Outreach Centers (VBOCs).

20. How can SBA Resource Partners advertise their relationship with the SBA?

SBA Resource Partners may use the Powered by SBA graphic in window decal, web icon, or other approved format on cooperative agreement-funded materials. The term "materials" does not include stationery or business cards, and neither the SBA logo nor the Powered by SBA graphic may be used on a grantee's stationery or business cards.

21. Must the Powered by SBA decal be visibly displayed at SBA Resource Partner locations?

Although the terms of a cooperative agreement may change from time to time, generally speaking, the Powered by SBA decal must be displayed at all facilities that are open to the public and which are being used for project activities. Such signage must prominently feature the acknowledgment of support statement contained in the Resource Partner's cooperative agreement. See Chapter 4: Disclaimers for the appropriate acknowledgment of support statement.

The Powered by SBA visual identifier may not be used in connection with activities outside the scope of the cooperative agreement. In particular, the Powered by SBA identifier may not be used to express or imply endorsement of any goods, service, entity, or individual. Furthermore, under no circumstances may the Powered by SBA identifier appear on items used in conjunction with alcohol, gambling, fundraising, lobbying or activity deemed illegal at the federal, state or local level.

22. Can SBA grantees use SBA's logo?

No. Instead, SBA grantees may use the Powered by SBA graphic in window decal, web icon, or other approved format on grant-funded materials. The term "materials" does not include stationery or business cards, and neither the SBA logo nor the Powered by SBA graphic may be used on a grantee's stationery or business cards.

23. Can the Powered by SBA digital icon be used on a Resource Partner's or grantee's stationery or business cards?

No. Neither the Powered by SBA icon nor the SBA logo may be used on the stationery and business cards of a Resource Partner or SBA grantee.

Other Types of Relationships

While a policy decision has been made in consultation with Cap Access and OGC Outreach not to extend identifications to borrowers, we have added identifications for government contracting certifications and surety bond agents. See Appendix B: Affiliated Icons.

24. Should the SBA logo be used in cosponsored materials?

Yes. SBA's logo should be included on all materials produced as the result of a cosponsored activity, including educational and marketing materials. Appropriate disclaimers should also be displayed; see Chapter 4 of this SOP for more information on the use of disclaimers.

25. Can small businesses participating in SBA contracting programs use the SBA logo?

No. The SBA logo may not be used to promote a business' certification status in any manner, including the business' website, business cards, marketing materials, or in capability statements and proposal bids.

While contracting program participants may not use the SBA logo, they may use the SBA Certified icons in Appendix B. See #26 for additional information.

26. How can a small business that has been certified to participate in an SBA contracting program (i.e., 8(a), WOSB, EDWOSB and HUBZone) promote its participation?

The SBA has created four digital icons to help current participants in SBA's government contracting programs promote their certification status. (See Appendix B.) The digital icons can be used on the business' website, business cards, social media profiles, and in their capability statements and proposal bids.

The SBA Certified icons may not be used to express or imply endorsement of any goods, services, entities, or individuals. Thus, they may not be used on a company's letterhead, marketing materials or advertising, whether paid or PSA, traditional or digital.

27. May outside organizations or individuals use the SBA logo?

SBA's logo is a protected mark under the Lanham Act (15 U.S.C. § 1051 et seq.); therefore, it may only be used by outside organizations or individuals who obtain advance written permission from the SBA. Outside parties operating under written agreements with the SBA (such as State agencies, contractors, cosponsors, and parties to a strategic alliance memorandum) may use the Agency's logo as authorized and specified in that underlying agreement. If there is no written agreement in place between the SBA and an outside organization or individual, or if the agreement does not cover use of SBA's logo, then the party wishing to use SBA's logo must submit a written request for permission to either OMCS (for national entities) or the relevant RPO (local entities). The request must be very specific in explaining how the logo will be used and include:

- a. Identification of requestor;
- b. Address of requestor;
- c. Intended use of the logo;
- d. Duration of use of the logo; and
- e. Benefit to the agency for use of the logo.

A permission-granting RPO is accountable for inappropriate use of the logo by outside organizations. Where an RPO is uncertain as to whether use of the Agency's logo is appropriate in connection with a particular activity, she/ he should contact OMCS, OSA or OGC for additional guidance and support.

U.S. Federal government agencies do not need SBA's permission to use the SBA logo or seal, though they typically do seek permission or are working through an agreement that authorizes the use.

28. Can SBA's logo be used for a third-party activity?

As a general rule, if the SBA is participating in a limited capacity in an event hosted by one or more other entities, then the Agency's logo may appear in materials promoting that event only if:

- a) Those materials have separate, clearly marked sections distinguishing participants from hosts or sponsors of the event, or
- b) The Agency's logo appears in close proximity to the SBA representative's name, image or bio.

Additionally, while an SBA employee is making a presentation at a third-party activity, the Agency's logo may be displayed on a sign or electronic media near the presenter only for the course of that presentation. Once the SBA employee finishes the presentation, the Agency's logo must be removed from display. See SOP 90 75 for additional information regarding third-party activities.

29. Who may authorize use of the SBA logo at a third-party activity?

Responsible Program Officials may authorize use of the SBA logo at a third-party activity only when the use conforms to the rules set out in this SOP and in SOP 90 75. When SBA's logo is used by an outside party, that usage must make clear SBA's role in the activity and its relationship to that outside party (for example, by featuring the phrase "Funds Guaranteed by" immediately preceding SBA's logo, etc.). Use of the Agency's logo must not imply an endorsement or preferential treatment or suggest a relationship which does not exist.

The RPO should consider whether the entity using the logo is commercial or non-commercial, whether the logo use implies an association between the SBA with a product and service, whether the logo is accompanied by the disclaimer in Chapter 4, and other factors appropriate to the situation.

Where an RPO is uncertain as to whether use of the Agency's logo is appropriate in connection with a particular third-party activity, she/ he should contact OGC, OMCS, or OSA for additional guidance and support.

