September 21, 2026

Mr. Ryan Lambert
Associate Administrator of Government Contracting and Business Development
U.S. Small Business Administration
Office of Government Contracting and Business Development
409 Third Street, SW
Washington, DC 20416

Re: Small Business Size Standards (RIN 3245-AI67)

Dear Associate Administrator Lambert:

The American Cultural Resources Association (ACRA), the trade association for companies that specialize in cultural resource management (CRM), is writing in response to the U.S. Small Business Administration's (SBA) proposed rule *Small Business Size Standards* [RIN 3245-AI67].

ACRA respectfully requests that the SBA extend the public comment period beyond the 30 days initially provided in order to allow small businesses the time to evaluate the proposal and provide comments.

ACRA is the national trade association supporting CRM firms of all sizes, types, and specialties. ACRA-member firms undertake much of the legally mandated cultural resource studies and historic property investigations in the United States for federal, state and local government agencies, including those under Section 106 of the National Historic Preservation Act (NHPA). To help guide smart, efficient, sustainable economic development and safeguard important historic and cultural heritage assets, ACRA members apply specialized research skills within a framework of federal, state, local, and Tribal law and facilitate an open dialog where every citizen has a voice.

CRM is a $1.1 billion industry[1] that employs thousands of people, including archaeologists, architectural historians, historians, ethnographers and other professionals like administrative and financial support staff. CRM firms create jobs by subcontracting with professional land surveyors, drafting/GIS staff, field technicians, construction firms, and a host of other vendors who contribute to the CRM process. These firms support local businesses, from hotels to equipment suppliers and many more, when their teams are in the field.

The majority of CRM firms in the United States are designated as small businesses under the SBA's size standards, including many that are eligible for the 8(a) Business Development Program, the Women-Owned Small Business (WOSB) Program, the Veteran-Owned Small Business (VOSB) Program, and the Service-Disabled Veteran-Owned Small Business (SDVOSB) Program, among others.

[1] Heritage Business International, The Size of the U.S. Heritage Compliance Sector, 2024

Smaller CRM firms are often regional experts in cultural resources and the built environment, and they intuitively understand local culture, history and context. This enables them to provide locally tailored consultation to address community perspectives and help move projects forward in a timely manner. Designation under the SBA size standards as a small business has expanded access to government contracts for firms that otherwise might be unable to compete. In turn, federal agencies, and by extension the nation's taxpayers, have benefited greatly from an expanded talent pool of private-sector contractors.

The SBA's proposed rule would make unprecedented changes in the size standards for NAICS codes which CRM firms normally use. Some examples are below:

NAICS Code	**Current Size Standard (in millions)**	**Proposed Size Standard (in millions)**	**Percentage Increase**
541620 Environmental Consulting Services	19	295	1453%
541690 Other Scientific and Technical Consulting Services	19	295	1453%
541720 Research and Development in the Social Sciences and Humanities	28	246	779%
541360 Geophysical Surveying and Mapping Services	28.5	204	616%
712120 Historical Sites	13	166	1177%

Such changes would have significant implications for both CRM firms that currently qualify as small and those that would newly be defined as small. In particular, smaller firms will find themselves competing against much larger companies for federal contracts and other small business programs. The proposal also would dilute the power of the "Rule of Two," if substantially larger companies would be defined as small. As the SBA's own analysis shows, the proposed rule would enable about 114,541 firms to become eligible to compete in the federal market, including 37,002 firms who held more than 105,655 contracts in FY 2025 and would become small businesses under the proposed size standards.

The proposed rule may have additional impacts on small businesses and the broader CRM industry that businesses need time to analyze, including:

- The potential impact to opportunities for small firms to serve as subcontractors to prime contractors who would now be below the size standard threshold.

- The potential impact on mentor-protégé arrangements, whereby larger companies seek out small firms as protégés but might soon become small businesses themselves.

- The potential increase in the number of mergers, as the higher thresholds would enable merged companies to retain small- business status.

Each of these factors could affect the ability of CRM firms to compete in the marketplace. The SBA's rulemaking process will be well served by hearing directly from such firms on those consequences. ACRA is concerned that the 30-day comment period does not provide small businesses with the time to adequately assess the effects.

Small businesses have, by their very definition, limited capacity. Small CRM firm owners spend a considerable amount of time in the field conducting cultural resource reviews, meeting with clients, writing cultural resource reports, competing for new contracts, and handling countless other administrative tasks necessary to keep their business running. This means they have limited bandwidth to consider the ramifications of the SBA's proposals – particularly as many firms perform field work in the summer and early autumn months. The weeks before the end of the federal fiscal year are also especially frenetic for small businesses that contract with the federal government. In addition, small firms have less access to consultants and other experts than larger companies, who can help them conduct assessments of proposed rule changes.

Small business already face an uncertain economic and regulatory climate due to changes in the 8(a) Business Development Program and the U.S. Department of Transportation Disadvantaged Business Enterprise Program (DBE) and Disadvantaged Business Enterprise in Airport Concessions Program (ACDBE). The CRM industry also is contending with the possibility of massive changes in the regulations implementing Section 106, which are being contemplated by the Advisory Council on Historic Preservation (ACHP). These changes, if finalized, will force every CRM firm to expend time and expense in adjusting to new procedures. The SBA's proposal adds yet another layer of uncertainty to their administration duties when they can least absorb the changes. Asking them to digest the potentially existential ramifications of the proposed size standard changes in just 30 days does not afford them the ability to make informed assessment.

The 30-day comment period also runs counter to the intent and language of Executive Order 13563, *Improving Regulation and Regulatory Review*, which states that, "[t]o the extent feasible and permitted by law, each agency shall afford the public a meaningful opportunity to comment through the Internet on any proposed regulation, with a comment period that should generally be <u>at least</u> 60 days" (emphasis added).

For these reasons, ACRA urges the SBA to extend the deadline for public comments by at least 30 additional days to afford small businesses the ability to analyze and offer comments on these significant proposals.

Sincerely,

Amanda Stratton
Executive Director