

Note.—This final rule has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." An approved Final Impact Statement has been prepared and is available from Jane McNeil, Acting Director, 201 14th Street, S.W., Room 4405, Washington, D.C. 20250.

Signed in Washington, D.C. on October 12, 1979.

Carol Tucker Foreman,

Assistant Secretary for Food and Consumer Services.

[FR Doc. 79-31963 Filed 10-15-79; 8:45 am]

BILLING CODE 3410-30-M

Animal and Plant Health Inspection Service

9 CFR Part 91

Inspection and Handling of Livestock for Exportation

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This amendment deletes St. Petersburg, Florida, from the list of airports designated as ports of embarkation for animals. This action is being taken because the airport no longer has export inspection facilities to handle livestock intended for export. The intended effect of this action is to update the list of ports of embarkation through which animals may be exported.

EFFECTIVE DATE: October 9, 1979.

FOR FURTHER INFORMATION CONTACT: Dr. H. A. Waters, USDA, APHIS, VS, Room 826, Federal Building, Hyattsville, MD 20782, 301-436-8383.

SUPPLEMENTARY INFORMATION: Title 9, Code of Federal Regulations, Part 91, provides for the designation of ports with export inspection facilities approved to handle livestock intended for export (9 CFR 91.3).

Veterinary Services (VS) has been advised by the St. Petersburg-Clearwater Airport management that export inspection facilities are no longer available at the airport; therefore, export livestock shipments can no longer be handled through this airport. Consequently, we are removing this airport from the list of ports of embarkation in § 92.3(a)(1).

Accordingly, Part 91, Title 9, Code of Federal Regulations is amended as follows:

Section 91.3(a)(1) is amended to read:

§ 91.3 Ports of embarkation and export inspection facilities.

(a) * * *

(1) Airports. (i) Chicago, Illinois; Harrisburg, Pennsylvania; Helena,

Montana; Richmond, Virginia; Miami and Tampa, Florida; New Iberia, Louisiana; Brownsville and Houston, Texas; Los Angeles, California; Moses Lake, Washington; and Newburgh, New York.

* * * * *

(Sec. 10, 26 Stat. 417; secs. 4, 5, 23 Stat. 32, as amended; sec. 1, 32 Stat. 791, as amended; sec. 3, 76 Stat. 130; sec. 11, 76 Stat. 132; secs. 12, 13, 14, 18, 34 Stat. 1263, as amended; secs. 1, 2, 26 Stat. 833, as amended; (21 U.S.C. 105, 112, 113, 120, 121, 134b, 134f, 612, 613, 614, 618; 46 U.S.C. 466a, 466b); 37 FR 28464, 28477; 38 FR 19141)

The deletion of St. Petersburg, Florida, as a port with approved export inspection facilities must be made promptly in order to inform exporters of the current situation so that they can make appropriate plans to export their animals. The continued listing of St. Petersburg, Florida, is misleading to exporters since there are no approved inspection facilities located at this airport and consequently it is impossible to inspect animals at the airport.

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this final rule are impracticable and contrary to the public interest and good cause is found for making this final rule effective less than 30 days after publication of this document in the *Federal Register*.

Further, this final rule has not been designated as "significant," and is being published in accordance with the emergency procedures in Executive Order 12044 and Secretary's Memorandum 1955. It has been determined by Dr. G. V. Peacock, Director, National Program Planning Staffs, VS, APHIS, USDA, that the emergency nature of this final rule warrants publication without opportunity for public comment and preparation of an impact analysis statement at this time.

This final rule will be scheduled for review under provisions of Executive Order 12044 and Secretary's Memorandum 1955.

Done at Washington, D.C., this 9th day of October 1979.

Pierre A. Chaloux,

Deputy Administrator, Veterinary Services.

[FR Doc. 79-31567 Filed 10-15-79; 8:45 am]

BILLING CODE 3410-34-M

Food Safety and Quality Service

9 CFR Part 309

Revocation of Diethylstilbestrol Certification Requirements

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends the Federal meat inspection regulations by deleting the requirement of diethylstilbestrol (DES) certification and eliminating related constraints on the slaughter of uncertified cattle and sheep. This action is necessary to reflect the recent order by the Federal Food and Drug Administration (FDA) prohibiting the manufacture, shipment, and use of animal drugs and feed containing DES.

EFFECTIVE DATE: November 21, 1979.

FOR FURTHER INFORMATION CONTACT: Dr. John E. Spaulding, Acting Director, Residue Evaluation and Surveillance Division, Science Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-2807.

SUPPLEMENTARY INFORMATION:

FDA Actions

On June 29, 1979, the Commissioner of the Federal Food and Drug Administration (FDA) affirmed a prior decision of an Administrative Law Judge of that agency which withdrew FDA's approval of the new animal drug diethylstilbestrol (DES) (FDA Docket No. 76N-0002). In the July 6, 1979, *Federal Register*, FDA published three final rules implementing this decision. These rules provided for the:

1. Revocation of the animal drug regulations providing for the use of DES in cattle and sheep as an additive to animal feed and as a subcutaneous implant (44 FR 39387);
2. Revocation of the animal drug regulations providing for the methods of analysis approved for the detection of DES in the edible tissues of cattle and sheep treated with DES (44 FR 39388); and

3. Revocation of the new animal drug applications for the use of DES in cattle and sheep as an additive to animal feed and as a subcutaneous implant (44 FR 39618).

The actions became effective with respect to the manufacture and shipment of DES animal drugs on July 13, 1979, and they were originally to become effective with respect to the use of DES animal drugs and the manufacture, shipment, and use of feed containing DES on July 20, 1979. This latter effective date was subsequently

extended until November 1, 1979
(44 FR 45618, August 3, 1979).

