

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF ENERGY

### 10 CFR Parts 429, 430 and 431

[Docket No. EERE-2013-BT-NOC-0005]

#### Appliance Standards and Rulemaking Federal Advisory Committee: Notice of Open Meeting and Webinar

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of open meeting and webinar.

**SUMMARY:** This notice announces a meeting of the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC). The Federal Advisory Committee Act requires that agencies publish notice of an advisory committee meeting in the **Federal Register**.

**DATES:** Meeting and Webinar: Thursday, April 30, 2015, 10 a.m.–3 p.m.

**ADDRESSES:** U.S. Department of Energy, Forrestal Building, Room 4A-104, 1000 Independence Avenue SW., Washington, DC 20585. For individuals that wish to attend by webinar, please register at—<http://energy.gov/eere/buildings/appliance-standards-and-rulemaking-federal-advisory-committee>. After registering you will receive an email with the appropriate link to join the meeting and the necessary call-in information.

**FOR FURTHER INFORMATION CONTACT:** John Cymbalsky, ASRAC Designated Federal Officer, U.S. Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy, 950 L'Enfant Plaza SW., Washington, DC 20024. Email: [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov).

#### SUPPLEMENTARY INFORMATION:

*Purpose of Meeting:* To provide advice and recommendations to the Energy Department on the development of standards and test procedures for residential appliances and commercial equipment.

*Tentative Agenda:* (Subject to change; final agenda will be posted at <http://>

[www.regulations.gov/#!docketDetail;D=EERE-2013-BT-NOC-0005](http://www.regulations.gov/#!docketDetail;D=EERE-2013-BT-NOC-0005)):

- Discussion and prioritization of topic areas that ASRAC can assist the Appliance and Equipment Standards Program
- Discussion of options to engage the public under DOE's retrospective regulatory review plan

*Public Participation:* Members of the public are welcome to observe the business of the meeting and, if time allows, may make oral statements during the specified period for public comment. To attend the meeting and/or to make oral statements regarding any of the items on the agenda, email [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov). In the email, please indicate your name, organization (if appropriate), citizenship, and contact information. Please note that foreign nationals participating in the public meeting are subject to advance security screening procedures which require advance notice prior to attendance at the public meeting. If a foreign national wishes to participate in the public meeting, please inform DOE as soon as possible by contacting Ms. Regina Washington at (202) 586-1214 or by email:

[Regina.Washington@ee.doe.gov](mailto:Regina.Washington@ee.doe.gov) so that the necessary procedures can be completed. Anyone attending the meeting will be required to present a government photo identification, such as a passport, driver's license, or government identification. Due to the required security screening upon entry, individuals attending should arrive early to allow for the extra time needed.

Due to the REAL ID Act implemented by the Department of Homeland Security (DHS) recent changes regarding ID requirements for individuals wishing to enter Federal buildings from specific states and U.S. territories. Driver's licenses from the following states or territory will not be accepted for building entry and one of the alternate forms of ID listed below will be required.

DHS has determined that regular driver's licenses (and ID cards) from the following jurisdictions are not acceptable for entry into DOE facilities: Alaska, Louisiana, New York, American Samoa, Maine, Oklahoma, Arizona, Massachusetts, Washington, and Minnesota.

Acceptable alternate forms of Photo-ID include: U.S. Passport or Passport

Card; An Enhanced Driver's License or Enhanced ID-Card issued by the states of Minnesota, New York or Washington (Enhanced licenses issued by these states are clearly marked Enhanced or Enhanced Driver's License); A military ID or other Federal government issued Photo-ID card.

Members of the public will be heard in the order in which they sign up for the Public Comment Period. Time allotted per speaker will depend on the number of individuals who wish to speak but will not exceed five minutes. Reasonable provision will be made to include the scheduled oral statements on the agenda. The co-chairs of the Committee will make every effort to hear the views of all interested parties and to facilitate the orderly conduct of business.

Participation in the meeting is not a prerequisite for submission of written comments. ASRAC invites written comments from all interested parties. Any comments submitted must identify the ASRAC, and provide docket number EERE-2013-BT-NOC-0005. Comments may be submitted using any of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.
2. *Email:* [ASRAC@ee.doe.gov](mailto:ASRAC@ee.doe.gov). Include docket number EERE-2013-BT-NOC-0005 in the subject line of the message.
3. *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.
4. *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-2945. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimilies (faxes) will be accepted.

*Docket:* The docket is available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in

the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

Issued in Washington, DC, on April 7, 2015.

