

# Presidential Documents

Title 3—

Memorandum of September 24, 1990

The President

## Annual Determination on Steel Industry Modernization

### Memorandum for the United States Trade Representative

Section 806 of the Steel Import Stabilization Act (19 U.S.C. 2253 note) requires that I make an annual affirmative determination that specified conditions have been met by the domestic steel industry to justify continuation of authority under Section 805 to enforce steel restraint agreements. The attached *Report of the President under the Steel Import Stabilization Act* and the report prepared at my direction by the United States International Trade Commission, *Annual Survey Concerning Competitive Conditions in the Steel Industry and Industry Efforts to Adjust and Modernize*, enumerate the actions taken by the domestic industry consistent with an affirmative determination under section 806.

Based on this information, I hereby make an affirmative determination for the first annual period (October 1, 1989–September 30, 1990) that during such period:

(A) The major companies of the steel industry, taken as a whole, have—

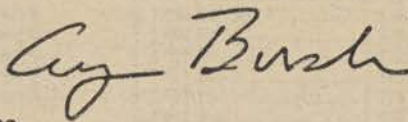
(i) committed substantially all of their net cash flow from steel product operations for the purposes of reinvestment in, and modernization of, that industry; and

(ii) taken sufficient action to maintain their international competitiveness;

(B) each of the major companies experiencing positive net cash flow committed not less than 1 percent of net cash flow to the retraining of workers; and

(C) the enforcement authority provided under section 805 remains necessary to maintain the effectiveness of bilateral arrangements undertaken to eliminate unfair trade practices in the steel sector.

You are hereby authorized and directed to report this determination to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate. This memorandum shall be published in the Federal Register.



THE WHITE HOUSE,  
Washington, September 24, 1990.



# Rules and Regulations

Federal Register

Vol. 55, No. 188

Thursday, September 27, 1990

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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## DEPARTMENT OF AGRICULTURE

### Rural Telephone Bank

#### 7 CFR Chapter XVI

### Rural Electrification Administration

#### 7 CFR Chapter XVII

### Electric and Telephone Programs, Redesignation of Regulations

**AGENCY:** Rural Electrification Administration and Rural Telephone Bank, USDA.

**ACTION:** Final rule, redesignation.

**SUMMARY:** The Rural Electrification Administration (REA) is beginning a project to simplify, clarify and update Agency regulations. This project, when complete, will provide a more logical arrangement of Agency regulations to assist borrowers and others. One component of this project is to redesignate certain regulations and combine, either in part or as a whole, other regulations in order to have all policies, procedures, and requirements related to a subject in one regulation in the Code of Federal Regulations. The Rural Telephone Bank is updating the cross reference to 7 CFR chapter XVII under 1810.8.

**EFFECTIVE DATE:** This final rule is effective October 19, 1990.

**FOR FURTHER INFORMATION CONTACT:** Mr. Blaine D. Stockton, Jr., Assistant Administrator-Management, Rural Electrification Administration, U.S. Department of Agriculture, Washington, DC 20250-1500, telephone number (202) 382-9552.

**SUPPLEMENTARY INFORMATION:** REA is amending 7 CFR chapter XVII by redesignating, reorganizing, and adding and reserving certain parts. For the information of interested parties, a distribution table follows:

## DISTRIBUTION TABLE

| Old part or section                 | New part or section  |
|-------------------------------------|----------------------|
| <b>Rural Development Regulation</b> |                      |
| 1709.....                           | 1703.                |
| <b>Electric Regulations</b>         |                      |
| 1710 Subparts A-B<br>[Reserved].    | Removed.             |
| 1710 Subpart C.....                 | 1714 Subpart D.      |
| 1710.50.....                        | 1714.150.            |
| 1710.51.....                        | 1714.151.            |
| 1710.52.....                        | 1714.152.            |
| 1710.53.....                        | 1714.152.            |
| 1710.54.....                        | 1714.153.            |
| 1710.55.....                        | 1714.155.            |
| Part 1711.....                      | 1721 Subpart A.      |
| 1711.1.....                         | 1721.1.              |
| 1715 Subpart A<br>[Reserved].       | Removed.             |
| 1715 Subpart B.....                 | 1717 Subpart N.      |
| 1715.20.....                        | 1717.650.            |
| 1715.21.....                        | 1717.651.            |
| 1715.22.....                        | 1717.652.            |
| 1715.23.....                        | 1715.653.            |
| 1715.24.....                        | 1717.654.            |
| 1715.25.....                        | 1717.655.            |
| 1715.26.....                        | 1717.656.            |
| 1715.27.....                        | 1717.657.            |
| 1715.28.....                        | 1717.659.            |
| 1729 Subpart A-B<br>[Reserved].     | Removed.             |
| Part 1729 Subpart C.....            | Part 1724 Subpart E. |
| 1729.6.....                         | 1724.41.             |
| 1729.7-1729.9.....                  | 1724.42-1724.44.     |
| 1729.10.....                        | 1724.45.             |
| Part 1735.....                      | Part 1726 Subpart G. |
| 1735.1.....                         | 1726.300.            |
| Part 1736.....                      | Part 1728.           |
| <b>Telephone Regulations</b>        |                      |
| 1745 Subpart A.....                 | 1735 Subpart A.      |
| 1745.1.....                         | Removed.             |
| 1745.2.....                         | 1735.2.              |
| 1745.2(a).....                      | 1735.2(e).           |
| 1745.2(b).....                      | 1735.2(g).           |
| 1745.2(c).....                      | 1735.2(i).           |
| 1745.2(d).....                      | 1735.2(m).           |
| 1745.2(e).....                      | 1735.2(s).           |
| 1745.2(f).....                      | 1735.2(u).           |
| 1745.2(g).....                      | 1735.2(v).           |
| 1745.3.....                         | 1735.3.              |
| 1745 Subpart B.....                 | 1735 Subpart B.      |
| 1745 Subpart C.....                 | 1735 Subpart C.      |
| 1745 Subpart D.....                 | 1735 Subpart D.      |
| 1745 Subpart E.....                 | 1735 Subpart E.      |
| Part 1747.....                      | 1744 Subpart B.      |
| 1747.1.....                         | 1744.20.             |
| 1747.2.....                         | 1744.21.             |
| 1747.10.....                        | 1744.30.             |
| 1747.20.....                        | 1744.40.             |
| 1747.30.....                        | 1744.50.             |
| 1749.1.....                         | 1737.1(a).           |
| 1749.2.....                         | 1737.2.              |
| 1749.2(a).....                      | 1737.2(b).           |
| 1749.2(b).....                      | 1737.2(c).           |
| 1749.2(c).....                      | 1737.2(e).           |
| 1749.2(d).....                      | 1737.2(h).           |
| 1749.2(e).....                      | 1737.2(i).           |
| 1749.2(f).....                      | 1737.2(j).           |
| 1749.2(g).....                      | 1737.2(k).           |
| 1749.2(h).....                      | 1737.2(p).           |

