



SBA: Two (2) Proposed Rules URGENT!

Comments Due by September 21, 2026

The Small Business Administration (SBA) has two proposed rules with comment periods ending soon. These would significantly alter the small business size standards for SBA small business programs.

STEP 1: Education

This is a long and critical article articulating how this came about, potential impacts, and what you may do about it by September 21st.

By RSM Federal, Joshua Frank – [Don't Look at Size Standards in a Vacuum](#)

Proposed Rules

- SBA 13 CFR Part 122 RIN 3245-A167: [Federal Register](#)
 - Small Business Size Standards
 - [Public Comments to Date](#)
- SBA 13 CFT Part 121: [Federal Register](#)
 - Small Business Size Standards: Revised Size Standards Methodology
 - [Public Comments to Date](#)

Following are some of the most concerning proposed changes

NAICS	Description	Current Size Standard	Proposed Size Standard	% Increase
211130	Natural Gas Extraction	1,250 Employees	2,200 Employees	176%
336611	Ship Building & Repairing	1,300 Employees	2,300 Employees	177%
238140	Masonry Contractors	\$19 Million	650 Employees	
213111	Oil & Gas Drilling	1,000 Employees	2,650 Employees	265%
523940	Portfolio Management and Investment Advice	\$47 Million	\$1.011 Billion	2,151%
541310	Architectural Services	\$12.5 Million	\$135 Million	1,080%
541330	Engineering Services	\$25.5 Million	\$252 Million	988%
541511	Custom Computer Programming Services	\$34 Million	\$531 Million	1,562%
541519	Other Computer Related Services	\$34 Million	\$531 Million	1,562%
541611	Management Consulting	\$24.5 Million	\$295 Million	1,204%
541618	Other Management Consulting Services	\$19 Million	\$295 Million	1,553%
541990	Administrative & General Management Consulting	\$19.5 Million	\$61 Million	313%
561210	Facilities Support Services	\$47 Million	\$156 Million	332%
561611	Investigation and Personal Background Services	\$47 Million	\$156 Million	332%
561720	Janitorial Services	\$22 Million	\$58 Million	264%
562910	Remediation Services	\$25 Million	\$113 Million	452%
336412	Manufacturing Guided Missile and Space	1,250 Employees	2,800 Employees	224%
336611	Ship Building and Repairing	1,300 Employees	2,300 Employees	177%

Website: www.swmiapex.org

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Resources

- [Stephen Koprince](#)
 - Everyone's Small Now: Takeaways From the SBA's Proposed Size Standard Hikes
 - Long article and vital information: legal consequences

Potential for Congressional Review Act Disapproval

Under the [Congressional Review Act](#), Congress can overturn an agency's regulation by passing a resolution of disapproval. If the resolution passes both chambers and is signed by the President, the regulation in question is repealed. The President, alternatively, can veto a joint resolution of disapproval and Congress can overturn such a veto by a two-thirds vote in each chamber.

Potential for Future Congressional/SBA Action

The Congressional Review Act isn't the only tool at the disposal of Congress if it wants to rein in the SBA. Congress could, for example, include a provision in a future omnibus bill like the annual [National Defense Authorization Act](#) directing the SBA to reverse or revise its hikes. A massive bill like the NDAA can be hard to vote against or veto from a political perspective, even if one disagrees with bits and pieces of it.

- [Stephen Koprince](#)
 - SBA Size Standard Hikes: Do 8(a), HUBZone, SDVOSB, & WOSB Certifications Offer Shelter?
 - For current small businesses, the SBA's four major certification programs may offer a form of shelter from an influx of mid-tier contracts into the small business market—but the extent of that shelter will depend in large part on the program.
- [Holland & Knight](#)
 - SBA Proposes Sweeping Overhaul of Small Business Size Standards
 - Summary of both rules
- [Recording by Sam Le on Substack](#)
 - SBA's Huge Size Standards Increases – Are they too much?
 - Attachments with Details
- [Women Impacting Public Policy](#)
 - The Scale of Change
 - Take Action Before September 21
- [McCarter & English](#)
 - Small Is About to Get a Lot Bigger
 - SBA Proposes to Rewrite the Size Standards for Nearly Every Industry That Sells to the Government
 - Five Key Takeaways for Contractors
 1. Figure out where you land, affiliates and all
 2. Re-sort your pipeline around the proposed industry groups, because the codes you know may no longer
 3. Comment with data, not adjectives
 4. Get to the best partners before the rest of the market does
 5. Put the rule on the deal team's desk

STEP 2: Research

Research the potential impact to your business.

- Review your primary (and secondary) NAICS code(s) against [SBA's proposed 4-/5-digit groupings](#) and new standards to see how your business is affected.
- Sam Le's Substack document: [Google Sheet comparing the proposed standards to current standards and previously proposed standards](#)
- [How Big is Small? The Economic Effects of Access to Small Business Government Support by Matthew Denes et. al.](#)

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- [Maynard Nexsen](#)
 - Checklist to complete before September 21, 2026
 - SBA's August 20 Size Standards Proposal
 - Higher Thresholds, Fewer Industry Buckets, and a 30-Day Clock
- Read some of the comments before submitting your own
 - SBA 13 CFR Part 122 RIN 3245-A167:
 - [Public Comments to Date](#)
 - SBA 13 CFT Part 121:
 - [Public Comments to Date](#)

STEP 3: Respond to BOTH before September 21

Respond to BOTH proposed rules and include the following

- How it impacts your business
- How it impacts your industry
- Alternate suggestions to these proposed rules

Comment Sites

- SBA 13 CFR Part 122 RIN 3245-A167:
 - [Federal Register](#)
 - [Submit a Public Comment](#) - Small Business Size Standards
 - [Public Comments to Date](#)
- SBA 13 CFT Part 121:
 - [Federal Register](#)
 - [Submit a Public Comment](#) - Small Business Size Standards: Revised Size Standards Methodology
 - [Public Comments to Date](#)

STEP 4: Share Widely, Including Your Federal Legislators

Contact your Federal Legislators – Several Options

- [Write the letter your representative will actually read](#)
- [Elected officials and districts](#)
- [Find and contact elected officials](#)
- [How to contact your member of congress](#)
- [Know your federal and state representatives](#)
- [Who represents me?](#)