FSQS Regulations

Section 309.16 of the Federal meat inspection regulations (9 CFR 309.16) currently provides that no cattle or sheep may be slaughtered at an official establishment until they have been held at the establishment for a minimum of 14 days before slaughter and fed a ration free of DES throughout the holding period. In the alternative, the regulations permit the slaughter of cattle or sheep at an official establishment without the holding requirement if the animals are accompanied by a certificate signed by the person who had custody of the animals during a period of 14 days or more immediately prior to delivery to the official establishment. Each certificate must contain information disclosing whether or not the animals received feed containing DES during the 14 days prior to delivery. Cattle or sheep certified in this manner as not having received feed containing DES for 14 days are then eligible for immediate slaughter. The regulations also provide a third alternative providing for the immediate slaughter of cattle or sheep if the carcasses are designated as "U.S. Retained" and samples of their tissues have been subjected to laboratory analyses for DES residues, in accordance with a specified procedure.

Basis for Revocation

The Administrator finds that the aforementioned actions of FDA revoking all approved uses of DES in cattle and sheep eliminate the need, on and after November 21, 1979, for compliance with the present FSQS certification procedures. Essentially, the FSQS regulations are designed to assure the use of DES in accordance with law, but on and after November 1, 1979, DES cannot be used lawfully as a feed additive or subcutaneous implant. The retention of the requirement for 21 days after the effective date of the FDA actions will provide for a full 14-day withdrawal period for animals treated with DES prior to November 1, 1979, along with an additional week to assure protection of the public health during this transition period. The elimination of the DES certification procedure should also serve to reduce costs for both industry and Government by eliminating unnecessary paperwork without affecting consumer safety.

Additionally, FSQS will continue to seek out possible illegal use of DES through its residue monitoring system conducted as part of its post-mortem inspections of cattle and sheep. The results of these tests will be coordinated

with FDA to facilitate any necessary followup investigations.

§ 309.16 [Amended]

Therefore, § 309.16 of the Federal meat inspection regulations (9 CFR 309.16) is amended by deleting paragraphs (a), (b), and (c) and the words "in addition to any applicable requirements of paragraph (a) of this section" from the first sentence of paragraph (d), and redesignating paragraphs (d) and (e) as paragraphs (a) and (b) respectively.

(Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 603; 42 FR 35625, 35626, 35631)

Pursuant to the authority in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this amendment at this time are not necessary, since neither consumers nor industry is adversely affected, as this change removes an outdated requirement and was necessitated by the actions of FDA.

Note.—This final rule has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." A determination has been made that this action should not be classified as "significant" under those criteria. A Final Impact Statement has been prepared and is available from Dr. John E. Spaulding, Acting Director, Residue Evaluation and Surveillance Division, Science Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Done at Washington, D.C., on: September 21, 1979.

Donald L. Houston,
Administrator, Food Safety and Quality Service.

[FR Doc. 79-31834 Filed 10-15-79; 8:45 am]

BILLING CODE 3410-DM-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 101

[Rev. 2, Amdt. 5]

Delegations of Authority To Conduct Program Activities in Field Offices

AGENCY: Small Business Administration.
ACTION: Final rule.

SUMMARY: SBA delegates to certain field positions the authority necessary to conduct program activities in order to assure efficient operation in the implementation of SBA programs. This authority is published in order to provide information to the public as to whom they may make submittals or from whom they may obtain decisions.

EFFECTIVE DATE: October 1, 1979.

FOR FURTHER INFORMATION CONTACT:

Lee Waugh, Paperwork Management Branch, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416, (202) 653-6703.

SUPPLEMENTARY INFORMATION: SBA is revising its delegations of authority to field positions to reflect a reorganization in Regional Offices effective October 1, 1979. Additionally, 8(a) contracting authority is hereby delegated to the District Directors in the Cleveland, Indianapolis, and Salt Lake City District Offices and the District Directors' authority in the Chicago and Columbus Offices is increased from \$350,000 to \$500,000. In the past, delegations have been printed as notices in the *Federal Register*. They are now being incorporated in the Agency's Rules and Regulations in order to make them more readily available to both the public and Agency personnel. Therefore, Delegation of Authority No. 30, Revision 15, 40 FR 11657, as amended and corrected, 40 FR 14134, 41862, 20691, 26317, 40217, 49159, 51250, 52676, 57407; 41 FR 8240, 16234, 17829, 28049, 36702, 47610, 50883; 42 FR 56990, 59153, 61347, 62243; 43 FR 55, 1577, 6667, 10998, 13651, 22261, 36152, 45662, 46914, 55220; 44 FR 963, 5039, 19572, 21108, 44636, 46553, 48408, is hereby rescinded without prejudice to actions taken prior to October 1, 1979.

Because Part 101 consists of rules relating to the Agency's organization and procedures, notice of proposed rulemaking and public participation thereon as prescribed in 5 U.S.C. 553 is not required and this amendment to Part 101 is adopted without resort to those procedures. Accordingly, pursuant to authority contained in Section 5(b)(6) of the Small Business Act, 15 U.S.C. 634, Part 101, Chapter I, Title 13 of the code of Federal Regulations is amended by adding a § 101.3-2 as follows:

§ 101.3-2 Delegations of authority to conduct program activities in field offices.

Pursuant to authority vested in me by the Small Business Act, 72 Stat. 384, as amended, and the Small Business Investment Act of 1958, 72 Stat. 689, as amended, the following authority is hereby delegated to field positions as hereinafter set forth:

Preface

The policies, rules, procedures and other requirements, as well as citations to the statutes, governing the programs for which this delegation of authority is issued, are contained in various parts of the Regulations of the Small Business Administration, Chapter I of Title 13 of the Code of Federal Regulations, as amended from time to time in the *Federal Register*.

