Government Contracts Update

December 2025

SBA Clarifies Scope of 8(a) Program Document Requests, Extends Submission Deadline

Key Notes:

- The 8(a) data call submission deadline has been extended to January 19, 2026.
- Key clarifications on reporting periods, document requests, and submissions are reflected in the latest update quietly pushed out by SBA.

In our previous client alert, we discussed the U.S. Small Business Administration's (SBA) unprecedented audit of its 8(a) Business Development Program and the related data call it issued to all 8(a) firms. The SBA has since quietly issued additional guidance in FAQs posted on its MySBACertifications page, in which it provides several clarifications and, perhaps most importantly, extends the deadline for responding to the program-wide data call. While these developments provide helpful clarification, they do not reduce the scope or severity of the audit.

SBA 8(a) Program Audit and Data Call Recap

SBA announced on June 27 that it was launching a "full-scale audit" of the entire 8(a) program following allegations of widespread fraud and abuse. Then on December 5, it issued data call letters to all 8(a) firms, approximately 4,300 businesses. The letter outlines that each firm is required to submit a comprehensive set of financial, contract, payroll, employment, vendor, and subcontracting records covering the last three fiscal years through the MySBACertifications portal. Failure to comply may result in loss of 8(a) eligibility and could expose firms to suspension, debarment, or other enforcement actions.

The initial data call letter left many 8(a) firms unclear as to the request's specific requirements. In response to requests for clarification, on December 18, SBA released the FAQs, which address some of the ambiguities in the initial request. Below, we highlight key clarifications from the FAQs that all 8(a) participants should consider to ensure their submissions are compliant and responsive.

Extended Deadline for Data Call Submissions

The most important update is that SBA extended the deadline for responding to the data call to **January 19, 2026**. This two-week extension from the original deadline is welcome news, but it does not otherwise reduce the scope of the requested materials. Given the volume and complexity of the documents required, firms should not view the extension as an opportunity to delay preparation.

Portal Access, Formats, and Classified Contracts

All submissions must be made through the MySBACertifications portal. Firms must claim their business in the system before the data call prompt will appear. The portal accepts CSV uploads for specified items, and Excel files should be convertible without data loss. For classified contracts, the FAQs explain that the contracts section of the 8(a) data call includes a check box to indicate that uploads are being withheld for classified contracts. Participants must also attest that subcontracts under those withheld classified contracts comply with applicable 8(a) rules.

Reporting Period

The FAQs clarify that firms must submit records covering their *own* last three closed fiscal years, not federal government fiscal years. For calendar year filers, this generally means fiscal years 2022, 2023, and 2024. For firms with non-calendar fiscal years, the three most recently closed fiscal years could include fiscal year 2025 if that year has already closed.

Scope of Contracts and Awards

SBA clarified that any award made based on 8(a) status must be submitted, including sole-source purchase orders and similar vehicles. To be clear, the request is broad and encompasses all awards including short-term task, purchase, and delivery orders issued under contract vehicles. Firms should review task orders, delivery orders, and purchase orders tied to 8(a) eligibility for the covered fiscal years.

Accounting Records and Subledgers

All general ledger sheets are required for submission, not just summaries or trial balances. Where specific subledgers do not exist, firms may omit them but *must* provide a brief explanation and an attestation confirming their absence.

Zero-Revenue and Dormant Firms

The FAQs clarify how firms with no revenue history, including newly acquired or dormant 8(a) entities, should respond. These firms should submit a statement for each applicable prompt attesting that there has been no revenue or operating activity. All statements should be consistent across prompts and executed by an authorized official of the company.

Missing Data Call Letter

Certified 8(a) firms that believe they should have received a data call letter but did not should promptly contact SBA's Certifications team with the company name, UEI, and name and contact information of the primary majority owner or, for entity-owned firms, the subsidiary president. SBA will verify the original recipient, correct any contact information, and enable the firm to submit its materials. Firms should act quickly, as portal access and document collection will take time.

Our Team Can Help

Although SBA has extended the deadline to **January 19, 2026**, the remaining time is limited given the scope of the submission. Contractors should begin organizing records, identifying potential gaps, and developing a clear submission plan as soon as possible.

Our team can assist contractors in evaluating the SBA request, coordinating with accounting professionals, reviewing documents for potential compliance risks, and preparing organized and defensible submissions.

FOR MORE INFORMATION

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