The RPO is accountable for inappropriate use of the logo in third-party events.

30. Can SBA use the logos of outside parties?

Yes, SBA may use the logo of an outside organization if doing so serves a permissible Agency purpose. Examples of permissible use of outside logos include cosponsored materials, acknowledging presenters at SBA-sponsored events, and

recognizing donors who contribute to particular SBA activities or initiatives. Outside party logos may not be used in any way that suggests the agency has endorsed or conferred a “seal of approval” upon any entity, product, or service. Outside party logos may be used only for purposes of identifying or acknowledging an organization and where they are utilized, the role that organization has taken in an SBA event or program must be made clear. For example, the program for an SBA event may include ABC Corporation’s logo with the following phrase printed directly below it: *The SBA thanks ABC Corp. for its support of this event.*

31. Can the winners of SBA competitions use the SBA logo or the Powered by SBA decal or icon?

While every competition is different, winners of SBA competitions are never permitted to use the SBA logo. There may be times, however, when a competition winner is, indeed, Powered by SBA. If you are contemplating a competition and would like the winner(s) to use the Powered by SBA, contact OGC’s outreach lawyers. They will ensure the rules and objectives of your competition provide for the use of the Powered by SBA identifier.

If you have received this question from the winner of an SBA competition, check the competition rules and/or contact OGC’s outreach lawyers.

32. Can SBA-authorized surety companies use the SBA logo or any of its identifiers?

SBA-authorized surety companies may not use the SBA logo. However, their use of the SBA guaranty enables them to use the Powered by SBA designation. While not required, interested SBA-authorized surety companies may use the Powered by SBA window decal and digital web icon.

In addition, SBA-authorized surety agents may use the SBA Authorized Surety Agent digital icon and/or window decal to promote their participation in the SBA Surety Bond Program. See #33 for more information.

33. How can SBA-authorized surety agents promote their participation in the SBA Surety Bond Program?

To assist SBA-authorized surety agents in promoting the SBA Surety Bond Program, the SBA has created an SBA Authorized Surety Agent window decal and digital icon. The window decal is available from the Office of Surety Guarantees, and the digital icon can be found on the OMCS SharePoint page here:

<https://sba123.sharepoint.com/offices/OMCS/SitePages/partner-decals-icons.aspx>

34. Can Federal Advisory Committee (FAC) Members have business cards depicting the SBA logo?

Yes. FAC members are volunteers with professional lives outside their FAC membership. While their professional business cards may not bear the SBA logo, the SBA Designated Federal Officer (DFO), i.e., the SBA employee in charge of that committee, may provide FAC members with business cards bearing the SBA logo to promote their role as an advisory board member. However, such business cards must comport with advisory committee standards of conduct. Please see OGC's Outreach Team of lawyers for additional guidance.

35. How can the SBIR-STTR Program advertise its relationship with the SBA?

The Small Business Innovation Research and Small Business Technology Transfer (SBIR-STTR) program has its own logo that all participating Federal agencies use. However, the SBIR-STTR Program has received approval from OGC and OMCS to add the text "Powered by SBA" to its logo to promote SBA's role in the program. The SBIR-STTR Program is powered by SBA because SBA has the authority to, among other things, establish program policy, monitor program operations, and report to Congress on program activity. This is the only Federal inter-agency program that currently has received such permission. (See Appendix B for the approved SBIR-STTR logo.)

36. Can Procurement Technical Assistance Centers (PTACs) use the SBA logo or Powered by SBA decal?

No. SBA has no formal relationship with PTACs or the association to which they belong. While a useful government contracting assistance resource, PTACs are to the Department of Defense (DOD) as Resource Partners are to SBA. PTACs are funded by DOD through cooperative agreements with state and local governments and nonprofit organizations.

37. Under what circumstances can an SBA contractor use the SBA logo?

SBA's contractors are not permitted to use the SBA logo on their websites or in their marketing materials. For example, the SBA logo should not appear on a contractor's website to establish SBA as one of its clients.

When contractors are engaged to create products or deliver services on behalf of the Agency, however, the SBA's relationship to the product or services should be clear. For example, if a contractor was selected to create products for the general public on behalf of the Agency, the contract should provide that the SBA logo be the only identifier on the contract deliverable. Furthermore, when the SBA selects a contractor to deliver training to the public on behalf of the Agency, training materials should be clearly branded to alert participants and the general public that the training is provided by the SBA.

For questions regarding the appropriate use of the SBA logo, contact OMCS.

38. Who should I contact if an entity is misusing the SBA logo or creating a false impression of its relationship with SBA?

If you believe SBA's logo has been used without the Agency's permission, please contact OGC and OMCS. If you believe the logo has been used with the Agency's permission but has not been properly handled in accordance with the guidance set forth in this SOP, please contact OMCS. If you believe that an outside entity is creating the false impression of having a relationship with the Agency, please contact OGC.

Chapter 4: Disclaimers

Whether you are promoting an SBA program or service to the public or announcing an SBA event, you will need to include the proper disclaimers on your marketing materials. The SBA uses disclaimers in its marketing materials to convey:

- 1) the availability of SBA's programs and events to all members of the public, including persons with disabilities, through the reasonable accommodation process;
- 2) a formal and/or funding relationship with a separate entity, e.g., cosponsorships, grants, cooperative agreements; and,
- 3) the absence of endorsement of any opinions, products or services of any private individual, business or entity.

In most cases, SBA disclaimers can be found at the bottom of a page in a font that is large enough to be read by the average person but at least one size smaller than the font in the rest of the document. However, all marketing materials do not require the same disclaimers. Thus, this chapter is intended to help guide the appropriate use of SBA disclaimers.

1. What disclaimers must be used on SBA marketing materials intended for the public?

Determining the appropriate disclaimer to use on SBA marketing materials is as simple as asking the following question:

- **Is public participation expected or promoted?**
 - If no, you're likely promoting SBA programs and services. Items such as brochures, fliers, FAQs, and banners, must contain the following disclaimer:

All SBA programs and services are extended to the public on a nondiscriminatory basis.
 - If yes, you're promoting public participation in an SBA event, and you want to make sure that all participants feel welcome, including participants with disabilities, and that you have enough time to arrange an interpreter or rent a wheelchair ramp. Use the following disclaimer:

All SBA programs and services are extended to the public on a nondiscriminatory basis. Reasonable accommodations for persons with disabilities will be made if requested at least two weeks in advance of this event. Contact <Insert name and contact information>.

Internal events for SBA employees also require the provision of reasonable accommodations to those who need them. Thus, promotional materials for internal events should include the above disclaimer, too. Contact the Office of Diversity, Inclusion and Civil Rights (ODICR) for additional guidance.

2. Must the SBA cover the cost of providing reasonable accommodations?

Yes. All SBA events are required under federal law to make reasonable accommodations for persons with disabilities. The SBA Office of Diversity, Inclusion and Civil Rights (ODICR) provides guidance on reasonable accommodation requests, and, in the event a district and/or program office cannot cover the cost of a requested accommodation, funding may be covered by ODICR. Examples of an accommodation include providing an American Sign Language interpreter at an in-person event, live-captioning a webinar, or renting a wheelchair ramp.

3. What disclaimers must be used with cosponsored materials?

Except where doing so is impractical due to space constraints, any print or electronically generated cosponsored material (as defined in the cosponsorship agreement) must contain the disclaimer set forth in the cosponsorship agreement. Podcasts or other audio tools must incorporate the required disclaimer language as an audio statement. Video or other digital media must incorporate the required disclaimer language as readable text on the video screen or in an audible statement.

- a. Except where doing so is impractical due to space constraints, all Cosponsored Material must contain:

Cosponsorship Authorization # (supplied by OCPL's Office of Strategic Alliances): The SBA's participation in this cosponsored activity is not an endorsement of the views, opinions, products or services of any cosponsor or other person or entity.

- b. Disability Accommodation: Cosponsored Material publicizing an activity with in-person or online attendance must contain:

Reasonable accommodations for persons with disabilities will be made if requested at least two weeks in advance. Contact (insert name and phone number).

- c. Web-based Activity: Websites that are not hosted on the www.sba.gov domain but are utilized as part of a cosponsored activity must contain:

This website is provided as a public service under Cosponsorship Authorization # (as provided by OCPL's Office of Strategic Alliances). This is not an official U.S. government Web site, and it may contain links to non-U.S. government information. Inclusion of such links does not constitute or imply an endorsement by the SBA. The SBA is not responsible for the content, accuracy, relevance, timeliness or completeness of linked information.

4. What disclaimers for marketing materials that are generated as part of a cooperative agreement or grant?

Because the disclaimers used in cooperative agreements and grants are subject to change, look to the specific award documents in question to determine disclaimer requirements.

That said, it is important that participants in SBA-funded events and programs are aware of SBA's role in the project, as well as the taxpayer funded support the Agency is providing. For example, marketing materials funded all or in part by SBA must include the following acknowledgement of support statement:

Funded (in part) through a Cooperative Agreement (or grant) with the U.S. Small Business Administration.

When SBA funds are used to produce materials featuring editorial content, the following alternative acknowledgment of support statement must be used (either independently or in conjunction with the SBA Powered By image).

Funded (in part) through a Cooperative Agreement with the U.S. Small Business Administration. All opinions, conclusions, and/or recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the SBA.

Where used, the acknowledgment of support statement must be presented in a legible typeface, font size, and (where applicable) color contrast. The acknowledgment of support statement must appear verbatim and may not be altered or replaced with substitute language. However, on materials with severe

space constraints such as signs and banners, “SBA” may be used instead of “U.S. Small Business Administration.”

The acknowledgment of support statement may not be used in connection with activities outside the scope of the cooperative agreement. In particular, the acknowledgment of support statement may not be used to express or imply endorsement of any goods, service, entity, or individual. Furthermore, under no circumstances may the acknowledgment of support statement appear on items used in conjunction with alcohol, gambling, fundraising, lobbying or activity deemed illegal at the federal, state or local level.

5. Where can grantees find guidance on disclaimer requirements for marketing materials that are generated as part of a cooperative agreement or grant?

Grantees requesting clarification on the use of disclaimers should be referred to their cooperative agreements or grant documentation for guidance.

6. What disclaimers must be used for marketing materials that are generated through contract-related activity?

Marketing materials developed under communications support contracts are subject to the same disclaimer requirements as general SBA marketing materials. (Chapter 4, Question #1 above.)

7. What disclaimers should be used when leveraging an SBA success story to promote SBA’s products and services?

It is customary to leverage the success of small businesses who have used SBA products and services in communications products such as articles, blogs, video and other messaging platforms to illustrate SBA’s value to the small business community. When SBA mentions a small business or organization, with or without a photograph, in such materials, the following disclaimer should be used:

This article/blog/photo/video does not constitute or imply an endorsement by the SBA of any opinions, products, or services of any private individual or entity.

For longer, printed marketing material that may include the stories and/or photos of multiple SBA “success stories,” such as SBA’s Small Business Resource Guide, a disclaimer such as the following may be inserted on the page containing the product’s table of contents:

The SBA's participation in this publication is not an endorsement of the views, opinions, products or services of the contractor or any advertiser or other participant appearing herein.

8. What disclaimer should be used when leveraging an SBA success story on social media?

Due to the brevity required by social media, all accounts should link to the Agency's approved social media disclaimer found at sba.gov/social-media.

9. What disclaimer should be used on SBA marketing materials to clarify that SBA does not endorse invited speakers or their products or services—even if they are SBA success stories?