Part I—Financing Program**Section A—Loan Approval Authority****1. Business and Handicapped Assistance Loans (Small Business Act) (SBA).**

a. To approve or decline direct and immediate participation section 7(a) business loans, section 7(l) energy loans, and 7(h) handicapped assistance loans, and guaranty handicapped assistance loans, not exceeding the following amounts (SBA share):

	Approve	Decline
(1) Regional Administrator	\$350,000	\$350,000
(2) District Director	350,000	350,000
(3) Assistant District Director for Finance and Investment	350,000	350,000
(4) Chief, Financing Division, D/O	350,000	350,000
(5) Supervisory Loan Specialist, Financing Division, D/O	250,000	350,000
(6) Branch Manager, except Fairbanks B/O	250,000	350,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only	250,000	350,000
(8) Branch Manager, Fairbanks B/O only	150,000	150,000

b. Guaranty Loans. 7(a) business loans and 7(l) energy loans only

	Approve	Decline
(1) Regional Administrator	\$500,000	\$500,000
(2) District Director	500,000	500,000
(3) Assistant District Director for Finance and Investment	350,000	500,000
(4) Chief, Financing Division, D/O	350,000	500,000
(5) Supervisory Loan Specialist, Financing Division, D/O	250,000	500,000
(6) Branch Manager, except Fairbanks B/O	250,000	500,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's Office only	250,000	500,000
(8) Branch Manager, Fairbanks B/O only	150,000	150,000

2. Economic Opportunity Loans (EOL) (SBA).

To approve or decline Section 7(i) economic opportunity direct, immediate participation, and guaranty loans not to exceed \$100,000 (SBA share):

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O
- Supervisory Loan Specialist, Financing Division, D/O
- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

3. Product Disaster and Economic Injury Disaster Loans (SBA). To decline section 7(b)(4) product disaster and section 7(b)(2) economic injury disaster loans in connection with "natural disaster" declarations made by the Secretary of Agriculture in any amount and to approve such loans up to the following amounts (SBA share):

a. Direct and Immediate Participation Loans:

(1) Regional Administrator	\$500,000
(2) District Director	500,000
(3) Assistant District Director for F&I	500,000
(4) Chief, Financing Division, D/O	500,000
(5) Supervisory Loan Specialist, Financing Division, D/O	300,000
(6) Branch Manager, except Fairbanks B/O	300,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only	300,000
(8) Branch Manager, Fairbanks B/O only	150,000

b. Guaranty Loans: (In addition to direct and immediate participation authority)

(1) Regional Administrator	\$1,000,000
(2) District Director	1,000,000
(3) Assistant District Director for F&I	500,000

(4) Chief, Financing Division, D/O	500,000
(5) Supervisory Loan Specialist, Financing Division, D/O	500,000
(6) Branch Manager, except Fairbanks Branch Office	500,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only	500,000
(8) Branch Manager, Fairbanks B/O only	150,000

4. Sections 7(b)(3), 7(b)(5), 7(b)(6), 7(b)(7), 7(b)(8) and 7(g) Loans (SBA). To decline section 7(b)(3) displaced business loans, 7(b)(5) regulatory disaster loans (including coal mine health and safety, consumer protection—meat, eggs, poultry—, and occupational safety and health, etc.) 7(b)(6) strategic arms limitation economic injury loans, 7(b)(7) base closing economic injury loans, 7(b)(8) emergency energy shortage economic injury loans, and 7(g) water pollution loans in any amount and to approve such loans up to the following amounts (SBA share):

a. Direct and Immediate Participation Loans:

	Approve
(1) Regional Administrator	\$500,000
(2) District Director	500,000
(3) Assistant District Director for F&I	500,000
(4) Chief, Financing Division, D/O	500,000
(5) Supervisory Loan Specialist, Financing Division, D/O	300,000
(6) Branch Manager, except Fairbanks Branch Office	300,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only	300,000
(8) Branch Manager, Fairbanks B/O only	150,000

b. Guaranty Loans: (In addition to direct and immediate participation authority)

	Approve
(1) Regional Administrator	\$1,000,000
(2) District Director	1,000,000
(3) Assistant District Director for F&I	500,000
(4) Chief, Financing Division, D/O	500,000
(5) Supervisory Loan Specialist, Financing Division, D/O	500,000
(6) Branch Manager, except Fairbanks Branch Office	500,000
(7) Assistant Branch Manager for F&I, Biloxi, Milwaukee only and Springfield B/O's only	500,000
(8) Branch Manager, Fairbanks B/O only	150,000

5. Economic Dislocation Loans (SBA). To decline economic dislocation direct, immediate participation or guaranty loans in connection with such designations in any amount and to approve such direct, immediate participation or guaranty loans up to the following amounts (total loan, SBA and participant's share combined):

(a) Regional Administrator	\$100,000
(b) District Director	100,000
(c) Assistant District Director for Finance and Investment	100,000
(d) Chief, Financing Division, D/O	100,000
(e) Supervisory Loan Specialist, Financing Division, D/O	100,000
(f) Branch Manager	100,000
(g) Assistant Branch Manager for Finance and Investment, Biloxi, Milwaukee and Springfield B/O's only	100,000

Section B—Other Financing Authority for all types of loans contained in Section A above:

1. Loan Participation Agreements. To enter into individual and blanket loan participation agreements with lenders:

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O
- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

2. Loan Authorizations.

a. To execute written authorizations:

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O
- Supervisory Loan Specialist, Financing Division, D/O

- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

b. To cancel, reinstate, modify, and amend authorizations:

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O (on fully undisbursed loans)

- Supervisory Loan Specialist, Financing Division, D/O (on fully undisbursed loans)

- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

3. Disbursement Period Extension. To extend disbursement periods:

a. Without limitation:

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O (on fully undisbursed loans)

- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

b. For a cumulative total not to exceed six (6) months:

- Supervisory Loan Specialist, Financing Division, D/O (on fully undisbursed loans)

4. Service Charges. To approve service charges by participating lenders not to exceed two (2) percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing:

- Regional Administrator
- District Director
- Assistant District Director for F&I
- Chief, Financing Division, D/O (on fully undisbursed loans)
- Supervisory Loan Specialist, D/O (on fully undisbursed loans)
- Branch Manager
- Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only

Part II—Disaster Program

Note.—The loan approval authority in Part II refers to the total indebtedness of an applicant for a disaster loan (regardless of the number of structures damaged) for each separate disaster.