## DISTRIBUTION TABLE—Continued

| Old part or section | New part or section |
|---------------------|---------------------|
| 1749.2(i).....      | 1737.2(r).          |
| 1749.3.....         | 1737.3.             |
| 1749 Subpart B..... | 1737 Subpart B.     |
| 1749 Subpart C..... | 1737 Subpart C.     |
| 1749 Subpart D..... | 1737 Subpart D.     |
| 1749 Subpart E..... | 1737 Subpart E.     |
| 1750.1(a).....      | 1735.1(b).          |
| 1750.1(b).....      | 1735.1(c).          |
| 1750.2.....         | 1735.1(d).          |
| 1750.3(a).....      | 1735.2(a).          |
| 1750.3(b).....      | 1735.2(b).          |
| 1750.3(c).....      | 1735.2(c).          |
| 1750.3(d).....      | 1735.2(d).          |
| 1750.3(e).....      | 1735.2(e).          |
| 1750.3(f).....      | 1735.2(f).          |
| 1750.3(g).....      | 1735.2(g).          |
| 1750.3(h).....      | 1735.2(h).          |
| 1750.3(i).....      | 1735.2(i).          |
| 1750.3(j).....      | 1735.2(k).          |
| 1750.3(k).....      | 1735.2(l).          |
| 1750.3(l).....      | 1735.2(m).          |
| 1750.3(m).....      | 1735.2(n).          |
| 1750.3(n).....      | 1735.2(o).          |
| 1750.3(o).....      | 1735.2(p).          |
| 1750.3(p).....      | 1735.2(q).          |
| 1750.3(q).....      | 1735.2(r).          |
| 1750.3(r).....      | 1735.2(s).          |
| 1750.3(s).....      | 1735.2(t).          |
| 1750.3(t).....      | 1735.2(u).          |
| 1750.4.....         | 1735.3.             |
| 1750 Subpart B..... | 1735 Subpart F.     |
| 1750.10.....        | 1735.60.            |
| 1750.11.....        | 1735.61.            |
| 1750.12.....        | 1735.62.            |
| 1750 Subpart C..... | 1735 Subpart G.     |
| 1750.20.....        | 1735.70.            |
| 1750.21.....        | 1735.71.            |
| 1750.22.....        | 1735.72.            |
| 1750.23.....        | 1735.73.            |
| 1750.24.....        | 1735.74.            |
| 1750.25.....        | 1735.75.            |
| 1750.26.....        | 1735.76.            |
| 1750.27.....        | 1735.77.            |
| 1750 Subpart D..... | 1735 Subpart H.     |
| 1750.30.....        | 1735.80.            |
| 1750 Subpart E..... | 1735 Subpart I.     |
| 1750.40.....        | 1735.90.            |
| 1750.41.....        | 1735.91.            |
| 1750.42.....        | 1735.92.            |
| 1750.43.....        | 1735.93.            |
| 1750.44.....        | 1735.94.            |
| 1750.45.....        | 1735.95.            |
| 1750 Subpart F..... | 1735 Subpart J.     |
| 1750.50.....        | 1735.100.           |
| 1750.51.....        | 1735.101.           |
| 1751.1(a).....      | 1737.1(b).          |
| 1751.1(b).....      | 1737.1(c).          |
| 1751.2(a).....      | 1737.2(a).          |
| 1751.2(b).....      | 1737.2(b).          |
| 1751.2(c).....      | 1737.2(d).          |
| 1751.2(d).....      | 1737.2(e).          |
| 1751.2(e).....      | 1737.2(f).          |
| 1751.2(f).....      | 1737.2(g).          |
| 1751.2(g).....      | 1737.2(h).          |
| 1751.2(h).....      | 1737.2(k).          |
| 1751.2(i).....      | 1737.2(l).          |
| 1751.2(j).....      | 1737.2(m).          |
| 1751.2(k).....      | 1737.2(n).          |
| 1751.2(l).....      | 1737.2(o).          |
| 1751.2(m).....      | 1737.2(p).          |
| 1751.2(n).....      | 1737.2(q).          |
| 1751.2(o).....      | 1737.2(s).          |

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| 1751 Subpart B.....  | 1737 Subpart F.     |
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| 1751.11.....         | 1737.51.            |
| 1751.12-1751.19..... | 1737.52-1737.59.    |
| 1751 Subpart C.....  | 1737 Subpart G.     |
| 1751.20.....         | 1737.60.            |
| 1751.21.....         | 1737.61.            |
| 1751.22-1751.29..... | 1737.62-1737.69.    |
| 1751 Subpart D.....  | 1737 Subpart H.     |
| 1751.30.....         | 1737.70.            |
| 1751.31-1751.39..... | 1737.71-1737.79.    |
| 1751 Subpart E.....  | 1737 Subpart I.     |
| 1751.40.....         | 1737.80.            |
| 1751.41-1751.49..... | 1737.81-1737.89.    |
| 1751 Subpart F.....  | 1737 Subpart J.     |
| 1751.50.....         | 1737.90.            |
| 1751.51.....         | 1737.91.            |
| 1751.52.....         | 1737.92.            |
| 1751.53-1751.59..... | 1737.93-1737.99.    |
| 1751 Subpart G.....  | 1737 Subpart K.     |
| 1751.60.....         | 1737.100.           |
| 1751.61.....         | 1737.101.           |
| 1751.62-1751.69..... | 1737.102-1737.109.  |
| Part 1754.....       | 1744 Subpart C.     |
| 1754.1.....          | 1744.60.            |
| 1754.2.....          | 1744.61.            |
| 1754.3.....          | 1744.62.            |
| 1754.4.....          | 1744.63.            |
| 1754.5.....          | 1744.64.            |
| 1754.6.....          | 1744.65.            |
| 1754.7.....          | 1744.66.            |
| 1754.8.....          | 1744.67.            |
| 1754.9.....          | 1744.68.            |
| 1762.01.....         | 1755.93.            |
| Part 1763.....       | 1753 Subpart B.     |
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| 1763.1.....          | 1753.15(a).         |
| 1763.2.....          | 1753.15(b).         |
| 1763.3.....          | 1753.15(c).         |
| 1763.4.....          | 1753.15(d).         |
| 1763.5.....          | 1753.15(e).         |
| Subpart B.....       | 1753.16.            |
| 1763.20.....         | 1753.16(a).         |
| 1763.21.....         | 1753.16(b).         |
| 1763.22.....         | 1753.16(c).         |
| Subpart C.....       | 1753.17.            |
| 1763.40.....         | 1753.17(a).         |
| 1763.41.....         | 1753.17(b).         |
| 1763.42.....         | 1753.17(c).         |
| 1763.43.....         | 1753.17(d).         |
| 1763.44.....         | 1753.17(e).         |
| 1763.45.....         | 1753.17(f).         |
| 1763.46-1763.99..... | 1753.18-1753.20.    |
| 1765.1.....          | 1753.1.             |
| 1765.2.....          | 1753.2.             |
| 1765.3.....          | 1753.3.             |
| 1765.4.....          | 1753.4.             |
| 1765.5.....          | 1753.5.             |
| 1765.6.....          | 1753.6.             |
| 1765.7.....          | 1753.7.             |
| 1765.8.....          | 1753.8.             |
| 1765.9.....          | 1753.9.             |
| 1765.10.....         | 1753.10.            |
| 1765.11.....         | 1753.11.            |
| 1765.12-1765.14..... | 1753.12-1753.14.    |
| 1765 Subpart B.....  | 1753 Subpart D.     |
| 1765.15.....         | 1753.25.            |
| 1765.16.....         | 1753.26.            |
| 1765.17.....         | 1753.27.            |
| 1765.18.....         | 1753.28.            |
| 1765.19.....         | 1753.29.            |
| 1765.20.....         | 1753.30.            |
| 1765.21-1765.25..... | 1753.31-1753.35.    |
| 1765 Subpart C.....  | 1753 Subpart E.     |
| 1765.26.....         | 1753.36.            |
| 1765.27.....         | 1753.37.            |
| 1765.28.....         | 1753.38.            |
| 1765.29.....         | 1753.39.            |
| 1765.30-1765.35..... | 1753.40-1753.45.    |
| 1765 Subpart D.....  | 1753 Subpart F.     |

