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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 1001 and 1002

[DA-94-09]

Milk in the New England and New York-New Jersey Marketing Areas; Termination of Certain Provisions of the Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule terminates the seasonal production incentive plans for paying producers under the New England and New York-New Jersey Federal milk orders. This termination was requested by cooperative associations that represent producers who supply about one-half of the milk regulated under the orders. The seasonal incentive plans have been suspended during each of the last three years and are no longer effective in carrying out their intended purpose.

EFFECTIVE DATE: April 7, 1994.

FOR FURTHER INFORMATION CONTACT: Gino M. Tosi, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, room 2971, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 690-1366.

SUPPLEMENTARY INFORMATION: Prior document in this proceeding:

Notice of Proposed Termination or Suspension: Issued February 15, 1994; published February 24, 1994 (59 FR 8873).

The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this rule will not have a

significant economic impact on a substantial number of small entities. This rule lessens the regulatory impact of the orders on dairy farmers and will not affect milk handlers.

The Department is issuing this rule in conformance with Executive Order 12866.

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any state or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provisions of the order, or any obligation imposed in connection with the order is not in accordance with the law and requesting a modification of an order or to be exempted from the order. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

This order of termination is issued pursuant to the provisions of the Agricultural Marketing Agreement Act and of the orders regulating the handling of milk in the New England and New York-New Jersey marketing areas.

Notice of proposed rulemaking was published in the Federal Register on February 24, 1994 (59 FR 8873) concerning a proposed termination or suspension of certain provisions of the orders. Interested persons were afforded opportunity to file written data, views and arguments. Comments supporting the proposed termination were received from Dairyland Cooperative, Inc. and Agri-Mark, two of the cooperatives who proposed termination. One comment

was received from a dairy farmer who opposed termination.

After consideration of all relevant material, including the proposal in the notice, the comments received and other available information, it is hereby found and determined that the following provisions of the orders do not tend to effectuate the declared policy of the Act:

1. In § 1001.62, paragraphs (c) and (d); and
2. In § 1002.61, paragraphs (d) and (e).

Statement of Consideration

This rule terminates the seasonal plans for paying producers under the New England and New York-New Jersey Federal orders. These seasonal payment plans provide for making deductions from prices paid to producers during the normal flush-production months of March through June and returning to producers the deducted amounts during the normal short-production months of August through November. The plans are intended to provide an incentive for dairy farmers to level out their production during the year.

The termination of the payment plans was requested by cooperative associations that represent dairy farmers who supply handlers regulated under the orders. Collectively, these cooperatives represent about 51 percent of the producers associated with the New England marketing area and about 48 percent of the producers associated with the New York-New Jersey marketing area. The cooperative associations proposing the terminations are Agri-Mark, Inc.; Allied Federated Cooperatives, Inc.; Atlantic Dairy Cooperative, Inc.; Dairyland Cooperative, Inc., and its members cooperatives: Cortland Bulk Milk Producers Cooperative, Oneida-Madison Milk Producers Cooperative Association, Inc., and Steamburg Milk Producers Cooperative Association, Inc., and its affiliated cooperatives: Deer River Bulk Milk Cooperative, Inc., and Jefferson Bulk Milk Cooperative, Inc.; Eastern Milk Producers Cooperative Association, Inc., and its affiliated cooperatives: Chateaugay Co-operative Marketing Association, Inc., Konhokton Milk Producers Co-operative Association, Inc., Middlebury Milk Producers Cooperative Association, Inc., and Sullivan County Co-operative Dairy Association, Inc.; and Upstate Milk Cooperatives, Inc.

Proponents contend that the "Louisville" seasonal payment plans are no longer effective or necessary to reduce the seasonal spring-to-fall swings in milk production as was intended when they were first provided for in these orders some 25 years ago. Proponents indicated that the seasonal payment plans are largely ineffective because of a general lack of awareness about the plans in the dairy farming community. They also contend that the price differentials are too low relative to milk prices to provide an incentive for dairy farmers to modify their seasonal production patterns. The proponents further indicated concern about the impact of reducing returns to producers during the spring months when producer milk prices are already generally lower than during other times of the year.

In addition, it has been noted that the seasonal incentive payment plans are no longer necessary or effective since they have been suspended for the past three years. The proponents point out that these past suspension actions were supported by the need for dairy farmers to have additional monies available during the spring months during which prices to producers decline precipitously. Proponents expect that milk prices will decline in the spring months of 1994 and in the spring months of future years. They also maintain that retaining the payment plans will continue to put cash flow pressures on dairy farmers during a time of increased cash needs for spring planting.

In the comments, Agri-Mark reiterated its support for the termination of the seasonal payment plans. The cooperative's primary support for termination involves the volatility of milk prices at low levels for the past several years. Agri-Mark maintains that if the Louisville seasonal payment plan had been in effect, about \$20 million would have been removed from producer payments in the spring planting months and would have resulted in cash flow difficulties for many farms. Agri-Mark said that even those farmers who have contra-seasonal milk production would have reduced income during the spring and summer months.

In further support for the termination of the seasonal payment plans, Agri-Mark indicated that actual seasonal price movements in the marketplace, to some extent, accomplished the fall price incentives originally intended by the Louisville payment plan. The cooperative noted that during the past three years, while the Louisville plans were suspended, the blend price in the

August-November period averaged slightly more than \$1.00 above the March-June period in both the New England and New York-New Jersey orders. Agri-Mark expects this pattern to generally continue.

One comment in opposition to this termination was received from a dairy farmer who supplies the New York-New Jersey marketing area. This farmer expressed the view that the Louisville payment plan is still effective in reducing the variability of milk production even though the Louisville plan differential levels are too low to be as meaningful as they were in earlier years when the differential level represented a greater percentage of the price of milk. The farmer also expressed the view that withholding money from a producer's milk check in the spring months when cash is needed for meeting spring planting costs was not particularly burdensome.

The "Louisville" seasonal incentive payment plan has been in effect in the New England and New York-New Jersey orders since the late 1960's when there was significant variability between milk production in the spring and fall months. Market statistics reveal that this variability was as much as 30 percent when the plans were first implemented in the orders, and there was considerable institutional and economic pressure to reduce this seasonality of production because of the high costs of marketing seasonal surpluses of milk. It is reasonable to conclude from a review of current-day statistics that the plans have played a role in reducing this variability, as commented upon by the producer in opposition to the termination action. However, the seasonality of milk production has not changed much since 1980, and there are certainly a number of other reasons for this in addition to the "small" Louisville differentials relative to the per hundredweight price of milk from the 1960's and 1970's versus today. Without question, it is also reasonable to attribute, in part, the narrowing of production seasonality to advances in production practices, including improvement in feeding programs, breeding and other management practices.

One of the most important consideration in this termination action is the fact that the plans have not been operational for the last three years and thus have had no impact on the seasonality of milk production. The prior suspension actions, as well as this request to terminate the payment plans, were supported by a significant number of producers who were concerned about their prices being reduced any more

than what would normally occur because of seasonally lower prices in the spring. The seasonal variability in the basic formula price for milk (the M-W price) in today's marketplace already provides an incentive for producers to make their own individual production decisions in response to the seasonal price changes. Since the payment plans have not been operational or effective, they should be terminated.

Therefore, the seasonal incentive payment plans of the two markets are hereby terminated.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) The termination is necessary to reflect current marketing conditions and to assure orderly marketing conditions in the marketing area;

(b) This termination does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension.

Therefore, good cause exists for making this order effective upon publication in the Federal Register.

List of Subjects in 7 CFR Parts 1001 and 1002

Milk marketing orders.

For the reasons set forth in the preamble, the following provisions in title 7, parts 1001 and 1002, are amended as follows:

1. The authority citation for 7 CFR parts 1001 and 1002 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

PART 1001—MILK IN THE NEW ENGLAND MARKETING AREA

§ 1001.62 [Amended]

2. In § 1001.62, paragraphs (c) and (d) are removed and reserved.

PART 1002—MILK IN THE NEW YORK-NEW JERSEY MARKETING AREA

§ 1002.61 [Amended]

3. In § 1002.61, paragraphs (d) and (e) are removed and reserved.

Dated: April 4, 1994.

Patricia Jensen,

Acting Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 94-8409 Filed 4-6-94; 8:45 am]

BILLING CODE 3410-02-P

SMALL BUSINESS ADMINISTRATION**13 CFR Part 121****Small Business Size Standards;
Inflation Adjusted Size Standards**

AGENCY: Small Business Administration.
ACTION: Final rule.

SUMMARY: On September 2, 1993, the Small Business Administration (SBA) published a proposed rule in the *Federal Register*, 58 FR 46573, re-proposing to streamline its size standards by reducing the current number of fixed size standard levels from thirty to nine (retaining the five existing employee-based levels and establishing four new receipts-based levels). As a part of the proposed rule, an inflation adjustment percentage of 45.8% was applied to most of SBA's receipts-based size standard levels and then rounded to the nearest newly established four receipts-based levels. The SBA has decided to further review the effectiveness of reducing the current number of fixed size standard levels in order to simplify the size standards program. However, the SBA continues to believe that the application of an inflationary adjustment, to account for the effects of inflation since the third quarter of 1982, to its receipts-based size standards is still warranted. This final rule reflects the SBA's finding that the application of an inflation adjustment percentage of 48.2% (based upon the latest inflation information) to the receipts-based size standard of each and every industry, not otherwise prohibited for change by statute, is necessary.

EFFECTIVE DATE: April 22, 1994.

FOR FURTHER INFORMATION CONTACT:
Ajoy K. Sinha, Program Analyst, Size Standards Staff (202) 205-6618.

SUPPLEMENTARY INFORMATION: On December 21, 1992, SBA published a proposed rule in the *Federal Register*, 57 FR 62515, that sought to achieve the twin goals of adjusting SBA's receipt-based size standards for inflation and streamlining the SBA size standards system. Following a withdrawal of that proposed rule on February 19, 1993 (58 FR 9131) and further review of the proposal by the Agency, SBA again published a proposed rule in the *Federal Register* on September 2, 1993, 58 FR 46573, to accomplish those same dual purposes.

Pursuant to the September 2, 1993 proposed rule, SBA's current system of approximately thirty size standards would first have been simplified by reducing the number of different size standards to nine. More specifically, SBA's twenty-one different receipts-

based size standards would have been reduced to only the four most common receipts-based size standards—\$3.5 million in average annual receipts, \$7.0 million, \$12.5 million, and \$17.0 million. In addition, SBA proposed to increase the receipts-based size standards for inflation. The inflation rate to be applied was then calculated at 45.8 percent. This rate covered the period between the third quarter of 1982 (the last date for which size standards were adjusted for inflation) and the first quarter of 1993 (the most recent data available at the time of the publication of the proposed rule).

The 45.8 percent inflation rate would then have been applied to the four remaining receipts-based size standards. This application would have in turn generated the four most common receipts-based size standards with an inflation adjustment—\$5 million, \$10 million, \$18 million and \$25 million. The inflation adjustment then would have been calculated for each of the existing receipts-based size standards, except where the Agency is legally prohibited from doing so. Each of these standards, preliminarily adjusted for the full inflation rate, would have then been modified by reducing or increasing them to the closest of the four inflation-adjusted simplified size standards. As a result, many industries would have received a net inflation adjustment that would have been significantly larger or smaller than the 45.8 percent inflator.

After further considering the proposed rule in light of comments received, the SBA has concluded that further study is needed on the issue of how best to simplify its size standards. In addition, SBA feels that the manner in which size standards would have been increased for inflation (that is, adjusting upward or downward from a full inflation increase to one of the four newly created simplified size standards) may not have adequately taken into account the effects of inflation on a significant number of industries. Indeed, it believes that the need to adjust current size standards for inflation is an urgent one. Small business owners have requested quick action. In SBA's view, updating such standards as soon as possible is necessary to make them more appropriate. Several commenters to the proposed rule maintained that the proposed rule was inequitable in that certain industries would not have received a full inflationary adjustment. These commenters recommended that SBA modify every size standard upward to the next highest of the four inflation-adjusted simplified size standards, but never downward to give certain

industries less than a full increase for inflation. While SBA is not convinced that increasing each of these size standards upward to the next highest level is the appropriate solution, SBA does believe that the concerns raised regarding the unequal inflation adjustments are valid.

Accordingly, the SBA has decided to finalize only that portion of the proposed rule that called for an increase in the receipts-based size standards due to inflation. In other words, this final rule will adjust each of the current twenty-one receipts-based size standards for inflation.

The SBA firmly believes that all possible alternatives should continue to be studied and analyzed to determine the most effective means by which a true simplification of the numerical size standards, related size standard definitional provisions, and the size determination process can be achieved. After this review has been completed, a new proposal to simplify the size standards may be forthcoming with an opportunity for the public to express its views regarding such a proposal.

In the interim, however, the SBA continues to believe in the necessity of adjusting the receipts-based size standards to account for the effects of inflation since the Agency's last inflationary adjustment in 1984. This final rule adopts increases to the receipts-based size standards to reflect the effects of inflation. As discussed in the proposed rule, March 12, 1984 was the last time a general inflationary adjustment was applied to the receipts-based size standards. The proposed rule took into account available data through the first quarter of 1993.

