



Federal Register

**Monday,
May 16, 2005**

Part XLIII

Small Business Administration

Semiannual Regulatory Agenda

SMALL BUSINESS ADMINISTRATION (SBA)

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: U.S. Small Business Administration (SBA).

ACTION: Semiannual regulatory agenda.

SUMMARY: The Regulatory Flexibility Act (RFA) and Executive Order 12866 require each agency to publish semiannually a regulatory agenda (agenda) that includes an inventory of all current and projected rulemakings; a review of existing regulations; regulations expected to be developed during the next 12 months; and those regulations completed since the last publication of the agency's agenda. SBA is publishing this agenda to provide the public with notice about SBA's regulatory activities and to provide specific information about those activities. This information will promote the public's participation in SBA's regulatory activities. This agenda also includes SBA's section 610 plan for the periodic review of rules having a significant economic impact on a substantial number of small entities and the list of such rules to be reviewed in the succeeding 12 months.

FOR FURTHER INFORMATION CONTACT: For additional information about specific regulatory actions listed in the agenda, you should direct your comments and inquiries to the appropriate agency contact identified in each entry. For general information about the agenda, you should direct your comments and inquiries to Martin "Sparky" Conrey, Assistant General Counsel for Legislation and Appropriations, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416, (202) 619-0638, martin.conrey@sba.gov.

SUPPLEMENTARY INFORMATION:

Semiannual Regulatory Agenda

This agenda announces the proposed regulatory actions that SBA plans for the next 12 months, those that were completed since the fall 2004 edition of the Agenda, and those existing regulations under review, as required by the RFA and Executive Order 12866. As permitted by law, SBA is combining the publication of its agendas required by statute and Executive order and conforming them to the Unified Agenda

of Federal Regulatory and Deregulatory Actions format developed by the Regulatory Information Service Center.

SBA's agenda is grouped according to pre-rulemaking, proposed rules, final rules, and rulemaking actions completed since the fall 2004 Agenda. The purpose of the agenda is to provide information to the public on regulations currently under review, being proposed, completed, or withdrawn by SBA. The agenda is intended to facilitate comments and views by interested members of the public. SBA encourages public participation through www.regulations.gov by placing SBA rules on that website and encouraging the public to submit comments through that medium. SBA also provides a link from www.sba.gov to the website.

Publication of proposed rulemaking actions in the agenda does not impose any obligation on SBA to take any final action with regard to any specific item. Furthermore, SBA is not precluded from rulemaking activities that are not listed in this agenda. The dates listed in the timetables for specific actions are estimates and not commitments to act on or by the particular date. SBA's regulations promote statutory mandates and Presidential directives linked to SBA's goals to improve the economic environment for small business, increase small business success by bridging competitive opportunity gaps, restore homes and businesses affected by disaster, and to operate and manage SBA's programs and resources efficiently and effectively.

Section 610 Plan and Annual List

Under section 610 of the RFA, SBA must periodically review any of its rules that have a significant economic impact on a substantial number of small entities. SBA will determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable law, to minimize the economic impact on small entities. SBA must review any such rules within 10 years of their publication as a final rule. If the Administrator determines that such a review is not feasible within that time period, he or she will so certify in a statement published in the **Federal Register**. The Administrator may extend the completion date by 1 year at a time for a total of not more than 5 years. In reviewing such rules, SBA will

consider: (1) the continued need for the rule; (2) the comments received from the public concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules, and to the extent feasible, with State and local government rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. The program office will be responsible for reviewing any comments received from the public, in consultation with the Office of General Counsel and the Office of Advocacy. The program office may also contact trade associations that represent small entities affected by the rules under review to obtain information on the impacts of the rules and on industry developments that might affect the rulemaking. Upon conclusion of the review, SBA will eliminate unnecessary or obsolete rules in the parts under review and consider amending rules, subject to the availability of resources.