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| Old part or section  | New part or section |
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| 1765.36.....         | 1753.46.            |
| 1765.37.....         | 1753.47.            |
| 1765.38.....         | 1753.48.            |
| 1765.39.....         | 1753.49.            |
| 1765.40-1765.45..... | 1753.50-1753.55.    |
| 1765 Subpart E.....  | 1753 Subpart G.     |
| 1765.46.....         | 1753.56.            |
| 1765.47.....         | 1753.57.            |
| 1765.48.....         | 1753.58.            |
| 1765.49-1765.55..... | 1753.59-1753.65.    |
| 1765 Subpart F.....  | 1753 Subpart H.     |
| 1765.56.....         | 1753.66.            |
| 1765.57.....         | 1753.67.            |
| 1765.58.....         | 1753.68.            |
| 1765.59-1765.65..... | 1753.69-1753.75.    |
| 1765 Subpart G.....  | 1753 Subpart I.     |
| 1765.66.....         | 1753.76.            |
| 1765.67.....         | 1753.77.            |
| 1765.68.....         | 1753.78.            |
| 1765.69.....         | 1753.79.            |
| 1765.70.....         | 1753.80.            |
| 1765.71.....         | 1753.81.            |
| 1765.72.....         | 1753.82.            |
| 1765.73-1765.80..... | 1753.83-1753.90.    |
| 1765 Subpart H.....  | 1753 Subpart J.     |
| 1765.81.....         | 1753.91.            |
| 1765.82.....         | 1753.92.            |
| 1765.83.....         | 1753.93.            |
| 1765.84.....         | 1753.94.            |
| 1765.85.....         | 1753.95.            |
| 1765.86.....         | 1753.96.            |
| 1765.87-1765.99..... | 1753.97-1753.99.    |
| Part 1772.....       | Part 1755.          |
| 1772.3.....          | 1755.3.             |
| 1772.97.....         | 1755.97.            |
| 1772.98.....         | 1755.98.            |
| 1772.370.....        | 1755.370.           |
| 1772.397.....        | 1755.397.           |

This action is simply a redesignation of these regulations with no change to substance. Therefore, no period for public comment is required. Changes to regulatory text are merely to update cross references, eliminate repetition and combine existing information from old parts into new parts.

Therefore, under the authority of the Administrator, Rural Electrification Administration, REA amends 7 CFR chapters XVI and XVII as follows:

#### CHAPTER XVII—[AMENDED]

#### PART 1709—[REDESIGNATED AS PART 1703]

1. 7 CFR Part 1709—RURAL DEVELOPMENT is redesignated as 7 CFR part 1703.

2. A new part 1714 is added as follows:

#### PART 1714—PRE-LOAN POLICIES AND PROCEDURES FOR INSURED ELECTRIC LOANS

##### Subparts A Through C—[Reserved]

Authority: 7 U.S.C. 901-950b, Rural Electrification Act of 1936, as amended; Pub. L. 99-591, Delegation of Authority by the Secretary of Agriculture, 7 CFR 2.23; Delegation of Authority by the Under

Secretary for Small Community and Rural Development, 7 CFR 2.72.

##### Subparts A Through C—[Reserved]

#### Subpart C of Part 1710—[Redesignated as Subpart D of Part 1714]

#### PART 1710—[REMOVED]

3. 7 CFR part 1710 subpart C is redesignated as subpart D of part 1714 as follows and part 1710 is removed:

| Old designation     | New designation |
|---------------------|-----------------|
| 1710 Subpart C..... | 1714 Subpart D. |
| 1710.50.....        | 1714.150.       |
| 1710.51.....        | 1714.151.       |
| 1710.52.....        | 1714.152.       |
| 1710.53.....        | 1714.153.       |
| 1710.54.....        | 1714.154.       |
| 1710.55.....        | 1714.155.       |

#### PART 1717—[AMENDED]

4. Part 1717 is amended as follows:

a. The authority citation for part 1717 continues to read as follows:

Authority: 7 U.S.C. 901-950b; title I, subtitle D, sec. 1402; Delegation of Authority by the Secretary of Agriculture, 7 CFR 2.23; Delegation of Authority by the Under Secretary for Small Community and Rural Development, 7 CFR 2.72.

#### Subparts K Through M of Part 1717—[Added and Reserved]

b. Subparts K through M are added and reserved.

#### Subpart B of Part 1715—[Redesignated as Subpart N of Part 1717]

#### PART 1715—[REMOVED]

5. 7 CFR part 1715 subpart B is redesignated as subpart N of part 1717 as follows and part 1715 is removed:

| Old designation     | New designation |
|---------------------|-----------------|
| 1715 Subpart B..... | 1717 Subpart N. |
| 1715.20.....        | 1717.650.       |
| 1715.21.....        | 1717.651.       |
| 1715.22.....        | 1717.652.       |
| 1715.23.....        | 1717.653.       |
| 1715.24.....        | 1717.654.       |
| 1715.25.....        | 1717.655.       |
| 1715.26.....        | 1717.656.       |
| 1715.27.....        | 1717.657.       |
| 1715.28.....        | 1717.658.       |

6. A new part 1721, consisting of subpart A, is added as follows:

# **PART 1721—POST-LOAN POLICIES AND PROCEDURES FOR INSURED ELECTRIC LOANS**

## **Subpart A—Advance of Funds**

Authority: 7 U.S.C. 901 et seq., 7 U.S.C. 1921 et seq.