In an effort to establish receipts-based size standard levels reflective of current market conditions, the SBA, based on the availability of the U.S. Department of Commerce's most recent inflation data, has re-calculated the inflation adjustment percentage to be applied to the receipts-based size standards. Thus, taking into account available data through the fourth quarter of 1993, SBA calculates the inflation adjustment to be 48.2 percent (as opposed to the 45.8 percent adjustment calculated in the proposed rule based on the most current data available at that time, the first quarter of 1993). As in the proposed rule, in determining the rate of inflation, SBA has utilized the U.S. Department of Commerce's published Gross Domestic Product (GDP) Implicit Price Deflator.

The methodology used in determining the appropriate inflation adjustment is as follows:

1. Determine the base period used to establish the current size standard;

2. Determine the GDP deflator at the base period and at the most recent point in time for which the GDP deflator has been published; and

3. Apply the calculated inflation adjustment percentage to the receipts-based size standard of each and every industry, not otherwise prohibited from change by statute.

The inflation adjustment calculated in this final rule is based on the last index value used for the 1984 inflation adjustment and the latest available index value. The 1984 adjustment accounted for inflation up to the third quarter of 1982. For purposes of this rule, the third quarter of 1982 is, therefore, the base period for which SBA calculated the amount of inflation that has occurred since the last adjustment. The U.S. Department of Commerce's latest data show index values of 84.3 for the third quarter of 1982 and 124.9 for the fourth quarter of 1993. This change records inflation of 48.2 percent for the time between these two periods. Thus, each and every industry having a receipts-based size standard, not otherwise prohibited from change by statute, first receives an inflationary calculation percentage of 48.2 percent in this final rule. Finally, where necessary, the inflated size standards are rounded to the nearest half million dollar increment. This rounding method produces net increases to most industry size standards that are slightly above or below the calculated inflation rate of 48.2 percent. This method is selected because it results in an increase to each size standard that is as close as possible to the calculated 48.2 percent inflationary increase, and is consistent with the settled practice of establishing size standards at \$0.5 million increments. Past inflationary increases in SBA's receipt-based size standards have similarly been rounded to the nearest \$0.5 million increment. See, e.g., 49 FR 5024 (February 9, 1984). The SBA believes that this rounding methodology most closely reflects the calculated inflation increase. The inflation adjustment adopted by this final rule is not intended to and can not be a precise calculation of inflation experienced within each and every industry. This is because inflation will vary from industry to industry, and measures of these cost and price increases are not generally calculated for specific industries, as represented by individual Standard Industrial Classification (SIC) code designations. SBA feels that the rounding methodology is, therefore, the most reasonable application of an inflationary adjustment since the inflation measure used for this final rule

measures only the general rise of prices in the whole economy over an extended period of time.

Three industry categories which SBA has revised since the 1984 inflation adjustment are being adjusted differently in this final rule to correctly increase those industries for inflation through 1993. These are the chicken egg production industry, SIC coded 0252; motor vehicles dealers (new and used), SIC code 5511; and the industries of computer services, SIC codes 7371 through 7379. In developing the existing size standards for these industries, SBA used data on industry revenues later than the third quarter of 1982. Thus, the existing standards take into account the effects of inflation beyond the third quarter of 1982. To avoid double-counting for the effects of inflation on these size standards, the size standards will be adjusted for inflation occurring from the year of the industry data (the base period) to the fourth quarter of 1993. The data bases the SBA relied upon to establish the size standards for these three categories reflect revenues generated during an entire calendar year. Accordingly, the average price deflator for the applicable calendar year is used as the base period's deflator value for purposes of this inflation calculation.

The size standard for the Chicken Egg industry, SIC code 0252, was primarily based on industry data contained in the SBA's 1986 Small Business Data Base (56 FR 55617) and became effective on November 29, 1991. Accordingly, the inflation adjustment for this industry is calculated in this final rule based on the inflation between calendar year 1986 (the base period) and the fourth quarter of 1993. Using the same methodology discussed above, the Implicit Price Deflator for GDP increased 28.9 percent during this period based on deflators of 96.9 for calendar year 1986 and 124.9 for the fourth quarter of 1993. The \$7.0 million size standard for this industry will, therefore, increase to \$9.0 million.

The 1987 Census of Service Industries and 1987 Census of Retail Trade Industries, published by the U.S. Department of Commerce's Bureau of the Census, were primarily used to establish the size standards for Computer Services, SIC codes 7371 through 7379 (57 FR 27907), and for Motor Vehicle Dealers (New and Used), SIC code 5511 (57 FR 4837). Their size standards became effective on July 23, 1992 and March 11, 1992, respectively. Accordingly, the inflation adjustment for these two industries will be calculated based on inflation between calendar year 1987 (the base period) and the end of 1993 in this final rule. Using

the same methodology discussed above, the Implicit Price Deflator for GDP increased 24.9 percent during this period based on deflators for calendar year 1987 (the base period) of 100.0 and for the fourth quarter of 1993 of 124.9. Based on these calculations, the \$14.5 million size standard for Computer Services will increase to \$18 million and the \$17 million size standard for Motor Vehicle Dealers (New and Used) will increase to \$21 million.

Two other industries had their size standards further changed after the general 1984 inflation adjustment, but these changes were based on industry specific data for 1982 and 1984. These are the industries of Travel Agencies, SIC code 4724 (53 FR 18820) (1982 data), and Real Estate and Managers, SIC code 6531 (50 FR 27418) (1984 data). The SBA believes no adjustment is needed to the real estate industry size standard to correct for the double-counting of inflation since the increment of change in inflation between 1982 and 1984 is insufficient to cause a different size standard than the one established in this rule.

An additional issue which is addressed in this final rule is the resolution of an employee or revenue-based size standard for industries in the computer services industries (SIC codes 7371-7379). On June 23, 1992, the SBA published an interim final rule in the *Federal Register*, 53 FR 27907, establishing a \$14.5 million size standard for all nine industries in the computer service industries. However, in that rule the SBA continued to seek information on the adoption of an employee-based size standard for some or all of the computer service industries. After consideration of the comments received on that issue, the Agency believes that it lacks sufficient information regarding procurement patterns among this group of industries to justify such a significant change as shifting to an employee-based measure of size.

As discussed above, the SBA is now establishing these industries' size standards at \$18.0 million in this final rule. In effect, the much larger issue of adjusting SBA's size standards for inflation has at least partially superseded the issue of whether to use a revenue or employee-based size standard for this group of industries. Thus, the Agency has decided to first implement an inflation adjusted revenue-based size standard for these industries and then review its program results with these higher size standards in place. At that time, SBA may propose an appropriate rule change. SBA believes that the higher revenue-based

size standards for the computer services industries established in this final rule may substantially meet many of the concerns of those seeking a employee-based size standard.

As indicated in the proposed rule, four footnotes (footnotes 8, 12, 15 and 16) are adjusted to be consistent with the inflationary adjustments. Size standards for Offshore Marine Services (part of SIC Major Groups 44 and 45), Retail Sale of Aircraft (part of SIC code 5599), Leasing of Building Space to the Federal Government by Owners (part of SIC Major Group 65) and industries without a specific size standard listed in SIC Division I-Services, are being established at \$20.5 million, \$7.5 million, \$15.0 million, and \$5.0 million, respectively.

The SBA notes that the size standards for certain industries have either been established by statute or prohibited by statute from change until after September 30, 1996. Thus, the size standards for these industries will remain at their current levels and will not be increased for inflation in this final rule. Title VII of Public Law 100-656, 102 Stat. 3853, 3889, established the Small Business Competitiveness Demonstration Program to test the competitiveness of small business on Federal procurements. That program generally prohibits a change in size standards before September 30, 1996 for the Construction industries (SIC codes 1521-1799); the Engineering, Architecture, Surveying and Mapping industries (SIC codes 8711, 8712, 8713, and part of SIC code 7389); and the Refuse Systems and Related Services industries (SIC code 4953). A footnote is being added to the size standard for SIC code 7389, Business Services, Not Elsewhere Classified, to comply with this statutory mandate to retain the \$3.5 million size standard for any surveying and mapping activities which may be included in this industry. The description of this industry in the Standard Industrial Classification Manual, 1987 includes some surveying and mapping activities not included in SIC code 8713, Surveying Services. This footnote was not part of the proposed rule due to an oversight as to the full impact of this statutory requirement. However, the SBA is bound by statutory direction to retain the existing \$3.5 million size standard for surveying and mapping services whether included in SIC code 8713 or SIC code 7389.

While the Small Business Competitiveness Demonstration Program generally requires the size standards of certain industries to remain unchanged until 1996, the size standards relating to two of the three

industries in the engineering category may now be revised as a result of recent legislation. Section 850 of Public Law 103-160, the National Defense Authorization Act for fiscal year 1994, 107 Stat. 1547, 1726, signed into law on November 30, 1993, modified the application of the Small Business Competitiveness Demonstration Program as to SIC code 8711, Engineering Services, to make clear that the subdivisions of Standard Industrial Classification code 8711 for (A) engineering services-military and aerospace equipment and military weapons; and (B) engineering services-marine engineering and naval architecture are not part of the Program and modifications to those size standards could be made by the SBA.

In recognition of this statutory change, this final rule gives an inflationary adjustment to the size standards for engineering services for Military and Aerospace Equipment and Military Weapons, raising it from \$13.5 million to \$20.0 million in average annual receipts, and to the size standard for engineering services related to Marine Engineering and Naval Architecture, raising it from \$9.0 million to \$13.5 million in average annual receipts. Although the proposed rule did not contain a similar proposal, it clearly stated that SBA intended to increase all receipt-based size standards by inflation except where SBA was constrained from doing so by law. At the time of the publication of the proposed rule on September 2, 1993, SBA interpreted the requirements relating to the Small Business Competitiveness Demonstration Program as prohibiting size standard increases in these two subdivisions of SIC code 8711. The size standards that are adopted in this final rule reflect the release of these size standards from statutory constraints and adjustments for inflation which, over time, has eroded the real value of these industries' size standards similar to other industries' size standards.

The other statutory provision which constrains SBA from making inflationary adjustments for certain industries is Section 18016 of the Comprehensive Omnibus Reconciliation Act of 1986, Public Law 99-272, 100 Stat. 82, 371, which amended SBA's authority regarding the setting of size standards contained in section 3(a) of the Small Business Act, 15 U.S.C. 632(a). Specifically, pursuant to section 3(a) of the Small Business Act, as amended by Public Law 99-272, an agricultural enterprise shall be deemed to be a small business concern if, including its affiliates, it has annual

receipts not in excess of \$500,000. SBA has complied with that requirement by retaining the size standard for both Agricultural Production-Crops (SIC codes 0111-0191), and Livestock and Animal Specialties (SIC codes 0212-0291, except SIC code 0211 and 0252) at \$500,000.

Comments to Proposed Rule

In response to the September 2, 1993 proposed rule, SBA received a total of one-hundred and thirty-five comments. A thorough review of these comments revealed that out of the one-hundred and thirty-five comments received, ninety seven were supportive (71.9%), with over fifty commenters citing the inflation adjustment of size standards as a reason for supporting the proposal. In addition, about forty commenters generally supported the simplification of size standards, but did not specifically agree or disagree with the SBA's proposed system for simplification. This general support for simplification was not, however, the primary focus of any comment. A general supporting statement was usually followed or preceded by a comment regarding some other specific aspect of the proposal.

The remaining thirty-eight comments included twenty-five which were non-supportive (18.5%) of the proposal, mainly opposing the proposed size standard for the travel agencies industry. Thirteen comments discussed only issues not included within the proposed rule. SBA's evaluation of the public comments yielded the following noteworthy issues:

Although the proposed rule discussed a revision to the size standards for over three hundred industries, the SBA received thirty-three comments (nearly 25 percent of all comments received) specifically on the size standard relating to Travel Agencies (SIC code 4724). The proposed rule would have increased the size standard for this industry from \$500,000 to \$5.0 million in commission-based income, or a 900 percent increase. The \$5.0 million size standard was proposed because it was the lowest of the four receipts-based size standards under the proposed simplification of size standards. The majority of the comments received on the travel agencies size standard, nineteen or nearly 60 percent of the thirty-three comments, opposed increasing the size standard by 900 percent. However, twenty-seven of the commenters (82 percent) favored increasing the existing size standard by at least 100 percent.

The SBA believes that the fourteen comments that agreed with the proposed revision of the Travel

Agencies size standard, coupled with the alternatives recommended in the nineteen opposing comments, demonstrate an overwhelming consensus that the existing size standard is too low. Most of the comments received opposing the \$5 million proposed size standard suggested an alternative size standard level that would qualify companies as small whose commission-based receipts were between \$1.0 and \$2.0 million. SBA notes that none of those submitting opposing comments suggested that the size standard should be increased beyond \$2.5 million in commission-based income.

The commenters emphasized that since under the \$5.0 million proposal all but 100 of the 35,000 travel companies would be considered small, the result of increasing the size standard to the proposed level would virtually eliminate the benefits provided to smaller companies because they would be unable to compete with companies that were from 10 to 50 times their size. The largest trade association of professional travel agents indicated that doubling the standard to \$1.0 million in receipts (commission plus other revenues) would sufficiently accommodate the growth in the size of agencies and the need for some room to grow by travel agencies that are successful in their initial bids for government procurement.