If the SBA invites an individual or business to speak or present at an SBA event, marketing materials for that event should make clear that the SBA is not endorsing that speaker, their employer, or its products or services. The following disclaimer should be included on marketing materials for the SBA event, except where doing so is impractical due to space constraints:

SBA's support of or participation in this event is not an endorsement of any product, service, or entity.

Chapter 5: SBA Advertising

This chapter is intended to clarify the circumstances under which appropriated funds may be used to purchase advertising space, as well as to differentiate between paid and public service (PSA) placement.

1. What is SBA advertising?

Advertising is paying for space (i.e., “paid placement”) in any type of media to call attention to an SBA product, service, event, or activity. SBA advertising includes all SBA branded and cobranded paid placements.

2. What are acceptable uses of SBA advertising?

Generally acceptable uses of SBA advertising – whether in print (newspaper, magazine, event publications, newsletters, etc.) or digital media (online, broadcast, radio) –include:

- a. Public education and awareness;
- b. Customer service (e.g., an ad assessing customer experience with SBA or promoting a new help line);
- c. General information and recruitment (e.g., recruitment for Emerging Leaders participants or National Small Business Week nominations); and,
- d. Compliance with laws and policies (e.g., advertising policy changes that affect WOSB certification or the HUBZone program).

3. Are there limitations on the use of appropriated funds to purchase SBA advertising?

Yes. First, it’s important to note that purchases above \$5,000 require Congressional notification via the Office of Congressional & Legislative Affairs.

Second, SBA can disseminate information that supports the mission of the Agency, but all federal agencies are prohibited from using appropriated funds for publicity and propaganda and cannot use appropriated funds for puffery and self-aggrandizement of the Agency or its officials. Put simply, the facts should be stated, and the advertisement should avoid the use of hyperbole and setting unrealistic expectations. For example, advertising may be used to recruit participants for a particular SBA training program or other event, but it cannot be used to over-promise the outcome of that event.

Acceptable: *Looking to take your small business to the next level? The SBA is accepting applicants for its fall Emerging Leaders program, a program designed to help thriving small businesses grow and expand.*

Unacceptable: *Looking to take your small business to the next level? The SBA's Emerging Leaders program will help you double your sales and conquer the competition! Apply now!*

4. Can SBA accept an in-kind or cash gift to cover the cost of SBA advertising?

Yes. Pursuant to the Gifts SOP 90 53, the SBA may accept both in-kind and cash gifts from eligible entities to cover the cost of SBA advertising. All procedures and requirements set forth in the Gifts SOP 90 53 must be followed and met prior to acceptance or solicitation of a gift to the Agency.

5. What advertising resources already exist for use by district and/or program offices for public service and/or paid placement?

General SBA print, radio, and digital ads have been created for local placement opportunities; appropriate stock photography, music and talent rights for these ads have already been purchased. Thus, when possible, ads available on sba.gov/brand should be used for placement.

6. What if I need an ad created to promote a local event?

To ensure brand consistency and integrity, all SBA advertising should be generated by OCPL. OCPL has created a number of ad templates that can be customized with local information. If paid placement is desired to promote a local event or program for which a template does not currently exist, e.g., to boost registration for a matchmaking event, OCPL will create original advertising. In either circumstance, contact OMCS to provide the appropriate advertising.

7. What is OCPL's approval process for SBA advertising?

The following approvals must be secured prior to placement of an SBA ad:

1. The placement must be approved by the program or district office director *as an appropriate use of program or district office funding*. In addition, if the advertising is to be placed in a newspaper, the requesting program or district office must inform the contracting officer, so that he or she can seek prior written approval of the placement from OCPL.
2. Once the placement is approved locally, but prior to creation of the ad or purchasing the placement, send OCPL's Marketing Director a description of

the placement opportunity in an email that includes the following information:

- Where the placement will appear;
 - The intended audience;
 - Timing of the placement;
 - Expected reach/exposure.
3. Based on the information provided, SBA's Marketing Director will recommend a template or original ad and forward the request to OCPL's AA for approval.
 4. OCPL's AA will *assess the placement for reputational risk and/or conflict with any Front Office communications activity or placements.*
 5. Upon approval by OCPL's AA, OCPL's Director of Marketing or a representative from the Marketing Team, i.e., OMCS, will work with the internal client to tailor the requested ad for content and size specifications.
 6. OCPL's Director of Marketing must *approve the creative prior to placement and secure OGC's approval on behalf of the program or district office* prior to sending the ad for placement.

8. Can the SBA participate in “special edition” or advertorial supplements for insertion in newspapers and magazines?

Yes. The SBA can participate in a special insert or advertorial in several ways: serve as a cosponsor of an insert (see SOP 90 75), accept the space as a gift to the Agency (see SOP 90 53), obtain the insert by no-cost contract, or use appropriated or gift funds to purchase the insert.

9. Can the SBA promote its programs and services by creating a cosponsored television, radio, or online program?

Yes, but the sole purpose of the cosponsored activity must not be SBA advertising.

10. What is the difference between paid advertising and public service announcements, i.e., PSAs?

Advertising, or “ads,” is often confused with public service announcements, or “PSAs.” In fact, the word “ad” is often used interchangeably to refer to a promotional material that can be placed on TV, radio, or in print/digital forms. However, an ad is a paid placement, while a PSA is placed for free.

Ads and PSAs are both marketing materials used for promotion. Indeed, the same marketing material, such as a radio announcement, may be placed as either an ad or a PSA *if the voice talent and/or music rights have been negotiated in advance.*

There are two points at which funding comes into play for a paid advertisement: during production and when being placed:

- a. **During production:** Rights to talent and/or music used in an ad intended for paid placement are negotiated and purchased during production. This is important, as negotiating paid placement rights post-production is almost always cost prohibitive. For this reason, SBA employees should only use ads generated by OMCS for paid placement or, when new advertising is required, creation of paid advertisements should always be done in collaboration with OMCS.
- b. **At placement:** While a PSA is placed for free, a paid placement involves negotiating the duration of the placement and/or the time of day, also called the daypart, during which the paid placement will occur. For example, while it may be more costly to advertise on the radio during morning or evening rush hour, it may be worth the investment if the same PSA is only played at 2:00 in the morning.