## **Subpart A—Advance of Funds**

§ 1711-1 Redesignated as § 1721.11

## **PART 1711—[REMOVED]**

7. Section 1711.1 is redesignated as § 1721.1 of subpart A of part 1721 as follows and part 1711 is removed:

| Old designation | New designation                        |
|-----------------|----------------------------------------|
| 1711.1.....     | Subpart A—Advance of Funds.<br>1721.1. |

8. A new part 1724 is added as follows:

# **PART 1724—ELECTRIC SYSTEM PLANNING AND DESIGN POLICIES AND PROCEDURES**

## **Subparts A Through D—[Reserved]**

Authority: 7 U.S.C. 901 et seq., 7 U.S.C. 1921 et seq.

## **Subparts A Through D—[Reserved]**

## **Subpart C of Part 1729— [Redesignated as Subpart E of Part 1724]**

## **PART 1729—[REMOVED]**

9. 7 CFR Part 1729 subpart C is redesignated as subpart E of part 1724 as follows and part 1729 is removed:

| Old designation              | New designation                |
|------------------------------|--------------------------------|
| 1729 Subpart C.....          | 1724 Subpart E.                |
| 1729.6.....                  | 1724.41.                       |
| 1729.7-1729.9<br>[Reserved]. | 1724.42-1724.44<br>[Reserved]. |
| 1729.10.....                 | 1724.45.                       |

10. A new part 1726, consisting of subpart G, is added as follows:

# **PART 1726—ELECTRIC SYSTEM CONSTRUCTION POLICIES AND PROCEDURES**

## **Subparts A Through F—[Reserved]**

## **Subpart G—Standard Forms of Electric Contracts**

Authority: 7 U.S.C. 901 et seq., 7 U.S.C. 1921 et seq.

## **Subparts A Through F—[Reserved]**

## **Subpart G—Standard Forms of Electric Contracts**

§ 1735-1 [Redesignated as § 1726.300]

## **PART 1735—[REMOVED]**

11. Section 1735.1 is redesignated as § 1726.300 in subpart G of part 1726 as follows and part 1735 is removed:

| Old designation | New designation                                              |
|-----------------|--------------------------------------------------------------|
| 1735.1.....     | Subpart G—Standard Forms of Electric Contracts.<br>1726.300. |

## **PART 1736—[REDESIGNATED AS PART 1728]**

12. 7 CFR part 1736 is redesignated as new part 1728 and the part heading of newly designated part 1728 is revised to read as follows:

# **PART 1728—ELECTRIC STANDARDS AND SPECIFICATIONS FOR MATERIALS AND CONSTRUCTION**

§ 1745. [Removed]

## **PART 1745—[REDESIGNATED AS PART 1735]**

## **PART 1750—[AMENDED]**

13. Section 1745.1 is removed, part 1745 is redesignated as new part 1735 and portions of the text of 7 CFR part 1750 are redesignated as subparts A and F through L of new part 1735 as follows:

| Old designation                       | New designation                       |
|---------------------------------------|---------------------------------------|
| Part 1745.....                        | Part 1735.                            |
| 1745 Subpart A.....                   | 1735 Subpart A.                       |
| 1745.1.....                           | Removed.                              |
| 1745.2 heading and introductory text. | 1735.2 heading and introductory text. |
| 1745.2(a).....                        | 1735.2(e).                            |
| 1745.2(b).....                        | 1735.2(g).                            |
| 1745.2(c).....                        | 1735.2(i).                            |
| 1745.2(d).....                        | 1735.2(m).                            |
| 1745.2(e).....                        | 1735.2(s).                            |
| 1745.2(f).....                        | 1735.2(u).                            |
| 1745.2(g).....                        | 1735.2(v).                            |
| 1745.3.....                           | 1735.3.                               |
|                                       | 1735.4-1735.9<br>[Reserved].          |
| 1745 Subpart B.....                   | 1735 Subpart B.                       |
| 1745.10-1745.22.....                  | 1735.10-1735.22.                      |
|                                       | 1735.23-1735.29<br>[Reserved].        |
| 1745 Subpart C.....                   | 1735 Subpart C.                       |
| 1745.30-1745.32.....                  | 1735.30-1735.32.                      |
|                                       | 1735.33-1735.39<br>[Reserved].        |
| 1745 Subpart D.....                   | 1735 Subpart D.                       |
| 1745.40-1745.47.....                  | 1735.40-1735.47.                      |
|                                       | 1735.48-1735.49<br>[Reserved].        |
| 1745 Subpart E.....                   | 1735 Subpart E.                       |

| Old designation      | New designation                                    |
|----------------------|----------------------------------------------------|
| 1745.50-1745.52..... | 1735.50-1735.52.<br>1735.53-1735.59<br>[Reserved]. |
| 1750.1(a).....       | 1735.1(b).                                         |
| 1750.1(b).....       | 1735.1(c).                                         |
| 1750.2 text.....     | 1735.1(d).                                         |
| 1750.3(a).....       | 1735.2(a).                                         |
| 1750.3(b).....       | 1735.2(b).                                         |
| 1750.3(c).....       | 1735.2(c).                                         |
| 1750.3(d).....       | 1735.2(d).                                         |
| 1750.3(f).....       | 1735.2(f).                                         |
| 1750.3(h).....       | 1735.2(h).                                         |
| 1750.3(i).....       | 1735.2(i).                                         |
| 1750.3(j).....       | 1735.2(k).                                         |
| 1750.3(k).....       | 1735.2(l).                                         |
| 1750.3(m).....       | 1735.2(n).                                         |
| 1750.3(n).....       | 1735.2(o).                                         |
| 1750.3(o).....       | 1735.2(p).                                         |
| 1750.3(p).....       | 1735.2(q).                                         |
| 1750.3(q).....       | 1735.2(r).                                         |
| 1750.3(s).....       | 1735.2(t).                                         |
| 1750 Subpart B.....  | 1735 Subpart F.                                    |
| 1750.10.....         | 1735.60.                                           |
| 1750.11.....         | 1735.61.                                           |
| 1750.12.....         | 1735.62.                                           |
|                      | 1735.63-1735.69<br>[Reserved].                     |
| 1750 Subpart C.....  | 1735 Subpart G.                                    |
| 1750.20.....         | 1735.70.                                           |
| 1750.21.....         | 1735.71.                                           |
| 1750.22.....         | 1735.72.                                           |
| 1750.23.....         | 1735.73.                                           |
| 1750.24.....         | 1735.74.                                           |
| 1750.25.....         | 1735.75.                                           |
| 1750.26.....         | 1735.76.                                           |
| 1750.27.....         | 1735.77.                                           |
|                      | 1735.78-1735.79<br>[Reserved].                     |
| 1750 Subpart D.....  | 1735 Subpart H.                                    |
| 1750.30.....         | 1735.80.                                           |
|                      | 1735.81-1735.89<br>[Reserved].                     |
| 1750 Subpart E.....  | 1735 Subpart I.                                    |
| 1750.40.....         | 1735.90.                                           |
| 1750.41.....         | 1735.91.                                           |
| 1750.42.....         | 1735.92.                                           |
| 1750.43.....         | 1735.93.                                           |
| 1750.44.....         | 1735.94.                                           |
| 1750.45.....         | 1735.95.                                           |
|                      | 1735.96-1735.99<br>[Reserved].                     |
| 1750 Subpart F.....  | 1735 Subpart J.                                    |
| 1750.50.....         | 1735.100.                                          |
| 1750.51.....         | 1735.101.                                          |

