

# 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.

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 126

#### Tribal Consultation for HUBZone Program Updates and Clarifications and Potential Reforms Under Executive Order 14112

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

**ACTION:** Notification of tribal consultation meeting; request for comments.

**SUMMARY:** The U.S. Small Business Administration (SBA or Agency) announces that it is holding tribal consultation meetings in Albuquerque, New Mexico, Oklahoma City, Oklahoma, and Anchorage, AK, as well as a Listening Session in Honolulu, Hawaii, concerning forthcoming proposed revisions to the Historically Underutilized Business Zone (HUBZone) program regulations. The proposed rule would amend the 8(a) Business Development (BD) and size regulations to clarify certain policies. Additionally, SBA requests comments and input on how best to implement Executive Order (E.O.) 14112, which, among other things, calls on agencies to increase the accessibility, equity, flexibility, and utility of Federal funding and support programs for Tribal Nations. SBA is also seeking comments on prospective policy changes addressing joint venture participation in SBA's programs. Testimony presented at these tribal consultations will become part of the administrative record for SBA's consideration when the Agency deliberates on approaches to changes in the HUBZone and 8(a) BD program regulations.

**DATES:** The meeting dates are as follows:

1. Monday, August 19, 2024, 9:00 a.m. to 12:30 p.m. (MDT), Albuquerque, New Mexico. Pre-registration for this Tribal Consultation meeting is requested by August 12, 2024.
2. Wednesday, August 21, 2024, 9:00 a.m. to 12:00 p.m. (CDT), Oklahoma City, Oklahoma. Pre-registration for this

Tribal Consultation meeting is requested by August 14, 2024.

3. Tuesday, August 27, 2024, 9:00 a.m. to 12:30 p.m. (AKDT), Anchorage, Alaska. Pre-registration for this Tribal Consultation meeting is requested by August 20, 2024.

4. The Listening Session will be held on Tuesday, September 17, 2024, 8:30 a.m. to 12:00 p.m. (HST), Honolulu, Hawaii. Pre-registration for this Listening Session is requested by September 10, 2024.

#### ADDRESSES:

##### Meeting Locations:

1. The Tribal Consultation meeting in Albuquerque, New Mexico will be held at the Indian Pueblo Cultural Center, 2401 12th Street NW, Albuquerque, New Mexico 87104.

2. The Tribal Consultation meeting in Oklahoma City, Oklahoma will be held at the First Americans Museum, 659 First Americans Boulevard, Oklahoma City, OK 73129.

3. The Tribal Consultation meeting in Anchorage, Alaska will be held at the Z.J. Loussac Public Library, 3600 Denali Street, Anchorage, AK 99503.

4. The Listening Session in Honolulu, Hawaii will be held at the SBA Hawaii District Office, 500 Ala Moana Boulevard, Suite 1-306, Honolulu, Hawaii 96813.

**Pre-registration:** Send pre-registration requests to attend and/or testify to Chequita Carter of SBA's Office of Native American Affairs, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416; [Chequita.Carter@sba.gov](mailto:Chequita.Carter@sba.gov); or Facsimile to (202) 481-2177.

**Comments:** You may submit comments by any of the following methods:

- **Email:** to Jackson S. Brossy, Assistant Administrator, Office of Native American Affairs, U.S. Small Business Administration, at [tribalconsultation@sba.gov](mailto:tribalconsultation@sba.gov).
- **Mail (for paper, disk, or CD-ROM submissions):** to Jackson S. Brossy, Assistant Administrator, Office of Native American Affairs, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416.

**Instructions:** All submissions received will become part of the administrative record for any rulemaking resulting from these tribal consultation meetings and listening session. As such, comments received may be posted on

<http://www.regulations.gov>. If you wish to submit confidential business information (CBI) as defined in the User Notice at <http://www.regulations.gov>, please submit the comments to Jackson S. Brossy and highlight the information that you consider to be CBI and explain why you believe this information should be held confidential. SBA will make a final determination as to whether the comments will be published.

