

purchasers buying the same quantities. The compliance departments of BAS and the Advisor will periodically monitor the activities of BAS and the Advisor to make certain that the conditions set forth in the exemption are adhered to.

10. *Audit Committee Review*—The audit committee, compliance committee, or another committee which, in each case, consists of members of the Board who are not interested persons as defined in section 2(a)(19) of the Act ("Independent Members"), will approve, periodically review and update as necessary, guidelines for the Advisor and BAS reasonably designed to ensure that transactions conducted pursuant to the exemption comply with the conditions set forth herein and that the procedures described herein are followed in all respects. The respective audit committees will periodically monitor the activities of the Funds, the Advisor and BAS in this regard to ensure that these matters are being accomplished.

11. *Scope of Exemption*—Applicants expressly acknowledge that any order issued on the application would grant relief from section 17(a) of the Act only, and would not grant relief from any other section of, or rule under, the Act including, without limitation, Rule 2a-7.

12. *Board Review*—The Boards, including a majority of the Independent Members, will have approved each Fund's participation in transactions conducted pursuant to the exemption and determined that such participation by the Fund is in the best interests of the Fund and its shareholders. The minutes of the meeting of the Board at which this approval is given will reflect in detail the reasons for the Board's determinations. The Boards will review no less frequently than annually a Fund's participation in transactions conducted pursuant to the exemption during the prior year and determine whether the Fund's participation in such transactions continues to be in the best interests of the Fund and its shareholders. Such review will include (but not be limited to): (a) A comparison of the volume of transactions in each type of instrument conducted pursuant to the exemption to the market presence of BAS in the market for that type of instrument; and (b) a determination that the Funds are maintaining appropriate trading relationships with other sources for each type of instrument to ensure that there are appropriate sources for the quotations required by condition 4 above. The minutes of the meetings of the Boards at which this determination

is made will reflect in detail the reasons for the Boards' determinations.

For the Commission, by the Division of Investment Management, under delegated authority.

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-28795 Filed 12-4-08; 8:45 am]

BILLING CODE 8011-01-P

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #11552]

#### Maine Disaster # ME-00015 Declaration of Economic Injury

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

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of Maine, dated 12/01/2008.

*Incident:* Northeast Harbor Fire.

*Incident Period:* 07/29/2008.

**DATES:** *Effective Date:* 12/01/2008.

*EIDL Loan Application Deadline Date:* 09/01/2009.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's EIDL declaration, applications for economic injury disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Hancock.

*Contiguous Counties:*

Maine: Penobscot, Waldo, Washington.

The Interest Rate is: 4.000.

The number assigned to this disaster for economic injury is 115520.

The State which received an EIDL Declaration # is Maine.

(Catalog of Federal Domestic Assistance Number 59002)

Dated: December 1, 2008.

**Sandy K. Baruah,**

*Acting Administrator.*

[FR Doc. E8-28881 Filed 12-4-08; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #11464 and #11465]

#### Puerto Rico Disaster Number PR-00003

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

**ACTION:** Amendment 4.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Puerto Rico (FEMA-1798-DR), dated 10/01/2008.

*Incident:* Severe storms and flooding.

*Incident Period:* 09/21/2008 through 10/03/2008.

**DATES:** *Effective Date:* 11/26/2008.

*Physical Loan Application Deadline Date:* 01/15/2009.

*EIDL Loan Application Deadline Date:* 07/01/2009.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the Commonwealth of Puerto Rico, dated 10/01/2008 is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to 01/15/2009.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. E8-28879 Filed 12-4-08; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

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

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

**ACTION:** Notice to waive the Nonmanufacturer Rule for Control Cable and Conductors; Trailers and Heavy Duty Truck Tractors; and Line Hardware (Insulator Strings) Manufacturing.

**SUMMARY:** The U.S. Small Business Administration (SBA) is granting a waiver of the Nonmanufacturer Rule for Control Cable and Conductors, Trailers

and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings) Manufacturing. The basis for waiver is that no small business manufacturers are supplying these classes of products to the Federal government. The effect of a waiver would be to allow otherwise qualified regular dealers to supply the products of any manufacturer on a Federal contract set aside for small businesses, service-disabled veteran-owned small businesses or participants in SBA's 8(a) Business Development Program.

**DATES:** This waiver is effective December 22, 2008.

**FOR FURTHER INFORMATION CONTACT:** Edith G. 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, 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. SBA's regulations provided the same for procurements set aside for service-disabled veteran-owned small business concerns. This requirement is commonly referred to as the Nonmanufacturer Rule. See 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.

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. 13 CFR 1202(c).

The SBA defines "class of products" based on the Office of Management and Budget's North American Industry Classification System (NAICS).

SBA received a request on September 4, 2008, to waive the Nonmanufacturer Rule for Control Cable and Conductors, NAICS 335931, Product Service Code (PSC) 6145, Trailers and Heavy Duty Truck Tractors, NAICS 333924, PCS 2330 and Line Hardware (Insulator Strings) Manufacturing, 335932, PSC 6145.

In response, on October 10, 2008, SBA published in the **Federal Register** a notice of intent to waive the

Nonmanufacturer Rule for Control Cable and Conductors, Trailers and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings). SBA explained in the notice that it was soliciting comments and sources of small business manufacturers of this class of products. No comments were received and SBA has determined that there are no small business manufacturers of these classes of products. Therefore, SBA is granting the waiver of the Nonmanufacturer Rule for Control Cable and Conductors, Trailers and Heavy Duty Truck Tractors, and Line Hardware (Insulator Strings) Manufacturing.

Dated: December 1, 2008.

**Karen C. Hontz,**

*Director for Government Contracting.*

[FR Doc. E8-28750 Filed 12-4-08; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF STATE

### Public Notice; Culturally Significant Objects Imported for Exhibition Determinations: "Leonardo da Vinci's Horse and Rider? A Technical Investigation"

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "Leonardo da Vinci's Horse and Rider? A Technical Investigation," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the National Gallery of Art, Washington, DC, from on or about May 3, 2009, until on or about September 7, 2009, and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**. Following the exhibition at the Gallery, all objects but the principal statue will be returned to the lenders; the principal statue will travel to other U.S. museums to become part of new

exhibitions for which new notices will be applied.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453-8048). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: December 1, 2008.

**C. Miller Crouch,**

*Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. E8-28878 Filed 12-4-08; 8:45 am]

BILLING CODE 4710-05-P

## DEPARTMENT OF STATE

[Public Notice 6443]

### Notice of Availability of the Draft Environmental Impact Statement; Enbridge Energy, Limited Partnership ("Alberta Clipper Project")

**AGENCY:** Department of State.

**ACTION:** Notice of Availability of the Draft Environmental Impact Statement; Enbridge Energy, Limited Partnership ("Alberta Clipper Project").

**SUMMARY:** The staff of the Department of State has prepared a Draft Environmental Impact Statement (EIS) for the proposed Enbridge Energy, Limited Partnership ("Enbridge") Alberta Clipper Pipeline Project. Enbridge has applied to the Department of State for a Presidential Permit, pursuant to Executive Order 13337 of April 30, 2004, to construct, connect, operate, and maintain a 36-inch diameter crude oil and liquid hydrocarbon pipeline at the U.S.-Canadian border near Neche, Pembina County, North Dakota, for the purpose of transporting liquid hydrocarbons and other petroleum products between the United States and Canada. Enbridge seeks this authorization in connection with its Alberta Clipper Pipeline Project ("Alberta Clipper Project"), which is designed to transport Canadian crude oil from the Western Canadian Sedimentary Basin ("WCSB") to existing refinery markets primarily in the Midwest region of the United States.

The Secretary of State is designated and empowered to receive all applications for Presidential Permits, as referred to in Executive Order 13337, as amended, for the construction, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of