The SBA fully agrees with the prevailing views of the commenters that the current size standard for the travel agency industry is too low and that it does not reflect current market conditions within the industry. Data from the Louis Harris & Associates 1992 U.S. Travel Agency Survey of market conditions indicate that the existing size standard includes 89 percent of travel agencies and that the proposed size standard would result in the inclusion of 99.8 percent of travel agencies. In consideration of the comments reviewed on this specific size standard, the SBA believes that an inflationary adjustment of 48.2 percent coupled with a rounding upwards to the next \$0.5 million increment establishes the appropriate size standard for this industry. Therefore, this final rule establishes a \$1.0 million commission-based income size standard for the travel agencies industry, SIC code 4724.

A total of nineteen comments, two from firms involved in the construction industry, nine from firms involved in the architectural and engineering industries, and eight from firms involved in various other industries, were received concerning the SBA's decision not to increase the size

standards of the construction and engineering industries. As specifically stated in the proposed rule, the SBA is constrained by statute from increasing the size standards in these industries.

Seventeen commenters requested the SBA to further adjust the size standard levels of their respective industries. The most often cited industries were: Management Services & Consulting (SIC codes 7341 and 8742); Testing Laboratories (SIC code 8734); Building Maintenance (SIC code 7349); Computer Services (SIC codes 7371-7379); and Security Guard Services (SIC code 7381). Many of the reasons cited in support of an additional increase to one of these industries' size standards raised issues not considered or evaluated by the SBA in proposing the fixed size standard levels for purposes of simplification or in adjusting the current receipts-based size standards for inflation. The SBA's size standards are generally established based on structural characteristics of an industry. In reviewing the appropriateness of a size standard of a particular industry, the SBA utilizes five primary factors: Industry competition, average firm size, start-up costs, distribution of firms by size and the impact on the SBA's programs. The SBA does not believe that it has the discretion to make changes to size standards based on these considerations without first proposing such changes and affording the public an opportunity to comment on the basis of such proposals. The SBA's proposed rule discussed adjustments to size standards based on inflation in the economy as a whole and based on a further adjustment to achieve simplicity overall. Neither component of the proposed rule discussed characteristics of specific industries.

For purposes of this rule, a straight inflationary adjustment of 48.2 percent has been applied to all industries, with a small further adjustment for rounding purposes. With the elimination of the simplification component of the proposed rule (whereby size standards would have been further adjusted to one of the four receipts-based size standards) the size standards for the Building Maintenance industry, SIC code 7349, becomes \$12 million rather than \$10 million. The size standards of the other industries cited by these commenters either remain at the same level as established in the proposed rule or are adjusted slightly to achieve the rounding to the nearest \$0.5 million. The SBA intends to conduct a separate industry study on these industries on a priority basis, which may or may not lead to further changes in their respective size standards.

Three commenters specifically expressed concern with the disproportionate changes within the size standards resulting from the rounding methodology stipulated in the proposed rule to adjust the industry size standards to one of the four newly established size standard levels. As indicated above, the SBA has decided to give further study to the best way to simplify its size standards, and this rule does not reduce the number of receipts-based size standards to the four proposed standards with their accompanying "disproportionate" changes as feared by these commenters.

Eight commenters specifically suggested that the SBA should establish a policy to review and adjust the receipts-based size standards on a regular and recurring basis. Of the eight commenters, these recommended that the size standards be reviewed and adjusted every four to six years, one recommended that they be reviewed and adjusted biennially, and four suggested annual reviews and adjustments. The SBA is continuing its evaluation of a policy to review the impact of inflation on a regular and recurring basis. This will be part of SBA's further review of the simplification of the size standards.

As part of its proposal to simplify the size standards, SBA attempted to contact all 8(a) Program Participants in the program at the time of the proposed rule and requested them to specifically address the potential impact of the proposed size standards on smaller-sized 8(a) firms. Sixteen commenters addressed this issue. Eleven of the sixteen commenters maintained that the proposed increase in the size standards would be beneficial to smaller-sized firms. Five of the sixteen commenters believed that such increases would be adverse to smaller-sized firms in that the number of 8(a) firms would increase, thus taxing available Federal procurement opportunities and the level of SBA assistance. Overall, the prevailing view of all commenting 8(a) firms is that the increases in the size standards are necessary and beneficial and should be adopted. The SBA believes that any possible adverse impact on the smaller-sized 8(a) firms is outweighed by the desirability of recognizing the effects of inflation.

Four commenters suggested that the SBA adopt employee-based standards in lieu of receipts-based standards for all industries. However, only two commenters provided a rationale for the adoption of employee-based standards for all industries. One of these commenters indicated that utilizing employee-based standards would

eliminate the need for periodic inflationary adjustments. The other commenter stated that equipment and material purchases required by Federal agencies on certain contracts distorted the actual size of a concern by raising a concern's receipts without an accompanying increase in actual business activity. The decision to use receipts or employees as the size standard measure is based on which measure is viewed as the best measure of size for firms involved in that particular industry. The SBA's policy is to evaluate the size standard measure of an industry on a case-by-case basis as part of the SBA's continuing efforts to review industry size standards. However, the issue of whether all industries should be measured by number of employees will be further explored along with other issues on simplifying size standards.

In response to several comments, this rule publishes the entire set of size standards by SIC code designation and their accompanying footnotes. The complete size standards table provides the public with one convenient set of size standards and eliminates the need to have two tables of size standards, one for those size standards revised in this final rule and one for those unaffected by this rule.

Compliance with Executive Orders 12612, 12778, and 12866, the Regulatory Flexibility Act (5 U.S.C. 601, et seq.) and the Paperwork Reduction Act (44 U.S.C. Ch. 35).

General

SBA considers that this final rule will have a significant economic impact on a substantial number of small entities for purposes of the Regulatory Flexibility Act (5 U.S.C. section 601, et seq.). In addition, SBA believes that this final rule constitutes a significant rule for the purpose of Executive Order 12866. Immediately below, the SBA has set forth a summary regulatory impact analysis and a final regulatory flexibility analysis of this final rule.

(1) Description of Entities to Which the Rule Applies

SBA estimates that approximately 20,000 additional firms will be considered small as a result of this rule. These firms will be eligible to seek available SBA assistance, provided they meet other program requirements. Many of these concerns probably had small business status in 1984, when the last comprehensive revision of size standards was issued by SBA, but have since lost eligibility because of general price increases. The current changes, in fact, operate roughly as adjustments for

price changes (i.e., inflation) since that data. Approximately 11,000 of the firms gaining eligibility operate in retail trade while approximately 9,000 operate in the services industries (Divisions G and I, respectively, of the SIC systems of classifying industries). Other firms affected by this rule include service firms within the agricultural or mining sectors, or firms in those transportation industries with receipt-based size standards. Firms becoming eligible for SBA assistance as a result of this rule, cumulatively generate \$95 billion in annual sales. This figure is less than 5 percent of the total sales in those industries with higher size standards. The new size standards would not impose a regulatory burden because they do not regulator or control business behavior.

(2) Description of Potential Benefits of the Rule

The most significant areas of benefits to business obtaining small business status as a result of this final rule are in the Federal government's procurement arena and the SBA's business loan program. The SBA estimates that businesses gaining small business status could potentially obtain Federal contracts worth approximately \$200 million under the small business set-aside program or the 8(a) program. The additional competition for many of these procurements may also result in a lower price to the government for its procurements which have been set aside, but the SBA is not able to quantify this benefit. In the SBA's 7(a) Loan Program, it is estimated that 250 loans amounting to \$100 million could be made to the newly defined small businesses. The rule will also make various SBA programs available to business concerns who would otherwise be eligible for such programs but for an increase in their revenues due to inflation. In other words, the rule reinstates business concerns as small that lost their small business status due solely to inflation. As such, those firms which would again be eligible for SBA assistance and for small business procurement preference programs will benefit greatly from this rule.

(3) Description of Potential Costs of the Rule

The changes in size standards as they impact on government procurement should not add any element of cost to the government and, in fact, as described above, may reduce the cost to a procuring Federal agency. Similarly, the rule should not result in any extra costs with respect to the 7(a) loan program. The amount of lending

authority SBA can make or guarantee is established by appropriation. The competitive effects of size standards revisions differ from those normally associated with regulations affecting key economic factors such as the price of goods and services, costs, profits, growth, innovation, mergers, and foreign trade. The change to size standards is not anticipated to have any appreciable effect on any of these factors, although smaller-sized small businesses or 8(a) firms may be unsuccessful in competing for some Federal procurement opportunities due to the presence of larger, newly defined small businesses, some of which may well be more competitive in winning Federal procurements.

(4) Description of the Potential Net Benefits from the Rule

From the above discussion, SBA believes that, because the potential costs of this rule are minimal, the potential net benefits would approach fairly closely the total potential benefits. The impact of the new size standard will appear predominantly in the Federal procurement area.

(5) Description of Reasons Why This Action is Being Taken and Objectives of Rule

SBA has provided above a statement of the reasons why the new size standards are established and a statement of the reasons for and objectives of this rule.

(6) Legal Basis for Rule

The legal basis for this rule is sections 3(a) and 5(b)(6) of the Small Business Act, 15 U.S.C. 632(a) and 634(b)(6).

(7) Federal Rules

There are no Federal rules which duplicate, overlap or conflict with this rule. SBA has statutorily been given exclusive jurisdiction in establishing size standards.

(8) Significant Alternatives to the Rules

This final rule establishes the most appropriate individual size standard by which to define those small businesses that are eligible for SBA's assistance programs. There are no significant alternatives to defining a small business. The SBA certifies that this final rule will not have federalism implications warranting the preparation of a Federal Assessment in accordance with Executive Order 12612.

The SBA further certifies that this final rule will not add any new reporting or record keeping requirements under the Paperwork Reduction Act of 1980, 44 U.S.C.,

Chapter 35. For purposes of Executive Order 12778, the SBA certifies that this final rule is drafted, to the extent practicable, in accordance with the standards set forth in section 2 of that order.

List of Subjects in 13 CFR Part 121

Government procurement,
Government property, Grant programs—

business, Loan programs—business,
Small business.

Accordingly, part 121 of 13 CFR is amended as follows:

PART 121—[AMENDED]

1. The authority citation of part 121 continues to read as follows:

Authority: 15 U.S.C. 632(a), 634(b)(6), 637(a), and 644(c).

§ 121.601 [Amended]

2. Section 121.601 is amended by revising the table of "Size Standards by SIC Industry" to read as follows:

SIZE STANDARDS BY SIC INDUSTRY

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
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For all industries not specifically listed in this table, except for those in Divisions I and J of the SIC System, the size standard is \$5.0 million in annual receipts.

Division A—Agriculture

Major Group 01—Agricultural Production—Crops

0111	Wheat	\$0.5
0112	Rice	.5
0115	Corn	.5
0116	Soybeans	.5
0119	Cash Grains, N.E.C.	.5
0131	Cotton	.5
0132	Tobacco	.5
0133	Sugarcane and Sugar Beets	.5
0134	Irish Potatoes	.5
0139	Field Crops, Except Cash Grains, N.E.C.	.5
0161	Vegetables and Melons	.5
0171	Berry Crops	.5
0172	Grapes	.5
0173	Tree Nuts	.5
0174	Citrus Fruits	.5
0175	Deciduous Tree Fruits	.5
0179	Fruits and Trees Nuts, N.E.C.	.5
0181	Ornamental Floriculture Nursery Products	.5
0182	Food Crops Grown Under Cover	.5
0191	General Farms, Primarily Crop	.5

Major Group 02—Livestock and Animal Specialties

0211	Beef Cattle Feedlots (Custom)	\$1.5
0212	Beef Cattle, Except Feedlots	.5
0213	Hogs	.5
0214	Sheep and Goats	.5
0219	General Livestock, Except Dairy and Poultry	.5
0241	Dairy Farms	.5
0251	Broiler, Fryer, and Roaster Chickens	.5
0252	Chicken Eggs	9.0
0253	Turkeys and Turkey Eggs	.5
0254	Poultry Hatcheries	.5
0259	Poultry and Eggs, N.E.C.	.5
0271	Fur-Bearing Animals and Rabbits	.5
0272	Horses and Other Equines	.5
0273	Animal Aquaculture	.5
0279	Animal Specialties, N.E.C.	.5
0291	General Farms, Primarily Livestock and Animal Specialties	.5

