

(3) Loan Period 3 is the life expectancy figure in Loan Period 3, multiplied by 1.4 and rounded to the nearest full year (life

expectancy figures at .5 have been rounded up to 1).

(4) At the creditor's option, an additional period may be included, which is the life

expectancy figure in Loan Period 2, multiplied by .5 and rounded to the nearest full year (life expectancy figures at .5 have been rounded up to 1).

| Age of youngest borrower | Loan period 1 (in years) | [Optional loan period (in years)] | Loan period 2 (life expectancy) (in years) | Loan period 3 (in years) |
|--------------------------|--------------------------|-----------------------------------|--|--------------------------|
| 62 | 2 | [11] | 21 | 29 |
| 63 | 2 | [10] | 20 | 28 |
| 64 | 2 | [10] | 19 | 27 |
| 65 | 2 | [9] | 18 | 25 |
| 66 | 2 | [9] | 18 | 25 |
| 67 | 2 | [9] | 17 | 24 |
| 68 | 2 | [8] | 16 | 22 |
| 69 | 2 | [8] | 16 | 22 |
| 70 | 2 | [8] | 15 | 21 |
| 71 | 2 | [7] | 14 | 20 |
| 72 | 2 | [7] | 13 | 18 |
| 73 | 2 | [7] | 13 | 18 |
| 74 | 2 | [6] | 12 | 17 |
| 75 | 2 | [6] | 12 | 17 |
| 76 | 2 | [6] | 11 | 15 |
| 77 | 2 | [5] | 10 | 14 |
| 78 | 2 | [5] | 10 | 14 |
| 79 | 2 | [5] | 9 | 13 |
| 80 | 2 | [5] | 9 | 13 |
| 81 | 2 | [4] | 8 | 11 |
| 82 | 2 | [4] | 8 | 11 |
| 83 | 2 | [4] | 7 | 10 |
| 84 | 2 | [4] | 7 | 10 |
| 85 | 2 | [3] | 6 | 8 |
| 86 | 2 | [3] | 6 | 8 |
| 87 | 2 | [3] | 6 | 8 |
| 88 | 2 | [3] | 5 | 7 |
| 89 | 2 | [3] | 5 | 7 |
| 90 | 2 | [3] | 5 | 7 |
| 91 | 2 | [2] | 4 | 6 |
| 92 | 2 | [2] | 4 | 6 |
| 93 | 2 | [2] | 4 | 6 |
| 94 | 2 | [2] | 4 | 6 |
| 95 and over | 2 | [2] | 3 | 4 |

By order of the Board of Governors of the Federal Reserve System, March 20, 1995.

William W. Wiles,
Secretary of the Board.

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SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Regulations; Handicapped Workshop Participation in Small Business Set-Aside Contracts

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: The Small Business Administration (SBA) hereby amends its size regulations to include public or private organizations for the handicapped as eligible concerns to participate in small business set-aside contracts during fiscal year 1995, in an aggregate amount not to exceed

\$40,000,000. Section 305 of the Small Business Administration Reauthorization and Amendments Act of 1994 expanded the eligibility of entities which may participate in small business set-aside contracts to include public or private organizations for the handicapped during fiscal year 1995. Handicapped organizations had been eligible for set-aside contracts during fiscal years 1989 through 1993.

EFFECTIVE DATE: This rule is effective on March 24, 1995.

FOR FURTHER INFORMATION CONTACT: Gary M. Jackson, Assistant Administrator for Size Standards, (202) 205-6840.

121.601. The Small Business Administration Reauthorization and Amendments Act of 1994 amended Section 15(c) of the Act, 15 U.S.C. 644(c), by expanding the eligibility of entities which may participate in small business set-aside contracts to include public or private organizations for the handicapped during fiscal year 1995. See Public Law 103-403, Section 305.

However, this statutory revision limits the extent of participation by public or private handicapped organizations in small business set-aside awards to an aggregate amount not to exceed \$40,000,000. The Act further provides that Federal agencies making awards to such organizations pursuant to provisions of this Act may use multi-year contracts, if appropriate.

This statutory provision reinstates the eligibility of public or private handicapped organizations previously authorized by Public Law 100-590 for fiscal years 1989 through 1993. Sections 121.2001 through 121.2005 of the Small Business Size Regulations prescribe regulations governing the participation of public or private handicapped organization on small business set-aside contracts. The regulations include the definition of terms, procedures for protesting the status of an offeror asserting eligibility as a handicapped organization, and procedures for filing appeals of an award to a handicapped organization on the basis of severe

economic injury to a small business concern as a result of a proposed award. Although these regulations were originally established for awards made during fiscal years 1989-93, they have remained in effect and will generally apply to awards made in fiscal year 1995.