Section A—Disaster Loan Authority**1. Direct and Immediate Participation 7(b)(1) Physical Disaster Loans (SBA).**

a. To decline direct and immediate participation 7(b)(1) physical disaster loans in any amount and to approve such loans not exceeding the following amounts (SBA share):

- Home Loans:** \$50,000 for repair, restoration, or replacement of a home; \$10,000 for repair, restoration, or replacement of household contents or personal property; or \$55,000 for a single disaster home loan, plus \$50,000 for refinancing prior liens:

- (a) Regional Administrator
- (b) District Director
- (c) Assistant District Director for F&I
- (d) Disaster Branch Manager
- (e) Supervisory Loan Specialist, Financing Division, D/O
- (f) Supervisory Loan Specialist, Disaster Office

(g) Branch Manager
(h) Assistant Branch Manager for F&I
Biloxi, Milwaukee and Springfield B/O's only
(2) *Business Loans*: Including repair, restoration, or replacement of all real or personal property and refinancing as follows:

(a) Regional Administrator	500,000
(b) District Director	500,000
(c) Assistant District Director for F&I	500,000
(d) Disaster Branch Manager	500,000
(e) Supervisory Loan Specialist, Financing Division, D/O	300,000
(f) Supervisory Loan Specialist, Disaster Office	300,000
(g) Branch Manager, except Fairbanks Branch Office	500,000
(h) Assistant Branch Manager for F&I Biloxi, Milwaukee and Springfield B/O's only	500,000
(i) Branch Manager, Fairbanks B/O only	150,000

2. *Guaranteed Physical Disaster Loans*

7(b)(1) (SBA). To decline section 7(b)(1) physical disaster guaranteed loans in any amount and to approve such loans in addition to direct and immediate participation authority not exceeding the following amounts (SBA share):

	Home loans	Business loans
(a) Regional Administrator	\$200,000	\$1,000,000
(b) District Director	200,000	1,000,000
(c) Assistant District Director for F&I	100,000	500,000
(d) Disaster Branch Manager	100,000	500,000
(e) Supervisor Loan Specialist, Financing Division, D/O	100,000	500,000
(f) Supervisory Loan Specialist, Disaster Office	100,000	500,000
(g) Branch Manager, except Fairbanks Branch Office	100,000	500,000
(h) Assistant Branch Manager for F&I Biloxi, Milwaukee and Springfield B/O's only	100,000	500,000
(i) Branch Manager, Fairbanks B/O only	100,000	150,000

3. *Direct and Immediate Participation*

Economic Injury Disaster Loans (SBA). To decline direct and immediate participation section 7(b)(2) economic injury disaster loans (in connection with a physical disaster declaration by the Administrator, or a "major disaster" declaration by the President) in any amount and to approve such loans, not exceeding the following amounts (SBA share):

	Business loans
(a) Regional Administrator	\$500,000
(b) District Director	500,000
(c) Assistant District Director for F&I	300,000
(d) Disaster Branch Manager	300,000
(e) Supervisory Loan Specialist, Financing Division, D/O	200,000
(f) Supervisory Loan Specialist, Disaster Office	200,000
(g) Branch Manager, except Fairbanks Branch Office	300,000
(h) Assistant Branch Manager for F&I, Biloxi, Milwaukee and Springfield B/O's only	300,000
(i) Branch Manager, Fairbanks B/O only	150,000

4. *Guaranteed Economic Injury Disaster*

Loans (SBA). To decline Section 7(b)(2) Economic Injury guaranteed disaster loans (in connection with a physical disaster declaration by the Administrator, or a "major disaster" declared by the President) in any amount and to approve such loans, in addition to the direct and immediate participation authority, not exceeding the following amounts (SBA share).

(a) Regional Administrator	\$1,000,000
(b) District Director	1,000,000
(c) Assistant District Director for F&I	500,000
(d) Disaster Branch Manager	500,000
(e) Supervisory Loan Specialist, Financing Division, D/O	500,000
(f) Supervisory Loan Specialist, Disaster Office	500,000
(g) Branch Manager, except Fairbanks Branch Office	500,000
(h) Assistant Branch Manager for F&I Biloxi, Milwaukee and Springfield B/O's only	500,000
(i) Branch Manager, Fairbanks B/O only	150,000

5. *Processing Representative*. To appoint as a processing representative any bank in the disaster area:

- (a) Regional Administrator
- (b) District Director
- (c) Disaster Branch Manager
- (d) Branch Manager
- e. Assistant Branch Manager for F&I Biloxi, Milwaukee and Springfield B/O's only

6. *Late Filing*. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired:

- a. Regional Administrator only
- 7. *Disaster Loan Authorizations*
- a. To execute written authorizations:
- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Chief, Financing Division, D/O
- (5) Branch Manager
- (6) Assistant Branch Manager for F&I

Biloxi, Milwaukee and Springfield B/O's only
(7) Disaster Branch Manager

b. To cancel, reinstate, modify, and amend authorizations:

- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Chief, Financing Division, D/O (on fully undisbursed loans)
- (5) Supervisory Loan Specialist, Financing Division, D/O (on fully undisbursed loans)
- (6) Branch Manager
- (7) Assistant Branch Manager for F&I
- Biloxi, Milwaukee and Springfield B/O's only
- (8) Disaster Branch Manager
- (9) Supervisory Loan Specialist, Disaster Office