11. How does the SBA use public service announcements?

The Federal Communications Commission (FCC) requires broadcast media to operate in the public interest and, in part, public service announcements (PSAs) are one of the ways they meet that requirement. PSAs are messages made for the good of the public for which no consideration of any sort (including, but not limited to, cash, goods or services, in-kind contributions, endorsements, favorable treatment) is made to the broadcast station or any organization or entity associated with it. PSAs typically promote programs, activities or services of federal, state or local governments and/or nonprofit organizations, but they may also be used to educate the public about an urgent health or safety issue.

The SBA may distribute PSAs for broadcast media to consider for use only if the appropriate rights for music and talent have been negotiated as a PSA. Unless explicitly listed on SBA's brand page as an SBA PSA, check with OMCS prior to distributing as a PSA any SBA messaging using professional voice talent and/or music.

Chapter 6: Photography and Video

In this digital age, the importance of photography and video as marketing tools cannot be overstated. That said, not all photos and videos created by SBA are used to market SBA or its programs and services to the public. This chapter pertains to the use of photos and video to market the SBA, including the importance of securing releases from those depicted, the appropriate use of the SBA logo and related disclaimers, and licensing music and images that do not belong to the SBA.

1. What are key considerations for the use of photos and video in SBA marketing efforts?

SBA employees often memorialize their SBA events with photos or video as a standard practice without thinking of their future use. However, these images can be great sources of material for promoting SBA outreach to the small business community when certain conditions are met.

The following are key considerations for the use of photos and video taken at SBA events:

- a. **How will the photos and/or video be disseminated?** As SBA continues to modernize and evolve, your options for posting content on its website and social media channels may also change. If you haven't spoken with someone in OCPL about how you'll use the photos or video you're planning on creating, you should reach out to discuss your options *prior to* capturing the images to ensure you meet the necessary requirements for posting.
- b. **Have you secured a signed SBA release from everyone depicted?** It's a best practice to **always** secure a signed photo/video release form when capturing images of an SBA event or success story. Even if you have no immediate plans to use the photos you capture beyond the SBA Daily, securing a signed release may save you time down the line if there's even a possibility that you might want to use it in marketing materials in the future.
- c. **Are children depicted?** As a matter of long-standing SBA policy, no one under the age of 18 is to be depicted in SBA marketing materials and communications in all formats.
- d. **Does the photo or video tell *the SBA story*?** Because SBA must be sure to avoid the perception of endorsing any one business over another, SBA "success stories" should always be framed in the context of *how SBA's programs or services helped the small business to succeed*. The underlying theme of the story should be: How did SBA successfully help the small business to start, grow,

expand or recover? If the focus is on the SBA's role, we are not endorsing the business but promoting our contribution to their success.

- e. **Do the images minimize company logos, signage and/or uniforms?** SBA must avoid the perception of endorsement of all non-SBA products, services and entities. Thus, to the extent possible, avoid the visibility of company logos or specific products in the foreground or background, including those on banners, posters, uniforms, hats, t-shirts, and promotional items of any sort. Violations will be altered in Photoshop, cropped, or cut entirely.
- f. **For video, has SBA secured the rights to use all music and/or stock photography that has been used?** Unless using royalty-free stock photography, video clips, or music in your video, you must obtain usage rights. Licenses for music, video and images are complex, and some licensing agreements allow you to use an image, piece of music or video, but then require you to give attribution or credit with the work, usually in the credits. When in doubt, consult OMCS or OGC's outreach lawyers for guidance.
- g. **If the images will be used in print form, are they high resolution?** If you have ever seen a photo on your computer that looks blurry or grainy when you zoom in on it, you know what a low-res photo looks like. While it's not usually a problem for digital media, a low-res photo will look very blurry, or "pixelated," when it's in print. Make sure to use an image that is at least 300 pixels per inch (or "hi-res") for print products.

2. What type of photo or video releases is required when capturing the image of an SBA success story?

SBA must have a signed photo or video release form in place prior to using the image of an individual in promotional material. The "Authorization, Grant and Release of Materials" form can be found on the OMCS SharePoint page here: https://sba123.sharepoint.com/offices/OMCS/Documents/SBA-Photo-Releasefor-Adults_20190619.pdf

As mentioned above, the depiction of minors in SBA materials is prohibited as a matter of long-standing SBA policy.

3. What type of photo or video release, if any, is required from participants at an SBA event?

While event participants are not required to sign a release form or waiver in order to attend an SBA event, SBA must have a signed photo or video release form in place prior to using the image of an individual in SBA promotional materials or digital media. Thus, it is customary to post signage at entry ways to and within

the event space notifying attendees that photos and/or video will be taken during the event.

If an event participant does not wish to be photographed or filmed, SBA and/or cosponsors should attempt to limit the participant from being recorded or filmed by: 1) notifying the photographer/videographer; and 2) offering the participant the ability to sit in an area that is off-camera or wear a sticker or some other indicator on their name tag denoting non-consent.

A photo warning signage template can be found on the OMCS SharePoint page here:

<https://sba123.sharepoint.com/sites/OCPL/StrategicAlliances/Shared%20Documents/Event%20photo%20disclaimer%202020.pdf>

4. Should SBA employees sign photo or video release forms from third parties?

No. SBA officials are occasionally asked to sign a release when “piggy backing” or participating as a speaker in a third-party event. However, SBA officials are not authorized to sign third-party releases. Rather, they should complete the SBA Photo Release for Adults for SBA Officials found on the OMCS SharePoint page here: <https://sba123.sharepoint.com/offices/OMCS/SitePages/photos.aspx>

For guidance on completing this form, consult OGC’s outreach lawyers.

5. Should the SBA logo appear in SBA videos?

Yes. Though an SBA video may also begin with an SBA logo, all SBA videos should end with an SBA logo and any applicable disclaimers.