Major Group 07—Agricultural Services

0711	Soil Preparation Services	\$5.0
0721	Crop Planting, Cultivating, and Protecting	5.0
0722	Crop Harvesting, Primarily by Machine	5.0
0723	Crop Preparation Service for Market, Except Cotton Ginning	5.0
0724	Cotton Ginning	5.0
0741	Veterinary Services for Livestock	5.0
0742	Veterinary Services for Animal Specialties	5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
0751	Livestock Services, Except Veterinary	5.0
0752	Animal Specialty Services, Except Veterinary	5.0
0761	Farm Labor Contractors and Crew Leaders	5.0
0762	Farm Management Services	5.0
0781	Landscape Counseling and Planning	5.0
0782	Lawn and Garden Services	5.0
0783	Ornamental Shrub and Tree Services	5.0
Major Group 08—Forestry		
0811	Timber Tracts	\$5.0
0831	Forest Nurseries and Gathering of Forest Products	5.0
0851	Forestry Services	5.0
Major Group 09—Fishing, Hunting, and Trapping		
0912	Finfish	\$3.0
0913	Shellfish	3.0
0919	Miscellaneous Marine Products	3.0
0921	Fish Hatcheries and Preserves	3.0
0971	Hunting and Trapping, and Game Propagation	3.0
Division B—Mining		
Major Group 10—Metal Mining		
1011	Iron Ores	500
1021	Copper Ores	500
1031	Lead and Zinc Ores	500
1041	Gold Ores	500
1044	Silver Ores	500
1061	Ferroalloy Ores, Except Vanadium	500
1081	Metal Mining Services	\$5.0
1094	Uranium-Radium-Vanadium Ores	500
1099	Miscellaneous Metal Ores, N.E.C.	500
Major Group 12—Coal Mining		
1221*	Bituminous Coal and Lignite Surface Mining	500
1222*	Bituminous Coal Underground Mining	500
1231*	Anthracite Mining	500
1241*	Coal Mining Services	\$5.0
Major Group 13—Oil and Gas Extraction		
1311	Crude Petroleum and Natural Gas	500
1321	Natural Gas Liquids	500
1381	Drilling Oil and Gas Wells	500
1382	Oil and Gas Field Exploration Services	\$5.0
1389	Oil and Gas Field Services, N.E.C.	\$5.0
Major Group 14—Mining and Quarrying of Nonmetallic Minerals, Except Fuels		
1411	Dimension Stone	500
1422	Crushed and Broken Limestone	500
1423	Crushed and Broken Granite	500
1429	Crushed and Broken Stone, N.E.C.	500
1442	Construction Sand and Gravel	500
1446	Industrial Sand	500
1455	Kaolin and Ball Clay	500
1459	Clay, Ceramic, and Refractory Minerals, N.E.C.	500
1474	Potash, Soda, and Borate Minerals	500
1475	Phosphate Rock	500
1479	Chemical and Fertilizer Mineral Mining, N.E.C.	500
1481	Nonmetallic Minerals Services, Except Fuels	\$5.0
1499	Miscellaneous Nonmetallic Minerals, Except Fuels	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
Division C—Construction		
Major Group 15—Building Construction—General Contractors and Operative Builders		
1521	General Contractors—Single Family Houses	\$17.0
1522	General Contractors—Residential Buildings, Other Than Single-Family	17.0
1531	Operative Builders	17.0
1541	General Contractors—Industrial Buildings and Warehouses	17.0
1542	General Contractors—Nonresidential Buildings, Other Than Industrial Buildings and Warehouses	17.0
Major 16—Heavy Construction Other Than Building Construction—Contractors		
1611	Highway and Street Construction, Except Elevated Highways	\$17.0
1622	Bridge, Tunnel, and Elevated Highway Construction	17.0
1623	Water, Sewer, Pipeline, and Communications and Power Line Construction	17.0
1629	Heavy Construction, Except Dredging, N.E.C.	17.0
1629	Dredging and Surface Cleanup Activities	2 13.5
Major Group 17—Construction—Special Trade Contractors		
1711	Plumbing, Heating, and Air-Conditioning	\$7.0
1721	Painting and Paper Hanging	7.0
1731	Electrical Work	7.0
1741	Masonry, Stone Setting, and Other Stone Work	7.0
1742	Plastering, Drywall, Acoustical and Insulation Work	7.0
1743	Terrazzo, Tile, Marble, and Mosaic Work	7.0
1751	Carpentry Work	7.0
1752	Floor Laying and Other Floor Work, N.E.C.	7.0
1761	Roofing, Siding, and Sheet Metal Work	7.0
1771	Concrete Work	7.0
1781	Water Well Drilling	7.0
1791	Structural Steel Erection	7.0
1793	Glass and Glazing Work	7.0
1794	Excavation Work	7.0
1795	Wrecking and Demolition Work	7.0
1796	Installation or Erection of Building Equipment, N.E.C.	7.0
1799	Special Trade Contractors, N.E.C.	7.0
	Base Housing Maintenance ²⁰	7.0
Division D—Manufacturing³		
Major Group 20—Food and Kindred Products		
2011	Meat Packing Plants	500
2013	Sausages and Other Prepared Meat Products	500
2015*	Poultry Slaughtering and Processing	500
2021	Creamery Butter	500
2022	Natural, Processed, and Imitation Cheese	500
2023	Dry, Condensed, and Evaporated Dairy Products	500
2024	Ice Cream and Frozen Desserts	500
2026	Fluid Milk	500
2032	Canned Specialties	1,000
2033	Canned Fruits, Vegetables, Preserves, Jams, and Jellies	4 500
2034	Dried and Dehydrated Fruits, Vegetables, and Soup Mixes	500
2035	Pickled Fruits and Vegetables, Vegetable Sauces and Seasonings, and Salad Dressings	500
2037	Frozen Fruits, Fruit Juices, and Vegetables	500
2038	Frozen Specialties, N.E.C.	500
2041	Flour and Other Grain Mill Products	500
2043	Cereal Breakfast Foods	1,000
2044	Rice Milling	500
2045	Prepared Flour Mixes and Doughs	500
2046	Wet Corn Milling	750
2047	Dog and Cat Food	500
2048	Prepared Feeds and Feed Ingredients for Animals and Fowls, Except Dogs and Cats	500
2051	Bread and Other Bakery Products, Except Cookies and Crackers	500
2052	Cookies and Crackers	750
2053*	Frozen Bakery Products, Except Bread	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
2061	Cane Sugar, Except Refining	500
2062	Cane Sugar Refining	750
2063	Beet Sugar	750
2064*	Candy and Other Confectionery Products	500
2066	Chocolate and Cocoa Products	500
2067	Chewing Gum	500
2068*	Salted and Roasted Nuts and Seeds	500
2074	Cottonseed Oil Mills	500
2075	Soybean Oil Mills	500
2076	Vegetable Oil Mills, Except Corn, Cottonseed, and Soybean	1,000
2077	Animal and Marine Fats and Oils	500
2079	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils, N.E.C	750
2082	Malt Beverages	500
2083	Malt	500
2084	Wines, Brandy, and Brandy Spirits	500
2085	Distilled and Blended Liquors	750
2086	Bottled and Canned Soft Drinks and Carbonated Waters	500
2087	Flavoring Extracts and Flavoring Syrups, N.E.C	500
2091	Canned and Cured Fish and Seafoods	500
2092	Prepared Fresh or Frozen Fish and Seafoods	500
2095	Roasted Coffee	500
2096*	Potato Chips, Corn Chips, and Similar Snacks	500
2097	Manufactured Ice	500
2098	Macaroni, Spaghetti, Vermicelli, and Noodles	500
2099	Food Preparations, N.E.C	500

Major Group 21—Tobacco Products

2111	Cigarettes	1,000
2121	Cigars	500
2131	Chewing and Smoking Tobacco and Snuff	500
2141	Tobacco Stemming and Redrying	500

Major Group 22—Textile Mill Products

2211	Broadwoven Fabric Mills, Cotton	1,000
2221	Broadwoven Fabric Mills, Manmade Fiber and Silk	500
2231	Broadwoven Fabric Mills, Wool (Including Dyeing and Finishing)	500
2241	Narrow Fabric and Other Smallwares Mills: Cotton, Wool, Silk and Manmade Fiber	500
2251	Women's Full-Length and Knee-Length Hosiery, Except Socks	500
2252	Hosiery, N.E.C	500
2253	Knit Outerwear Mills	500
2254	Knit Underwear and Nightwear Mills	500
2257	Weft Knit Fabric Mills	500
2258	Lace and Warp Knit Fabric Mills	500
2259	Knitting Mills, N.E.C	500
2261	Finishers of Broadwoven Fabrics of Cotton	1,000
2262	Finishers of Broadwoven Fabrics of Manmade Fiber and Silk	500
2269	Finishers of Textiles, N.E.C	500
2273*	Carpets and Rugs	500
2281	Yarn Spinning Mills	500
2282	Yarn Texturizing, Throwing, Twisting, and Winding Mills	500
2284	Thread Mills	500
2295	Coated Fabrics, Not Rubberized	1,000
2296	Tire Cord and Fabrics	1,000
2297	Nonwoven Fabrics	500
2298	Cordage and Twine	500
2299	Textile Goods, N.E.C	500

Major Group 23—Apparel and Other Finished Products Made From Fabrics and Similar Materials

2311	Men's and Boys' Suits, Coats and Overcoats	500
2321	Men's and Boys' Shirts, Except Work Shirts	500
2322	Men's and Boys' Underwear and Nightwear	500
2323	Men's and Boys' Neckwear	500
2325*	Men's and Boys' Separate Trousers and Slacks	500
2326*	Men's and Boys' Work Clothing	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
2329	Men's and Boys' Clothing, N.E.C	500
2331	Women's, Misses', and Juniors' Blouses and Shirts	500
2335	Women's, Misses', and Juniors' Dresses	500
2337	Women's, Misses', and Juniors' Suits, Skirts, and Coats	500
2339	Women's, Misses', and Juniors' Outerwear, N.E.C	500
2341	Women's, Misses', Children's, and Infants' Underwear and Nightwear	500
2342	Brassieres, Girdles, and Allied Garments	500
2353*	Hats, Caps, and Millinery	500
2361	Girls', Children's, and Infants' Dresses, Blouses, and Shirts	500
2369	Girls', Children's, and Infants' Outerwear, N.E.C	500
2371	Fur Goods	500
2381	Dress and Work Gloves, Except Knit and All-Leather	500
2384	Robes and Dressing Gowns	500
2385	Waterproof Outerwear	500
2386	Leather and Sheep-Lined Clothing	500
2387	Apparel Belts	500
2389	Apparel and Accessories, N.E.C	500
2391	Curtains and Draperies	500
2392	Housefurnishings, Except Curtains and Draperies	500
2393	Textile Bags	500
2394	Canvas and Related Products	500
2395	Pleating, Decorative and Novelty Stitching, and Tucking for the Trade	500
2396	Automotive Trimmings, Apparel Findings, and Related Products	500
2397	Schiffli Machine Embroideries	500
2399	Fabricated Textile Products, N.E.C	500

Major Group 24—Lumber and Wood Products, Except Furniture

2411	Logging	500
2421	Sawmills and Planing Mills, General	500
2426	Hardwood Dimension and Flooring Mills	500
2429	Special Product Sawmills, N.E.C	500
2431	Millwork	500
2434	Wood Kitchen Cabinets	500
2435	Hardwood Veneer and Plywood	500
2436	Softwood Veneer and Plywood	500
2439	Structural Wood Members, N.E.C	500
2441	Nailed and Lock Corner Wood Boxes and Shook	500
2448	Wood Pallets and Skids	500
2449	Wood Containers, N.E.C	500
2451	Mobile Homes	500
2452	Prefabricated Wood Buildings and Components	500
2491	Wood Preserving	500
2493*	Reconstituted Wood Products	500
2499	Wood Products, N.E.C	500

Major Group 25—Furniture and Fixtures

2511	Wood Household Furniture, Except Upholstered	500
2512	Wood Household Furniture, Upholstered	500
2514	Metal Household Furniture	500
2515	Mattresses, Foundations, and Convertible Beds	500
2517	Wood Television, Radio, Phonograph, and Sewing Machine Cabinets	500
2519	Household Furniture, N.E.C	500
2521	Wood Office Furniture	500
2522	Office Furniture, Except Wood	500
2531	Public Building and Related Furniture	500
2541	Wood Office and Store Fixtures, Partitions, Shelving, and Lockers	500
2542	Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood	500
2591	Draperies Hardware and Window Blinds and Shades	500
2599	Furniture and Fixtures, N.E.C	500

Major Group 26—Paper and Allied Products

2611	Pulp Mills	750
2621	Paper Mills	750
2631	Paperboard Mills	750

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
2652	Setup Paperboard Boxes	500
2653	Corrugated and Solid Fiber Boxes	500
2655	Fiber Cans, Tubes, Drums, and Similar Products	500
2656*	Sanitary Food Containers, Except Folding	750
2657*	Folding Paperboard Boxes, Including Sanitary	750
2671*	Packaging Paper and Plastics Film, Coated and Laminated	500
2672*	Coated and Laminated Paper, N.E.C.	500
2673*	Plastics, Foil, and Coated Paper Bags	500
2674*	Uncoated Paper and Multiwall Bags	500
2675*	Die-Cut Paper and Paperboard and Cardboard	500
2676*	Sanitary Paper Products	500
2677*	Envelopes	500
2678*	Stationery, Tablets, and Related Products	500
2679*	Converted Paper and Paperboard Products, N.E.C.	500

Major Group 27—Printing, Publishing, and Allied Industries

2711	Newspapers: Publishing, or Publishing and Printing	500
2721	Periodical: Publishing, or Publishing and Printing	500
2731	Books: Publishing, or Publishing and Printing	500
2732	Book Printing	500
2741	Miscellaneous Publishing	500
2752	Commercial Printing, Lithographic	500
2754	Commercial Printing, Gravure	500
2755*	Commercial Printing, N.E.C.	500
2761	Manifold Business Forms	500
2771	Greeting Cards	500
2782	Blankbooks, Looseleaf Binders and Devices	500
2789	Bookbinding and Related Work	500
2791	Typesetting	500
2796*	Platemaking and Related Services	500

Major Group 28—Chemicals and Allied Products

2812	Alkalies and Chlorine	1,000
2813	Industrial Gases	1,000
2816	Inorganic Pigments	1,000
2819	Industrial Inorganic Chemicals, N.E.C.	1,000
2821	Plastics Materials, Synthetic Resins, and Nonvulcanizable Elastomers	750
2822	Synthetic Rubber (Vulcanizable Elastomers)	1,000
2823	Cellulosic Manmade Fibers	1,000
2824	Manmade Organic Fibers, Except Cellulosic	1,000
2833	Medicinal Chemicals and Botanical Products	750
2834	Pharmaceutical Preparations	750
2835*	In Vitro and In Vivo Diagnostic Substances	500
2836*	Biological Products, Except Diagnostic Substances	500
2841	Soap and Other Detergents, Except Specialty Cleaners	750
2842	Specialty Cleaning, Polishing, and Sanitation Preparations	500
2843	Surface Active Agents, Finishing Agents, Sulfonated Oils, and Assistants	500
2844	Perfumes, Cosmetics, and Other Toilet Preparations	500
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products	500
2861	Gum and Wood Chemicals	500
2865	Cyclic Organic Crudes and Intermediates, and Organic Dyes and Pigments	750
2869	Industrial Organic Chemicals, N.E.C.	1,000
2873	Nitrogenous Fertilizers	1,000
2874	Phosphatic Fertilizers	500
2875	Fertilizers, Mixing Only	500
2879	Pesticides and Agricultural Chemicals, N.E.C.	500
2891	Adhesives and Sealants	500
2892	Explosives	750
2893	Printing Ink	500
2895	Carbon Black	500
2899	Chemicals and Chemical Preparations, N.E.C.	500

Major Group 29—Petroleum Refining and Related Industries

2911	Petroleum Refining	51,500
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SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
2951	Asphalt Paving Mixtures and Blocks	500
2952	Asphalt Felts and Coatings	750
2992	Lubricating Oils and Greases	500
2999	Products of Petroleum and Coal, N.E.C.	500
Major Group 30—Rubber and Miscellaneous Plastics Products		
3011	Tires and Inner Tubes	61,000
3021	Rubber and Plastics Footwear	1,000
3052*	Rubber and Plastics Hose and Belting	500
3053*	Gaskets, Packing, and Sealing Devices	500
3061*	Molded, Extruded, and Lathe-Cut Mechanical Rubber Goods	500
3069	Fabricated Rubber Products, N.E.C.	500
3081*	Unsupported Plastics Film and Sheet	500
3082*	Unsupported Plastics Profile Shapes	500
3083*	Laminated Plastics Plate, Sheet, and Profile Shapes	500
3084*	Plastics Pipe	500
3085*	Plastics Bottles	500
3086*	Plastics Foam Products	500
3087*	Custom Compounding of Purchased Plastics Resins	500
3088*	Plastics Plumbing Fixtures	500
3089*	Plastics Products, N.E.C.	500
Major Group 31—Leather and Leather Products		
3111	Leather Tanning and Finishing	500
3131	Boot and Shoe Cut Stock and Findings	500
3142	House Slippers	500
3143	Men's Footwear, Except Athletic	500
3144	Women's Footwear, Except Athletic	500
3149	Footwear, Except Rubber, N.E.C.	500
3151	Leather Gloves and Mittens	500
3161	Luggage	500
3171	Women's Handbags and Purses	500
3172	Personal Leather Goods, Except Women's Handbags and Purses	500
3199	Leather Goods, N.E.C.	500
Major Group 32—Stone, Clay, Glass, and Concrete Products		
3211	Flat Glass	1,000
3221	Glass Containers	750
3229	Pressed and Blown Glass and Glassware, N.E.C.	750
3231	Glass Products, Made of Purchased Glass	500
3241	Cement, Hydraulic	750
3251	Brick and Structural Clay Tile	500
3253	Ceramic Wall and Floor Tile	500
3255	Clay Refractories	500
3259	Structural Clay Products, N.E.C.	500
3261	Vitreous China Plumbing Fixtures and China and Earthenware Fittings and Bathroom Accessories	750
3262	Vitreous China Table and Kitchen Articles	500
3263	Fine Earthenware (Whiteware) Table and Kitchen Articles	500
3264	Porcelain Electrical Supplies	500
3269	Pottery Products, N.E.C.	500
3271	Concrete Block and Brick	500
3272	Concrete Products, Except Block and Brick	500
3273	Ready Mixed Concrete	500
3274	Lime	500
3275	Gypsum Products	1,000
3281	Cut Stone and Stone Products	500
3291	Abrasive Products	500
3292	Asbestos Products	750
3295	Minerals and Earths, Ground or Otherwise Treated	500
3296	Mineral Wool	750
3297	Nonclay Refractories	750
3299	Nonmetallic Mineral Products, N.E.C.	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
Major Group 33—Primary Metal Industries		
3312	Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills	1,000
3313	Electrometallurgical Products, Except Steel	750
3315	Steel Wiredrawing and Steel Nails and Spikes	1,000
3316	Cold-Rolled Steel Sheet, Strip, and Bars	1,000
3317	Steel Pipe and Tubes	1,000
3321	Gray and Ductile Iron Foundries	500
3322	Malleable Iron Foundries	500
3324	Steel Investment Foundries	500
3325	Steel Foundries, N.E.C.	500
3331	Primary Smelting and Refining of Copper	1,000
3334	Primary Production of Aluminum	1,000
3339	Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum	750
3341	Secondary Smelting and Refining of Nonferrous Metals	500
3351	Rolling, Drawing, and Extruding of Copper	750
3353	Aluminum Sheet, Plate, and Foil	750
3354	Aluminum Extruded Products	750
3355	Aluminum Rolling and Drawing, N.E.C.	750
3356	Rolling, Drawing, and Extruding of Nonferrous Metals, Except Copper and Aluminum	750
3357	Drawing and Insulating of Nonferrous Wire	1,000
3363*	Aluminum Die-Castings	500
3364*	Nonferrous Die-Castings, Except Aluminum	500
3365*	Aluminum Foundries	500
3366*	Copper Foundries	500
3369	Nonferrous Foundries, Except Aluminum and Copper	500
3398	Metal Heat Treating	750
3399	Primary Metal Products, N.E.C.	750
Major Group 34—Fabricated Metal Products, Except Machinery and Transportation Equipment		
3411	Metal Cans	1,000
3412	Metal Shipping Barrels, Drums, Kegs, and Pails	500
3421	Cutlery	500
3423	Hand and Edge Tools, Except Machine Tools and Handsaws	500
3425	Saw Blades and Handsaws	500
3429	Hardware, N.E.C.	500
3431	Enameled Iron and Metal Sanitary Ware	750
3432	Plumbing Fixture Fittings and Trim	500
3433	Heating Equipment, Except Electric and Warm Air Furnaces	500
3441	Fabricated Structural Metal	500
3442	Metal Doors, Sash, Frames, Molding, and Trim	500
3443	Fabricated Plate Work (Boiler Shops)	500
3444	Sheet Metal Work	500
3446	Architectural and Ornamental Metal Work	500
3448	Prefabricated Metal Buildings and Components	500
3449	Miscellaneous Structural Metal Work	500
3451	Screw Machine Products	500
3452	Bolts, Nuts, Screws, Rivets, and Washers	500
3462	Iron and Steel Forgings	500
3463	Nonferrous Forgings	500
3465	Automotive Stampings	500
3466	Crowns and Closures	500
3469	Metal Stampings, N.E.C.	500
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring	500
3479	Coating, Engraving, and Allied Services, N.E.C.	500
3482	Small Arms Ammunition	1,000
3483	Ammunition, Except for Small Arms	1,500
3484	Small Arms	1,000
3489	Ordnance and Accessories, N.E.C.	500
3491*	Industrial Valves	500
3492*	Fluid Power Valves and Hose Fittings	500
3493	Steel Springs, Except Wire	500
3494	Valves and Pipe Fittings, N.E.C.	500
3495	Wire Springs	500
3496	Miscellaneous Fabricated Wire Products	500
3497	Metal Foil and Leaf	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
3498	Fabricated Pipe and Pipe Fittings	500
3499	Fabricated Metal Products, N.E.C.	500

Major Group 35—Industrial and Commercial Machinery and Computer Equipment

3511	Steam, Gas, and Hydraulic Turbines, and Turbine Generator Set Units	1,000
3519	Internal Combustion Engines, N.E.C.	1,000
3523	Farm Machinery and Equipment	500
3524	Lawn and Garden Tractors and Home Lawn and Garden Equipment	500
3531	Construction Machinery and Equipment	750
3532	Mining Machinery and Equipment, Except Oil and Gas Field Machinery and Equipment	500
3533	Oil and Gas Field Machinery and Equipment	500
3534	Elevators and Moving Stairways	500
3535	Conveyors and Conveying Equipment	500
3536	Overhead Traveling Cranes, Hoists, and Monorail Systems	500
3537	Industrial Trucks, Tractors, Trailers, and Stackers	750
3541	Machine Tools, Metal Cutting Types	500
3542	Machine Tools, Metal Forming Types	500
3543*	Industrial Patterns	500
3544	Special Dies and Tools, Die Sets, Jigs and Fixtures, and Industrial Molds	500
3545	Cutting Tools, Machine Tool Accessories, and Machinists' Precision Measuring Devices	500
3546	Power-Driven Handtools	500
3547	Rolling Mill Machinery and Equipment	500
3548*	Electric and Gas Welding and Soldering Equipment	500
3549	Metalworking Machinery, N.E.C.	500
3552	Textile Machinery	500
3553	Woodworking Machinery	500
3554	Paper Industries Machinery	500
3555	Printing Trades Machinery and Equipment	500
3556*	Food Products Machinery	500
3559	Special Industry Machinery, N.E.C.	500
3561	Pumps and Pumping Equipment	500
3582	Ball and Roller Bearings	750
3563	Air and Gas Compressors	500
3564	Industrial and Commercial Fans and Blowers and Air Purification Equipment	500
3565*	Packaging Machinery	500
3566	Speed Changers, Industrial High-Speed Drives, and Gears	500
3567	Industrial Process Furnaces and Ovens	500
3568	Mechanical Power Transmission Equipment, N.E.C.	500
3569	General Industrial Machinery and Equipment, N.E.C.	500
3571*	Electronic Computers	1,000
3572*	Computer Storage Devices	1,000
3575*	Computer Terminals	1,000
3577*	Computer Peripheral Equipment, N.E.C.	1,000
3578*	Calculating and Accounting Machines, Except Electronic Computers	1,000
3579	Office Machines, N.E.C.	500
3581	Automatic Vending Machines	500
3582	Commercial Laundry, Drycleaning, and Pressing Machines	500
3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment	750
3586	Measuring and Dispensing Pumps	500
3589	Service Industry Machinery, N.E.C.	500
3592	Carburetors, Pistons, Piston Rings, and Valves	500
3593*	Fluid Power Cylinders and Actuators	500
3594*	Fluid Power Pumps and Motors	500
3596*	Scales and Balances, Except Laboratory	500
3599	Industrial and Commercial Machinery and Equipment, N.E.C.	500

Major Group 36—Electronic and Other Electrical Equipment and Components, Except Computer Equipment

3612	Power, Distribution, and Specialty Transformers	750
3613	Switchgear and Switchboard Apparatus	750
3621	Motors and Generators	1,000
3624	Carbon and Graphite Products	750
3625*	Relays and Industrial Controls	750
3629	Electrical Industrial Apparatus, N.E.C.	500
3631	Household Cooking Equipment	750
3632	Household Refrigerators and Home and Farm Freezers	1,000

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
3633	Household Laundry Equipment	1,000
3634	Electric Housewares and Fans	750
3635	Household Vacuum Cleaners	750
3639	Household Appliances, N.E.C.	500
3641	Electric Lamp Bulbs and Tubes	1,000
3643	Current-Carrying Wiring Devices	500
3644	Noncurrent-Carrying Wiring Devices	500
3645	Residential Electric Lighting Fixtures	500
3646	Commercial, Industrial, and Institutional Electric Lighting Fixtures	500
3647	Vehicular Lighting Equipment	500
3648	Lighting Equipment, N.E.C.	500
3651	Household Audio and Video Equipment	750
3652	Phonograph Records and Prerecorded Audio Tapes and Disks	750
3661	Telephone and Telegraph Apparatus	1,000
3663*	Radio and Television Broadcasting and Communications Equipment	750
3669*	Communications Equipment, N.E.C.	750
3671	Electron Tubes	750
3672*	Printed Circuit Boards	500
3674	Semiconductors and Related Devices	500
3675	Electronic Capacitors	500
3676	Electronic Resistors	500
3677	Electronic Coils, Transformers, and Other Inductors	500
3678	Electronic Connectors	500
3679	Electronic Components, N.E.C.	500
3691	Storage Batteries	500
3692	Primary Batteries, Dry and Wet	1,000
3694	Electrical Equipment for Internal Combustion Engines	750
3695*	Magnetic and Optical Recording Media	1,000
3699	Electrical Machinery, Equipment, and Supplies, N.E.C.	750