Within the next 12 months, SBA plans to review under section 610 the following four rules: (1) Part 121, Small Business Size Regulations; (2) part 124, 8(a) Business Development/Small Disadvantaged Business Status Determinations; (3) part 125, Government Contracting Programs; and (4) part 126, HUBZone Program. These forthcoming section 610 reviews are announced in the "Prerule" section of the agenda. Each section 610 review item will be clearly marked "(Section 610 Review)" in both the title of each agenda item abstract and the SBA semiannual regulatory agenda chart of agenda items. Section 610 review items will not be published in the **Federal Register** outside of the semiannual regulatory agenda.

SBA encourages small entities and other members of the public to submit comments to SBA on the need to change or modify these rules. SBA will consider all of the comments received as it decides whether to continue, amend, or withdraw these rules. SBA particularly encourages comments by small entities about how these rules could be made clearer, more effective, or modified to remove conflicting or overlapping requirements with other Federal or State regulations. Please direct your comments electronically, by mail, or through hand-delivery/courier to the

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contacts listed in the specific section 610 review item. Please identify the specific section 610 review item by RIN, rather than subject or **Federal Register** page when you refer to it in your written

comments. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." SBA is not

required to consider these late comments.

Hector V. Barreto,
Administrator.

Small Business Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3511	Surety Bond Guarantee	3245-AE13
3512	Small Business Size Regulations (Section 610 Review)	3245-AF32
3513	8(a) Business Development/Small Disadvantaged Business Status Determinations (Section 610 Review)	3245-AF33
3514	Government Contracting Programs (Section 610 Review)	3245-AF34
3515	HUBZone Program (Section 610 Review)	3245-AF35

Small Business Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3516	Small Business Development Centers (SBDC) Program Revisions	3245-AE05
3517	Small Business Lending Companies Regulations	3245-AE14
3518	Small Business Size Standards; Surety Bond Guarantee Program	3245-AE81
3519	Business Loans and Development Company Loans; Liquidation and Litigation Procedures	3245-AE83
3520	Surety Bond Guarantee Program—Procedural Changes for Payment of Fees	3245-AF10
3521	HUBZone Empowerment Contracting Program	3245-AF13
3522	Economic Injury Disaster Loans (EIDL)	3245-AF14
3523	Testimony and Production of Records; Office of Inspector General	3245-AF18
3524	Record Disclosure and Privacy/Subpart B—The Privacy Act	3245-AF20
3525	Small Business Innovation Research (SBIR) Policy Directive	3245-AF21
3526	Premier Certified Lenders Program Proposed Rule	3245-AF23
3527	Small Business Size Standards; Nonmanufacturer Size Standard	3245-AF27
3528	Small Business Size Standards; Security Guards and Patrol Services	3245-AF28
3529	Small Business Size Standards; Support Activities for Air Transportation	3245-AF29
3530	Small Business Size Standards; Mapping Services	3245-AF30

Small Business Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3531	Small Business Technology Transfer Program Policy Directive	3245-AE96
3532	Size for Purposes of the Multiple Award Schedule and Other Multiple Award Contracts; Small Business Size Regulations; 8(a) Business Development/Small Disadvantaged Business Status Determinations	3245-AF06
3533	8(a) Business Development/Small Disadvantaged Business Status Determinations	3245-AF17
3534	Amendments to the HUBZone Program	3245-AF31

Small Business Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3535	Small Business Investment Companies—Maximum Leverage Eligibility	3245-AE79
3536	Amendment to SBA's Regulations Regarding Administrative Offset	3245-AF19
3537	Small Business Size Standards; Selected Size Standards Issues	3245-AF22
3538	Rules of Procedure Governing Cases Before the Office of Hearings and Appeals Arising From the Service-Disabled Veteran-Owned Small Business Concern Program	3245-AF25

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Small Business Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3539	Administrative Wage Garnishment	3245-AE50
3540	Small Business Size Regulations; Small Business Innovation Research Program	3245-AE76
3541	Small Business Government Contracting Programs	3245-AF12
3542	Government Contracting Programs	3245-AF16

Small Business Administration (SBA)

Prerule Stage

3511. SURETY BOND GUARANTEE

Priority: Info./Admin./Other

Legal Authority: 5 USC app 3; 15 USC 687b; 15 USC 694b; PL 105-135; 15 USC 687c; 15 USC 694a

