



WHAT CHANGED ON SEPTEMBER 25, 2026

A two-page summary for DBE and ACDBE owners on the changes in the Final Rule
(91 FR 60885)

FIVE CHANGES, AND ONE NEW SET OF DATES

1. **Your own experiences of race or sex discrimination may be described** as events. Race or sex alone still establishes nothing.
2. **"Systemic barriers" became "social barriers"**, and you show economic hardship, social barriers **or** denied opportunities, not necessarily all three.
3. **The comparison changed** to people with **comparable qualifications**: similar credentials and work history.
4. **Being under the net worth cap is no longer the end of the question**: the certifier may still find you not economically disadvantaged in fact.
5. **The deadlines are in the rule**: agencies finish by **December 24, 2026**; a late firm gets a notice and a final window to **March 24, 2027** (later if its agency received an extension), then is disqualified.
6. **New: an objective distinguishing feature**, at least one identifiable status or condition that led to the hardship.

UNCHANGED

The **economic harm** (how, and to what extent, with its type and magnitude) and your **personal net worth statement**, attached to the narrative.

AT A GLANCE: BEFORE, NOW, AND WHAT TO DO

	BEFORE: OCT 3, 2025 INTERIM RULE	NOW: SEPT 25, 2026 FINAL RULE	WHAT TO DO IN YOUR NARRATIVE
Race and sex	"Without regard to race or sex"	No presumption; your own experiences of discrimination may be described	Describe them as specific events: what happened, when, and the cost
What you show	Economic hardship, systemic barriers and denied opportunities	Economic hardship, social barriers or denied opportunities	Say "social barriers". You do not need every category
The comparison	"Similarly situated" persons	People with comparable qualifications	Compare yourself with people of similar credentials and work history

Objective distinguishing feature	Not required	New: at least one	Name it, and show how it led to the hardship
Economic harm	Type and magnitude	Unchanged	Keep the figures: dollars, dates, contracts lost
Economically disadvantaged in fact	The narrative had to prove it	The certifier may test it, even under the net worth cap	Keep your net worth statement and financial records consistent
Deadlines	No date: "as quickly as practicable"	Agencies finish by Dec 24, 2026; then a notice and a final window to Mar 24, 2027 (later with an extension)	Submit by your own agency's date
Net worth statement	Attached	Unchanged	Attach a current statement

Has your state finished its reevaluation? [See USDOT's state-by-state status.](#)

IF YOU ARE CERTIFIED IN MORE THAN ONE STATE

DOT's guidance says that once your home state (where you were first certified) reevaluates you, other states should accept that decision on simple notice, such as a letter or a directory screenshot. If you do not reaffirm in a state within one year, you go through its full interstate application again.

WHERE ARE YOU IN THE PROCESS?

- **Still writing, or starting now?** Write it to the Final Rule: check every row of the table, starting with the objective distinguishing feature.
- **Submitted, but no decision yet?** USDOT's Final Rule FAQs say firms that submitted before September 25 must also meet the revised standards. Check your draft against the table.
- **Already reevaluated and retained by your agency?** Nothing here asks you to resubmit. Keep your decision letter: other states may ask for it for interstate certification.

Book a session. Have a draft, or questions back from your agency? **[Book the 45-minute Triage](#)**: a paragraph-by-paragraph review. Starting from scratch? **[Book the 90-minute Intensive](#)**.

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