Major Group 37—Transportation Equipment

3711	Motor Vehicles and Passenger Car Bodies	1,000
3713	Truck and Bus Bodies	500
3714	Motor Vehicle Parts and Accessories	750
3715	Truck Trailers	500
3716	Motor Homes	1,000
3721	Aircraft	1,500
3724	Aircraft Engines and Engine Parts	1,000
3728	Aircraft Parts and Auxiliary Equipment, N.E.C.	1,000
3731	Shipbuilding and Repair of Nuclear Propelled Ships	1,000
	Shipbuilding of Nonnuclear Propelled Ships and Nonpropelled Ships	1,000
	Ship Repair (Including Overhauls and Conversions) Performed on Nonnuclear Propelled and Nonpropelled Ships East of the 108 Meridian.	1,000
	Ship Repair (Including Overhauls and Conversions) Performed on Nonnuclear Propelled and Nonpropelled Ships West of the 108 Meridian.	1,000
3732	Boat Building and Repairing	500
3743	Railroad Equipment	1,000
3751	Motorcycles, Bicycles, and Parts	500
3761	Guided Missiles and Space Vehicles	1,000
3764	Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts	1,000
3769	Guided Missile and Space Vehicle Parts and Auxiliary Equipment, N.E.C.	1,000
3792	Travel Trailers and Campers	500
3795	Tanks and Tank Components	1,000
3799	Transportation Equipment, N.E.C.	500

Major Group 38—Measuring, Analyzing, and Controlling Instruments; Photographic, Medical, and Optical Goods; Watches and Clocks

3812*	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instruments	750
3821*	Laboratory Apparatus and Furniture	500
3822	Automatic Controls for Regulating Residential and Commercial Environments and Appliances	500
3823	Industrial Instruments for Measurement, Display, and Control of Process Variables; and Related Products	500
3824	Totalizing Fluid Meters and Counting Devices	500
3825	Instruments for Measuring and Testing of Electricity and Electrical Signals	500
3826*	Laboratory Analytical Instruments	500
3827*	Optical Instruments and Lenses	500
3829	Measuring and Controlling Devices, N.E.C.	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
3841	Surgical and Medical Instruments and Apparatus	500
3842	Orthopedic, Prosthetic, and Surgical Appliances and Supplies	500
3843	Dental Equipment and Supplies	500
3844*	X-Ray Apparatus and Tubes and Related Irradiation Apparatus	500
3845*	Electromedical and Electrotherapeutic Apparatus	500
3851	Ophthalmic Goods	500
3861	Photographic Equipment and Supplies	500
3873	Watches, Clocks, Clockwork Operated Devices, and Parts	500

Major Group 39—Miscellaneous Manufacturing Industries

3911	Jewelry, Precious Metal	500
3914	Silverware, Plated Ware, and Stainless Steel Ware	500
3915	Jewelers' Findings and Materials, and Lapidary Work	500
3931	Musical Instruments	500
3942	Dolls and Stuffed Toys	500
3944	Games, Toys, and Children's Vehicles, Except Dolls and Bicycles	500
3949	Sporting and Athletic Goods, N.E.C.	500
3951	Pens, Mechanical Pencils, and Parts	500
3952	Lead Pencils, Crayons, and Artists' Materials	500
3953	Marking Devices	500
3955	Carbon Paper and Inked Ribbons	500
3961	Costume Jewelry and Costume Novelties, Except Precious Metal	500
3965*	Fasteners, Buttons, Needles, and Pins	500
3991	Brooms and Brushes	500
3993	Signs and Advertising Specialties	500
3995	Burial Caskets	500
3996	Linoleum, Asphalted-Felt-Base, and Other Hard Surface Floor Coverings, N.E.C.	750
3999	Manufacturing Industries, N.E.C.	500

Division E—Transportation, Communications, Electric, Gas, and Sanitary Services

Major Group 40—Railroad Transportation

4011	Railroads, Line-Haul Operating	1,500
4013	Railroad Switching and Terminal Establishments	500

Major Group 41—Local and Suburban Transit and Interurban Highway Passenger Transportation

4111	Local and Suburban Transit	\$5.0
4119	Local Passenger Transportation, N.E.C.	5.0
4121	Taxicabs	5.0
4131	Intercity and Rural Bus Transportation	5.0
4141	Local Bus Charter Service	5.0
4142	Bus Charter Service, Except Local	5.0
4151	School Buses	5.0
4173*	Terminal and Service Facilities for Motor Vehicle Passenger Transportation	5.0

Major Group 42—Motor Freight Transportation and Warehousing

4212	Local Trucking Without Storage	⁷ \$18.5
4213	Trucking, Except Local	18.5
4214	Local Trucking With Storage	18.5
4215*	Courier Services, Except by Air	18.5
4221	Farm Product Warehousing and Storage	18.5
4222	Refrigerated Warehousing and Storage	18.5
4225	General Warehousing and Storage	18.5
4226	Special Warehousing and Storage, N.E.C.	18.5
4231	Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation	5.0

Major Group 44—Water Transportation^a

4412	Deep Sea Foreign Transportation of Freight	500
4424*	Deep Sea Domestic Transportation of Freight	500
4432*	Freight Transportation on the Great Lakes—St. Lawrence Seaway	500
4449*	Water Transportation of Freight, N.E.C.	500

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
4481*	Deep Sea Transportation of Passengers, Except by Ferry	500
4482*	Ferries	500
4489*	Water Transportation of Passengers, N.E.C	500
4491*	Marine Cargo Handling	\$18.5
4492*	Towing and Tugboat Services	\$5.0
4493*	Marinas	\$5.0
4499*	Water Transportation Services, N.E.C	\$5.0
Major Group 45—Transportation by Air ^a		
4512*	Air Transportation, Scheduled	^a 1,500
4513*	Air Courier Services	^a 1,500
4522*	Air Transportation, Nonscheduled	^a 1,500
4581*	Airports Flying Fields, and Airport Terminal Services	\$5.0
Major Group 46—Pipelines, Except Natural Gas		
4612	Crude Petroleum Pipelines	1,500
4613	Refined Petroleum Pipelines	1,500
4619	Pipelines N.E.C	\$25.0
Major Group 47—Transportation Services		
4724*	Travel Agencies	¹⁰ \$1.0
4725*	Tour Operators	5.0
4729*	Arrangement of Passenger Transportation, N.E.C	5.0
4731*	Arrangement of Transportation of Freight and Cargo	18.5
4741*	Rental of Railroad Cars	5.0
4783*	Packing and Crating	18.5
4785*	Fixed Facilities and Inspection and Weighing Services for Motor Vehicle Transportation	5.0
4789	Transportation Services, N.E.C	5.0
Major Group 48—Communications		
4812*	Radiotelephone Communications	1,500
4813*	Telephone Communications, Except Radiotelephone	1,500
4822	Telegraph and Other Message Communications	\$5.0
4832	Radio Broadcasting Stations	\$5.0
4833	Television Broadcasting Stations	\$10.5
4841*	Cable and Other Pay Television Services	\$11.0
4899	Communications Services, N.E.C	\$11.0
Major Group 49—Electric, Gas, and Sanitary Services		
4911	Electric Services	22.4
4922	Natural Gas Transmission	\$5.0
4923	Gas Transmission and Distribution	\$5.0
4924	Natural Gas Distribution	500
4925	Mixed, Manufactured, or Liquefied Petroleum Gas Production and/or Distribution	\$5.0
4931	Electric and Other Services Combined	\$5.0
4932	Gas and Other Services Combined	\$5.0
4939	Combination Utilities, N.E.C	\$5.0
4941	Water Supply	\$5.0
4952	Sewerage Systems	\$5.0
4953	Refuse Systems	¹¹ \$6.0
4959	Sanitary Services, N.E.C	\$5.0
4961	Steam and Air-Conditioning Supply	\$9.0
4971	Irrigation Systems	\$5.0

Division F—Wholesale Trade

(Not Applicable to Government procurement of supplies. The nonmanufacturer size standard of 500 employees shall be used for purposes of Government procurement of supplies)

Major Group 50—Wholesale Trade—Durable Goods

5012	Automobiles and Other Motor Vehicles	100
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SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
5013	Motor Vehicle Supplies and New Parts	100
5014	Tires and Tubes	100
5015*	Motor Vehicle Parts, Used	100
5021	Furniture	100
5023	Homefurnishings	100
5031	Lumber, Plywood, Millwork, and Wood Panels	100
5032*	Brick, Stone, and Related Construction Materials	100
5033*	Roofing, Siding, and Insulation Materials	100
5039	Construction Materials, N.E.C	100
5043	Photographic Equipment and Supplies	100
5044*	Office Equipment	100
5045*	Computers and Computer Peripheral Equipment and Software	100
5046*	Commercial Equipment, N.E.C	100
5047*	Medical, Dental, and Hospital Equipment and Supplies	100
5048*	Ophthalmic Goods	100
5049*	Professional Equipment and Supplies, N.E.C	100
5051	Metals Service Centers and Offices	100
5052	Coal and Other Minerals and Ores	100
5063	Electrical Apparatus and Equipment, Wiring Supplies, and Construction Materials	100
5064	Electrical Appliances, Television and Radio Sets	100
5065	Electronic Parts and Equipment, N.E.C	100
5072	Hardware	100
5074	Plumbing and Heating Equipment and Supplies (Hydronics)	100
5075	Warm Air Heating and Air-Conditioning Equipment and Supplies	100
5078	Refrigeration Equipment and Supplies	100
5082	Construction and mining (Except Petroleum) Machinery and Equipment	100
5083	Farm and Garden Machinery and Equipment	100
5084	Industrial Machinery and Equipment	100
5085	Industrial Supplies	100
5087	Service Establishment Equipment and Supplies	100
5088	Transportation Equipment and Supplies, Except Motor Vehicles	100
5091*	Sporting and Recreational Goods and Supplies	100
5092*	Toys and Hobby Goods and Supplies	100
5093	Scrap and Waste Materials	100
5094	Jewelry, Watches, Precious Stones, and Precious Metals	100
5099	Durable Goods, N.E.C	100

Major Group 51—Wholesale Trade—Nondurable Goods

5111	Printing and Writing Paper	100
5112	Stationery and Office Supplies	100
5113	Industrial and Personal Service Paper	100
5122	Drugs, Drug Proprieties, and Druggists' Sundries	100
5131*	Piece Goods, Notions, and Other Dry Goods	100
5136	Men's and Boys' Clothing and Furnishings	100
5137	Women's, Children's, and Infants' Clothing and Accessories	100
5139	Footwear	100
5141	Groceries, General Line	100
5142	Packaged Frozen Foods	100
5143	Dairy Products, Except Dried or Canned	100
5144	Poultry and Poultry Products	100
5145	Confectionery	100
5146	Fish and Seafood	100
5147	Meats and Meat Products	100
5148	Fresh Fruits and Vegetables	100
5149	Groceries and Related Products, N.E.C	100
5153	Grain and Field Beans	100
5154	Livestock	100
5159	Farm-Product Raw Materials, N.E.C	100
5162*	Plastics Materials and Basic Forms and Shapes	100
5169*	Chemical and Allied Products, N.E.C	100
5171	Petroleum Bulk Stations and Terminals	100
5172	Petroleum and Petroleum Products Wholesalers, Except Bulk Stations and Terminals	100
5181	Beer and Ale	100
5182	Wine and Distilled Alcoholic Beverages	100
5191	Farm Supplies	100
5192*	Books, Periodicals, and Newspapers	100

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
5193*	Flowers, Nursery Stock, and Florists' Supplies	100
5194	Tobacco and Tobacco Products	100
5198	Paints, Varnishes, and Supplies	100
5199	Nondurable Goods, N.E.C.	100

Division G—Retail Trade

(Not Applicable to Government procurement of supplies. The nonmanufacturer size standard of 500 employees shall be used for purposes of Government procurement of supplies)

Major Group 52—Building Materials, Hardware, Garden Supply, and Mobile Home Dealers

5211	Lumber and Other Building Materials Dealers	\$5.0
5231	Paint, Glass, and Wallpaper Stores	5.0
5251	Hardware Stores	5.0
5261	Retail Nurseries, Lawn and Garden Supply Stores	5.0
5271	Mobile Home Dealers	9.5

Major Group 53—General Merchandise Stores

5311	Department Stores	\$20.0
5331	Variety Stores	8.0
5399	Miscellaneous General Merchandise Stores	5.0

Major Group 54—Food Stores

5411	Grocery Stores	\$20.0
5421*	Meat and Fish (Seafood) Markets, including Freezer Provisioners	5.0
5431	Fruit and Vegetable Markets	5.0
5441	Candy, Nut, and Confectionery Stores	5.0
5451	Dairy Products Stores	5.0
5461*	Retail Bakeries	5.0
5499	Miscellaneous Food Stores	5.0

Major Group 55—Automotive Dealers and Gasoline Service Stations

5511	Motor Vehicle Dealers (New and Used)	\$21.0
5521	Motor Vehicle Dealers (Used Only)	17.0
5531	Auto and Home Supply Stores	5.0
5541	Gasoline Service Stations	6.5
5551	Boat Dealers	5.0
5561	Recreational Vehicle Dealers	5.0
5571	Motorcycle Dealers	5.0
5599	Automotive Dealers, N.E.C. ¹²	5.0

Major Group 56—Apparel and Accessory Stores

5611	Men's and Boys' Clothing and Accessory Stores	\$6.5
5621	Women's Clothing Stores	6.5
5632*	Women's Accessory and Specialty Stores	5.0
5641	Children's and Infants' Wear Stores	5.0
5651	Family Clothing Stores	6.5
5661	Shoe Stores	6.5
5699	Miscellaneous Apparel and Accessory Stores	5.0