CFR Citation: 13 CFR 115

Legal Deadline: None

Abstract: SBA is considering revising the Preferred Surety Bond and the Prior Approval program regulations to simplify the language, make the rule easier to understand, and clarify policy.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Johnnie L. Albertson, AA, Office of Surety Guarantees, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6540

RIN: 3245-AE13

3512. • SMALL BUSINESS SIZE REGULATIONS (SECTION 610 REVIEW)

Priority: Info./Admin./Other

Legal Authority: Regulatory Flexibility Act, 5 USC 610; 15 USC 632, 634, 636, 637 and 644

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: On January 31, 1996 (61 FR 3286), SBA promulgated a rulemaking establishing SBA size standards used to define small business concerns and size eligibility for SBA programs and other Government assistance, among other

things. Certain sections within the rule may have been subsequently amended. The current requirements are codified in the Code of Federal Regulations at 13 CFR part 121. In developing this rule, SBA performed a Regulatory Flexibility Analysis, which indicated the rule could have a significant impact on a substantial number of small entities. SBA then used this analysis to develop the rule in such a way that mitigated small entity impact to the extent possible while still fulfilling SBA's statutory mandates.

SBA is now initiating a review of this rule under section 610 of the Regulatory Flexibility Act to determine if the rule should be continued without change, or should be amended or rescinded, to minimize adverse economic impacts on small entities. In the course of the review, SBA will consider the following factors: (1) The continued need for the rule; (2) the comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. SBA solicits comments from the public on this rule. Comments must be identified by RIN and received by the agency contact listed in this entry not later than July 31, 2005.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/05	
End Review	11/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618
Fax: 202 205-6390
Email: gary.jackson@sba.gov

RIN: 3245-AF32

3513. • 8(A) BUSINESS DEVELOPMENT/SMALL DISADVANTAGED BUSINESS STATUS DETERMINATIONS (SECTION 610 REVIEW)

Priority: Info./Admin./Other

Legal Authority: Regulatory Flexibility Act, 5 USC 610; 15 USC 634, 636, and 637

CFR Citation: 13 CFR 124

Legal Deadline: None

Abstract: On June 30, 1998 (63 FR 35739), SBA promulgated a rulemaking establishing eligibility requirements for participation in the 8(a) Business Development and Federal Small Disadvantaged Business programs, and application, certification, and protest procedures, among other things. Certain sections within the rule may have been subsequently amended. The current requirements are codified in the Code of Federal Regulations at 13 CFR part 124. In developing this rule, SBA performed a Regulatory Flexibility Analysis, which indicated the rule could have a significant impact on a substantial number of small entities. SBA then used this analysis to develop the rule in such a way that mitigated small entity impact to the extent possible while still fulfilling SBA's statutory mandates.

SBA is now initiating a review of this rule under section 610 of the Regulatory Flexibility Act to determine if the rule should be continued without

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change, or should be amended or rescinded, to minimize adverse economic impacts on small entities. In the course of the review, SBA will consider the following factors: (1) The continued need for the rule; (2) the comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. SBA solicits comments from the public on this rule. Comments must be identified by RIN and received by the agency contact listed in this entry not later than July 31, 2005.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/05	
End Review	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Dean Robert Koppel, Assistant Administrator, Policy and Research, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-7322
Email: dean.koppel@sba.gov

RIN: 3245-AF33**3514. • GOVERNMENT CONTRACTING PROGRAMS (SECTION 610 REVIEW)**

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: Regulatory Flexibility Act, 5 USC 610; 15 USC 634, 637, and 644

CFR Citation: 13 CFR 125**Legal Deadline:** None

Abstract: On January 31, 1996 (61 FR 3312), SBA promulgated a rulemaking identifying requirements for four Government contracting assistance programs: Prime contracting assistance, subcontracting assistance, Government property sales assistance, and the Certificate of Competency program. Certain sections within the rule may have been subsequently amended. The current requirements are codified in the Code of Federal Regulations at 13 CFR part 125. In developing this rule, SBA

performed a Regulatory Flexibility Analysis, which indicated the rule could have a significant impact on a substantial number of small entities. SBA then used this analysis to develop the rule in such a way that mitigated small entity impact to the extent possible while still fulfilling the programs' statutory mandates.

