

**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, service-disabled veteran-owned small businesses, SBA's Very Small Business Program 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. This requirement is commonly referred to as the Nonmanufacturer Rule.

The SBA regulations imposing this requirement are found at 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.

As implemented in SBA's regulations at 13 CFR 121.1204, 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. The SBA defines "class of products" based on six digit coding systems. The first coding system is the Office of Management and Budget North American Industry Classification System (NAICS). The second is the Product and Service Code established by the Federal Procurement Data System.

The SBA received a request on June 29, 2004, to waive the Nonmanufacturer Rule for Other Communications Equipment Manufacturing. In response, on July 28, 2004, SBA published in the Federal Register a notice of intent to waive the Nonmanufacturer Rule for Other Communications Equipment Manufacturing.

SBA explained in the notice that it was soliciting comments and sources of small business manufacturers of this class of products. In response to this notice, comments were received from interested parties. SBA has determined from these sources that there are no small business manufacturers of this class of products, and is therefore granting the waiver of the Nonmanufacturer Rule for Other Communications Equipment Manufacturing, NAICS 334290.

**Authority:** 15 U.S.C. 637(a)(17).

Dated: November 9, 2004.

**Emily Murphy,**

*Acting Associate Administrator for Government Contracting.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending October 29, 2004

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-04-19513.

*Date Filed:* October 27 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* CTC COMP 0507 dated 29 October 2004 Mail Vote 418—Resolution 004a—CTC12/23 Restriction of Applicability of Resolutions Intended effective date: 15 November 2004.

*Docket Number:* OST-2004-19544.

*Date Filed:* October 29, 2004.

*Parties:* Members of the International Air Transport Association.

*Subject:* PTC23 EUR-SASC0134 dated 2 November 2004 Mail Vote 419—Resolution 010b—Special Passenger Amending Resolution from India to Europe Intended effective date: 16 November 2004.

**Andrea M. Jenkins,**

*Program Manager, Federal Register Liaison.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending October 29, 2004

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (*see* 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer

period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2004-19500.

*Date Filed:* October 26, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* November 16, 2004.

*Description:* Application of Air Executive LU.at GmbH requesting a foreign air carrier permit authorizing it to conduct charter foreign air transportation of persons, property, and mail between any point or points in Austria and any point or points in the United States; and between any point or points in the United States and any point or points in a third country or countries, provided that such service constitutes part of a continuous operation, with or without a change of aircraft, that includes air service to Austria for the purpose of carrying local traffic between Austria and the United States, and other charters between third countries and the United States.

*Docket Number:* OST-2004-19518.

*Date Filed:* October 28, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* November 18, 2004.

*Description:* Application of Aviation Ventures, Inc. d/b/a Vision Air requesting a certificate of public convenience and necessity to engage in interstate scheduled air transportation of passengers, property, and mail using 19 passenger seat aircraft.

*Docket Number:* OST-2004-19543.

*Date Filed:* October 29, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* November 19, 2004.

*Description:* Application of Lakeland Air Transport, Inc., requesting a certificate of public convenience and necessity to engage in interstate air transportation of persons, property, and mail operating 5 roundtrip flights between Ft. Lauderdale, FL and Gulfport, MS.

**Andrea M. Jenkins,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 04-25410 Filed 11-15-04; 8:45 am]

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