Major Group 57—Home Furniture, Furnishings, and Equipment Stores

5712	Furniture Stores	\$5.0
5713	Floor Covering Stores	5.0
5714	Drapery, Curtain, and Upholstery Stores	5.0
5719	Miscellaneous Homefurnishings Stores	5.0
5722	Household Appliance Stores	6.5
5731*	Radio, Television, and Consumer Electronics Stores	6.5
5734*	Computer and Computer Software Stores	6.5
5735*	Record and Pre-recorded Tape Stores	5.0
5736*	Musical Instrument Stores	5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
Major Group 58—Eating and Drinking Places		
5812	Eating Places, Except Food Service, Institutional	\$5.0
5812	Food Service, Institutional	15.0
5813	Drinking Places (Alcoholic Beverages)	5.0
Major Group 59—Miscellaneous Retail		
5912	Drug Stores and Proprietary Stores	\$5.0
5921	Liquor Stores	5.0
5932*	Used Merchandise Stores	5.0
5941	Sporting Goods Stores and Bicycle Shops	5.0
5942	Book Stores	5.0
5943	Stationery Stores	5.0
5944	Jewelry Stores	5.0
5945	Hobby, Toy, and Game Shops	5.0
5946	Camera and Photographic Supply Stores	5.0
5947	Gift, Novelty, and Souvenir Shops	5.0
5948	Luggage and Leather Goods Stores	5.0
5949	Sewing, Needlework, and Piece Goods Stores	5.0
5961	Catalog and Mail-Order Houses	18.5
5962	Automatic Merchandising Machine Operators	5.0
5963	Direct Selling Establishments	5.0
5983	Fuel Oil Dealers	9.0
5984	Liquefied Petroleum gas (Bottled Gas) Dealers	5.0
5989*	Fuel Dealers, N.E.C.	5.0
5992	Florists	5.0
5993	Tobacco Stores and Stands	5.0
5994	News Dealers and Newsstands	5.0
5995*	Optical Goods Stores	5.0
5999	Miscellaneous Retail Stores, N.E.C.	5.0
Division H—Finance, Insurance, and Real Estate ¹³		
Major Group 60—Depository Institutions		
6021*	National Commercial Banks	(million) 14 \$100
6022	State Commercial Banks	14 100
6029*	Commercial Banks, N.E.C.	14 100
6035*	Savings Institutions, Federally Chartered	14 100
6036*	Savings Institutions, Not Federally Chartered	14 100
6061	Credit Unions, Federally Chartered	14 100
6062	Credit Unions, Not Federally Chartered	14 100
6081	Branches and Agencies of Foreign Banks	14 100
6082	Foreign Trade and International Banks	14 100
6091	Nondeposit Trust Facilities	5.0
6099	Functions Related to Depositor Banking, N.E.C.	5.0
Major Group 61—Nondepository Institution		
6141	Personal Credit Institutions	\$5.0
6153	Short-Term Business Credit Institutions, Except Agriculture	5.0
6159	Miscellaneous Business Credit Institutions	5.0
6162	Mortgage Bankers and Loan Correspondents	5.0
6163	Loan Brokers	5.0
Major Group 62—Security and Commodity Brokers, Dealers, Exchanges and Services		
6211	Security Brokers, Dealers and Flotation Companies	\$5.0
6221	Commodity Contracts Brokers and Dealers	5.0
6231	Security and Commodity Exchanges	5.0
6282	Investment Advice	5.0
6289	Services Allied With the Exchange of Securities or Commodities, N.E.C.	5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
Major Group 63—Insurance Carriers		
6311	Life Insurance	\$5.0
6321	Accident and Health Insurance	\$5.0
6324	Hospital and Medical Service Plans	\$5.0
6331	Fire, Marine, and Casualty Insurance	1,500
6351	Surety Insurance	\$5.0
6361	Title Insurance	\$5.0
6371	Pension, Health and Welfare Funds	\$5.0
6399	Insurance Carriers, N.E.C	\$5.0
Major Group 64—Insurance Agents, Brokers, and Service		
6411	Insurance Agents, Brokers, and Service	\$5.0
Major Group 65—Real Estate		
6512	Operators of Nonresidential Buildings	\$5.0
6513	Operators of Apartment Buildings	5.0
6514	Operators of Dwellings Other Than Apartment Buildings	5.0
6515	Operators of Residential Mobile Home Sites	5.0
	Leasing of Building Space to Federal Government by Owners	15 15.0
6517	Lessors of Railroad Property	5.0
6519	Lessors of Real Property, N.E.C	5.0
6531	Real Estate Agents and Managers	10 1.5
6541	Title Abstract Offices	5.0
6552	Land Subdividers and Developers, Except Cemeteries	5.0
6553	Cemetery Subdividers and Developers	5.0
Major Group 67—Holding and Other Investment Offices		
6712	Offices of Bank Holding Companies	\$5.0
6719	Offices of Holding Companies, N.E.C	5.0
6722	Management Investment Offices, Open-End	5.0
6726	Unit Investment Trusts, Face-Amount Certificate Offices, and Closed-End Management Investment Offices	5.0
6732	Educational, Religious, and Charitable Trusts	5.0
6733	Trusts, Except Educational, Religious, and Charitable	5.0
6792	Oil Royalty Traders	5.0
6794	Patent Owners and Lessors	5.0
6798	Real Estate Investment Trusts	5.0
6799	Investors, N.E.C	5.0
Division I—Services ¹⁶		
Major Group 70—Hotels, Rooming Houses, Camps, and Other Lodging Places		
7011	Hotels and Motels	\$5.0
7021	Rooming and Boarding Houses	5.0
7032	Sporting and Recreational Camps	5.0
7033	Recreational Vehicle Parks and Campsites	5.0
7041	Organization Hotels and Lodging Houses, on Membership Basis	5.0
Major Group 72—Personal Services		
7211	Power Laundries, Family and Commercial	\$10.5
7212	Garment Pressing, and Agents for Laundries and Drycleaners	5.0
7213	Linen Supply	10.5
7215	Coin-Operated Laundries and Drycleaning	5.0
7216	Drycleaning Plants, Except Rug Cleaning	3.5
7217	Carpet and Upholstery Cleaning	3.5
7218	Industrial Launderers	10.5
7219	Laundry and Garment Services, N.E.C	5.0
7221	Photographic Studios, Portrait	5.0
7231	Beauty Shops	5.0
7241	Barber Shops	5.0
7251	Shoe Repair Shops and Shoeshine Parlors	5.0
7261	Funeral Service and Crematories	5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
7291*	Tax Return Preparation Services	5.0
7299	Miscellaneous Personal Services, N.E.C	6.0

Major Group 73—Business Services

7311	Advertising Agencies	\$5.0
7312	Outdoor Advertising Services	5.0
7313	Radio, Television, and Publishers' Advertising Representatives	5.0
7319	Advertising, N.E.C	5.0
7322*	Adjustment and Collection Services	5.0
7323*	Credit Reporting Services	5.0
7331	Direct Mail Advertising Services	5.0
7334*	Photocopying and Duplicating Services	5.0
7335*	Commercial Photography	5.0
7336*	Commercial Art and Graphic Design	5.0
7338*	Secretarial and Court Reporting Services	5.0
7342	Disinfecting and Pest Control Services	5.0
7349	Building Cleaning and Maintenance Services, N.E.C	12.0
7352*	Medical Equipment Rental and Leasing	5.0
7353*	Heavy Construction Equipment Rental and Leasing	5.0
7359*	Equipment Rental and Leasing, N.E.C	5.0
7361	Employment Agencies	5.0
7363*	Help Supply Services	5.0
7371*	Computer Programming Services	18.0
7372	Prepackaged Software	18.0
7373*	Computer Integrated Systems Design	18.0
7374	Computer Processing and Data Preparation and Processing Services	18.0
7375*	Information Retrieval Services	18.0
7376*	Computer Facilities Management Services	18.0
7377*	Computer Rental and Leasing	18.0
7378*	Computer Maintenance and Repair	18.0
7379	Computer Related Services, N.E.C	18.0
7381*	Detective, Guard, and Armored Car Services	9.0
7382*	Security Systems Services	9.0
7383*	News Syndicates	5.0
7384*	Photofinishing Laboratories	5.0
7389*	Business Services, N.E.C. ²¹	5.0

Major Group 75—Automotive Repair, Services, and Parking

7513	Truck Rental and Leasing, Without Drivers	\$18.5
7514*	Passenger Car Rental	18.5
7515*	Passenger Car Leasing	18.5
7519	Utility Trailer and Recreational Vehicle Rental	5.0
7521*	Automobile Parking	5.0
7532*	Top, Body, and Upholstery Repair Shops and Paint Shops	5.0
7533*	Automotive Exhaust System Repair Shops	5.0
7534	Tire Retreading and Repair Shops	10.5
7536*	Automotive Glass Replacement Shops	5.0
7537*	Automotive Transmission Repair Shops	5.0
7538	General Automotive Repair Shops	5.0
7539	Automotive Repair Shops, N.E.C	5.0
7542	Carwashes	5.0
7549	Automotive Services, Except Repair and Carwashes	5.0

Major Group 76—Miscellaneous Repair Services

7622	Radio and Television Repair Shops	\$5.0
7623	Refrigeration and Air-Conditioning Service and Repair Shops	5.0
7629	Electrical and Electronic Repair Shops, N.E.C	5.0
7631	Watch, Clock, and Jewelry Repair	5.0
7641	Reupholstery and Furniture Repair	5.0
7692	Welding Repair	5.0
7694	Armature Rewinding Shops	5.0
7699	Repair Shops and Related Services, N.E.C	17.5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size stand- ards in num- ber of em- ployees or millions of dollars
Major Group 78—Motion Pictures		
7812*	Motion Picture and Video Tape Production	\$21.5
7819	Services Allied to Motion Picture Production	21.5
7822*	Motion Picture and Video Tape Distribution	21.5
7829	Services Allied to Motion Picture Distribution	5.0
7832	Motion Picture Theaters, Except Drive-In	5.0
7833	Drive-In Motion Picture Theaters	5.0
7841*	Video Tape Rental	5.0
Major Group 79—Amusement and Recreation Services		
7911	Dance Studios, Schools, and Halls	\$5.0
7922	Theatrical Producers (Except Motion Picture) and Miscellaneous Theatrical Services	5.0
7929	Bands, Orchestras, Actors, and Other Entertainers and Entertainment Groups	5.0
7933	Bowling Centers	5.0
7941	Professional Sports Clubs and Promoters	5.0
7991*	Physical Fitness Facilities	5.0
7993	Coin-Operated Amusement Devices	5.0
7996	Amusement Parks	5.0
7997	Membership Sports and Recreation Clubs	5.0
7999	Amusement and Recreation Services, N.E.C.	5.0
Major Group 80—Health Services		
8011	Offices and Clinics of Doctors of Medicine	\$5.0
8021	Offices and Clinics of Dentists	5.0
8031	Offices and Clinics of Doctors of Osteopathy	5.0
8041	Offices and Clinics of Chiropractors	5.0
8042	Offices and Clinics of Optometrists	5.0
8043*	Offices and Clinics of Podiatrists	5.0
8049	Offices and Clinics of Health Practitioners, N.E.C.	5.0
8051	Skilled Nursing Care Facilities	5.0
8052*	Intermediate Care Facilities	5.0
8059	Nursing and Personal Care Facilities, N.E.C.	5.0
8062	General Medical and Surgical Hospitals	5.0
8063	Psychiatric Hospitals	5.0
8069	Specialty Hospitals, Except Psychiatric	5.0
8071	Medical Laboratories	5.0
8072	Dental Laboratories	5.0
8082*	Home Health Care Services	5.0
8092*	Kidney Dialysis Centers	5.0
8093*	Specialty Outpatient Facilities, N.E.C.	5.0
8099*	Health and Allied Services, N.E.C.	5.0
Major Group 81—Legal Services		
8111	Legal Services	\$5.0
Major Group 82—Educational Services		
8211	Elementary and Secondary Schools	\$5.0
8221	Colleges, Universities, and Professional Schools	5.0
8222	Junior Colleges and Technical Institutes	5.0
8231	Libraries	5.0
8243	Data Processing Schools	5.0
8244	Business and Secretarial Schools	5.0
8249	Vocational Schools, N.E.C.	5.0
8299	Schools and Educational Services, N.E.C.	5.0
8299	Flight Training Services	18.5
Major Group 83—Social Services		
8322*	Individual and Family Social Services	\$5.0
8331	Job Training and Vocational Rehabilitation Services	5.0
8351	Child Day Care Services	5.0
8361	Residential Care	5.0

SIZE STANDARDS BY SIC INDUSTRY—Continued

SIC (*=New SIC Code in 1987, not used in 1972)	Description (N.E.C.=Not elsewhere classified)	Size standards in number of employees or millions of dollars
8399	Social Services, N.E.C	5.0
Major Group 84—Museums, Art Galleries, and Botanical and Zoological Gardens		
8412*	Museums and Art Galleries	\$5.0
8422*	Arboreta and Botanical or Zoological Gardens	5.0
Major Group 86—Membership Organizations		
8611	Business Associations	\$5.0
8621	Professional Membership Organizations	5.0
8631	Labor Unions and Similar Labor Organizations	5.0
8641	Civic, Social, and Fraternal Associations	5.0
8651	Political Organizations	5.0
8661	Religious Organizations	5.0
8699	Membership Organizations, N.E.C	5.0
Major Group 87—Engineering, Accounting, Research, Management, and Related Services		
8711*	Engineering Services:	
	Military and Aerospace Equipment and Military Weapons	\$20.0
	Contracts and Subcontracts for Engineering Services Awarded Under the National Energy Policy Act of 1992	20.0
	Marine Engineering and Naval Architecture	13.5
	Other Engineering Services	2.5
8712*	Architectural Services (Other Than Naval)	2.5
8713*	Surveying Services	2.5
8721*	Accounting, Auditing, and Bookkeeping Services	6.0
8731*	Commercial Physical and Biological Research: ¹⁸	
	Aircraft	1,500
	Aircraft Parts, and Auxiliary Equipment, and Aircraft Engines and Engine Parts	1,000
	Space Vehicles and Guided Missiles, their Propulsion Units, their Propulsion Units Parts, and their Auxiliary Equipment and Parts	1,000
	Other Commercial Physical and Biological Research	500
8732*	Commercial Economic, Sociological, and Educational Research	5.0
8733*	Noncommercial Research Organizations	5.0
8734*	Testing Laboratories	5.0
8741*	Management Services	5.0
8742*	Management Consulting Services	5.0
8743*	Public Relations Services	5.0
8744*	Facilities Support Management Services ¹⁹	5.0
	Base Maintenance ²⁰	20.0
8748*	Business Consulting Services, N.E.C	5.0
Major Group 89—Services, Not Elsewhere Classified		
8999	Services, N.E.C	\$5.0

Footnotes

¹ Size standards preceded by a dollar sign (\$) are in millions of dollars of annual receipts. All others are in number of employees unless specified otherwise.

