

person's refusal to participate in a CI evaluation to include a polygraph examination and the completion of other pertinent documentation.

(d) With the exception of the polygraph report, all other polygraph examination records are destroyed ninety days after the CI evaluation is completed, provided that a favorable recommendation has been made to grant or continue the access to the position. If a recommendation is made to deny or revoke access to the information or involvement in the activities that justified conducting the CI evaluation, then all of the polygraph examination records are retained until the final resolution of any request for reconsideration by the covered person or the completion of any ongoing investigation.

Subpart D—Polygraph Examination and Examiner Standards

§ 709.31 DOE standards for polygraph examiners and polygraph examinations.

(a) DOE adheres to the procedures and standards established by the Department of Defense Polygraph Institute (DODPI). DOE administers only DODPI approved testing formats.

(b) A polygraph examiner may administer no more than five polygraph examinations in any twenty-four hour period. This does not include those instances in which a covered person voluntarily terminates an examination prior to the actual testing phase.

(c) The polygraph examiner must be certified to conduct polygraph examinations under this part by the DOE Psychophysiological Detection of Deception/Polygraph Program Quality Control Official.

(d) To be certified under paragraph (c) of this section, an examiner must have the following minimum qualifications:

(1) The examiner must be an experienced CI or criminal investigator with extensive additional training in using computerized instrumentation in Psychophysiological Detection of Deception and in psychology, physiology, interviewing, and interrogation.

(2) The examiner must have a favorably adjudicated single-scope background investigation, complete a CI-scope polygraph examination, and must hold a "Q" access authorization, which is necessary for access to Secret Restricted Data and Top Secret National Security Information. In addition, he or she must have been granted SCI access approval.

(3) The examiner must receive basic Forensic Psychophysiological Detection of Deception training from the DODPI.

§ 709.32 Training requirements for polygraph examiners.

(a) Examiners must complete an initial training course of thirteen weeks, or longer, in conformance with the procedures and standards established by DODPI.

(b) Examiners must undergo annual continuing education for a minimum of forty hours training within the discipline of Forensic Psychophysiological Detection of Deception.

(c) The following organizations provide acceptable curricula to meet the training requirement of paragraph (b) of this section:

- (1) American Polygraph Association,
- (2) American Association of Police Polygraphists, and
- (3) Department of Defense Polygraph Institute.

PART 710—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO CLASSIFIED MATTER OR SPECIAL NUCLEAR MATERIAL

■ 2. The authority citation for part 710 is revised to read as follows:

Authority: 42 U.S.C. 2165, 2201, 5815, 7101, *et seq.*, 7383h-1; 50 U.S.C. 2401, *et seq.*; E.O. 10450, 3 CFR 1949-1953 comp., p. 936, as amended; E.O. 10865, 3 CFR 1959-1963 comp., p. 398, as amended, 3 CFR Chap. IV.

■ 3. Section 710.6 is amended by redesignating paragraph (a) as paragraph (a)(1) and by adding at the end of redesignated paragraph (a)(1) a new paragraph (a)(2) to read as follows:

§ 710.6 Cooperation by the individual.

(a) * * *

(2) It is the responsibility of an individual subject to § 709.3(d) to consent to and take an event-specific polygraph examination. A refusal to consent to or take such an examination may prevent DOE from reaching an affirmative finding required for continuing access authorization. In this event, DOE may suspend or terminate any access authorization.

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[FR Doc. E6-16049 Filed 9-28-06; 8:45 am]
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SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

Gulf Opportunity Pilot Loan Program (GO Loan Pilot)

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

ACTION: Notice of extension of waiver of regulatory provisions.

SUMMARY: This notice announces the extension of the "Notice of waiver of regulatory provisions" for SBA's Gulf Opportunity Pilot Loan Program (GO Loan Pilot) until September 30, 2007. Due to the scope and magnitude of the devastation to Presidentially-declared disaster areas resulting from Hurricanes Katrina and Rita, the Agency is extending its full guaranty and streamlined and centralized loan processing available through the GO Loan Pilot to the small businesses in the eligible parishes/counties through September 30, 2007.

DATES: The waiver of regulatory provisions published in the **Federal Register** on November 17, 2005, is extended under this notice until September 30, 2007.

FOR FURTHER INFORMATION CONTACT: Charles Thomas, Office of Financial Assistance, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416; Telephone (202) 205-6490; charles.thomas@sba.gov.

SUPPLEMENTARY INFORMATION: In November 2005, SBA initiated, on an emergency basis, the GO Loan Pilot, which was designed to provide expedited small business financial assistance to businesses located in those communities severely impacted by Hurricanes Katrina and Rita. Under this unique initiative, the Agency provides its full (85%) guaranty and streamlined and centralized loan processing to all eligible lenders that agree to make expedited SBA 7(a) loans available to small businesses located in, locating to or re-locating in the parishes/counties that have been Presidentially-declared as disaster areas resulting from Hurricanes Katrina and Rita, plus any contiguous parishes/counties.