SBA is now initiating a review of this rule under section 610 of the Regulatory Flexibility Act to determine if the rule should be continued without change, or should be amended or rescinded, to minimize adverse economic impacts on small entities. In the course of the review, SBA will consider the following factors: (1) The continued need for the rule; (2) the comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. SBA solicits comments from the public on this rule. Comments must be identified by RIN and received by the agency contact listed in this entry not later than July 31, 2005.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/05	
End Review	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Dean Robert Koppel, Assistant Administrator, Policy and Research, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-7322
Email: dean.koppel@sba.gov

RIN: 3245-AF34**3515. • HUBZONE PROGRAM (SECTION 610 REVIEW)**

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: Regulatory Flexibility Act, 5 USC 610; 15 USC 632 and 657a

CFR Citation: 13 CFR 126**Legal Deadline:** None

Abstract: On June 11, 1998 (63 FR 31908), SBA promulgated a rulemaking establishing eligibility requirements for qualified HUBZone small business concerns, procedures for certification program examinations and protests, and provisions relating to HUBZone contracts, among other things. Certain sections within the rule may have been subsequently amended. The current requirements are codified in the Code of Federal Regulations at 13 CFR part 126. In developing this rule, SBA performed a Regulatory Flexibility Analysis, which indicated the rule could have a significant impact on a substantial number of small entities. SBA then used this analysis to develop the rule in such a way that mitigated small entity impact to the extent possible while still fulfilling SBA's statutory mandates.

SBA is now initiating a review of this rule under section 610 of the Regulatory Flexibility Act to determine if the rule should be amended or rescinded to minimize adverse economic impacts on small entities. In the course of the review, SBA will consider the following factors: (1) The continued need for the rule; (2) the comments received concerning the rule; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with Federal, State, or local government rules; and (5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. SBA solicits comments from the public on this rule. Comments must be identified by RIN and received by the Agency Contact listed in this entry not later than July 31, 2005.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/05	
End Review	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael P. McHale, Associate Administrator for HUBZone Empowerment Contracting Program, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6731

RIN: 3245-AF35

Small Business Administration (SBA)

Proposed Rule Stage

3516. SMALL BUSINESS DEVELOPMENT CENTERS (SBDC) PROGRAM REVISIONS**Priority:** Other Significant**Legal Authority:** 15 USC 634(b)(6); 15 USC 648**CFR Citation:** 13 CFR 130**Legal Deadline:** None

Abstract: SBA is revising its SBDC regulations to reflect statutory and other changes. This regulation will bring SBA into compliance with the statutory requirements for due process procedures in termination of Small Business Development lead centers. In addition, the funding formulas will be updated and the use of appropriated funds for administration of the program will be aligned with the statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	
NPRM Comment Period End	12/00/05	
Final Action	04/00/06	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Antonio Doss, Associate Administrator/SBDC, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6766

RIN: 3245-AE05**3517. SMALL BUSINESS LENDING COMPANIES REGULATIONS****Priority:** Other Significant**Legal Authority:** 15 USC 634(b)(6); 15 USC 636(a); 15 USC 636(b)**CFR Citation:** 13 CFR 120.470**Legal Deadline:** None

Abstract: This rulemaking would amend 13 CFR 120.470 to 120.476 to clarify and strengthen the rules regarding Small Business Lending Companies (SBLCs) monitoring and oversight for safety and soundness, compliance, and related areas. The rule would also implement new legal requirements enacted by the Small Business Reauthorization and Manufacturing Assistance Act of 2004, Public Law 108-447, Div. K.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Janet A. Tasker, Associate Administrator for Lender Oversight, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-3049
Email: janet.tasker@sba.gov

RIN: 3245-AE14**3518. SMALL BUSINESS SIZE STANDARDS; SURETY BOND GUARANTEE PROGRAM****Priority:** Other Significant**Legal Authority:** 15 USC 632(a)**CFR Citation:** 13 CFR 121**Legal Deadline:** None

