

will not impose any new reporting or recordkeeping requirements. The requirement for SBICs to submit requests for conflict of interest exemptions is not an information collection as that term is defined by the PRA because the requests do not involve any standardized or identical reporting, recordkeeping or disclosure requirements. Rather, each request for exemption is unique to the circumstances of the particular SBIC. In any event, to the extent that SBICs have been required to submit conflict of interest exemptions under the circumstances described in this rule, that requirement no longer exists.

*Compliance With the Regulatory Flexibility Act, 5 U.S.C. 601–612*

When an agency promulgates a final rule following publication of the proposed rule, the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) requires the agency to prepare a final regulatory flexibility analysis (FRFA) which describes the potential economic impact of the rule on small entities and alternatives that may minimize that impact. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing a FRFA, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. This final rule affects all SBICs, of which there are currently 294, most of which are small entities. Therefore, SBA has determined that this rule will have an impact on a substantial number of small entities. However, SBA has determined that the impact on entities affected by the rule will not be significant. The new conflict of interest exception eliminates the requirement for SBICs to obtain a conflict of interest exemption for a particular type of transaction. This change is expected to reduce the regulatory burden on SBICs and allow them to close such financing transactions with less delay.

SBA asserts that the economic impact of the rule, if any, will be minimal and entirely beneficial to small SBICs. Accordingly, the Administrator of the SBA hereby certifies that this rule will not have a significant impact on a substantial number of small entities.

**List of Subjects in 13 CFR Part 107**

Investment companies, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

For the reasons stated in the preamble, the Small Business Administration amends part 107 of title

13 of the Code of Federal Regulations as follows:

**PART 107—SMALL BUSINESS INVESTMENT COMPANIES**

■ 1. The authority citation for part 107 continues to read as follows:

**Authority:** 15 U.S.C. 681 *et seq.*, 683, 687(c), 687b, 687d, 687g, 687m, Pub. L. 106–554, 114 Stat. 2763; and Pub. L. 111–5, 123 Stat. 115.

**§ 107.505 [Removed]**

■ 2. Remove § 107.505.

■ 3. Amend § 107.530 by redesignating paragraphs (b)(3) through (b)(6) as (b)(4) through (b)(7), and adding a new paragraph (b)(3) to read as follows:

**§ 107.530 Restrictions on investments of idle funds by leveraged Licensees.**

\* \* \* \* \*

(b) *Permitted investments of idle funds.* \* \* \*

(3) Mutual funds, securities, or other instruments that exclusively consist of, or represent pooled assets of, investments described in paragraphs (b)(1) or (b)(2) of this section; or  
\* \* \* \* \*

■ 4. Amend § 107.730 by revising paragraphs (a)(1) and (g) to read as follows:

**§ 107.730 Financings which constitute conflicts of interest.**

(a) \* \* \*

(1) Provide Financing to any of your Associates, except for a Financing to an Associate that meets all of the following conditions:

(i) The Small Business that receives the Financing is your Associate, pursuant to paragraph (8)(ii) of the Associate definition in § 107.50, only because an investment fund that is your Associate holds a 10% or greater equity interest in the Small Business.

(ii) You and the Associate investment fund previously invested in the Small Business at the same time and on the same terms and conditions.

(iii) You and the Associate investment fund are providing follow-on financing to the Small Business at the same time, on the same terms and conditions, and in the same proportionate dollar amounts as your respective investments in the previous round(s) of financing (for example, if you invested \$2 million and your Associate invested \$1 million in the previous round, your respective follow-on investments would be in the same 2:1 ratio).

\* \* \* \* \*

(g) *Public notice.* Before granting an exemption under this § 107.730, SBA

will publish notice of the transaction in the **Federal Register**.

**§ 107.855 [Amended]**

■ 5. Amend § 107.855 by removing paragraph (g)(10) and redesignating current paragraphs (g)(11) through (g)(13) as (g)(10) through (g)(12).

**Karen G. Mills,**  
*Administrator.*

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**DEPARTMENT OF STATE**

**22 CFR Parts 22 and 42**

[Public Notice 7838]

**RIN 1400–AD06**

**Revision to the Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates; Correction**

**AGENCY:** Bureau of Consular Affairs, Department of State.

**ACTION:** Interim Final Rule; Correction.

**SUMMARY:** This document contains a correction to the Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates published in the **Federal Register** on March 29, 2012 [Public Notice 7835].

**DATES:** Effective April 13, 2012.

**FOR FURTHER INFORMATION CONTACT:** Special Assistant, Office of the Comptroller, Bureau of Consular Affairs, Department of State; phone: 202–663–1576, telefax: 202–663–2526; email: [fees@state.gov](mailto:fees@state.gov).

**SUPPLEMENTARY INFORMATION:**

**Correction**

The interim final rule published on March 29, 2012, 77 FR 18907–18914, is corrected as follows:

1. In the chart on pg. 18912 detailing the proposed fee changes, the total estimated change in annual fees collected amount, at the bottom of the far right column, is corrected so that the decimal places are correct. The correct figure is 94,813,970.

Dated: March 30, 2012.

**Alexandra C. Gianinno,**  
*Comptroller, Office of the Comptroller, Bureau of Consular Affairs, U.S. Department of State.*

[FR Doc. 2012–8109 Filed 4–3–12; 8:45 am]

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