8. *Disbursement Period Extension on Disaster Loans*. To extend disbursement periods:

- a. Without limitation:
- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Chief, Financing Division, D/O (on fully undisbursed loans)
- (5) Branch Manager
- (6) Disaster Branch Manager
- (7) Assistant Branch Manager for F&I
- Biloxi, Milwaukee and Springfield B/O's only
- b. For a cumulative total not to exceed six months:
- (1) Supervisory Loan Specialist, Financing Division, D/O (on fully undisbursed loans)

Section B—Administrative Authority

1. *Establishment of Disaster Field Offices*.

a. To establish field offices upon receipt of advice of the designation of a disaster area and to close disaster field offices when justified; and

b. To obligate the Small Business Administration to reimburse the General

Services Administration for the rental of temporary office space:

- (1) Regional Administrator
- (2) Assistant Regional Administrator for Management, Regions II, III, VII, VIII, and X only
- (3) Assistant Regional Administrator for Administration, Region I only
- (4) Assistant Regional Administrator for Management (Internal), Region IV only
- (5) Assistant Regional Administrator for Management (Resources, Administration and Planning), Region VI only
- (6) Assistant Regional Administrator for Resources, Planning and Analysis, Region IX only
- (7) Regional Personnel Officer, Region V only
- (8) District Director
- (9) Assistant District Director for F&I
- (10) Disaster Branch Manager

2. *Purchase and Contract Authority*.

a. *Rental of Motor Vehicles and Garage Space*. To rent motor vehicles necessary for the use of disaster branch office personnel and garage space for the storage of such vehicles when not furnished by this Administration:

- (1) Regional Administrator
- (2) Assistant Regional Administrator for Management, Regions II, III, VII, VIII, and X only
- (3) Assistant Regional Administrator for Administration, Region I only
- (4) Assistant Regional Administrator for Management (Internal), Region IV only
- (5) Assistant Regional Administrator for Management (Resources, Administration and Planning), Region VI only
- (6) Assistant Regional Administrator for Resources, Planning and Analysis, Region IX only
- (7) Regional Personnel Officer, Region V only
- (8) District Director
- (9) Assistant District Director for F&I
- (10) Disaster Branch Manager

b. *Office Supplies and Equipment*. To purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; contract for repair and maintenance of equipment and furnishings; contract for printing (Government sources only); contract for services required in setting up and dismantling and moving SBA exhibits; and issue Government bills of lading pursuant to Chapter 4 of Title 41, United States Code, as amended, subject to the limitations contained in sections 257 (a) and (b) of that Chapter:

- (1) Regional Administrator
- (2) Assistant Regional Administrator for Management, Regions II, III, VII, VIII, and X only
- (3) Assistant Regional Administrator for Administration, Region I only
- (4) Assistant Regional Administrator for Management (Internal), Region IV only
- (5) Assistant Regional Administrator for Management (Resources, Administration and Planning), Region VI only
- (6) Assistant Regional Administrator for Resources, Planning and Analysis, Region IX only
- (7) Regional Personnel Officer, Region V only

- (8) District Director
- (9) Assistant District Director for F&I
- (10) Disaster Branch Manager

c. *Credit Bureau Services.* To contract for local credit bureau services pursuant to Chapter 4 of Title 41, United States Code, as amended, subject to the limitations contained in sections 257 (a) and (b) of that Chapter:

- (1) Regional Administrator
- (2) Assistant Regional Administrator for Management, Regions II, III, VII, VIII, and X only
- (3) Assistant Regional Administrator for Administration, Region I only
- (4) Assistant Regional Administrator for Management (Internal), Region IV only
- (5) Assistant Regional Administrator for Management (Resources, Administration and Planning), Region VI only
- (6) Assistant Regional Administrator for Resources, Planning and Analysis, Region IX only
- (7) Regional Personnel Officer, Region V only
- (8) District Director
- (9) Assistant District Director for F&I
- (10) Disaster Branch Manager

Part III—Other Financial and Guarantee Programs

Section A—Sections 501 and 502 Loan Approval Authority (SB Act)

1. *Section 501 State Development Company Loans.* To approve or decline section 501 State development company loans not exceeding the following amounts (SBA share):

a. Regional Administrator.....	Unlimited
With concurrence in at least one prior recommendation:	
b. District Director	\$750,000
c. Assistant District Director for F&I	750,000
d. Chief, CED Division, D/O	750,000
e. Chief, Financing Division, D/O	750,000

2. *Section 502 Local Development Company Loans (SBI Act).* To approve or decline section 502 local development company loans not exceeding the following amounts (SBA share) for each small business concern being assisted, within the project cost limitations shown below:

Note.—Project cost applies to the cumulative CED assistance to a small business concern and its affiliates and not to the additional assistance on which the action is being taken.

a. Unlimited project cost:

(1) Regional Administrator	\$500,000
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b. Overall project cost not exceeding \$1,000,000.

(1) District Director	500,000
(2) Assistant District Director for F&I	500,000

c. Overall project cost not exceeding \$700,000.

(1) Chief, CED Division, D/O	500,000
(2) Chief, Financing Division, D/O	500,000

Section B—Other 501 and 502 Authority

1. *Participation Agreements.* To enter into participation agreements with lenders:

- a. Regional Administrator
- b. District Director
- c. Assistant District Director for F&I
- d. Chief, CED Division, D/O
- e. Chief, Financing Division, D/O

2. *Loan Authorizations.*

a. To execute written loan authorizations:

- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Chief, CED Division, D/O
- (5) Chief, Financing Division, D/O

b. To cancel, reinstate, modify, and amend authorizations:

- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Chief, CED Division, D/O (before initial disbursement)
- (5) Chief, Financing Division, D/O (before initial disbursement)

3. *Disbursement Period Extension.* To extend disbursement periods:

- a. Regional Administrator
- b. District Director
- c. Assistant District Director for F&I
- d. Chief, CED Division, D/O (on wholly undisbursed loans)
- e. Chief, Financing Division, D/O (on wholly undisbursed loans)

Section C—Surety Guarantee

1. To guarantee sureties against portion of losses resulting from the breach of bid, payment, or performance bonds on contracts, not to exceed the following amounts:

- a. Regional Administrator, \$500,000
- b. District Director, Philadelphia, San Francisco, New York, Baltimore and all Region IV District Offices only, \$500,000
- c. Assistant District Director for F&I, Philadelphia, New York, San Francisco, Baltimore and all Region IV District Offices only, \$500,000
- d. Surety Bond Coordinator, \$250,000
- e. Senior Surety Bond Guarantee Specialist, \$250,000
- f. Chief, Financing Division, Philadelphia D/O only \$250,000
- g. Chief, CED Division, New York and Philadelphia District Offices only, \$250,000

Section D—EDA Loan Authority

1. *EDA Loan Disbursement Authority.* To disburse EDA loans, as directed by EDA:

- a. Regional Administrator
- b. Regional Counsel
- c. District Director
- d. Assistant District Director for F&I
- e. Chief, CED Division, D/O
- f. District Counsel

Part IV—Portfolio Management (PM) Program

Section A—Portfolio Management, Servicing, Collection, and Liquidation Authority

1. To take all necessary action in connection with the administration, servicing, collection, and liquidation of all SBA loans (and EDA loans in liquidation when and as authorized by EDA) and lease guarantees, *exclusive of matters in litigation*, and to do and perform, and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate these granted powers.

Except:

a. To compromise or sell any primary obligation or other evidence of indebtedness owed to the agency for a sum less than the total amount due thereof;

b. To deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or a lease guarantee;

c. To authorize suit for recovery from a participating institution under any alleged violation of a participation or guaranty agreement; or

d. To accept a lump sum settlement or to purchase property under the lease guarantee:

- (1) Regional Administrator
- (2) District Director
- (3) Assistant District Director for F&I
- (4) Branch Manager (full service branches only)
- (5) Chief, Portfolio Management Division, D/O
- (6) Supervisory Loan Specialist, Portfolio Management Division, D/O
- (7) Supervisory Loan Specialist, Liquidation Section, D/O
- (8) Assistant Branch Manager for F&I, Biloxi, Milwaukee, and Springfield B/O's only
- (9) Chief, PM Division, Biloxi Branch Office

2. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all SBA loans (and EDA loans in liquidation when and as authorized by EDA) and lease guarantees, *exclusive of matters in litigation*; and to do and perform, and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate these granted powers.

Except:

a. To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon;

b. To deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or a lease guarantee;

c. To initiate suit for recovery from a participating institution under any alleged violation of a participation or guaranty;

d. To authorize the liquidation of a loan (except Disaster Home Loans) or to cancel authority to liquidate; or

e. To accept a lump sum settlement or to purchase property under the lease guaranty:

- (1) Branch Manager (limited servicing branches)
- (2) Chief, Portfolio Management Division, B/O (full servicing branches)
- (3) Supervisory Loan Specialist, Portfolio Management Division, B/O, (full servicing branches)

3. Other Portfolio Management Authority

a. To take only the following actions on loans in a current status:

- (1) Approve editorial modifications in loan authorizations;
- (2) Extend disbursement periods on loans partially undisbursed;
- (3) Release of cash surrender value or dividends to pay premiums due on assigned policy;
- (4) Extend initial principal payment dates or adjust interest payment dates;
- (5) Release of equipment (or hazard insurance checks) where the total value being released does not exceed \$500.

(a) Loan Specialist, Portfolio Management Division, D/O or B/O

(b) Loan Specialist, Liquidation Section, D/O or B/O

Part V—Claims Review Committee

Section A—Authority to Compromise Claims

1. *District Claims Review Committee.* This committee shall consist of three incumbents (or those officially acting in their behalf) in the following order of position classification. The first member available in this order shall serve as chairperson.

Liquidation Chief (or liquidation Supervisor)

PM Chief (or PM supervisor)

District Counsel

FD Chief (or FD supervisor)

However, the District Director may, at his option, establish an alternative committee membership consisting of the Assistant District Director for Finance and Investment, acting as chairperson, District Counsel and the Assistant District Director for Management Assistance or those officially acting in their behalf. Authority is delegated to take final action on:

a. Claims not in excess of \$50,000 (excluding interest) upon unanimous vote of the Committee.

b. Claims in excess of \$50,000 when the amount offered represents the full principal balance due thereby forgiving only the interest upon unanimous vote of the Committee.

c. Settlement offers on claims of any size may be declined upon majority vote of the committee.

2. *Regional Claims Review Committee.* This committee shall consist of the Assistant Regional Administrator for Regional Programs, the Assistant Regional Administrator for Management, and the Regional Counsel or those officially acting in their behalf. The Regional Administrator shall designate a chairperson. Authority is delegated to take final action on:

a. Claims not in excess of \$50,000 (excluding interest) upon majority vote of the Committee.

b. Claims in excess of \$50,000 but not exceeding \$150,000 (excluding interest) upon unanimous vote of the Committee.

c. Settlement offers on claims of any size may be declined upon majority vote of the Committee.

Part VI—Procurement Assistant Program (PA)

Section A—Certificate of Competency Approval Authority

1. With the exception of re-referred cases, to approve applications for Certificates of Competency up to but not exceeding \$500,000 bid value received from small business concerns located within the geographical jurisdiction:

a. Regional Administrator.

b. Assistant Regional Administrator for Regional Programs.

c. District Directors, New York and Newark, D/O's only (not exceeding \$100,000).

d. Assistant District Director for Procurement Assistance, New York and Newark, D/O's (not exceeding \$100,000).

2. To deny an applicant for a Certificate of Competency when an adverse determination as to capacity or credit is concurred in:

a. Regional Administrator.

b. Assistant Regional Administrator for Regional Programs.

c. District Directors New York and Newark DO's only (not exceeding \$100,000).

d. Assistant District Director for Procurement Assistance New York and Newark DO's only (not exceeding \$100,000).

Part VII—Minority Small Business and Capital Ownership Development Program (MSB-COD)

Section A—Call Contracts Authority

1. *Administration and Management of Call Contracts.* To take all necessary actions in connection with the administration and management of contracts awarded under the authority granted in Section 7(j) of the Small Business Act, as amended, (formerly under Section 406 of the Economic Opportunity Act of 1964) except changes, amendments, or termination of the contract.

a. Regional Administrator

b. District Director

c. Assistant District Director for Minority Small Business and Capital Ownership Development

Section B—Section 8(a)(1)(A) Contracting Authority (SBAct)

1. To enter into contracts on behalf of the Small Business Administration with the United States Government and any department, agency, or officer thereof having procurement powers, obligating the Small Business Administration to furnish articles, equipment, supplies, services or materials to the Government or to perform construction work for the Government, subject to the following monetary limitations:

a. Regional Administrator	Unlimited
b. Assistant Regional Administrator for MSB/COD	Unlimited
c. Chief, Office of Business Development, Region III, R/O only	\$100,000
d. District Director, Washington, Denver, Richmond, Philadelphia and Baltimore D/O's only	Unlimited
e. District Directors, Detroit, Cleveland, Indianapolis, Salt Lake City, New York, Newark and all Region VI D/O's only	\$350,000
f. District Directors, all Region IX, all Region X, Chicago and Columbus D/O's only	\$500,000
g. Deputy District Director, Washington D/O	Unlimited
h. Assistant District Director for MSB/COD San Francisco and Los Angeles D/O's only	\$100,000
i. All Contract Specialists in Region X only	Unlimited
j. Branch Manager, El Paso Branch Office only	\$350,000

2. Subcontracting. To arrange for the performance of such procurement contracts as stated in paragraph 1 above by negotiating or otherwise letting subcontracts to socially and economically disadvantaged small business concerns for the construction work, services or the manufacture, supply, or assembly or such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Small Business Administration to perform such contracts subject to the following monetary amounts:

a. Regional Administrator	Unlimited
b. Assistant Regional Administrator for MSB/COD	Unlimited
c. Chief, Office of Business Development, Region III R/O only	\$100,000
d. District Director, Washington, Denver, St. Louis, Richmond, Philadelphia and Baltimore D/O's only	Unlimited

e. District Directors, New York, Newark, Detroit, Cleveland, Indianapolis, Salt Lake City, and all Region VI D/O's	\$350,000
f. District Directors, all Region IX, all Region X, Chicago and Columbus D/O's only	\$500,000
g. Deputy District Director, Washington D/O	Unlimited
h. Assistant District Director for MSB/COD, San Francisco and Los Angeles D/O's only	\$100,000
i. All Contract Specialists in Region X only	\$250,000
j. Business Development Specialist, St. Louis D/O	Unlimited
k. Branch Manager, El Paso Branch Office only	\$350,000

3. To certify to any officer of the Government having procurement powers that the Small Business Administration is competent and responsible to perform any specific Government procurement contract to be let by any such officer. Such contracts not to exceed the following amount:

a. Regional Administrator	Unlimited
b. Assistant Regional Administrator for MSB/COD	Unlimited
c. Chief, Office of Business Development, Region III, R/O only	Unlimited
d. District Director, Washington, Denver, Philadelphia, Richmond, St. Louis and Baltimore D/O's only	Unlimited
e. District Directors, New York, Newark, Detroit, Cleveland, Indianapolis, Salt Lake City, and all Region VI D/O's only	\$350,000
f. District Directors, all Region IX, all Region X, Chicago and Columbus D/O's only	\$500,000
g. Deputy District Director, Washington D/O	Unlimited
h. Assistant District Director for PA, Region IX	\$500,000
i. All Contract Specialists in Region X only	\$250,000
j. Business Development Specialist, St. Louis D/O	Unlimited
k. Branch Manager, El Paso Branch Office only	\$350,000

Part VIII—Legal Services

Section A—Authority To Conduct Litigation Activities

1. To conduct all litigation activities, including SBIC and Economic Development Administration matters, as assigned, and to take all action necessary in connection with matters in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers.

Except:

a. To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon;

b. To deny liability of the Small Business Administration under the terms of a participation or guaranty agreement (including lease guarantees); or

c. To authorize suit for recovery from a participating institution under any alleged violation of a participation or guaranty agreement; or

d. To accept a lump sum settlement or to purchase property under the lease guarantee:

- (1) Regional Administrator
- (2) Regional Counsel
- (3) Attorney, Regional Office
- (4) District Counsel
- (5) Attorney, District Office
- (6) Branch Counsel
- (7) Attorney, Branch Office

Section B—Loan Closing Authority

1. To close and disburse approved SBA loans and to close EDA loans, as authorized:

- a. Regional Administrator
- b. Regional Counsel
- c. Attorney, Regional Office
- d. District Counsel
- e. Attorney, District Office
- f. Branch Counsel

g. Attorney, Branch Office
 2. To approve, when requested, in advance of disbursements, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization:

- a. Regional Administrator
- b. Regional Counsel
- c. Attorney, Regional Office
- d. District Counsel
- e. Attorney, District Office
- f. Branch Counsel
- g. Attorney, Branch Office
- 3. To approve or disapprove fees charged by borrowers' counsel:
- a. Regional Administrator
- b. Regional Counsel
- c. Attorney, Regional Office
- d. District Director
- e. District Counsel
- f. Attorney, District Office
- g. Branch Manager
- h. Branch Counsel
- i. Attorney, Branch Office

Section C—Authority To Contact IRS

To request and receive address information from IRS records for purpose of collection and compromise of SBA Federal claims. This information will be used only by Agency employees directly engaged in and solely for their use in preparation for any administrative or judicial proceeding pertaining to the collection or compromise of a Federal claim in accordance with the provisions of Section 3 of the Federal Claims Collection Act of 1966.