**Kathleen B. Hogan,**

*Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.*

[FR Doc. 2015-08600 Filed 4-13-15; 8:45 am]

**BILLING CODE 6450-01-P**

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 115

RIN 3245-AG70

#### Surety Bond Guarantee Program; Miscellaneous Amendments

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

**ACTION:** Proposed rule.

**SUMMARY:** This rule proposes to change the regulations for SBA's Surety Bond Guarantee Program in four areas. First, as a condition for participating in the Prior Approval and Preferred Programs, the proposal would clarify that a Surety must directly employ underwriting and claims staffs sufficient to perform and manage these functions, and final settlement authority for claims and recovery is vested only in salaried employees of the Surety. Second, the proposal would provide that all costs incurred by the Surety's salaried claims staff are ineligible for reimbursement by SBA, but the Surety may seek reimbursement for amounts paid for specialized services that are provided by outside consultants in connection with the processing of a claim. Third, the rule proposes to modify the criteria for determining when a Principal that caused a Loss to SBA is ineligible for a bond guaranteed by SBA. Fourth, the rule proposes to modify the criteria for admitting Sureties to the Preferred Surety Bond Guarantee Program by increasing the Surety's underwriting limitation, as certified by the U.S. Treasury Department on its list of acceptable sureties, from at least \$2 million to at least \$6.5 million.

**DATES:** SBA must receive comments to this proposed rule on or before June 15, 2015.

**ADDRESSES:** You may submit comments, identified by RIN 3245-AG70, by any of the following methods: (1) Federal eRulemaking Portal: <http://www.regulations.gov>, following the instructions for submitting comments;

or (2) Mail/Hand Delivery/Courier: Barbara J. Brannan, Office of Surety Guarantees, 409 Third Street SW., Suite 8600, Washington, DC 20416.

SBA will post all comments on *www.regulations.gov*. If you wish to submit confidential business information (CBI) as defined in the User Notice at *www.regulations.gov*, you must submit such information to U.S. Small Business Administration, Barbara J. Brannan, Office of Surety Guarantees, 409 Third Street SW., Washington, DC 20416 or send an email to [Barbara.brannan@sba.gov](mailto:Barbara.brannan@sba.gov). Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review your information and determine whether it will make the information public.

**FOR FURTHER INFORMATION CONTACT:** Barbara J. Brannan, Office of Surety Guarantees, (202) 205-6545 or email: [Barbara.brannan@sba.gov](mailto:Barbara.brannan@sba.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Discussion of Proposed Changes**

The U.S. Small Business Administration (SBA) guarantees bid, payment and performance bonds for small and emerging contractors who cannot obtain surety bonds through regular commercial channels. SBA's guarantee gives Sureties an incentive to provide bonding for small businesses and, thereby, assists small businesses in obtaining greater access to contracting opportunities. SBA's guarantee is an agreement between a Surety and SBA that SBA will assume a certain percentage of the Surety's loss should a contractor default on the underlying contract.

This rule proposes to change the regulations governing SBA's Surety Bond Guarantee Program (SBG Program) in four areas that have prompted questions from participating Sureties over the past year. First, the rule proposes to clarify that, to participate in the Prior Approval and Preferred Programs, a Surety must directly employ underwriting and claims staffs sufficient to perform and manage these functions. Final settlement authority for claims and recoveries is vested only in the surety's claims staff. The current rules require PSB Sureties to vest final settlement authority for claims and recovery in their salaried employees, *see* 13 CFR 115.60(a)(5), and this proposed rule would extend this requirement to Prior Approval Sureties. Some Prior Approval Sureties retain the final underwriting authority to approve a particular bond and some Prior Approval Sureties grant their agents this

authority. For the latter arrangement, the proposed rule would clarify that Prior Approval Sureties must have salaried employees responsible for managing and overseeing the underwriting operations. In conducting such oversight, SBA would expect Prior Approval Sureties to periodically conduct reviews of the underwriting operations of their agents to ensure that the agent is underwriting SBA-guaranteed bonds in accordance with the standards set forth in 13 CFR 115.15(a). SBA is not aware that any Prior Approval Surety currently participating in the SBG Program is unable to satisfy this requirement, but is making this requirement explicit in the regulations for clarity and to avoid misunderstanding. PSB Sureties are currently required to vest underwriting authority in their salaried employees, *see* 13 CFR 115.60(a)(4), and the proposed rule would not affect this requirement. Accordingly, while PSB Sureties may allow their agents to perform the initial underwriting on a bond, the current rule requires that only the PSB Surety may execute the bond guarantee agreement (SBA Form 990 or 990A).

Second, the rule proposes to specify that the costs that the Surety incurs for its salaried claims staff are ineligible for reimbursement by SBA. SBA considers such costs to be integral to the Surety's overhead, which is not eligible for reimbursement by SBA. *See* 13 CFR 115.16(f)(1). Under the proposed rule, however, the Surety may seek reimbursement for amounts actually paid by the Surety for specialized services that are provided by an outside consultant, which is not an Affiliate of the Surety, in connection with the processing of a claim, provided that such services are beyond the capability of the Surety's salaried claims staff. For example, to evaluate a claim, the Surety may need the opinion of a structural engineer to determine the Principal's compliance with engineering specifications. SBA would not expect the Surety to directly employ a structural engineer, and SBA would approve reasonable costs to contract for this specialized service as part of the Surety's Loss.

Third, the rule proposes to modify the conditions under which a Principal, and its Affiliates, would be deemed ineligible for a bond guaranteed by SBA in the circumstance where the Principal has previously defaulted on an SBA guaranteed surety bond. Under the current rules, a Principal and its Affiliates are ineligible for further SBA bond guarantees if the Surety has requested reimbursement for Losses