## **PART 1750—[REMOVED]**

14. Part 1750 is removed.

## **PART 1735—[AMENDED]**

15. Section 1735.1 of newly designated part 1735 is revised to read as follows:

### **§ 1735.1 General statement.**

(a) Subparts A through E of this part set forth the general policies, types of loans and loan requirements under the Telephones loan program.

(b) The standard REA security documents (see 7 CFR 1744 subpart D or REA Bulletins 320-4, 320-22, 321-2, 322-2, 323-1, 326-1) contain provisions regarding acquisitions, mergers, and consolidations. Subparts F through J of this part implement those provisions by

setting forth the policies, procedures, and requirements for telephone borrowers planning to acquire existing telephone lines, facilities, or systems with REA loan or other funds, or planning to merge or consolidate with another system. This part supersedes all REA Bulletins that are in conflict with it.

(c) Subparts F through M of this part also detail REA's requirements with respect to mergers and acquisitions involving REA loan funds.

#### **PART 1749—[REDESIGNATED AS PART 1737]**

#### **PART 1751—[AMENDED]**

16. 7 CFR part 1749 is redesignated as part 1737 and portions of the text of part 1751 are redesignated as sections in subpart A and as subparts F through K of part 1737 as follows with heading changes as indicated:

| Old designation                                                  | New designation                                                                              |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Part 1749—Preloan Procedures and Requirements—Telephone Program. | Part 1737—Pre-Loan Policies and Procedures Common to Guaranteed and Insured Telephone Loans. |
| 1749 Subpart A                                                   | 1737 Subpart A.                                                                              |
| 1749.1 heading and text                                          | 1737.1 heading and (a).                                                                      |
| 1749.2 heading and introductory text.                            | 1737.2 heading and introductory text.                                                        |
| 1749.2(a)                                                        | 1737.2(b).                                                                                   |
| 1749.2(b)                                                        | 1737.2(c).                                                                                   |
| 1749.2(c)                                                        | 1737.2(e).                                                                                   |
| 1749.2(d)                                                        | 1737.2(h).                                                                                   |
| 1749.2(e)                                                        | 1737.2(i).                                                                                   |
| 1749.2(f)                                                        | 1737.2(j).                                                                                   |
| 1749.2(g)                                                        | 1737.2(k).                                                                                   |
| 1749.2(h)                                                        | 1737.2(p).                                                                                   |
| 1749.2(i)                                                        | 1737.2(r).                                                                                   |
| 1749.3                                                           | 1737.3, 1737.4–1737.9 [Reserved].                                                            |
| 1749 Subpart B                                                   | 1737 Subpart B.                                                                              |
| 1749.10–1749.11                                                  | 1737.10–1737.11, 1737.12–1737.19 [Reserved].                                                 |
| 1749 Subpart C                                                   | 1737 Subpart C.                                                                              |
| 1749.20–1749.22                                                  | 1737.20–1737.22, 1737.23–1737.29 [Reserved].                                                 |
| 1749 Subpart D                                                   | 1737 Subpart D.                                                                              |
| 1749.30–1749.32                                                  | 1737.30–1737.32, 1737.33–1737.39 [Reserved].                                                 |
| 1749 Subpart E                                                   | 1737 Subpart E.                                                                              |
| 1749.40–1749.42                                                  | 1737.40–1737.42, 1737.43–1737.49 [Reserved].                                                 |
| 1751.1(a)                                                        | 1737.1(b).                                                                                   |
| 1751.1(b)                                                        | 1737.1(c).                                                                                   |
| 1751.2(a)                                                        | 1737.2(a).                                                                                   |
| 1751.2(c)                                                        | 1737.2(d).                                                                                   |
| 1751.2(e)                                                        | 1737.2(f).                                                                                   |
| 1751.2(f)                                                        | 1737.2(g).                                                                                   |
| 1751.2(i)                                                        | 1737.2(i).                                                                                   |
| 1751.2(j)                                                        | 1737.2(m).                                                                                   |
| 1751.2(k)                                                        | 1737.2(n).                                                                                   |
| 1751.2(l)                                                        | 1737.2(o).                                                                                   |
| 1751.2(n)                                                        | 1737.2(q).                                                                                   |
| 1751.2(o)                                                        | 1737.2(s).                                                                                   |

| Old designation                                 | New designation                                      |
|-------------------------------------------------|------------------------------------------------------|
| 1751 Subpart B—Review of Application.           | 1737 Subpart F—Review of Application Procedures.     |
| 1751.10                                         | 1737.50.                                             |
| 1751.11                                         | 1737.51.                                             |
| 1751.12–1751.19 [Reserved].                     | 1737.52–1737.59 [Reserved].                          |
| 1751 Subpart C—Estimate of Total Project Costs. | 1737 Subpart G—Project Cost Estimation Procedures.   |
| 1751.20                                         | 1737.60.                                             |
| 1751.21                                         | 1737.61.                                             |
| 1751.22–1751.29 [Reserved].                     | 1737.62–1737.69 [Reserved].                          |
| 1751 Subpart D—Feasibility Study.               | 1737 Subpart H—Feasibility Determination Procedures. |
| 1751.30                                         | 1737.70.                                             |
| 1751.31–1751.39 [Reserved].                     | 1737.71–1737.79 [Reserved].                          |
| 1751 Subpart E                                  | 1737 Subpart I.                                      |
| 1751.40                                         | 1737.80.                                             |
| 1751.41–1751.49 [Reserved].                     | 1737.81–1737.89 [Reserved].                          |
| 1751 Subpart F—Loan Approval.                   | 1737 Subpart J—Final Loan Approval Procedures.       |
| 1751.50                                         | 1737.90.                                             |
| 1751.51                                         | 1737.91.                                             |
| 1751.52                                         | 1737.92.                                             |
| 1751.53–1751.59 [Reserved].                     | 1737.93–1737.99 [Reserved].                          |
| 1751 Subpart G—Release of Funds.                | 1737 Subpart K—Release of Funds Procedure.           |
| 1751.60                                         | 1737.100.                                            |
| 1751.61                                         | 1737.101.                                            |
| 1751.62–1751.69 [Reserved].                     | 1737.102–1737.109 [Reserved].                        |

