

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Standards; Request for Comments

AGENCY: Small Business Administration.
ACTION: Request for comments.

SUMMARY: The Small Business Administration (SBA) is requesting public comment on the definition "Manufacturer," which appears in SBA's regulations on small business size standards, as it applies to the computer industry. Because some in the computer industry have interpreted this definition too broadly, SBA's Nonmanufacturer Rule may have been applied inappropriately. The Nonmanufacturer Rule is intended to provide assurance that agency contract awards are directed solely for the purpose of assisting and developing small business manufacturers. In order to provide more precise guidance on the application of the Nonmanufacturer Rule, SBA, in conjunction with public input, wants to develop a modern definition of the term "Manufacturer" and to establish a new definition for the term "Remanufacturer."

DATES: Submit comments on or before June 1, 1999.

ADDRESSES: Submit comments to David Wm. Loines, Procurement Analyst, U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: David Wm. Loines, Procurement Analyst, (202) 205-6475, FAX (202) 205-7324.

SUPPLEMENTARY INFORMATION: The Small Business Administration (SBA) is requesting public comment on the definition "Manufacturer," which appears in SBA's regulations on small business size standards, as it applies to the computer industry. In 13 CFR 121.406(b)(2), SBA currently defines Manufacturer as "the concern which, with its own facilities, performs the primary activities in transforming

inorganic or organic substances, including the assembly of parts and components, into the end item being acquired." Some computer industry businesses believe that SBA's definition of Manufacturer is too broad, and allows a firm that has made only minor modifications to a finished product (manufactured by another company) to be classified as a Manufacturer. This loose interpretation of the definition may have caused the inappropriate application of SBA's Nonmanufacturer Rule (13 CFR 121.406 (b)). The Nonmanufacturer Rule is intended to provide assurance that agency contract awards are directed solely for the purpose of assisting and developing small business manufacturers.

In order to provide more precise guidance on the application of the Nonmanufacturer Rule, SBA, in conjunction with public input, wants to develop a current definition of the term "Manufacturer," and a new definition for the term "Remanufacturer." SBA has developed the following description for Remanufacturer: "any person that processes, conditions, renovates, repackages, restores, or does any other act to a finished product that significantly changes the finished products performance or specification, or intended use." SBA would appreciate comments from the public.

The SBA also seeks public comment and industry-based data on the specific questions listed below. Commenters are not limited to, nor obligated to address, every question. In providing comments, please key your response to the number of the applicable question (e.g., "Response to question 1."). Please be industry specific. Comments should be as precise as possible. The use of examples is encouraged.

Comments are requested on the following issues:

1. Should small business concerns that make minor modifications to finished products be classified as manufacturers?
2. What is manufacturer in the computer industry (hardware, Value-added changes, Software)?
3. What classifies as minor modifications?
4. Should Value-Added Resellers (VARs) be considered manufacturers?
5. Should the definition for Remanufacturer be used to describe these small businesses?

6. Your recommendation(s) for classifying these types of small businesses as manufacturers.

7. The impact that a reclassification of these small businesses would have on the small business community.

Dated: March 5, 1999.

Richard L. Hayes,

Associate Deputy Administrator for Government Contracting and Minority Enterprise Development.

[FR Doc. 99-7740 Filed 3-31-99; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99-AWS-08]

Proposed Revocation of Class D Airspace; Dallas NAS, Dallas, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to revoke the Class D airspace area at Dallas Naval Air Station (NAS), Dallas, TX. The FAA is taking this action due to the closure of Dallas NAS. The United States Navy no longer requires use of the airspace. The intended effect of this proposal is to revoke the Class D airspace at Dallas NAS since it is no longer needed.

DATES: Comments must be received on or before June 1, 1999.

ADDRESSES: Send comments on the proposal in triplicate to Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Docket No. 99-ASW-08, Fort Worth, TX 76193-0520. The official docket may be examined in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. As informal docket may also be examined during normal business hours at the Airspace Branch, Air Traffic Division, Federal Aviation Administration, southwest Region, 2601 Meacham Boulevard, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, Airspace Branch, Air

Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0520; telephone: (817) 222-5593.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: "Comments to Airspace Docket No. 99-ASW-08." The postcard will be date and time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public comment with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193-0520. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A that describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to revoke the Class D airspace area at Dallas NAS, Dallas, TX. The FAA is taking this

action due to the closure of Dallas NAS. The United States Navy no longer requires use of the airspace. The intended effect of this proposal is to revoke the Class D airspace at Dallas NAS since it is no longer needed.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designations listed in this document would be published subsequently in the order.

The FAA has determined that this proposed regulation only involves a revised body of technical regulations that require frequent and routine amendments to keep them operationally current. It, therefore—(1) is not a "significant rule" under "significant regulatory action" under Executive Order 12866; is not a 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 impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; 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., 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 5000 Class D airspace areas.

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ASW TX D Dallas NAS Dallas, TX [Removed]

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Issued in Fort Worth, TX on March 24, 1999.

Albert L. Viselli,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 99-8022 Filed 3-31-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 175, 177, 179, 181, and 183

46 CFR Parts 10, 15, 24, 25, 26, 28, 70, 169, and 175

[USCG-1999-5040]

RIN 2115-AF69

Safety of Uninspected Passenger Vessels Under the Passenger Vessel Safety Act of 1993 (PVSA)

AGENCY: Coast Guard, DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Coast Guard will propose regulations that implement safety measures for uninspected passenger vessels under the Passenger Vessel Safety Act of 1993 (PVSA). These regulations will implement the new class of uninspected passenger vessel of at least 100 gross tons, address the confusion regarding bareboat charters, provide for the issuance of special permits to certain uninspected passenger vessels, and develop specific manning, structural fire protection, operating, and equipment requirements for a limited fleet of PVSA exempted vessels. To obtain information needed to develop appropriate rules, the Coast Guard asks for comments from the public on the questions listed in this document.

DATES: Comments must reach the Docket Management Facility on or before June 30, 1999.

ADDRESSES: You may mail your comments to the Docket Management Facility, (USCG-1999-5040), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington DC 20590-0001, or deliver them to room PL-401 on the Plaza level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.