However, Sections 121.2004 and 121.2005 are now being revised to incorporate the current title and address of the SBA official responsible for deciding protests concerning the eligibility of a handicapped organization and appeal of awards based on severe economic impact on small business. An internal reorganization of the SBA included the renaming of the "Office of Procurement Assistance" to the "Office of Government Contracting." The responsibilities of the Office of Government Contracting, however, include those of the former Office of Procurement.

The SBA is publishing this regulation as a final rule without notice and opportunity for public comment since the SBA is merely adopting the statutory language into its regulations to recognize the eligibility granted to public or private handicapped organizations to participate in small business set-aside contracts during fiscal year 1995. In addition, the change to the title of the Agency official responsible for deciding protests and appeals concerning small business set-aside awards to handicapped organizations is a matter of Agency management and personnel and is, therefore, published without notice and comment pursuant to 5 U.S.C. 553(a)(2).

Compliance With Executive Orders 12612, 12788 and 12866, the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), and the Paperwork Reduction Act (44 U.S.C. Chapter 3501 et seq.)

The SBA certifies that this rule is not a significant rule within the meaning of Executive Order 12866 and will not have a significant economic impact on a substantial number of entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. This rule does not impose costs upon the businesses which might be affected by it. Because the rule will have no effect on the amount or dollar value of any contract requirement or the number of requirements reserved for the small business set-aside program, it will not have an annual economic effect of \$100 million or more, result in a major increase in costs or prices, or have a significant adverse effect on competition or the United States economy.

For the purpose of the Paperwork Reduction Act, 44 U.S.C. Ch. 35, SBA

certifies that this rule contains no new reporting or recordkeeping requirements. For purposes of Executive Order 12612, SBA certifies that this rule does not have any federalism implications warranting the preparation of a Federalism Assessment. For purposes of Executive Order 12778, the SBA certifies that this rule is drafted, to the extent practicable, in accordance with the standards set forth in section 2 of this order.

For the reasons set forth above, Title 13, Code of Federal Regulations (CFR), is amended as set forth below.

List of Subjects in 13 CFR Part 121

Government procurement, Government property, Grant programs—business, Loan programs—business, Small business.

PART 121—[AMENDED]

1. The authority citation for 13 CFR Part 121 continues to read as follows:

Authority: 15 U.S.C. 632(a), 634(b)(6), 637(a), and 644(c); and Pub. L. 102-486, 106 Stat. 2776, 3133.

2. Section 121.2001 is revised to read as follows:

§ 121.2001 Statutory basis.

(a) The Small Business Act, as amended by Public Law 103-403, provides that public or private organizations for the handicapped shall be eligible to participate in small business set-aside contracts for fiscal year 1995 in an aggregate amount not to exceed \$40,000,000. See 15 U.S.C. 644(c)(2)(A).

(b) Agencies awarding one or more contracts to such a handicapped organization may use multi-year contracts, if appropriate. See 15 U.S.C. 644(c)(7).

(c) Awards to public or private organizations for the handicapped may be appealed to SBA when a small business experiences or is likely to experience severe economic injury as a result of the proposed award to an organization for the handicapped. Any eligible concern wishing to appeal must file its appeal with the SBA within 10 days after the announcement of the proposed award to which the appeal relates. The SBA is afforded 30 days from the date the appeal is filed to consult with the Executive Director of the Committee for Purchase from the Blind and Other Severely Handicapped.

3. Section 121.2004 is amended by revising paragraphs (c)(1) and (c)(5) to read as follows:

§ 121.2004 Protest of eligibility.

* * * * *

(c) *Procedure for protest.* (1) Protests shall be submitted to the contracting officer who shall promptly forward them to the Associate Administrator for Government Contracting, Small Business Administration, 409 Third Street SW., Washington, DC 20416. The Associate Administrator shall be the deciding official for purposes of protests under this section.

* * * * *

(5) The Associate Administrator for Government Contracting shall consult with the Executive Director of the Committee for Purchases from the Blind and Other Severely Handicapped before rendering a determination.

* * * * *

4. Section 121.2005 is amended by revising paragraph (c)(1) to read as follows:

§ 121.2005 Appeal of economic impact.

* * * * *

(c) *Procedure for appeal.* (1) Appeals shall be submitted to the contracting officer who shall promptly forward them to the Associate Administrator for Government Contracting, Small Business Administration, 409 Third Street SW., Washington, DC 20416. The Associate Administrator shall be the deciding official for purposes of appeals under this section.

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Dated: February 15, 1995.

Philip Lader,
Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 635

General Material Requirements; Buy America Requirements

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of nationwide waiver of Buy America for pig iron and processed, pelletized, and reduced iron ore.

SUMMARY: The FHWA is hereby granting a nationwide waiver of the Buy America requirements for certain iron components used in the manufacture of steel and/or iron materials. Based on the findings of a nationwide review, and after analyzing the comments submitted in response to the waiver proposal, the FHWA believes that the supply from domestic sources of pig iron and processed, pelletized, and reduced iron ore is not adequate to permit full