#### FOR FURTHER INFORMATION CONTACT:

Chequita Carter, Program Assistant for SBA's Office of Native American Affairs, at [Chequita.Carter@sba.gov](mailto:Chequita.Carter@sba.gov) or (202) 205-6680 or by facsimile to (202) 481-2177. This phone number can also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Communications Commission's TTY-Based Telecommunications Relay Service teletype service at 711.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

SBA is planning to issue a proposed rule concerning the HUBZone program regulations under RIN 3245-AH68. The proposed rule is intended to clarify and improve several regulatory provisions, including those governing HUBZone contract eligibility. The proposed rule would also make several changes to SBA's size and 8(a) BD program regulations. In particular, the rule would consolidate and redesignate the separate recertification requirements for SBA's size, 8(a) BD, HUBZone, Woman-Owned Small Business, and Service-Disabled Veteran-Owned Small Business programs to a new section to reduce confusion and to ensure consistent application of the size and status recertification requirements. SBA anticipates the proposed rule will be published prior to the tribal consultation meetings and the Listening Session announced in this document.

In addition to the above referenced regulatory proposals, SBA is asking for input on how best to implement E.O. 14112, Reforming Federal Funding and Support for Tribal Nations To Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination, which was signed by the President on December 6, 2023. This E.O. directs agencies to identify and execute policy reforms designed to promote accessible, equitable, and

flexible administration of Federal funding and support programs for Tribal Nations to better live up to the Federal Government's trust responsibilities and help address the needs of all Tribal Nations. SBA has identified several potential opportunities for improvement, including the current requirements for personal guarantees and a waiver of sovereign immunity for 7(a) loans to tribally-owned business concerns, as well as the match funding requirement applicable to grants awarded by Native-serving entrepreneurship organizations, such as Small Business Development Centers and Community Development Financial Institutions. SBA is seeking comments on these and other potential reforms to reduce burdens and improve the accessibility of SBA's programs for Tribal stakeholders. Additionally, the Agency requests input on a change SBA has already made to address the business and economic development needs of Tribal Nations. Specifically, SBA's Assistant Administrator for Native American Affairs (ONAA)—who previously reported to the Associate Administrator for the Office of Entrepreneurial Development—now reports directly to the SBA Administrator. SBA would like to better understand whether Tribal Nations wish to continue with this current organization and reporting structure.

Lastly, SBA is requesting comments on the perception that mentor-protégé joint ventures are winning an inordinate number of orders issued under small business multiple award contracts and seeks suggestions on how to incentivize a more equitable marketplace for individual small businesses who compete against mentor-protégé joint ventures for multiple award, small business contracts. There is also a perception that small businesses often enter joint ventures to seek multiple award contract awards because procuring agency past performance and experience requirements make it difficult for many small businesses to qualify for the awards individually. SBA is considering whether to propose eliminating the exception to affiliation between an SBA-approved mentor and its protégé for multiple award contracts to address this concern. Such a change would continue to allow joint ventures to seek and be awarded single award small business contracts, but would make joint ventures ineligible for multiple award contracts. If that would occur, SBA would expect the past performance and experience required for award of future multiple award contracts to be adjusted to allow

individual small businesses to more easily qualify for award.

Another potential approach would be to allow an exclusion from affiliation for a joint venture between a protégé firm and its mentor only for contracts or orders that do not exceed five years. As SBA has previously stated, SBA believes that a joint venture should not be an ongoing entity, but something with limited scope and limited duration. Thus, SBA has limited the duration that a joint venture can submit offers for the award of contracts to two years from the date of its first contract award. SBA is questioning whether a joint venture performing a contract or order that exceeds five years is truly a limited duration entity.