6. What disclaimers are required for SBA photos and video that are used to market SBA programs and services?

See Chapter 4 of this SOP for the appropriate use of disclaimers.

7. Are SBA videos copyrighted?

SBA videos are the property of the federal government and have no copyright restrictions *within* the United States. Anyone in the U.S. may reproduce the work in print or digital form, use portions of the original in another work, display the work, or distribute copies of the work. Similarly, works prepared for the U.S.

government by contractors belong to the government, and the contractor may not obtain or retain copyright from these created materials.

Videos, blog posts, and music are all examples of works automatically protected by copyright. They don't need to say "copyright" or have a © symbol; once it's created, it's copyrighted. However, while *federal* works are copyright-free, if you've used someone else's music or images in your video, you must request permission to use them. See item 1 in this chapter for more information on this topic.

8. Can photos or video that has been purchased using appropriated funds be given to those depicted, e.g., high resolution photos?

Professional photography can be expensive, and few small businesses can afford to hire a professional to provide high-resolution photos for their marketing materials. Thus, to avoid the perception of favoritism or endorsement, high resolution photos purchased with appropriated funds cannot be given to small businesses. That said, once those photos are digitally available on SBA's website or in our marketing materials, they are considered in the "public domain," and those low-res images may be downloaded from the web without SBA's consent. See item 6 above for more information.

9. What stock photography resources are available to SBA employees for their marketing materials?

OMCS pays for an annual subscription for stock photography and can make stock photos available to SBA employees when necessary. Contact the Director of Marketing for more information.

10. Can I share SBA stock photos with non-SBA personnel?

Stock photography, video, and music may be shared with SBA contractors only if they will be used to create SBA materials. SBA licensing agreements do not convey to resource partners and other non-SBA personnel.

11. Does the SBA maintain a database of SBA-owned success story photos that can be used in SBA marketing materials?

Yes. That database can be accessed on the OMCS SharePoint page here: <https://sba123.sharepoint.com/sites/OMCS/PictureDatabase/Forms/Thumbnails.aspx>

For additional information about the SBA photo database, contact OMCS.

12. Must all SBA videos be made 508 compliant prior to posting?

Yes. All SBA videos must be captioned for 508 compliance. Transcript files must be submitted with your video so both can be posted simultaneously.

Chapter 7: SBA Exhibits and Promotional Items

1. When the SBA is participating in and/or has a booth or reserved space at an event, what exhibit materials can be used?

OMCS has created various SBA-branded exhibit materials approved for use, including:

- a. Step and repeat banner;
- b. Retractable floor banner;
- c. Retractable table banner;
- d. Four- and six-foot tablecloths;
- e. Table runner (for use when skirted tables are already provided or when sharing a table); and,
- f. Attendee nametags (template on www.sba.gov/brand).

Program offices located at SBA headquarters can contact OMCS to borrow any of these items for their events. Please provide at least 48 hours' notice to OMCS to ensure that your request can be filled.

District offices wishing to order additional copies of the above items may contact OMCS for assistance.

In addition to the SBA Small Business Resource Guide and the above noted items, approved SBA marketing materials may also be distributed at conferences and events. At SBA headquarters, brochures and factsheets promoting SBA programs and services can be obtained by contacting OMCS. At the district and regional levels, these items can be customized and printed on demand via GPO Express. SBA Resource Partners can also find non-customizable versions of SBA marketing materials on the SBA brand page under External Partners.

2. Can promotional items be purchased to promote the SBA?

Yes. The SBA may use appropriated funds or gift funds (See Gifts SOP 90 53) to purchase promotional items for distribution to the public provided certain requirements and conditions are met and the requisite procedures are followed. The items purchased must be:

- a. Individually of nominal value;
- b. Embossed with a meaningful message specific to the SBA and its mission (typically the Agency's full name/logo, website or contact information);

- c. Not for personal use and fall within the types of items approved by the Government Accountability Office (GAO);

3. Where can I get promotional items?

OMCS is the organizational unit within OCPL that is responsible for the purchase and dissemination of promotional items for the Agency. Contact SBA's Marketing Director or a marketing team member to request promotional items for distribution to the public.

4. Is my office permitted to purchase its own promotional items?

Yes, as long as your office follows the above guidelines, your office may purchase its own promotional items. However, OGC's Outreach Team and OMCS should be consulted in these matters before the purchase is made to: 1) ensure compliance with the above factors has been met, and 2) ensure that OMCS is able to track Agency expenditures for promotional items.

5. What type of promotional items can be purchased?

As a matter of Agency policy, promotional items have generally been required to have a business purpose, i.e., to be in alignment with SBA's mission. What follows is a list of the types of promotional items that have generally been deemed permissible under specific circumstances and where the requirements of the necessary expense doctrine have been satisfied:

- a. pens;
- b. pencils;
- c. highlighters;
- d. sticky notes;
- e. magnets.

By contrast, the following types of promotional items are typically found to be personal in nature and, thus, prohibited:

- a. apparel (e.g., shirts, caps, jackets), unless there is an exception, as is the case with the Office of Disaster Assistance jackets and shirts;
- b. eating utensils;
- c. articles of grooming (e.g., combs, emery boards, toothbrushes);
- d. toys;
- e. sporting goods;
- f. tote bags.

6. What if my office would like to purchase a promotional item that is not on the approved list?

Requests for consideration of a new promotional item should be sent via email to the General Counsel, Chief Finance Officer (CFO), OCPL Associate Administrator, and OCPL Marketing Director. The request should be supported by written justification that the purchase supports the Agency's mission and is consistent with the purpose of the appropriation. The requestor should also document the price of the item and the quantity in question to enable the Marketing Director to compile all expenditures related to promotional items.