To maximize the effectiveness of the GO Loan Pilot, on November 17, 2005, SBA published a notice in the **Federal Register** waiving for the GO Loan Pilot certain Agency regulations applicable to the 7(a) Business Loan Program. (70 FR 69645) Since the pilot was designed as a temporary program scheduled to expire on September 30, 2006, the waiver of certain Agency regulations also was due to expire on September 30, 2006. However, the Agency believes that there is a continuing, substantial need for the specific SBA assistance provided by this pilot in the affected areas. As part of a comprehensive federal initiative to assist in the continuing recovery of these highly devastated communities, the Agency believes it is essential that SBA extend this unique

and vital program through September 30, 2007. Accordingly, the SBA also is extending its waiver of the certain Agency regulations identified in the **Federal Register** notice at 70 FR 69645 through September 30, 2007.

SBA's waiver of these provisions is authorized by Agency regulations. These waivers apply only to those loans approved under the GO Loan Pilot and will last only for the duration of the Pilot, which expires September 30, 2007. As part of the GO Loan Pilot, these waivers apply only to those small businesses located in, locating to or relocating in the parishes/counties that have been Presidentially-declared as disaster areas resulting from Hurricanes Katrina or Rita, plus any contiguous parishes/counties. (A list of all eligible parishes/counties is located at <http://www.sba.gov/financing/index.html>.)

(Authority: 15 U.S.C. 636(a)(24); 13 CFR 120.3)

Michael W. Hager,

Associate Deputy Administrator for Capital Access.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM353; Special Conditions No. 25-332-SC]

Special Conditions: Boeing Model 767-300 Series Airplanes; Forward Lower Lobe Crew Rest Module (CRM)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for Boeing Model 767-300 series airplanes. These airplanes, modified by TIMCO Aviation Services, Inc. (TIMCO), will have a novel or unusual design feature associated with a forward lower lobe crew rest module (CRM). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: *Effective Date:* The effective date for these special conditions is

September 11, 2006 We must receive any comments by November 13, 2006.

ADDRESSES: Please mail two copies of your comments to: Federal Aviation Administration, Transport Airplane Directorate, *Attention:* Rules Docket (ANM-113), Docket No. NM353, 1601 Lind Avenue, SW., Renton, Washington 98057-3356. You may deliver two copies to the Transport Airplane Directorate at the same address. You must mark your comments: Docket No. NM353. You can inspect comments in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Jayson Claar, FAA, Airframe/Cabin Safety Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington, 98057-3356; telephone (425) 227-2194; facsimile (425) 227-1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that notice and opportunity for prior public comment is impracticable, because these procedures would significantly delay certification and thus delivery of the affected airplanes. In addition, the substance of these special conditions has been subject to the public comment process in several prior instances with no comments received. The FAA, therefore, finds that good cause exists for making these special conditions effective upon issuance; however, we invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive as well as a report summarizing each substantive public contact with FAA personnel concerning these special conditions. You may inspect the docket before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

We will consider all comments we receive on or before the closing date for comments. We will consider comments filed late, if it is possible to do so without incurring expense or delay. We may change these special conditions, based on the comments we receive.

If you want the FAA to acknowledge receipt of your comments on these special conditions, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it back to you.

Background

On January 24, 2006, TIMCO Aviation Services, Inc. (TIMCO) applied for a supplemental type certificate to permit installation of a forward lower lobe crew rest module (CRM) in Boeing 767-300 series airplanes.

The CRM will be a one-piece, self-contained unit to be installed under the passenger cabin floor in the aft portion of the forward cargo compartment. It will be mounted on a pallet compatible with the existing cargo loading system and may be easily installed or removed from the aircraft. The CRM will be occupied only in flight—not during taxi, takeoff, or landing—and no more than six crewmembers may occupy it at a time. The module will have an approved berth able to withstand the maximum flight loads for each occupant permitted in it and will contain a smoke detection system, a fire-extinguishing system, an oxygen system, and occupant amenities.

The CRM requires two entry hatches in the main deck area. The floor structure will be modified to provide access for the main entry hatch and the emergency access hatch.

Type Certification Basis

Under the provisions of § 21.101, TIMCO must show that Boeing Model 767-300 series airplanes with the CRM continue to meet either:

- (1) The applicable provisions of the regulations incorporated by reference in Type Certificate No. A1NM, or
- (2) The applicable regulations in effect on the date of TIMCO's application for the change.

The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The certification basis for Boeing Model 767-300 series airplanes is 14 CFR part 25, as amended by Amendments 25-1 through 25-37. Refer to Type Certificate No. A1NM for a complete description of the certification basis for this model.

According to 14 CFR 21.16, if the Administrator finds that the applicable airworthiness regulations do not contain adequate or appropriate safety standards for the Boeing Model 767-300 series airplanes because of a novel or unusual design feature, she or he prescribes special conditions for the airplane.