Specific to qualified HUBZone protégé firms participating in the Mentor-Protégé Program, SBA is considering steps to clarify the applicability of the HUBZone price evaluation preference to HUBZone joint ventures formed under the Mentor-Protégé Program. Under the HUBZone price evaluation preference, where a procuring agency will award a contract on an unrestricted basis (*i.e.*, full and open competition), the agency must deem the price offered by a certified HUBZone small business concern (including a HUBZone joint venture that complies with the requirements of § 126.616) to be lower than the price offered by an apparent successful large business offeror if the price offered by the certified HUBZone small business concern is not more than 10% higher than the price offered by the large business. SBA is requesting comments and input on whether it is appropriate for a HUBZone mentor-protégé joint venture to benefit from the HUBZone price evaluation preference when the joint venture is already benefitting from its large business mentor's lower cost structures and pricing. SBA is considering whether to propose eliminating the HUBZone price evaluation preference's applicability to all joint ventures formed under the Mentor-Protégé Program or, alternatively, to offer submitting by a HUBZone joint venture where the mentor exceeds the applicable size standard corresponding to the NAICS code assigned to the contract.

## II. Tribal Consultation Meetings

The purpose of these tribal consultation meetings is to conform to the requirements of Executive Order 13175, Consultation and Coordination With Indian Tribal Governments (65 FR 67249), and SBA's Tribal Consultation Policy (<https://www.sba.gov/document/support-sba-tribal-consultation-policy>);

to provide interested parties with an opportunity to discuss their views on the issues; and for SBA to obtain the views of SBA's stakeholders on approaches to the HUBZone and 8(a) BD regulations. SBA considers tribal consultation meetings a valuable component of its deliberations and believes that this tribal consultation meeting will allow for constructive dialogue with the Tribal community, Tribal Leaders, Tribal Elders, elected members of Alaska Native Villages or their appointed representatives, and principals of tribally-owned and ANC-owned firms participating in the 8(a) BD program.

The format of these tribal consultation meetings will consist of a panel of SBA representatives who will preside over the session. The oral and written testimony as well as any comments SBA receives will become part of the administrative record for SBA's consideration. Written testimony may be submitted in lieu of oral testimony. SBA will analyze the testimony, both oral and written, along with any written comments received. SBA officials may ask questions of a presenter to clarify or further explain the testimony. The purpose of the tribal consultation is to assist SBA with gathering information to guide SBA's review process and to potentially develop new proposals. SBA requests that the comments pertain to SBA's planned rulemaking concerning the HUBZone and 8(a) BD programs, general issues as they pertain to the HUBZone and 8(a) BD regulations, opportunities for reform under E.O. 14112, or the unique concerns of the Tribal communities. Presenters are encouraged to provide a written copy of their testimony. SBA will accept written material that the presenter wishes to provide that further supplements his or her testimony. Electronic or digitized copies are encouraged.

Each tribal consultation meeting will be held for one day. The meeting in Albuquerque, New Mexico will begin at 9:00 a.m. and end at 12:30 p.m. (MDT); the meeting in Oklahoma City, Oklahoma will begin at 9:00 a.m. and end at 12:30 p.m. (CDT); the meeting in Anchorage, Alaska will begin at 9:00 a.m. and end at 12:30 p.m. (AKDT); and the Listening Session in Honolulu, Hawaii will begin at 8:30 a.m. and end at 12:00 p.m. (HST). All registered speakers will have an opportunity to provide testimony. SBA may adjourn early if all those scheduled have delivered their testimony.

## III. Registration

SBA respectfully requests that any elected or appointed representative of

the tribal communities or principal of a tribally-owned, ANC-owned, or NHO-owned 8(a) firm that is interested in attending please pre-register in advance and indicate whether you would like to testify at the hearing. However, pre-registration is not required for attendance. SBA requests that attendees register with SBA no later than: August 12, 2024, for the consultation meeting in Albuquerque; August 14, 2024, for the consultation meeting in Oklahoma City; August 20, 2024, for the consultation meeting in Anchorage; and September 10, 2024, for the Listening Session in Honolulu. To register, please contact Chequita Carter of SBA's Office of Native American Affairs in writing at [Chequita.Carter@sba.gov](mailto:Chequita.Carter@sba.gov) or by facsimile to (202) 481-2177. If you are interested in testifying, please include the following information relating to the person testifying: Name, Organization affiliation, Address, Telephone number, Email address and Fax number. SBA will attempt to accommodate all interested parties that wish to present testimony. Based on the number of registrants it may be necessary to impose time limits to ensure that everyone who wishes to testify has the opportunity to do so. SBA will confirm in writing the registration of presenters and attendees.

