

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>32</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E5-324 Filed 1-27-05; 8:45 am]

**BILLING CODE 8010-01-P**

## **SMALL BUSINESS ADMINISTRATION**

### **Small Business Size Standards: Waiver of the Nonmanufacturer Rule**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice of termination of waiver of the Nonmanufacturer Rule for Petroleum and Coal Products Manufacturing.

**SUMMARY:** The U.S. Small Business Administration (SBA) is terminating the waiver of the Nonmanufacturer Rule for Petroleum and Coal Products Manufacturing based on our recent discovery of small business manufacturers for this class of products. Terminating this waiver will require recipients of contracts set aside for small businesses, service-disabled veteran-owned small businesses, SBA's Very Small Business Program or 8(a) businesses to provide the products of small business manufacturers or process on such contracts.

**DATES:** This termination of waiver is effective on February 14, 2005.

**FOR FURTHER INFORMATION CONTACT:** Edith Butler, Program Analyst, by telephone at (202) 619-0422; by fax at (202) 481-1788; or by e-mail at [edith.butler@sba.gov](mailto:edith.butler@sba.gov).

**SUPPLEMENTARY INFORMATION:** Section 8(a)(17) of the Small Business Act, (Act) 15 U.S.C. 637(a)(17), requires that recipients of Federal contracts set aside for small businesses, service-disabled veteran-owned small businesses, SBA's Very Small Business Program or SBA's 8(a) Business Development Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. 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 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

As implemented in SBA's regulations at 13 CFR 121.1204, in order to be considered available to participate in the Federal market for a class 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 six digit coding systems. The first coding system is the Office of Management and Budget North American Industry Classification System (NAICS). The second is the Product and Service Code established by the Federal Procurement Data System.

The SBA received a request on November 2, 2004 to waive the Nonmanufacturer Rule for Petroleum and Coal Products Manufacturing. In response, on December 6, 2004, SBA published in the **Federal Register** a notice of intent to the waiver of the Nonmanufacturer Rule for Petroleum and Coal Products Manufacturing.

In response to these notices, SBA discovered the existence of small business manufacturers of that class of products. Accordingly, based on the available information, SBA has determined that there are small business manufacturers of this class of products, and is therefore terminating the class waiver of the Nonmanufacturer Rule for Petroleum and Coal Products Manufacturing, NAICS 324210.

**Authority:** 15 U.S.C. 637(a)(17).

Dated: January 19, 2005.

**Emily Murphy,**

*Acting Associate Administrator for Government Contracting.*

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## **DEPARTMENT OF STATE**

### **[Public Notice 4978]**

#### **Foreign Terrorists and Terrorist Organizations**

In the matter of the revocation of Kahane.net as an alias of Kahane Chai, also known as Kach, also known as Kahane Lives, also known as the Kfar Tapuah Fund, also known as The Judean Voice, also known as The Judean Legion, also known as The Way of the Torah, also known as The Yeshiva of the Jewish Idea, also known as the Repression of Traitors, also known as Dikuy Bogdim, also known as DOV, also known as the State of Judea, also known as the Committee for the Safety of the Roads, also known as the Sword of David, also known as Judea Police, also known as Forefront of the Idea, also known as The Qomemiyut Movement, also known as KOACH, also known as New Kach Movement, also known

as newkach.org, also known as Kahane, also known as Yeshivat HaRav Meir, also known as the International Kahane Movement, also known as Kahane.org, also known as KahaneTzadak.com, also known as Kahane Tzadak, also known as the Hatikva Jewish Identity Center, also known as the Rabbi Meir David Kahane Memorial Fund, also known as Friends of the Jewish Idea Yeshiva, also known as Judean Congress, also known as Jewish Legion, also known as The Voice of Judea, also known as No'ar Meir, also known as Meir's Youth, also known as American Friends of Yeshivat Rav Meir, also known as American Friends of the United Yeshiva Movement, also known as The Committee Against Racism and Discrimination (CARD), a Foreign Terrorist Organization pursuant to Section 219 of the Immigration and Nationality Act.

In consultation with the Attorney General and the Secretary of the Treasury, the Secretary of State hereby revokes the designation of Kahane.net as an alias of Kahane Chai, also known as Kach, Kahane.org, and the other aliases listed above, pursuant to section 219 of the INA, based on a finding that circumstances have changed in such a manner as to warrant revocation. This revocation is effective on the date of publication of this notice. In all other respects, the redesignation on October 2, 2003 of Kahane Chai, also known as Kach, Kahane.org, and the other aliases listed above is maintained.

Dated: January 25, 2005.

**William P. Pope,**

*Acting Coordinator for Counterterrorism,  
Department of State.*

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## **DEPARTMENT OF STATE**

### **[Public Notice 4979]**

#### **Foreign Terrorists and Terrorist Organizations**

Amendment of a Certain Designation in order to revoke Kahane.net as an alias of Kahane Chai, also known as Kach, also known as Kahane Lives, also known as the Kfar Tapuah Fund, also known as The Judean Voice, also known as The Judean Legion, also known as The Way of the Torah, also known as The Yeshiva of the Jewish Idea, also known as the Repression of Traitors, also known as Dikuy Bogdim, also known as DOV, also known as the State of Judea, also known as the Committee for the Safety of the Roads, also known as the Sword of David, also known as Judea Police, also known as Forefront of the Idea, also known as The Qomemiyut Movement, also known as KOACH, also known as New Kach Movement, also known as newkach.org, also known as Kahane, also known as Yeshivat HaRav Meir, also known as the International Kahane Movement, also known as Kahane.org, also known as

<sup>32</sup> 17 CFR 200.30-3(a)(12).