² SIC code 1629—Dredging: To be considered small, a firm must perform the dredging of at least 40 percent of the yardage with its own dredging equipment or equipment owned by another small dredging concern.

³ SIC Division D—Manufacturing: "Rebuilding on a factory basis or equivalent." For rebuilding machinery or equipment on a factory basis, use SIC code applicable for new manufactured product. The appropriate size standard is not limited to manufacturers. Ordinary repair services or preservation operations, however, are not considered rebuilding activities.

⁴ SIC code 2033: For purposes of Government procurement for food canning and preserving under SIC code 2033, the standard of 500 employees shall be exclusive of agricultural labor as defined in section (k) of the Federal Unemployment Tax Act, 68A Stat. 454, 26 U.S.C. (I.R.C. 1954) 3306.

⁵ SIC code 2911: For purposes of Government procurement, the firm may not have more than 1,500 employees, nor may it have more than 75,000 barrels per day capacity. This capacity may be measured in terms of either crude oil or bona fide feedstocks or both, but the sum total of the various petroleum-based inputs into the process may not exceed 75,000 barrels. In addition to the direct-owned capacity of the concern in question, counted capacity will include any leased facilities or any facilities made available to the concern under an arrangement such as (but not limited to) an exchange agreement or a throughput, or other form, or processing agreement (whereby another party processes the concern's own crude or feedstocks). Such an arrangement would have the same effect as though such facilities had been leased, and this would have to be included in the concern's own capacity. The total product to be delivered in the performance of the contract must be at least 90 percent refined by the successful bidder from either crude oil or bona fide feedstocks.

⁶ SIC code 3011: For purposes of Government procurement, a firm is small for bidding on a contract for pneumatic tires within Census Classification codes 30111 and 30112, provided that:

(1) The value of tires within Census Classification codes 30111 and 30112 which it manufactured in the United States during the previous calendar year is more than 50 percent of the value of its total worldwide manufacture, (2) the value of pneumatic tires within Census Classification codes 30111 and 30112 which it manufactured worldwide during the preceding calendar year was less than 5 percent of the value of all such tires manufactured in the United States during said period, and (3) the value of the principal product which it manufactured or otherwise produced, or sold worldwide during the preceding calendar year is less than 10 percent of the total value of such products manufactured or otherwise produced or sold in the United States during said period.

⁷ SIC code 4212: The component "Garbage and Refuse, Collecting and Transporting, Without Disposal" shall have a size standard of \$6.0 million. This is the same size standard as SIC code 4953, Refuse Systems.

⁸ Offshore Marine Services: The applicable size standard shall be \$20.5 million for firms furnishing specific transportation services to concerns engaged in offshore oil and/or natural gas exploration, drilling production, or marine research; such services encompass passenger and freight transportation, anchor handling, and related logistical services to and from the work site or at sea.

⁹ SIC codes 4512, 4513, and 4522: Includes passenger or cargo transportation requiring the use of one or more helicopters or fixed-wing aircraft. This does not include offshore marine transportation services as defined in footnote 8.

¹⁰ SIC codes 4724 and 6531: As measured by total revenues, but excluding funds received in trust for an unaffiliated third party, such as bookings or sales subject to commissions. The commissions received would be included as revenue.

¹¹ SIC code 4953: "Garbage and Refuse, Collecting and Transporting, Without Disposal," a component of SIC code 4212, has the same size standard as SIC code 4953.

¹² SIC code 5599: For retail firms whose principal line of business is the retail sale of aircraft, a \$7.5 million size standard shall apply.

¹³ Most in Division H: Finance, Insurance and Real Estate—are excluded from SBA assistance.

¹⁴ Major Group 60: As measured by total assets.

¹⁵ Major Group 65—Leasing of building space to the Federal Government by Owners: For the purpose of Government procurement, a size standard of \$15.0 million in gross receipts is established for owners of building space that is leased to the Federal Government. The standard for these procurements shall apply to the owner of the property and not to those acting as an agent for the owner. There is no size standard concerning the agent in a leasing arrangement.

¹⁶ Division J—Services: For all industries not specifically listed in this division, the size standard is \$5.0 million.

¹⁷ SIC codes 7699 and 3728: Contracts for the rebuilding or overhaul of aircraft ground support equipment on a contract basis will be classified under SIC code 3728.

¹⁸ SIC code 8731: For research and development contracts requiring the delivery of a manufactured product, the appropriate size standard to use is that of the manufacturing industry in which the specific products is classified.

Research and Development, as defined in the SIC Manual, means laboratory or other physical research and development on a contractor fee basis. Research and development for purposes of size determinations does not include the following: economic, educational, engineering, operations, systems, or other nonphysical research; or computer programming, data processing, commercial and/or medical laboratory testing.

For purposes of the Small Business Innovation Research (SBIR) program only, a different definition has been established by law. See § 121.7 of these regulations.

Research and development for guided missiles and space vehicles includes evaluation and simulation, and other services requiring thorough knowledge of complete missiles and spacecraft.

¹⁹ Facilities Management, a component of SIC code 8744, has the following definition: Establishments, not elsewhere classified, which provide overall management and the personnel to perform a variety of related support services in operating a complete facility in or around a specific building, or within another business or Government establishment. Facilities management means furnishing three or more personnel supply services which may include, but are not limited to, secretarial services, typists, telephone answering, reproduction or mimeograph service, mailing service, financial or business management, public relations, conference planning, travel arrangements, word processing, maintaining files and/or libraries, switchboard operation, writers, bookkeeping, minor office equipment maintenance and repair, use of information systems (not programming), etc.

²⁰ SIC code 8744: If one of the activities of base maintenance, as defined below, can be identified with a separate industry, and that activity (or industry) accounts for 50 percent or more of the value of an entire contract, then the proper size standard shall be that for the particular industry, and not the base maintenance size standard.

"Base Maintenance" constitutes three or more separate activities. The activities may be either service or special trade construction related activities. As services, these activities must each be in a separate industry. These activities may include, but are not limited to, such separate maintenance activities as Janitorial and Custodial Service, Protective Guard Service, Commissary Service, Fire Prevention Service, Safety Engineering Service, Messenger Service, and Grounds Maintenance and Landscaping Service. If the contract involves the use of special trade contractors (plumbing, painting, plastering, carpentering, etc.) all such specialized special trade construction activities will be considered a single activity, which is Base Housing Maintenance. This is only one activity of base maintenance and two additional activities must be present for the contract to be considered base maintenance. The size standard for Base Housing Maintenance is \$7 million, the same size standard as for Special Trade Contractors.

²¹ The size standard for map drafting services, mapmaking (including aerial), and photogrammetric mapping services, part of SIC code 7389, is \$3.5 million.

²² Million megawatt hours.

Dated: March 30, 1994.

Cassandra M. Pulley,

Acting Administrator.

[FR Doc. 94-8274 Filed 4-6-94; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM93-4-000]

Standards for Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations

Issued April 1, 1994.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule; order accepting data sets and implementation guide.

SUMMARY: On December 23, 1993, the Commission issued a final rule in this proceeding requiring pipelines to

implement standards and protocols by June 1, 1994. The Commission is accepting standardized data sets providing information related to released capacity and an implementation guide for downloading this information using Electronic Data Interchange according to standards promulgated by the American National Standards Institute (ANSI) Accredited Standards Committee (ASC) X12.

DATES: Pipelines must implement the data sets and implementation guide by June 1, 1994.

ADDRESSES: Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Michael Goldenberg, Office of the General Counsel, Federal Energy

Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208-2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208-1283.

Brooks Carter, Office of Pipeline and Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208-0666.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the *Federal Register*, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room 3104, 941 North Capitol Street NE., Washington, DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications software to use 300, 1200, or 2400 bps, full duplex, no parity, 8 data bits, and 1 stop bit. CIPS can also be accessed at 9600 bps by dialing (202) 208-1781. The full text of this notice will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3104, 941 North Capitol Street, NE., Washington, DC 20426.

Order Accepting Data Sets and Implementation Guide

Issued April 1, 1994.

On December 23, 1993, the Commission issued a final rule in this proceeding requiring pipelines to implement standards and protocols by June 1, 1994.¹ The rule required pipelines to provide information included in standardized data sets on their Electronic Bulletin Boards and to permit users to download this information using Electronic Data Interchange according to standards promulgated by the American National Standards Institute (ANSI) Accredited Standards Committee (ASC) X12.

¹ Standards For Electronic Bulletin Boards Required Under part 284 Of The Commission's Regulations, Order No. 563, 59 FR 516 (Jan. 5, 1994), III FERC Stats. & Regs. Preambles ¶ 30,988 (Dec. 23, 1993).

In the rule, the Commission recognized that as pipelines began the implementation process, they might discover that changes or modifications to the standardized data sets were necessary. The Commission also recognized that an ASC X12 implementation guide would need to be developed to correspond with the final data sets. The revisions to the data sets and the implementation guide were to be developed by the industry Working Groups that had been working on these standards, and the Working Groups were to provide the required documents to the Commission in sufficient time to permit implementation by June 1, 1994.

On March 4, 1994, Working Groups 1 & 2 filed revised capacity release data sets and an implementation guide for downloading these data sets using Electronic Data Interchange according to ASC X12 standards. Public notice of this filing was issued on March 7, 1994, with comments due by March 15, 1994. Only one comment was received, from the National Registry of Capacity Rights, Inc., which supported acceptance of the data sets.

The Commission is accepting the data sets and implementation guide to be implemented by the pipelines by June 1, 1994, subject to the order on rehearing in this proceeding. Pipelines should not delay implementation of the data sets until the Commission's rehearing order. Should the Commission grant rehearing and eliminate any data elements, those fields simply would be left blank. If the Commission determines to add fields to the data sets, the Commission will not require those fields to be implemented by June 1, 1994. The Working Groups would be given the opportunity to design the new data fields for later implementation. The data sets will be made available at the Commission's Public Reference and Files Maintenance Branch, 941 North Capitol Street as soon as is possible.

In the final rule, the Commission required pipelines to provide downloads using a standard ASCII format. On March 10, 1994, public notice was given of an ASCII file structure submitted by Enron Gas Service, with comments due by March 17, 1994. On March 18, 1994, the Interstate Natural Gas Association of America (INGAA) filed a comment to clarify that the ASCII file structure was not a consensus product of the Working Group. INGAA also asserts work is underway on an alternative approach that would make ASCII files available to users without requiring the pipelines to maintain two separate standards, ASC X12 and ASCII. Numerous parties also have sought rehearing of the

requirement to provide ASCII downloads.

The Commission will determine whether to require an ASCII download, and the implementation date if it is required, in the rehearing order. If the industry or Working Groups formulate an alternative approach, they should inform the Commission of that approach as soon as possible.

The Commission Orders

The data sets and implementation guide filed on March 4, 1994, in this proceeding are accepted to be implemented by June 1, 1994, subject to the order on rehearing in this docket.

By the Commission.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 944

Utah Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of proposed amendment.

SUMMARY: OSM is announcing its decision to approve an amendment to the approved Utah permanent regulatory program (the Utah program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1201-1328. The amendment consists of changes to provisions of the Utah Coal Mining Rules pertaining to the definitions of "affected area," "road," and "public road." The amendment revises the Utah program to be consistent with the corresponding Federal regulations.

EFFECTIVE DATE: April 7, 1994.

FOR FURTHER INFORMATION CONTACT: Robert H. Hagen, Telephone (505) 766-1486.

SUPPLEMENTARY INFORMATION:

- I. Background on the Utah Program
- II. Submission of Proposed Amendment
- III. Director's Findings
- IV. Summary and Disposition of Comments
- V. Director's Decision
- VI. Procedural Determinations

I. Background on the Utah Program

On January 21, 1981, the Secretary of the Interior conditionally approved the