Abstract: This rule will revise the size standard applicable to construction and service companies seeking assistance under SBA's Surety Bond Guarantee Program. Changes in the program and economic trends support an increase above the current \$6 million size standard.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618
Fax: 202 205-6390
Email: gary.jackson@sba.gov

RIN: 3245-AE81**3519. BUSINESS LOANS AND DEVELOPMENT COMPANY LOANS; LIQUIDATION AND LITIGATION PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 634(b)(6); 15 USC 636(a); 15 USC 636(h); 15 USC 697(a)(2); PL 106-554**CFR Citation:** 13 CFR 120

Legal Deadline: Final, Statutory, May 21, 2001, Small Business Reauthorization Act of 2000, enacted 12/21/2000, requires publication of rule.

Abstract: This proposed rule would implement statutory provisions that give some Certified Development Companies (CDCs) authority to handle liquidation and litigation of loans that are funded with the proceeds of debentures guaranteed by the SBA under the 504 loan program. It also proposes uniform liquidation and litigation procedures for authorized CDCs and for lenders participating in the 7(a) business loan program.

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Walter C. Intlekofer, Director, Portfolio Management Division, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-7543
Email: walter.intlekofer@sba.gov

RIN: 3245-AE83**3520. SURETY BOND GUARANTEE PROGRAM—PROCEDURAL CHANGES FOR PAYMENT OF FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC app 3; 15 USC 687(b); 15 USC 694(b); 15 USC 687(c); 15 USC 694 (a); PL 105-135**CFR Citation:** 13 CFR 115**Legal Deadline:** None

Abstract: SBA is revising its Surety Bond Guarantee Program regulations to change the procedures for the payment of the Principal's and the Surety's fees. Currently, the Principal pays its fee to SBA directly, but the proposed regulations would require the Surety to pay the Principal's fee to SBA. An additional change would require the Surety to pay SBA its fee within a specified timeframe.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

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Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Johnnie L. Albertson, AA, Office of Surety Guarantees, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6540**RIN:** 3245-AF10**3521. HUBZONE EMPOWERMENT CONTRACTING PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 657(a)**CFR Citation:** 13 CFR 126**Legal Deadline:** None

Abstract: This Advance Notice of Proposed Rulemaking is requesting comments regarding the HUBZone Program and agricultural commodities purchased by the U.S. Department of Agriculture (USDA). According to the Small Business Act, in the case of a contract for the procurement by the USDA of agricultural commodities, a qualified HUBZone small business concern (SBC) may not purchase the commodity from a subcontractor if the subcontractor will supply the commodity in substantially the final form in which it is to be supplied to the Government. SBA is seeking comments on how to define "substantially the final form" with respect to this statutory requirement. Additionally, SBA is requesting comments on the implementation of a statutory provision regarding HUBZone set-asides and the definition of "employee."

Timetable:

Action	Date	FR Cite
ANPRM	05/13/04	69 FR 26511
ANPRM Comment Period End	07/12/04	
NPRM	11/00/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Michael P. McHale, Associate Administrator for HUBZone Empowerment Contracting Program, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6731

RIN: 3245-AF13**3522. ECONOMIC INJURY DISASTER LOANS (EIDL)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 15 USC 634(b)(6); 15 USC 636(b); 15 USC 636(c); 15 USC 636(f); PL 102-395, 106 Stat 1828; PL 103-75, 107 Stat 739**CFR Citation:** 13 CFR 123**Legal Deadline:** None

Abstract: SBA is amending its disaster loan rules to ensure that when a small business entity is engaged in both agricultural and non-agricultural business ventures, SBA can provide economic injury disaster loans (EIDL) to the non-agricultural business that has been economically hurt by fires, floods, or other disasters.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Cheri L. Cannon, Deputy AA for Office of Disaster Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6734**RIN:** 3245-AF14**3523. TESTIMONY AND PRODUCTION OF RECORDS; OFFICE OF INSPECTOR GENERAL****Priority:** Info./Admin./Other**Legal Authority:** Not Yet Determined**CFR Citation:** None**Legal Deadline:** None

Abstract: This proposed rule would implement the requirements for testimony, documents, or other information or subpoenas issued to SBA or SBA employees and for SBA responses to the requests or subpoenas in proceedings where SBA or the United States is not a party.