#### **PART 1751—[REMOVED]**

17. Part 1751 is removed.

18. A new part 1744, consisting of subparts B and C, is added as follows:

#### **PART 1744—POST LOAN POLICIES AND PROCEDURES COMMON TO GUARANTEED AND INSURED TELEPHONE LOANS**

##### **Subpart A—[Reserved]**

##### **Subpart B—Lien Accommodations and Subordination Policy**

##### **Subpart C—Advance and Disbursement of Funds**

Authority: 7 U.S.C. 901 et seq., 7 U.S.C. 1921 et seq.

##### **Subpart A—[Reserved]**

##### **Subpart B—Lien Accommodations and Subordination Policy**

##### **Subpart C—Advance and Disbursement of Funds**

#### **PART 1747—[REDESIGNATED TO SUBPART B OF PART 1744]**

#### **PART 1754—[REDESIGNATED TO SUBPART C OF PART 1744]**

#### **PARTS 1747 and 1754—[Removed]**

19. The text of 7 CFR part 1747 is redesignated as sections in subpart B of part 1744, the text of part 1754 is redesignated as sections in subpart C of part 1744 as follows and parts 1747 and 1754 are removed:

| Old designation             | New designation             |
|-----------------------------|-----------------------------|
| 1747.1                      | Subpart B 1744.20.          |
| 1747.2                      | 1744.21.                    |
| 1747.3–1747.9 [Reserved].   | 1744.22–1744.29 [Reserved]. |
| 1747.10                     | 1744.30.                    |
| 1747.11–1747.19 [Reserved]. | 1744.31–1744.39 [Reserved]. |
| 1747.20                     | 1744.40.                    |
| 1747.21–1747.29 [Reserved]. | 1744.41–1744.49 [Reserved]. |
| 1747.30                     | 1744.50.                    |
|                             | 1744.51–1744.59 [Reserved]. |
|                             | Subpart C                   |
| 1754.1                      | 1744.60.                    |
| 1754.2                      | 1744.61.                    |
| 1754.3                      | 1744.62.                    |
| 1754.4                      | 1744.63.                    |
| 1754.5                      | 1744.64.                    |
| 1754.6                      | 1744.65.                    |
| 1754.7                      | 1744.66.                    |
| 1754.8                      | 1744.67.                    |
| 1754.9                      | 1744.68.                    |
|                             | 1744.69 [Reserved].         |

#### **PART 1765—[REDESIGNATED AS PART 1753]**

#### **PART 1763—[REDESIGNATED AS SUBPART B OF PART 1753]**

20. 7 CFR part 1765 is redesignated as part 1753, the text of 7 CFR part 1763 is redesignated as subpart B of part 1753 as follows with heading changes as indicated, and part 1763 is removed:

| Old designation                                                              | New Designation                                                           |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Part 1765—Telephone Materials, Equipment and Construction—Telephone Program. | Part 1753—Telecommunications System Construction Policies and Procedures. |
| 1765 Subpart A                                                               | 1753 Subpart A.                                                           |
| 1765.1                                                                       | 1753.1.                                                                   |
| 1765.2                                                                       | 1753.2.                                                                   |
| 1765.3                                                                       | 1753.3.                                                                   |
| 1765.4                                                                       | 1753.4.                                                                   |
| 1765.5                                                                       | 1753.5.                                                                   |
| 1765.6                                                                       | 1753.6.                                                                   |
| 1765.7                                                                       | 1753.7.                                                                   |
| 1765.8                                                                       | 1753.8.                                                                   |
| 1765.9                                                                       | 1753.9.                                                                   |
| 1765.10                                                                      | 1753.10.                                                                  |
| 1765.11                                                                      | 1753.11.                                                                  |

