

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## SMALL BUSINESS ADMINISTRATION

### 2 CFR Part 2700

RIN 3245-AF76

#### Amendments to the Definition of the Nonprocurement Suspension and Debarment Officials

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Direct final rule.

**SUMMARY:** The U.S. Small Business Administration (SBA or Agency) is making two technical changes to the regulations pertaining to grants and agreements. SBA is amending the definitions for the debarment official and the suspending official for nonprocurement debarment and suspension actions for programs other than the financial assistance programs. Currently the debarment official and the suspending official for all programs other than financial assistance is the Director of the Office of Business Operations. This rule will change the debarment official and suspending official to the Associate General Counsel for Procurement Law. SBA is also amending its regulations to change the title of the Agency's Office of Lender Oversight to the Office of Credit Risk Management.

**DATES:** This rule is effective September 8, 2008, without further action, unless SBA receives a significant adverse comment by August 25, 2008. If SBA receives any significant adverse comments, the Agency will publish a timely withdrawal of this rule in the **Federal Register**.

**ADDRESSES:** You may submit comments, identified by RIN: 3245-AF76, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting documents.
- *Mail, for paper, disk, or CD-ROM submissions:* Lara Hudson, Office of

General Counsel, 409 Third Street, SW., Washington, DC 20416.

- *Hand Delivery/Courier:* Lara Hudson, Office of General Counsel, 409 Third Street, SW., Washington, DC 20416.

SBA will post all comments on <http://www.regulations.gov>. If you wish to submit confidential business information (CBI) as defined in the User Notice at <http://www.regulations.gov>, please submit the information to Lara Hudson, Office of General Counsel, 409 Third Street, SW., Washington, DC 20416, or send an e-mail to [lara.hudson@sba.gov](mailto:lara.hudson@sba.gov), and highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make its final determination of whether it will publish the information or not.

**FOR FURTHER INFORMATION CONTACT:** Lara Hudson, Attorney Advisor, Office of General Counsel, U.S. Small Business Administration, 409 Third St., SW., Washington, DC 20416, telephone 202-619-0563 and e-mail: [lara.hudson@sba.gov](mailto:lara.hudson@sba.gov).

**SUPPLEMENTARY INFORMATION:** On September 18, 2007 SBA moved the regulations pertaining to nonprocurement debarment and suspension from title 13 of the Code of Federal Regulations (CFR) to title 2 of the CFR. 72 FR 39727. The regulations state that the debarment official and the suspending official for non procurement financial assistance programs is the Director of the Office of Lender Oversight. The regulations also state that the debarment official and suspending official for all other non procurement programs is the Director of the Office of Business Operations. SBA is amending its regulations to reflect the new title of the Agency's Office of Lender Oversight. That office is now known as the Office of Credit Risk Management. No changes are made to the responsibilities, reporting relationships, or other regulatory duties of that office.

SBA is also amending the designation for the debarment and suspending official for all other nonprocurement programs from the Director of the Office of Business Operations to the Associate General Counsel for Procurement Law. The purpose for this change is to conform SBA's debarment and

suspending official to those commonly used across the Federal Government. The substance of SBA's nonprocurement debarment and suspension regulations are unchanged.

#### Consideration of Comments

This is a direct final rule and SBA will review all comments. SBA believes that this rule is routine and non-controversial, and SBA anticipates no significant adverse comments to this rulemaking. If SBA receives any significant adverse comments, it will publish a timely withdrawal of this direct final rule.

#### Compliance With Executive Orders 12866, 12988, 13132 and the Regulatory Flexibility Act (5 U.S.C. 601-612), and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

The Office of Management and Budget (OMB) has determined that this rule does not constitute a significant regulatory action under Executive Order 12866.

This action meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

The final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. Therefore, for the purposes of Executive Order 13132, Federalism, SBA determines that this final rule has no federalism implications warranting preparation of a federalism assessment.

SBA has determined that this final rule does not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C., Chapter 35.

SBA certifies that this proposed rule would not have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612. The proposed rule contains amendments to SBA's rules concerning certification, continued eligibility, and contracting under the 8(a) BD program. Any economic impact would be minimal and would not affect a significant number of small entities. It is not likely to have an

annual economic effect of \$100 million or more, result in a major increase in costs or prices, or have a significant adverse effect on competition or the United States economy.

#### List of Subjects in 2 CFR Part 2700

Administrative practice and procedure, Debarment and suspension, Grant programs, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, SBA amends 2 CFR Part 2700 as follows:

#### PART 2700—NONPROCUREMENT DEBARMENT AND SUSPENSION

■ 1. The authority citation for part 2700 continues to read as follows:

**Authority:** Sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); E.O. 12549 (3 CFR, 1986 Comp., p. 189); E.O. 12689 (3 CFR, 1989, 1986 Comp., p. 235); 15 U.S.C. 634(b)(6).

#### §§ 2700.137, 2700.930, and 2700.1010 [Amended]

■ 2. In 2 CFR Part 2700 remove the words “Office of Lender Oversight” and add in their place the words “Office of Credit Risk Management” in the following places:

- a. Section 2700.137.
- b. Section 2700.930.
- c. Section 2700.1010.

#### §§ 2700.930 and 2700.1010 [Amended]

■ 3. In addition to the amendments set forth above, in 2 CFR Part 2700 remove the words “Director of the Office of Business Operations” and add in its place the words “Associate General Counsel for Procurement Law” in the following places:

- a. Section 2700.137.
- b. Section 2700.930.
- c. Section 2700.1010.

Jovita Carranza,

Acting Administrator.

[FR Doc. E8–16902 Filed 7–24–08; 8:45 am]

BILLING CODE 8025–01–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0330; Airspace Docket No. 08–AWP–4]

#### Amendment of Class E Airspace; Salyer Farms, CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action will amend Class E airspace at Salyer Farms, CA. The El Rico Airport mentioned in the published description has been abandoned, making it necessary to realign the Class E Airspace area at Salyer Farms Airport. This action also makes a minor correction by removing the Salyer Farms RBN in the airport description.

**DATES:** *Effective Date:* 0901 UTC, September 25, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Area, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203–4537.

#### SUPPLEMENTARY INFORMATION:

##### History

On April 23, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend controlled airspace at Salyer Farms, CA, (73 FR 21857). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Also, subsequent to publication, it was noted that the decommissioned Salyer Farms RBN was not removed from the airport description. This rule will make the correction.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9R signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

##### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending the Class E airspace area at Salyer Farms, CA. El Rico Airport has been abandoned, and the Salyer Farms RBN decommissioned, making it necessary to realign the airspace area at Salyer Farms Airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT

Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Salyer Farms Airport, Salyer Farms, CA.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E. O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

##### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007 is amended as follows:

*Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AWP CA E5 Salyer Farms, CA [Amended]

Salyer Farms Airport, CA  
(Lat. 36°05′20″ N., long. 119°32′33″ W.)  
Salyer Farms NDB