Timetable:

Action	Date	FR Cite
NPRM	07/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Agency Contact:** Cherry W. Tolliver, Assistant Counsel to the Inspector General, Office of Inspector General, Counsel Division, Small Business Administration, 409 3rd Street SW, Washington, DC 20416
Phone: 202 205-7200
Fax: 202-205-7127**RIN:** 3245-AF18**3524. RECORD DISCLOSURE AND PRIVACY/SUBPART B—THE PRIVACY ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552a**CFR Citation:** 13 CFR 102**Legal Deadline:** None

Abstract: This rule will revise the Small Business Administration's Privacy Act regulations to include language and guidance pertaining to Privacy Impact Assessment Statements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lisa Babcock, Chief, Freedom of Information Act Office, Small Business Administration, Room 2441, 409 Third Street SW, Washington, DC 20416
Phone: 202 401-8200
Fax: 202 205-7059
Email: lisa.babcock@sba.gov**RIN:** 3245-AF20**3525. SMALL BUSINESS INNOVATION RESEARCH (SBIR) POLICY DIRECTIVE****Priority:** Other Significant**Legal Authority:** 15 USC 638(j)(1)**CFR Citation:** None**Legal Deadline:** None

Abstract: SBA is proposing amendments to the directive that incorporates Executive Order 13329 "Encouraging Innovation in Manufacturing," issued February 24, 2004, and its requirements into SBA's

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current SBIR Policy Directive. The purpose of the Executive Order is to ensure that Federal Government agencies and departments properly and effectively assist the private sector in its manufacturing innovation efforts including through the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) programs.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy Directive	06/00/05	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Edsel Brown, Assistant Administrator for Technology, Office of Government Contracting/Business Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6450
Email: edsel.brown@sba.gov

RIN: 3245-AF21**3526. PREMIER CERTIFIED LENDERS PROGRAM PROPOSED RULE****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** PL 108-232**CFR Citation:** 13 CFR 120**Legal Deadline:** Final, Statutory, July 12, 2004, PCLP Improvement Act of 2003, enacted 5/28/2004, requires publication of rule.

Abstract: SBA proposes to amend its Premier Certified Lenders Program (PCLP) in accordance with recent statutory amendments to the PCLP. Certified Development Companies (CDCs) participating in the PCLP receive increased authority in connection with making and servicing loans made under SBA's Development Company Loan Program ("504 Loans"). One PCLP requirement relates to a loan loss reserve fund ("LLRF"), which a CDC participating in the PCLP ("PCLP CDC") must maintain to cover losses it may incur in connection with 504 loans made under the PCLP ("PCLP loans"). Recent statutory changes to the PCLP have amended PCLP LLRF requirements, most significantly by establishing an alternative set of PCLP LLRF requirements ("Alternative LLRF

Requirements") and authorizing certain qualified PCLP CDCs to elect to meet the Alternative LLRF Requirements in lieu of the existing LLRF requirements which would otherwise be applicable. These statutory amendments have been introduced as "pilot" programs, which are initially scheduled to last approximately 2 years. (All PCLP CDCs will still be required to meet existing LLRF requirements unless it is qualified to elect to meet the Alternative LLRF Requirements and properly makes that election and satisfies the alternative requirements.) The proposed regulations would implement the statutory amendments to the PCLP LLRF requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/00/05	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Charles Thomas, Director, Program Development, Small Business Administration, Office of Financial Assistance, 409 Third Street SW, 8th Floor, Washington, DC 20416
Phone: 202 205-6656

RIN: 3245-AF23**3527. • SMALL BUSINESS SIZE STANDARDS; NONMANUFACTURER SIZE STANDARD****Priority:** Other Significant**Legal Authority:** 15 USC 632(a)**CFR Citation:** 13 CFR 121**Legal Deadline:** None

Abstract: This rule proposes a revision to the 500 employee small business size standard applicable to nonmanufacturers supplying manufactured products to the Federal Government (see 13 CFR 121.406 (b)).