| Old designation                   | New Designation                                                                          |
|-----------------------------------|------------------------------------------------------------------------------------------|
| 1765.12-1765.14<br>[Reserved].    | 1753.12-1753.14<br>[Reserved].<br>Subpart B—Engineering<br>Services                      |
| 1763.1 heading.....               | 1753.15 heading.                                                                         |
| 1763.1 (a)-(c).....               | 1753.15(a)(1)-(a)(3).                                                                    |
| 1763.1 (d)(1) and (d)(2).....     | 1753.15 (a)(4)(i) and<br>(a)(4)(ii).                                                     |
| 1763.1(e).....                    | 1753.15(a)(5).                                                                           |
| 1763.2 introductory text.....     | 1753.15(b) introductory<br>text.                                                         |
| 1763.2(a)-(m).....                | 1753.15 (b)(1)-(b)(13).                                                                  |
| 1763.3 text.....                  | 1753.15(c).                                                                              |
| 1763.4 (a) and (b).....           | 1753.15 (d)(1) and (d)(2).                                                               |
| 1763.5 (a) and (b).....           | 1753.15 (e)(1) and (e)(2).                                                               |
| 1763 Subpart B heading.....       | 1753.16 heading.                                                                         |
| 1763.20 text.....                 | 1753.16(a).                                                                              |
| 1763.21 (a)-(e).....              | 1753.16 (b)(1)-(b)(5).                                                                   |
| 1763.22 (a)-(c).....              | 1753.16 (c)(1)-(c)(3).                                                                   |
| 1763 Subpart C heading.....       | 1753.17 heading.                                                                         |
| 1763.40 (a) and (b).....          | 1753.17 (a)(1) and (a)(2).                                                               |
| 1763.41(a).....                   | 1753.17(b)(1).                                                                           |
| 1763.41 (a)(1) and (a)(2).....    | 1753.17 (b)(1)(i) and<br>(b)(1)(ii).                                                     |
| 1763.41 (a)(2)(i)-(a)(2)(iv)..... | 1753.17(b)(1)(ii) (A)-(D).                                                               |
| 1763.41(b).....                   | 1753.17(b)(2).                                                                           |
| 1763.42.....                      | 1753.17(c).                                                                              |
| 1763.43 (a) and (b).....          | 1753.17 (d)(1) and (d)(2).                                                               |
| 1763.44 (a) and (b).....          | 1753.17 (e)(1) and (e)(2).                                                               |
| 1763.45 (a)-(d).....              | 1753.17 (f)(1)-(f)(4).                                                                   |
| 1763.46-1763.99<br>[Reserved].    | 1753.18-1753.20<br>[Reserved].<br>Subpart C [Reserved].<br>1753.21-1751.24<br>[Reserved] |
| 1765 Subpart B.....               | 1753 Subpart D.                                                                          |
| 1765.15.....                      | 1753.25.                                                                                 |
| 1765.16.....                      | 1753.26.                                                                                 |
| 1765.17.....                      | 1753.27.                                                                                 |
| 1765.18.....                      | 1753.28.                                                                                 |
| 1765.19.....                      | 1753.29.                                                                                 |
| 1765.20.....                      | 1753.30.                                                                                 |
| 1765.21-1765.25<br>[Reserved].    | 1753.31-1753.35<br>[Reserved].                                                           |
| 1765 Subpart C.....               | 1753 Subpart E.                                                                          |
| 1765.26.....                      | 1753.36.                                                                                 |
| 1765.27.....                      | 1753.37.                                                                                 |
| 1765.28.....                      | 1753.38.                                                                                 |
| 1765.29.....                      | 1753.39.                                                                                 |
| 1765.30-1765.35<br>[Reserved].    | 1753.40-1753.45<br>[Reserved].                                                           |
| 1765 Subpart D.....               | 1753 Subpart F.                                                                          |
| 1765.36.....                      | 1753.46.                                                                                 |
| 1765.37.....                      | 1753.47.                                                                                 |
| 1765.38.....                      | 1753.48.                                                                                 |
| 1765.39.....                      | 1753.49.                                                                                 |
| 1765.40-1765.45<br>[Reserved].    | 1753.50-1753.55<br>[Reserved].                                                           |
| 1765 Subpart E.....               | 1753 Subpart G.                                                                          |
| 1765.46.....                      | 1753.56.                                                                                 |
| 1765.47.....                      | 1753.57.                                                                                 |
| 1765.48.....                      | 1753.58.                                                                                 |
| 1765.49-1765.55<br>[Reserved].    | 1753.59-1753.65<br>[Reserved].                                                           |
| 1765 Subpart F.....               | 1753 Subpart H.                                                                          |
| 1765.56.....                      | 1753.66.                                                                                 |
| 1765.57.....                      | 1753.67.                                                                                 |
| 1765.58.....                      | 1753.68.                                                                                 |
| 1765.59-1765.65<br>[Reserved].    | 1753.69-1753.75<br>[Reserved].                                                           |
| 1765 Subpart G.....               | 1753 Subpart I.                                                                          |
| 1765.66.....                      | 1753.76.                                                                                 |
| 1765.67.....                      | 1753.77.                                                                                 |
| 1765.68.....                      | 1753.78.                                                                                 |
| 1765.69.....                      | 1753.79.                                                                                 |
| 1765.70.....                      | 1753.80.                                                                                 |
| 1765.71.....                      | 1753.81.                                                                                 |
| 1765.72.....                      | 1753.82.                                                                                 |
| 1765.73-1765.80<br>[Reserved].    | 1753.83-1753.90<br>[Reserved].                                                           |
| 1765 Subpart H.....               | 1753 Subpart J.                                                                          |

| Old designation                | New Designation                |
|--------------------------------|--------------------------------|
| 1765.81.....                   | 1753.91.                       |
| 1765.82.....                   | 1753.92.                       |
| 1765.83.....                   | 1753.93.                       |
| 1765.84.....                   | 1753.94.                       |
| 1765.85.....                   | 1753.95.                       |
| 1765.86.....                   | 1753.96.                       |
| 1765.87-1765.99<br>[Reserved]. | 1753.97-1753.99<br>[Reserved]. |

#### PART 1772—[REDESIGNATED AS PART 1755]

§ 1762.01 [Redesignated as § 1755.93]  
21. 7 CFR part 1772 is redesignated as part 1755, § 1762.01 is redesignated as § 1755.93 as follows with heading changes as indicated, and part 1762 is removed:

| Old designation                                         | New designation                                                                                                      |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| Part 1772—Telephone<br>Standards and<br>Specifications. | Part 1755—<br>Telecommunications<br>Standards and<br>Specifications for<br>Materials, Equipment<br>and Construction. |
| 1772.3.....                                             | 1755.3.                                                                                                              |
| 1762.01.....                                            | 1755.4-1755.92<br>[Reserved].<br>1755.93.<br>1755.94-1755.96<br>[Reserved].                                          |
| 1772.97.....                                            | 1755.97.                                                                                                             |
| 1772.98.....                                            | 1755.98.                                                                                                             |
| 1772.370.....                                           | 1755.99-1755.369<br>[Reserved].<br>1755.370.<br>1755.371-1755.396<br>[Reserved].                                     |
| 1772.397.....                                           | 1755.397.<br>1755.398-1755.399<br>[Reserved].                                                                        |

22. The part heading of 7 CFR part 1785 is revised as follows:

#### PART 1785—LOAN ACCOUNT COMPUTATIONS, PROCEDURES AND POLICIES FOR ELECTRIC AND TELEPHONE BORROWERS

23.7 CFR part 1789—REA Policy on Audits of Electric and Telephone Borrowers, is redesignated as 7 CFR part 1773.

24. The part heading of 7 CFR part 1794 is revised as follows:

#### PART 1794—ENVIRONMENTAL POLICIES AND PROCEDURES FOR ELECTRIC AND TELEPHONE BORROWERS

25. All internal references in newly designated parts 1703, 1714, 1717, 1721, 1724, 1726, 1728, 1735, 1737, 1744, 1753, 1755, and 1773 are revised as set forth in the redesignation tables.

26. The following parts are added and reserved:

#### PART 1710—GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS [RESERVED]

#### PART 1712—PRE-LOAN POLICIES AND PROCEDURES FOR GUARANTEED ELECTRIC LOANS [RESERVED]

#### PART 1719—POST-LOAN POLICIES AND PROCEDURES FOR GUARANTEED ELECTRIC LOANS [RESERVED]

#### PART 1730—ELECTRIC SYSTEM OPERATIONS AND MAINTENANCE [RESERVED]

#### PART 1739—PRE-LOAN POLICIES AND PROCEDURES FOR GUARANTEED TELEPHONE LOANS [RESERVED]

#### PART 1741—PRE-LOAN POLICIES AND PROCEDURES FOR INSURED TELEPHONE LOANS [RESERVED]

#### PART 1746—POST-LOAN POLICIES AND PROCEDURES FOR GUARANTEED TELEPHONE LOANS [RESERVED]

#### PART 1748—POST-LOAN POLICIES AND PROCEDURES FOR INSURED TELEPHONE LOANS [RESERVED]

#### PART 1751—TELECOMMUNICATIONS SYSTEM PLANNING AND DESIGN CRITERIA, AND PROCEDURE [RESERVED]

#### PART 1757—TELEPHONE SYSTEMS OPERATIONS AND MAINTENANCE [RESERVED]

#### CHAPTER XVI—[AMENDED]

#### PART 1610—[AMENDED]

1. The authority citation for 7 CFR part 1610 continues to read as follows:

Authority: 85 Stat. 29 et seq., 7 U.S.C. 941 et seq., as amended, at Pub. L. 93-32, 87 Stat. 70 et seq. and Pub. L. 100-203, 101 Stat. 1330, et seq.

