

**CLIENT ALERT**

To: Clients and Friends  
 Date: July 13, 2011  
 Re: Small Business Administration Semiannual Regulatory Agenda

\*\*\*\*\*

On July 7, 2011, the U.S. Small Business Administration (“SBA”) published its semiannual regulatory agenda in the Federal Register. See 76 Fed. Reg. 40136 (July 7, 2011). The regulatory agenda includes target dates for the release of the SBA’s upcoming regulatory initiatives. Based on the agenda published on July 7<sup>th</sup>, there may be significant regulatory activity involving the SBA’s programs over the next several months.

Some of the notable items on the SBA’s agenda are described below. A full list of the items on SBA’s regulatory agenda is available in the Federal Register cited above.

<b><u>Regulatory Initiative</u></b>	<b><u>Date Expected</u></b>
Proposed rules to establish mentor-protégé programs for the Service-Disabled Veteran-Owned, HUBZone, and Women-Owned Small Business Programs; these mentor-protégé programs will be comparable to the 8(a) program.	August 2011
Proposed rules for size standard increases in the following NAICS industry sectors:  Sector 22 – Utilities Industries Sector 51 – Information Industries Sector 53 – Real Estate, Rental and Leasing Industries Sector 56 – Administrative and Support, Waste Management and Remediation Services Industries Sector 61 – Educational Services Industries Sector 62 – Health Care and Social Assistance Services Industries	September 2011 October 2011 November 2011 October 2011  November 2011 October 2011
Final rule for size standard increases in NAICS Sector 54 – Professional, Scientific and Technical Services	November 2011
Proposed rules to guide agencies in setting aside part of a multiple award contract for small businesses, setting aside orders placed against multiple award contracts for small businesses, and reserving one or more awards for small businesses under full and open competition for a multiple award contract.	October 2011

<b><u>Regulatory Initiative</u></b>	<b><u>Date Expected</u></b>
Proposed rules to address intentional misrepresentations of small business status as a “presumption of loss against the Government,” as required under the Small Business Jobs Act of 2010.	October 2011
Proposed rules to set forth a government-wide policy on contract bundling, addressing teams and joint ventures and the limitations on carrying out consolidated contracts.	August 2011
Proposed rules to address subcontract integrity, including the statutory requirement that a large business prime contractor must represent that it will make a good faith effort to comply with its small business subcontracting plan.	September 2011

The expected dates for the regulatory initiatives listed above are not etched in stone, and invariably some (if not many) are too optimistic and will slip. However, in certain cases, the SBA is facing statutory deadlines and must stay on the schedule it has proposed. We will continue to monitor these and other important regulatory developments at the SBA and will issue additional client alerts as warranted. In the meantime, if you have questions about this client alert or if you would like additional information regarding any of the SBA’s upcoming regulatory initiatives, please contact us at (202) 857-1000. You may also email inquiries to Jon Williams at [jwilliams@pilieromazza.com](mailto:jwilliams@pilieromazza.com).