

§ 101.405

§ 101.405 How does the Administrator respond to comments?

(a) If a state process provides a recommendation to SBA through its single point of contact, the Administrator:

- (1) Accepts the recommendation; or
- (2) Reaches a mutually agreeable solution with the state process; or
- (3) Provides the single point of contact with a written explanation of the decision in a form the Administrator deems appropriate. The Administrator may also supplement the written explanation by telephone or other means.

(b) In any explanation under paragraph (a)(3) of this section, the Administrator informs the single point of contact that—

- (1) SBA will not implement its decision for at least 10 days after the single point of contact receives the explanation; or
- (2) Because of unusual circumstances the waiting period of at least 10 days is not feasible.

(c) For purposes of computing the waiting period under paragraph (b)(1) of this section, a single point of contact is presumed to have received written notification 5 days after the date of mailing.

§ 101.406 What are the Administrator's responsibilities in interstate situations?

The Administrator is responsible for—

- (a) Identifying proposed SBA financial assistance and direct SBA development that have an impact on interstate areas;
- (b) Notifying appropriate officials and entities in states which have adopted a process and selected an SBA program or activity;
- (c) Making efforts to identify and notify the affected state, area-wide, regional, and local officials and entities in states that have not adopted a process or selected an SBA program or activity;
- (d) Using the procedures of § 101.405 if a recommendation of a designated area-wide agency is transmitted by a single point of contact in cases in which the review, coordination, and communication with SBA has been delegated; and

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(e) Using the procedures of § 101.405 if a state process provides a state recommendation to SBA through a single point of contact.

§ 101.407 May the Administrator waive these regulations?

The Administrator may waive any provision of §§ 101.400 through and including 101.406 in an emergency.

PART 102—RECORD DISCLOSURE AND PRIVACY

Subpart A—Disclosure of Information

Sec.

- 102.1 What does this subpart do?
- 102.2 How can I get records from SBA?
- 102.3 How long will it take for SBA to respond to my request for records?
- 102.4 How will SBA respond to my request?
- 102.5 If SBA grants my request, which records will be supplied?
- 102.6 How will SBA respond to requests for business information?
- 102.7 What are the procedures for submitters of business information to SBA after March 1, 1996?
- 102.8 What fees will SBA charge?
- 102.9 How may I appeal a denial of my request for information or a fee determination?
- 102.10 How can I get the Public Index of SBA materials?
- 102.11 What happens if I ask SBA for a record that another Federal agency generated?
- 102.12 What happens if I subpoena records or testimony of employees in connection with a civil lawsuit, criminal proceeding or administrative proceeding to which SBA is not a party?

Subpart B—The Privacy Act

- 102.20 What privacy rights does this subpart regulate?
- 102.21 How will SBA maintain records?
- 102.22 When will SBA disclose records?
- 102.23 Are there special rules about personnel and equal employment opportunity files?
- 102.24 What is a record?
- 102.25 What is a system of records?
- 102.26 What does this subpart mean by "person to whom a record pertains" or "you"?
- 102.27 What records are partially exempt from the provisions of the Privacy Act?
- 102.28 What about information compiled for a civil action?
- 102.29 Who administers SBA's responsibilities under the Privacy Act?