

**SMALL BUSINESS ADMINISTRATION****13 CFR Part 121****Proposed Rule; Small Business Size Standards; Waiver of the Nonmanufacturer Rule**

**AGENCY:** Small Business Administration.

**ACTION:** Notice of intent to waive the Nonmanufacturer Rule for Airborne Integrated Data Components (master units, remote units, bus monitors, analog multiplexers, convolutional encoders, digital multiplexers, signal conditioners, and time code readers).

**SUMMARY:** The Small Business Administration (SBA) is considering granting a waiver of the Nonmanufacturer Rule for Airborne Integrated Data Components. The basis for a waiver of the Nonmanufacturer Rule for this product is that there are no small business manufacturers or processors available to supply these products to the Federal Government. The effect of a waiver would be to allow an otherwise qualified Nonmanufacturer to supply other than the product of a domestic small business manufacturer or processor on a Federal contract set aside for small businesses or awarded through the SBA 8(a) Program. The purpose of this notice is to solicit comments and potential source information from interested parties.

**DATES:** Comments and sources must be submitted on or before January 6, 1997.

**ADDRESSES:** David Wm. Loines, Procurement Analyst, U.S. Small Business Administration, 409 3rd Street S.W., Washington, DC 20416, Tel:(202) 205-6475.

**FOR FURTHER INFORMATION CONTACT:** David Wm. Loines, Procurement Analyst, U.S. Small Business Administration, 409 3rd Street S.W., Washington, DC 20416, Tel:(202) 205-6475, Fax:(202)205-7324.

**SUPPLEMENTARY INFORMATION:** Public law 100-656, enacted on November 15, 1988, incorporated into the Small Business Act the previously existing regulation that recipients of Federal contracts set-aside for small businesses or the SBA 8(a) Program, must provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor. This requirement is commonly referred to as the Nonmanufacturer Rule. The SBA regulations imposing this requirement are found at 13 CFR 121.406(b). Section 303(h) of the law provides for waiver of this requirement by SBA for any "class of products" for which there are no small business manufacturers or

processors in the Federal market. To be considered available to participate in the Federal market on these classes of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal Government within the last 24 months. The SBA defines "class of products" based on two coding systems. The first is the Office of Management and Budget Standard Industrial Classification Manual. The second is the Product and Service Code established by the Federal Procurement Data System.

The Small Business Administration is currently processing a request for a waiver of the Nonmanufacturer Rule for Airborne Integrated Data Components (SIC 3812, PSC 5821) and invites the public to comment or provide information on potential small business manufacturers for this product.

In an effort to identify potential small business manufacturers, the SBA has searched the Procurement Automated Source System (PASS) and Thomas Register, and the SBA will publish a notice in the Commerce Business Daily. The public is invited to comment or provide source information to SBA on the proposed waiver of the Nonmanufacturer Rule for this class of products.

Dated: December 9, 1996.

Judith A. Roussel,

*Associate Administrator for Government Contracting.*

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 96-NM-116-AD]

RIN 2120-AA64

**Airworthiness Directives; Dornier Model 328-100 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Dornier Model 328-100 series airplanes. This proposal would require a one-time check of the clearance between certain braces that connect the wings to the fuselage and the frame to which the top fairing is attached; and modification of the frame's Z-profile if

the clearance is insufficient to prevent the braces from coming in contact with the frame. In addition, the proposed AD would require a one-time check of these braces to detect damage or wear; and repair, if necessary. This proposal is prompted by a report indicating that insufficient clearance between these braces and the frame could result in wear and consequent breaking of the braces. The actions specified by the proposed AD are intended to prevent failure of these braces, which could result in unstable movement of the wings in relation to the fuselage and adversely affect the aerodynamic characteristics of the wings.

**DATES:** Comments must be received by January 23, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No.96-NM-116-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D-82230 Wessling, Germany. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Connie Beane, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2796; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:**

Comments Invited

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

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments,