

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.*

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## 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.*

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## 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