- a. Regional Administrators
- b. Regional Counsel
- c. District Directors
- d. District Counsel

Part IX—Eligibility and Size Determinations

Section A—Eligibility Determinations

1. *Eligibility Determination Authority.* In accordance with Small Business Administration standards and policies, to determine eligibility of applicants for assistance under any program of the Agency: *Except the SBIC program.*

- a. Regional Administrator
- b. All officials having the authority and assigned responsibility to take final action on the assistance requested.

Section B—Size Determinations

2. *Size Determination Authority.* In accordance with Small Business Administration's Small Business Size Standards Regulations, to make initial size determinations of applicants for assistance under any program of the agency:

- a. Regional Administrator
- b. All other officials having authority and assigned responsibility to take final action on the assistance requested, *except* the SBIC program and Government procurement and sales activities:

2. *Size Determinations for Government Procurement and Sales.* In accordance with Small Business Administration's Small Business Size Standards Regulations, to make size determinations for government procurement and sales activities.

- a. Regional Administrator

b. Assistant Regional Director for Regional Programs

c. District Director, except Region X.

Part X—Administrative

Section A—Authority To Purchase, Rent, or Contract for Equipment, Services, and Supplies

1. *Purchase Reproductions of Loan Documents.* To purchase reproductions of loan documents chargeable to the revolving fund requested by U.S. Attorneys in foreclosure cases:

- a. Regional Administrator
- b. Assistant Regional Administrator for Management, Regions II, III, VII, VIII, and X only
- c. Assistant Regional Administrator for Administration, Reg I only
- d. Assistant Regional Administrator for Management (Internal), Reg IV only
- e. Assistant Regional Administrator for Management (Resources, Administration and Planning), Reg VI only
- f. Assistant Regional Administrator for Resources, Planning and Analysis, Reg IX only
- g. Regional Personnel Officer, Reg V only
- h. District Director
- i. Branch Manager

2. *Office Supplies and Equipment.* To purchase office supplies and equipment and rent regular office equipment and furnishings; contract for repair and maintenance of equipment and furnishings; contract for printing (Government sources only); contract for services required in setting up and dismantling and moving SBA exhibits; and issue Government bills of lading pursuant to Chapter 4 of Title 41, United States Code, as amended, subject to the limitations contained in section 257(a) and (b) of that Chapter:

- a. Regional Director
- b. Assistant Regional Administrator for Management, Regions II, III, VII, VIII and X only
- c. Assistant Regional Administrator for Administration, Reg I only
- d. Assistant Regional Administrator for Management (Internal), Reg IV only
- e. Assistant Regional Administrator for Management (Resources, Administration and Planning), Reg VI only
- f. Assistant Regional Administrator for Resources, Planning and Analysis, Reg IX
- g. Regional Personnel Officer, Reg V only
- h. District Director
- i. Branch Manager

3. *Rental of Motor Vehicles.* To rent motor vehicles when not furnished by this Administration:

- a. Regional Administrator
- b. Assistant Regional Administrator for Management, Regions II, III, VII, VIII and X only
- c. Assistant Regional Administrator for Administration, Reg I only
- d. Assistant Regional Administrator for Management (Internal), Reg IV only
- e. Assistant Regional Administrator for Management (Resources, Administration and Planning), Reg VI only
- f. Assistant Regional Administrator for Resources, Planning and Analysis, Reg IX
- g. Regional Personnel Officer, Reg V only
- h. District Director

i. Branch Manager

4. *Rental of Conference Space.* To rent temporarily SBA conference space located within the respective geographical jurisdiction.

a. Regional Administrator

5. *Use of Seal of the Small Business Administration.* To certify true copies of any books, records, papers, or other documents on file with the Small Business Administration; to certify extracts from such material; to certify the nonexistence of records on files; and to cause the Seal of the Small Business Administration to be affixed to all such certification.

- a. Regional Administrator
- b. Assistant Regional Administrator for Management, Regions II, III, VII, VIII and X only
- c. Assistant Regional Administrator for Administration, Reg I only
- d. Assistant Regional Administrator for Management (Internal), Reg IV only
- e. Assistant Regional Administrator for Management (Resources, Administration and Planning), Reg VI only
- f. Assistant Regional Administrator for Resources, Planning and Analysis, Reg IX
- g. Regional Personnel Officer, Reg V only
- h. District Director
- i. Branch Manager

Part XI—Redelegation authority

Section A—Redelegation

1. The authority delegated herein may not be redelegated.

2. The authority delegated herein may be exercised by any SBA employee designated as acting in a position designated herein.

3. Regional Administrators, District Directors, and Branch Managers may withhold or limit authorities delegated to those positions prescribed in this document for a period not to exceed six months. Information relating to these temporary exceptions will be maintained and available for examination in their respective field offices.

Dated: October 3, 1979.

William H. Mauk, Jr.,
 Acting Administrator.

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13 CFR Part 121

[Rev. 13, Admt. 31]

Definition of Small Business in Coal Mining for Purposes of Small Business Set-Aside Leases on Federal Coal Land

AGENCY: Small Business Administration.
 ACTION: Final rule.

SUMMARY: This rule establishes a size standard of 250 employees as the maximum size firm which may be eligible to bid for small business set-aside leases of Government owned coal land. This rule is necessary so that the Interior Department, which administers