#### IV. Information on Service for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the tribal consultation meeting, contact Chequita Carter at the telephone number or email address indicated under the **FOR FURTHER INFORMATION CONTACT** section of this document.

**Authority:** 15 U.S.C. 634 and E.O. 13175, 65 FR 67249.

**Jackson S. Brossy,**

*Assistant Administrator, Office of Native American Affairs.*

[FR Doc. 2024-16011 Filed 7-18-24; 11:15 am]

**BILLING CODE 8026-09-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 183

[Docket No. FAA-2024-0491]

#### Notice of Availability of Draft FAA Order 8100.15 Regarding Organization Designation Authorization (ODA) Procedures

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** Draft revision C to FAA Order 8100.15 would incorporate other FAA policy issued to address certain provisions of the Aircraft Certification, Safety, and Accountability Act of 2020 (the Act), among other changes. This draft also introduces the Airmen Certification ODA type, reorganizes the existing content, and applies a systems based approach to oversight.

**DATES:** Send comments on or before October 21, 2024.

**ADDRESSES:** Send comments identified by docket number FAA-2024-0491, using any of the following methods:

**Federal eRulemaking Portal:** Go to <https://www.regulations.gov> and follow the online instructions for sending your comments electronically.

**Mail:** Send comments to Docket Operations, M-30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

**Hand Delivery or Courier:** Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m., and 5 p.m., Monday through Friday, except Federal holidays.

**Fax:** Fax comments to Docket Operations at (202) 493-2251.

**Privacy:** In addition to the final Order revision, the FAA will post all comments it receives, without change, to <https://regulations.gov>, including any personal information the commenter provides. DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19476).

**FOR FURTHER INFORMATION CONTACT:** Mr. Scott Geddie, Policy and Oversight Integration Section, AVS-64, AVS ODA Office, Federal Aviation Administration, by telephone at 405-954-6897 or by email at [Scott.Geddie@faa.gov](mailto:Scott.Geddie@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Draft FAA Order 8100.15, Revision C, Organization Designation Authorization (ODA) Procedures, would provide updated policy associated with the requirements set forth in Title 14 Code of Federal Regulations (14 CFR) part 183, subpart D. The proposed changes include introduction of the Airmen Certification ODA type, reorganization of content and the introduction of a systems based approach to oversight. This draft revision also addresses certain provisions of the Act including

the prevention of interference with ODA Unit Members (UMs) at companies that hold ODA, allowing communication between UMs and the FAA, FAA approval of UM selections made by Type Certificate (TC) ODA holders, and assignment of FAA advisors to UMs at TC ODA holders. The FAA seeks comments on a draft revision to the Order. You may examine the Order and an optional comment log template that may be helpful for providing comments in the docket or at: [https://www.faa.gov/aircraft/draft\\_docs/](https://www.faa.gov/aircraft/draft_docs/).

#### Comments Invited

The FAA invites the public to submit comments on the proposed Order revision, as specified in the **ADDRESSES** section of this Notice. Commenters should include docket number FAA-2024-0491 and the subject line, "Comments to Draft Order 8100.15C, Organization Designation Authorization (ODA) Procedures" on all comments submitted to the FAA. The most helpful comments provide a specific recommendation, explain the reason for any recommended change, identify the paragraph(s) and/or subparagraph(s) associated with the recommendation, and include supporting information. The FAA will consider all comments received on or before the closing date before issuing the final Order revision. The FAA will also consider late-filed comments if it is possible to do so without incurring expense or delay.

Issued in Washington, DC.

**Kevin A. Dickert,**

*Director, AVS-60 AVS ODA Office.*

[FR Doc. 2024-16015 Filed 7-19-24; 8:45 am]

**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2023-0502; FRL-11773-01-OCSP]

#### Pesticide Tolerances; Implementing Registration Review Decisions for Certain Pesticides; Terbacil, et al.

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA or the Agency) is proposing to implement several tolerance actions under the Federal Food, Drug, and Cosmetic Act (FFDCA) that the Agency determined were necessary or appropriate during the registration review conducted under the