

transferred to a DOE facility for beryllium work.¹

DOE invites public comment on this approach and on other appropriate release criteria for beryllium-contaminated items transferred to a DOE facility for beryllium work.

IV. Public Comment.

DOE invites interested persons to submit written comments on the options presented in Section III above, and issues related to release criteria for items used in DOE beryllium activities.

Issued in Washington, DC on May 27, 1999.

David Michaels,

Assistant Secretary for Environment, Safety and Health, Department of Energy.

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SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Standards; Accounting, Auditing, and Bookkeeping Services

AGENCY: Small Business Administration.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: With the recent consolidations of the largest firms in the accounting, auditing, and bookkeeping services industry and their expansion into providing services of other industries, the Small Business Administration (SBA) has undertaken a review of its small business size standard for this industry. To supplement its review of this industry's size standard, SBA is requesting public comment as to what factors should be considered in establishing a definition of a small accounting, auditing, and bookkeeping services firm, what the public's views on several developments within the accounting industry are, whether the current size standard should be changed, and what the actual definition should be. Should SBA decide that a change is warranted, it would publish a proposed size standard in the **Federal Register** and seek public comment on a specific size standard before any change in the size standard is put into effect.

DATES: Submit comments on or before July 6, 1999.

ADDRESSES: Send comments to: Gary M. Jackson, Assistant Administrator for

Size Standards, Small Business Administration, 409 Third St., SW, Mail Code: 6880, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Harvey Bronstein, Office of Size Standards, (202) 205-6618.

SUPPLEMENTARY INFORMATION: Size standards are numerical indicators to define what is a small business. They have been established to determine eligibility for firms for SBA and other Federal small business programs, such as loan guarantees, Government contracting assistance, minority enterprise development, and small disadvantaged business preferences. Currently, SBA defines a firm in the accounting industry (Standard Industrial Classification (SIC) 8721) as small if it has \$6 million or less in average annual receipts, including any affiliates. By comparison, SBA uses \$5 million as a size standard for most service industries. Other illustrative size standards in business and professional services include \$18 million for computer services, \$9 million for security guard services, and \$2.5 million for architectural and engineering services. A list of the SBA size standards by industry category is available in 13 CFR 121.201, or on SBA's Internet web site (<http://www.sba.gov/regulations/siccodes>).

SBA bases its size standards on an analysis of an industry's economic structure and other information describing the relative standing of smaller businesses within an industry. SBA generally looks at factors such as average firm size, start-up costs, degree of competition, distribution of sales by firm size, and the objectives of SBA's programs. Other factors that may have an impact on the position of small businesses in an industry may also be considered, such as technological change, growth trends, and comparison with size standards in similar industries. By examining quantitative indicators for these factors from generally available sources of industry data, SBA is able to identify a small business segment within an industry and maintain a degree of comparability among size standards in different industries.

A review of data on the accounting industry and discussions with industry associations and accounting firms indicates a need for additional information on several issues before SBA can decide whether to propose a change to the current accounting size standard. Several issues are discussed below that have come to our attention that we believe merit a request for comments from the public. Other

information the public believes is relevant to the question of an appropriate accounting size standard is also welcomed for our consideration.

One issue we specifically seek comments on concerns the available industry data on the accounting industry. According to data from the U.S. Bureau of the Census' 1992 Economic Census, of the 76,000 businesses in that industry, more than 99 percent are considered small businesses under the present size standard and they cumulatively obtained 60 percent of total industry revenues. Approximately 450 firms exceed the present size standard, and the top four firms with the largest operations in accounting obtain 19 percent of industry revenues. We are concerned that the recent changes in the industry are not fully reflected in the Census Bureau's data and other data sources. Thus, we are interested in the public's view on the changing nature of the industry since the early 1990s, and whether data from 1992 adequately characterizes the industry today. If not, the public should address what changes have occurred to alter the makeup of the industry, what data exists to verify and gauge the extent of these changes, and how these changes should affect the size standard.

Another issue concerns a prominent trend that is affecting the accounting industry—the expansion of services being offered by many of the larger firms. Some firms, especially the largest ones (often referred to as the “Big 5”), which at one time primarily provided accounting services, have been diversifying into other areas of business and professional services such as management and economic consulting, information technology, computer systems integration, public relations, and legal services. Thus, while some of these firms originally offered only accounting services, they now offer a range of other business and professional services while still maintaining a considerable accounting and auditing capability. We are interested to know whether this trend is also occurring for small firms, and how it may affect the current size standard.

The SBA programs and other Federal programs which seem to be most affected by the accounting size standard are those that accord preference for Federal contracts, that is, the small business set-aside, 8(a), and small disadvantaged business programs. Federal contract award data supplied by the General Services Administration's Federal Procurement Data System indicate that small businesses have a substantial share of Federal accounting

¹ 3 µg/100 cm² is essentially equivalent to the Rocky Flats criteria of 2.5 µg/100 cm², after allowing for the variability of surface sampling.

contracts, capturing close to one-half of about \$115 million worth of contracts in both fiscal years 1996 and 1997. We have received information from accounting industry groups concerned about the procurement preference programs and the relationship of these programs to the accounting size standard. Some believe that the \$6 million size standard is too limiting in terms of allowing firms they believe to be small accounting firms to access larger Federal contracts. The issue, then, is whether firms above the present size standard should become designated as small businesses because they have difficulty competing against the largest firms in the industry for Federal contracts. Thus, we also seek comments on whether some or all "mid-sized" firms (those larger than SBA's \$6 million size standard but smaller than the "Big 5") are at a competitive disadvantage with the largest firms in the industry for Federal contracts. If so, please comment on whether an increase to the size standard to include some mid-sized firms as small businesses would be helpful.

There also has been concern expressed that the largest accounting firms are receiving large-sized Federal contracts to the detriment of small- and mid-sized firms. In particular, we are told, accounting and auditing services are combined or bundled with other types of business, management, or financial services into larger contracts. When contract requirements in more than one industry are grouped together, this is known as contract bundling. These bundled contracts tend to limit opportunities for small businesses since the combined requirements become too large of a contract for a small business to handle. Yet, a small business could capably perform on one or a few requirements if they were separate and smaller contracts. We are interested in finding out the extent that accounting services are being bundled with other business and professional services to form large-sized contracts which are out of the reach of small- and mid-sized businesses. Also, if such practice is extensive, the public should comment on whether it should influence the level of the size standard for accounting.

Note: SBA has issued a proposed rule to define contract bundling (64 FR 2153) and its intent to determine the impact on small business of bundled contracts with expected value of \$5 million or more.

In addition to these issues, comments on other issues concerning the accounting industry and the size standard that would be helpful to SBA include:

- Recent changes in the structure of the accounting industry;
- Competitiveness of small accounting businesses versus the largest or "Big 5" accounting firms;
- Growth of accounting firms;
- The role of and problems affecting "mid-sized" firms in the industry and how they may differ from small businesses; and
- Whether firms approaching the \$6 million size standard are disadvantaged because of their size and if so, how?

The purpose of this advance notice is to obtain additional information on the accounting, auditing, and bookkeeping services industry to assist us in deciding whether a sufficient basis exists to propose a different size standard or to retain the current size standard. If we decide to propose a change to the size standard, this notice would be followed by a proposed rule published in the **Federal Register** indicating a specific new size standard. After evaluating public comment on a proposed size standard, a final rule would put into effect any new size standard.

Dated: May 17, 1999.

Aida Alvarez,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-72-AD]

Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A-1 and 205B Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Bell Helicopter Textron, Inc. (BHTI) Model 205A-1 and 205B helicopters. This proposal would require inspecting the vertical fin spar cap (spar cap) for cracking, corrosion, or disbonding, and modifying the vertical fin and replacing the left-hand spar cap. This proposal is prompted by 5 accidents involving helicopters of similar type design. The actions specified by the proposed AD are intended to detect fatigue cracking or corrosion on the spar cap, which could lead to failure of the vertical fin spar, loss of the tail rotor, and

subsequent loss of control of the helicopter.

DATES: Comments must be received on or before August 2, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-72-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bell Helicopter Textron, Inc., Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Harry Edmiston, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5158, fax (817) 222-5783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to