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416

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RIN: 3245-AF27**3528. • SMALL BUSINESS SIZE STANDARDS; SECURITY GUARDS AND PATROL SERVICES****Priority:** Other Significant**Legal Authority:** 15 USC 632(a)**CFR Citation:** 13 CFR 121**Legal Deadline:** None

Abstract: This rule proposes a revision to the \$10.5 million small business size standard for the security guards and patrol services industry (North American Industry Classification code 561612).

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 3245-AF28**3529. • SMALL BUSINESS SIZE STANDARDS; SUPPORT ACTIVITIES FOR AIR TRANSPORTATION****Priority:** Other Significant**Legal Authority:** 15 USC 632(a)**CFR Citation:** 13 CFR 121**Legal Deadline:** None

Abstract: This rule proposes a revision to the \$6 million small business size standard applicable to airport operations and other support activities for air transportation.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

SBA

Proposed Rule Stage

Sectors Affected: 48819 Other Support Activities for Air Transportation; 488111 Air Traffic Control; 488119 Other Airport Operations

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RIN: 3245-AF29

3530. • SMALL BUSINESS SIZE STANDARDS; MAPPING SERVICES

Priority: Other Significant

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 131

Legal Deadline: None

Abstract: This rule proposes to establish a separate small business size standard for mapping services, which is an activity in two surveying and mapping industries.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Sectors Affected: 54136 Geophysical Surveying and Mapping Services; 54137 Surveying and Mapping (except Geophysical) Services

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RIN: 3245-AF30

Small Business Administration (SBA)

Final Rule Stage

3531. SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM POLICY DIRECTIVE

Priority: Other Significant

Legal Authority: 15 USC 638; PL 107-50

CFR Citation: None

Legal Deadline: Final, Statutory, February 15, 2002, Small Business Technology Transfer Program Reauthorization Act of 2001, enacted 10/15/2001, requires publication of policy directive modifications.

Abstract: This policy directive will incorporate certain statutory requirements. The purpose of the directive is to provide guidance to participating Federal agencies for the general conduct of the Small Business Technology Transfer Program.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy Directive	06/16/03	68 FR 35748
Comment Period End	07/16/03	
Final Action	09/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Edsel Brown, Assistant Administrator for Technology, Office of Government Contracting/Business Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6450

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RIN: 3245-AE96

3532. SIZE FOR PURPOSES OF THE MULTIPLE AWARD SCHEDULE AND OTHER MULTIPLE AWARD CONTRACTS; SMALL BUSINESS SIZE REGULATIONS; 8(A) BUSINESS DEVELOPMENT/SMALL DISADVANTAGED BUSINESS STATUS DETERMINATIONS

Priority: Other Significant

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: This rule will amend SBA's small business size regulations as it relates to the General Services Administration's Multiple Award Schedule Program, including the Federal Supply Schedule and multiple award contracts, including Governmentwide Acquisition Contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/25/03	68 FR 20350
NPRM Comment Period End	06/24/03	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Dean Robert Koppel, Assistant Administrator, Policy and

Research, Small Business Administration, 409 Third Street SW, Washington, DC 20416
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RIN: 3245-AF06

3533. 8(A) BUSINESS DEVELOPMENT/SMALL DISADVANTAGED BUSINESS STATUS DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 636; 15 USC 637

CFR Citation: 13 CFR 124

Legal Deadline: None

Abstract: The purpose of this direct final rule change in title 13 CFR part 124 is to clarify the Small Business Administration's (SBA or Agency) requirements for concerns or individuals filing on behalf of businesses, who are applying for 8(a) Business Development (8(a)BD) Program participation or Small Disadvantaged Business (SDB) certification either in hard copy or electronically (via the Internet). This change will facilitate the use of SBA's electronic application for the 8(a) BD Program and SDB certification, while providing the means for SBA to acquire validating documentation in support of the electronic application.