7. What governs the purchase of SBA promotional items?

The Federal Acquisition Regulation (FAR) and appropriations law governs all purchases of supplies or services with appropriated funds. The FAR mandates that agencies must obtain items on the AbilityOne Procurement List, found at FAR § 8.703, from an AbilityOne participating nonprofit agency, if such items are available within the period required. FAR § 8.602 sets a preference to use Federal Prison Industries (FPI) for the purchase of supplies on the FPI Schedule, which can be found at FAR § 8.601. If a service or supply is available from both AbilityOne and FPI, the FAR establishes a preference for purchasing services from AbilityOne and supplies from FPI.

For additional information on this topic, please contact a purchase card specialist in CFO or a CFO procurement analyst.

8. Can a big check with SBA branding be used to symbolically present a loan guarantee, SBA grant or similar award to a third party?

No. Oversized SBA presentation checks are no longer authorized for use. They are generally considered a dated practice that is inconsistent with SBA's newly modernized brand.

9. Where can employees purchase SBA-branded merchandise for personal use?

The SBA Employee Recreation Association offers SBA employees the ability to purchase SBA-branded merchandise (including personal apparel) with their own funds via the online store at SBAEmployeeRec.org.

10. May an SBA office purchase merchandise from the SBA Employee Recreation Association's (ERA) online store with appropriated funds?

No. Only personal funds may be used to purchase SBA-branded merchandise of a personal nature.

11. May a program or district office director gift items from the ERA's online store to his/her staff?

Yes, as long as ethics rules are followed, and appropriated funds are not used to purchase the gifts.

12. Can SBA employees be required to wear SBA-branded apparel?

No. SBA has no required uniform or dress code, so employees cannot be required to wear SBA-branded apparel.

Chapter 8: Employee Identification

1. Can SBA use appropriated funds to purchase business cards for SBA employees?

Yes. The SBA may use appropriated funds to purchase one-color business cards for those who have frequent dealings with the public or with other government officials outside the SBA provided certain requirements and conditions are met and the requisite procedures are followed. All management board members, regional administrators, district directors, area directors, and branch managers meet this requirement. It is the responsibility of these officials to determine and certify which subordinate employees meet the criteria and, thus, are entitled to SBA-purchased business cards. The responsibility to determine and certify eligible employees may be delegated by management board members to their subordinate office directors.

2. What type of SBA business cards can be purchased with appropriated funds?

SBA employees authorized to purchase SBA business cards with government funds can order one-sided, one-color cards by populating the template on the Envision site with their contact information. More information can be found at www.sba.gov/brand under the For SBA Employees tab.

This site also provides approved templates for SBA employees preferring to purchase multi-color business cards with their own personal funds.

3. Can SBA offices purchase permanent nametags for employees with appropriated funds?

Yes. SBA offices may use appropriated funds to purchase nametags for employees who conduct outreach, trainings, and visits on a very frequent basis so that they are more easily identifiable. All management board members, regional administrators, district directors, area directors, and branch managers meet this requirement. It is the responsibility of these officials to determine and certify which subordinate employees meet the criteria for nametags. The responsibility to determine and certify eligible employees may be delegated by management board members to their subordinate office directors.

Any nametag purchased must match the template provided by OMCS at www.sba.gov/brand under the For SBA Employees tab.

4. Can the SBA purchase SBA-branded apparel with appropriated funds for SBA employees?

In most cases, no; see Chapter 7, item 3.

5. How is an SBA employee's email signature to be formatted?

All SBA employees should follow the SBA's standard email signature format, as can be found on www.sba.gov/brand. In accordance with the Agency's brand, email signatures use Source Sans Pro, size 11. The email address is to be in all lowercase and both it and the hyperlinks (if needed, only alter the Twitter link to fit a district or regional handle) are to be underlined and in blue to easily identify them as links. The remaining text is to be black and non-underlined.

If you wish to, include:

- Fax number: list it after cell phone number and identify it with: Fax (123) 456-7899
- Office address: list it after Office and use two lines with the first including street number, street name, and suite number, if applicable, and the second including city, state, and zip code.

Following is the format that *is not be altered in any way, including by adding professional certifications, special designations, quotes, images, symbols or links*:

First Name Last Name
Title, Office Division
Office
U.S. Small Business Administration
(XXX) XXX-XXXX
Cell (XXX) XXX-XXXX
Email address



U.S. Small Business
Administration

[Home Page](#) | [Twitter](#) | [Instagram](#) | [Facebook](#) | [YouTube](#) | [LinkedIn](#) | [Email Alerts](#)

6. Can an employee's email signature be temporarily altered to promote a specific Agency program, service or event?

No. A key tenet of brand promotion is consistency. Thus, email signatures are not to be altered in any way, including the promotion of specific Agency programs, service, or events.

Alternate promotional vehicles include a social media campaign and/or inclusion of an announcement in GovDelivery. Please contact OMCS for additional suggestions for promoting an SBA program, service or event.

7. Is there an approved SBA-affiliated identifier to help Employee Resource Groups (ERGs) promote SBA employee participation?

Yes. OMCS has created an OGC-approved ERG identifier icon for groups who wish to promote their ERGs within the workplace. High resolution versions of these identifiers can be found on the OMCS SharePoint page.

In recent years, the SBA has allowed the formation of ERGs to facilitate employee engagement and create a shared sense of belonging. All groups wishing to establish a formal ERG should seek guidance from the Office of Diversity, Inclusion and Civil Rights (ODICR) and the Office of Human Resource Solutions (OHRS). Currently, ERGs exist for SBA employees who have served in the military or who are of Hispanic descent may belong to an ERG. However, other ERGs have been proposed, e.g., LGBTQ, Returned Peace Corps Volunteers.

8. How may the ERG SBA-affiliated identifier be used?

The affiliation identifier may be used for internal event announcements on posters, in the SBA Daily, or on the SBA message boards. They may also be used for the creation of ERG letterhead and pins. However, the affiliation logo may not be used on SBA business cards, SBA letterhead, or in SBA employee electronic signatures.

Appendices

Appendix A: Definitions

Cooperative Agreement awards federal funds to a recipient for performance of a project to benefit the public. The Cooperative Agreement's terms and conditions are provided by a Program Announcement and Notice of Award.

Cosponsor is an entity or individual who actively and substantially participates in planning and conducting an agreed upon Cosponsored Activity. All cosponsors must sign a written Cosponsorship Agreement with the SBA.

Cosponsored Activity is an activity, event, project, or initiative designed to provide assistance for the benefit of small business as authorized by SBA's Cosponsorship Authority, section 132(a) of Division K in Public Law No. 108-447. The Cosponsored Activity must be planned and conducted by the SBA and one or more cosponsors and approved through a written Cosponsorship Agreement. Assistance for the purposes of Cosponsored Activity does not include grant or any other form of financial assistance.

Cosponsorship Agreement is an approved written document which has been duly executed by the SBA and one or more cosponsors. The Cosponsorship Agreement shall contain the parties' respective rights, duties and responsibilities regarding the planning and implementation of the Cosponsored Activity.

Cosponsorship Funds are all cash collected in support of a Cosponsored Activity. Cosponsorship Funds may be derived from a cosponsor's cash contribution or money collected from each participant (i.e. registration fee). The Fiscal Agent, subject to oversight by the SBA, is responsible for collecting and expending all Cosponsorship Funds.

Cosponsored Material is all print and electronic materials used to promote the Cosponsored Activity or used in connection with the Cosponsored Activity. Cosponsored Materials may include, but are not limited to, flyers, brochures, mailers, email, promotional pieces, web pages, or any other physical, print or electronic item, including items bearing SBA's name or logo.

Disclaimers are statements used on marketing materials to clarify SBA relationships to the public, such as the absence of endorsement or the existence of a funding relationship.

Donor is an individual or entity that provides a Gift, bequest, or device (in cash or in-kind) to the SBA. This does not include an individual or entity that provides

cash or in-kind support directly to a cosponsor for use during a cosponsored activity.

Fiscal Agent is the cosponsor with responsibility for collecting, managing, and disbursing the Cosponsorship Funds.

Gift (including a bequest or a device) is the voluntary transfer to the SBA of something of value without the donor receiving legal consideration. This includes items offered for substantially less than market value, e.g., an exhibit booth or airtime for radio advertising.

Memorandum of Understanding, or MOU, is an agreement between the SBA and another government entity (or other type of entity if authorized by the Administrator) to cooperate to achieve a particular purpose. The MOU constitutes an understanding between the parties but is a non-binding agreement. It is the SBA's policy to enter into MOUs with other entities to define lines of authority or responsibility, or to clarify cooperative procedures. An MOU's intent is to more effectively use collective resources and eliminate duplication of activities.

Outreach Agreement is between the SBA and a third party (can be a non-profit, for-profit, or government agency, depending on the activity and agreement). Examples are MOUs, SAMs, and Cosponsorship Agreements.

Promotional items are items of nominal value that are used to raise awareness of the SBA and/or draw the public to SBA's website, district offices, exhibits or events. At a minimum, promotional items should include the SBA logo and website.

Responsible Program Official, or RPO, is an SBA senior management official from the Originating Office who is accountable for the Cosponsored Activity or Gift. If the Originating Office is a district or branch office, the RPO is the district director or the deputy district director. In headquarters, the RPO is the management board member or a deputy with responsibility for the relevant program area. In headquarters the RPO may also be any one of the OCPL Directors.

SBA Advertising is paying for space (i.e., "paid placement") in any medium to call attention to an SBA product, service, event, or activity. SBA advertising includes all SBA branded and co-branded paid placements.

SBA Brand Page, or sba.gov/brand, is the page on SBA's website where all brand-related information can be found, including different versions of the SBA logo, the official fonts and color palette, approved web and social icons, brand-related videos, and do's and don'ts regarding alterations to the SBA logo.

SBA Decals, or window stickers, were created for SBA Lenders, Resource Partners and grantees to promote the relationship the Agency has with these formal partners. SBA decals are intended for placement on the front door or window of the establishment to alert small businesses to their affiliation with the SBA. SBA Lender and Powered by SBA decals are also available as web icons for placement on the websites of these same institutions.

SBA Marketing Materials are any items used to promote SBA programs, events, and activities. Examples include but are not limited to printed fliers, factsheets and brochures; infographics; step and repeats, full length and tabletop banners; and promotional items intended for outreach to the public. SBA co-branded materials created pursuant to a Cosponsorship Agreement (“Cosponsored Materials”), Cooperative Agreement, or contract are considered SBA Marketing Materials. All Marketing Materials must adhere to the SBA’s brand and visual identity guidelines described on www.sba.gov/brand to ensure the integrity of SBA’s identity.

SBA Public Service Announcement (PSA) are marketing materials that have been placed for free to educate the public about an SBA product, service, event, or activity. SBA public service announcements are always SBA branded, but they may be co-branded if created as part of a cosponsorship.

Strategic Alliance Memorandum, or SAM, is a non-binding agreement with a non-profit or state/local government agency to develop and foster a mutual understanding and formalize a working relationship between the SBA and the outside organization. At SBA, SAMs are a vehicle used to strengthen and expand small business development.

Web Icon is a digital file that is used to identify an SBA relationship, such as that between the SBA and its Lenders or Resource Partners. May also be used to indicate an SBA employee's participation in a resource group with a particular affiliation, such as the SBA Veterans Employee Resource Group, or Veterans ERG. The digital version of what may sometimes be found in the form of a decal, i.e. to adhere to an institution’s window or door.

Appendix B: SBA-Affiliated Icons

The following SBA-approved icons are available to entities with a formal affiliation to SBA. The icons below are for illustrative purposes only; high resolution versions are available for download from the OMCS Sharepoint page: <https://sba123.sharepoint.com/offices/OMCS/SitePages/partner-decals-icons.aspx>.