2. Section 1610.8 of 7 CFR part 1610 is revised to read as follows:

#### § 1610.8 Adoption of applicable REA policy.

The policies embodied in 7 CFR part 1610, in all parts of 7 CFR chapter XVII except those identified below, will be utilized by the Governor in carrying out the Bank's loan program to the extent that such policies are consistent with title IV of the Act (7 U.S.C. 941 et seq.)

and to the extent that policies in 7 CFR chapter XVII are consistent with 7 CFR part 1610. The parts of 7 CFR chapter XVII applicable solely to the Electric Program and thus exceptions to this section are parts 1710 through 1734 inclusive.

Dated: September 21, 1990.

George E. Pratt,

Acting Administrator, Rural Electrification Administration; Acting Governor, Rural Telephone Bank.

[FR Doc. 90-22901 Filed 9-26-90; 8:45 am]

BILLING CODE 3410-15-M

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 105

#### Standards of Conduct

**AGENCY:** Small Business Administration.  
**ACTION:** Final rule.

**SUMMARY:** The Small Business Administration is hereby revising its procedural standards of conduct regulations dealing with the designation of authorized officials for purposes of making certain determinations relative to these regulations. It is also altering the composition of its Standards of Conduct Committee by appropriate regulatory change. This revision makes changes to improve the efficiency of the Agency's standards of conduct program. It will facilitate more expeditious resolution of standards of conduct issues that require Agency approval by streamlining the review process in certain cases.

**EFFECTIVE DATE:** These rules are effective September 29, 1990.

**FOR FURTHER INFORMATION CONTACT:** Robinson S. Nunn, Office of General Counsel, room 700, 1441 L Street NW., Washington, DC 20416, telephone (202) 653-6043.

**SUPPLEMENTARY INFORMATION:** The regulatory changes indicated below are intended to provide for the ability of SBA's Standards of Conduct Counselor (SCC) to make certain determinations presently required by regulation to be made by SBA's Standards of Conduct Committee (SOC). In this regard, present regulations require that the SOC approve provision of SBA assistance to a firm which has a business relationship or employment relationship with certain former SBA employees (see 13 CFR 105.404). They also require that requests for outside employment of certain Agency employees be approved by the SOC (see 13 CFR 105.510).

These final regulations will permit the SCC to make all determinations

presently reserved to the SOC under 13 CFR 105.404. Thus, the SCC will be able to determine if approval may be granted to an applicant for SBA assistance, which has a business relationship of the nature described in the regulation, with an individual who was a former SBA employee, within one year of the request for assistance. These final regulations also expand the authority of the SCC and his or her Regional SCC's with respect to cases involving applications by Agency employees for approval of outside activities (13 CFR 105.510), which may be decided by those individuals, without reference to the SOC. In this regard, the Regional SCC's authority is expanded to cover all Regional employees graded GS-14 and below, and the SCC's authority is expanded to cover Central Office employees of GS-15 and below and all field employees.

In addition, these final regulations alter the composition of the Agency's SOC by substituting the Associate Deputy Administrator for Management and Administration for the Assistant Administrator for Administration and the Director of Personnel for the Director of Field Management, as members.

Due to the fact that this final rule governs matters of agency organization, management and personnel and makes no substantive change to the current regulation, SBA is not required to determine if these changes constitute a major rule for purposes of Executive Order 12291, to determine if they have a significant economic impact on a substantial number of small entities pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to do a Federalism assessment pursuant to Executive Order 12612. Finally, SBA certifies that these changes will not impose an annual recordkeeping or reporting requirement on 10 or more persons under the Paperwork Reduction Act (44 U.S.C. ch. 35).

SBA is publishing this regulation governing agency organization, procedure and practice as a final rule without opportunity for public comment pursuant to 5 U.S.C. 553(b)(3)(A).

#### List of Subjects in 13 CFR Part 105

Conflict of interests, Standards of conduct.

For the reasons set out in the preamble, chapter I, part 105 of title 13, Code of Federal Regulations is amended as follows:

## PART 105—STANDARDS OF CONDUCT

1. The authority citation for part 105 revised to read as follows:

Authority: 15 U.S.C. 684; 15 U.S.C. 637(a) (18) and (a)(19); E.O. 12674; 3 CFR, comp., p. 215; 5 CFR 735.104.

2. Section 105.404 is revised to read as follows:

#### § 105.404 SBA assistance to person employing former SBA employee.

(a) SBA shall not provide assistance to any person who has as an employee, owner, partner, attorney, agent, owner of stock, officer, director, creditor or debtor, any individual who, within one year prior to the request for such assistance was an SBA employee, without the prior approval of the SBA Standards of Conduct Counselor. The Standards of Conduct Counselor will refer matters of a controversial nature to the Standards of Conduct Committee for final decision. On all matters the decision of the Standards of Conduct Counselor is final.

(b) In reviewing applications for assistance, the Standards of Conduct Counselor will consider:

- (1) The relationship of the former employee with the applicant concern;
- (2) The nature of the SBA assistance requested;
- (3) The position held by the former employee with SBA and its relationship to the assistance requested; and
- (4) The appearance of a possible conflict of interest that might arise if the assistance were granted.

3. The last sentence of § 105.501(d)(1) is revised and two sentences are added to read as follows:

#### § 105.501 Involvement in matters in which Government has substantial interest.

(d) \* \* \*

(1) \* \* \* In order to determine the possibility of any conflict of interest and the appearances of the arrangement, this function must first be reviewed and approved by the Standards of Conduct Counselor. The Standards of Conduct Counselor will refer matters of a controversial nature to the Standards of Conduct Committee for final decision. On all other matters the decision of the Standards of Conduct Counselor is final.

4. Section 105.510 is amended as follows:

a. In paragraph (b)(1)(i), by removing, from the first sentence the term "CS-13" and inserting the term "GS-15" in lieu thereof;

b. Paragraph (b)(1)(ii) is revised;