Timetable:

Action	Date	FR Cite
Direct Final Rule	08/00/05	

SBA

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Albert Stubblefield, Associate Administrator for Business Development, Small Business Administration, 409 3rd Street SW, Washington, DC 20416
Phone: 202 619-0628**RIN:** 3245-AF17**CFR Citation:** 13 CFR 126**Legal Deadline:** None**Abstract:** The rule implements statutory amendments of the Small Business Reauthorization Assistance Act of 2004, Div. K, subtitle E, HUBZone Program (Reauthorization Act)(15 U.S.C. 632(p) and 657(a)) and makes SBA regulations consistent with the changes in the law.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, Tribal**Agency Contact:** Michael P. McHale, Associate Administrator for HUBZone Empowerment Contracting Program, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6731**RIN:** 3245-AF31**3534. • AMENDMENTS TO THE HUBZONE PROGRAM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 15 USC 632 (p), 657a (b) (d)**Small Business Administration (SBA)****Long-Term Actions****3535. SMALL BUSINESS INVESTMENT COMPANIES—MAXIMUM LEVERAGE ELIGIBILITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 13 CFR 107**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Jaime Guzman-Fournier
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RIN: 3245-AF19**3537. SMALL BUSINESS SIZE STANDARDS; SELECTED SIZE STANDARDS ISSUES****Priority:** Other Significant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
ANPRM	12/03/04	69 FR 70197
Comment Period Extended	01/19/05	70 FR 2976
Comment Period End	04/03/05	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Gary M. Jackson
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RIN: 3245-AF22**3538. • RULES OF PROCEDURE GOVERNING CASES BEFORE THE OFFICE OF HEARINGS AND APPEALS ARISING FROM THE SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN PROGRAM****Priority:** Other Significant**Legal Authority:** PL 108-183, sec 308**CFR Citation:** 13 CFR 134**Legal Deadline:** None**Abstract:** This interim final rule amends the interim final regulations issued on May 5, 2004, governing the Service-Disabled Veteran-Owned Small Business Concern Program. In particular, this rule clarifies the appeal procedures to the Office of Hearings and Appeals.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/24/05	70 FR 8923
Interim Final Rule Comment Period End	03/28/05	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Dean Robert Koppel, Assistant Administrator, Policy and Research, Small Business Administration, 409 Third Street SW, Washington, DC 20416**3536. AMENDMENT TO SBA'S REGULATIONS REGARDING ADMINISTRATIVE OFFSET****Priority:** Info./Admin./Other**CFR Citation:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/22/99	64 FR 3454
NPRM Comment Period End	02/22/99	
Final Action	10/00/06	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

SBA

Long-Term Actions

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Related RIN: Split from 3245-AF16**RIN:** 3245-AF25

Small Business Administration (SBA)

Completed Actions

3539. ADMINISTRATIVE WAGE GARNISHMENT**Priority:** Substantive, Nonsignificant**CFR Citation:** 13 CFR 134; 13 CFR 140**Completed:**

Reason	Date	FR Cite
Final Action	04/07/05	70 FR 17583
Final Action Effective	06/06/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Walter C. Intlekofer

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RIN: 3245-AE50**3540. SMALL BUSINESS SIZE REGULATIONS; SMALL BUSINESS INNOVATION RESEARCH PROGRAM****Priority:** Other Significant**CFR Citation:** 13 CFR 121**Completed:**

Reason	Date	FR Cite
Final Action	12/03/04	69 FR 70180
Final Action Effective	01/03/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Gary M. Jackson

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RIN: 3245-AE76**3541. SMALL BUSINESS GOVERNMENT CONTRACTING PROGRAMS****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 13 CFR 125**Completed:**

Reason	Date	FR Cite
Final Action	12/20/04	69 FR 75820
Correction	01/10/05	70 FR 1655
Delay of Effective Date	02/03/05	70 FR 5568
Final Action Effective	03/14/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Dean Robert Koppel

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RIN: 3245-AF12**3542. GOVERNMENT CONTRACTING PROGRAMS****Priority:** Other Significant**CFR Citation:** 13 CFR 125**Completed:**

Reason	Date	FR Cite
Final Action	03/23/05	70 FR 14523

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Dean Robert Koppel

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Related RIN: Split from 3245-AF25**RIN:** 3245-AF16

[FR Doc. 05-6972 Filed 05-13-05; 8:45 am]

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