

## B. INDEX TO ENTRIES FOR WHICH A REGULATORY FLEXIBILITY ANALYSIS IS REQUIRED

The Regulatory Flexibility Act (5 U.S.C. 601) requires that agencies publish regulatory agendas identifying those rules that may have a significant economic impact on a substantial number of small entities. Agencies meet that requirement by including the information in their submissions for the Unified Agenda.

The following index lists the regulatory actions in this publication for which agencies believe that the Act may require a Regulatory Flexibility Analysis because the rule is likely to have such effects on small businesses, small governmental jurisdictions, or small organizations. The Sequence Number (Seq. No.) of the entry identifies the location of the entry in this edition. For further information, see the Regulatory Information Service Center's Introduction in part II of this issue.

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| 3672             | HUBZone Empowerment Contracting Program                                                                                                                                                            |          | <b>(Section 610 Review)</b>                                                                                                                                                                              | 3895     | Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band; IB Docket No. 99-81                                                                                     |
| 3679             | Small Business Size Regulations; Small Business Innovation Research Program                                                                                                                        | 3860     | Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53)                                                              | 3896     | 1998 Biennial Regulatory Review — Review of Accounts Settlement in Maritime Mobile & Maritime Mobile-Satellite Radio Services; IB Doc No. 98-96                                                         |
| 3681             | Size for Purposes of the Multiple Award Schedule and Other Multiple Award Contracts; Small Business Size Regulations; 8(a) Business Development/Small Disadvantaged Business Status Determinations | 3861     | Revision of Emergency Alert System Rules                                                                                                                                                                 | 3897     | Global Mobile Personal Communications by Satellite; IB Docket No. 99-67                                                                                                                                 |
| 3687             | 8(a) Business Development/Program Improvement                                                                                                                                                      | 3863     | MSS Spectrum Allocation                                                                                                                                                                                  | 3901     | Space Station Licensing Reform; IB Dockets 00-248 and 02-34                                                                                                                                             |
| 3690             | Small Business Size Standards; New Car Dealers                                                                                                                                                     | 3864     | 3650-3700 Government Transfer Band                                                                                                                                                                       | 3903     | Mitigation of Orbital Debris; IB Docket No. 02-54                                                                                                                                                       |
| 3691             | Small Business Size Standards; Restructuring of Size Standards                                                                                                                                     | 3865     | Fixed Satellite Service and Terrestrial System in the Ku-Band                                                                                                                                            | 3905     | Amendment of Parts 1 and 63 of the Commission's Rules (Docket 04-47)                                                                                                                                    |
|                  | <b>FAR</b>                                                                                                                                                                                         | 3866     | Revision of the Rules Regarding Ultra-Wideband Transmission                                                                                                                                              | 3906     | Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04-112)                                                                                           |
| 3762             | FAR Case 2003-022, Special Emergency Procurement Authority                                                                                                                                         | 3867     | Software Defined Radio Authorization                                                                                                                                                                     |          |                                                                                                                                                                                                         |
|                  |                                                                                                                                                                                                    | 3868     | New Advanced Wireless Services                                                                                                                                                                           |          |                                                                                                                                                                                                         |
|                  |                                                                                                                                                                                                    | 3869     | Revisions to Broadcast Auxiliary Service Rules                                                                                                                                                           |          |                                                                                                                                                                                                         |
|                  |                                                                                                                                                                                                    | 3870     | Part 15 Biennial Review                                                                                                                                                                                  |          |                                                                                                                                                                                                         |
|                  |                                                                                                                                                                                                    | 3871     | Unlicensed Devices in the 5 GHz Band                                                                                                                                                                     |          |                                                                                                                                                                                                         |
|                  |                                                                                                                                                                                                    | 3872     | Exposure to Radiofrequency Electromagnetic Fields                                                                                                                                                        |          |                                                                                                                                                                                                         |

| Businesses—Cont. |                                                                                                                                                                                             | Seq. No. | Title                                                                                                                                                                                               | Seq. No. | Title                                                                                                                                             |
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| 3907             | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, and Allocation of Spectrum for Broadcast Satellite Service                                          | 3938     | Establishment of Rules for Digital Low Power Television, Television Translator, and Television Booster Stations (MB Docket 03-185)                                                                  | 3959     | Transfer of the 3650 Through 3700 MHz Band From Federal Government Use                                                                            |
| 3908             | Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands; IB Docket No. 02-364                                 | 3939     | Joint Sales Agreements in Local Television Markets                                                                                                                                                  | 3960     | 2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services                                                  |
| 3909             | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, & Allocation of Spectrum in the 17.3-17.8 and 24.75-25.25 GHz Bands for Broadcast Satellite Service | 3940     | Application of Network Nonduplication, Syndicated Exclusivity, and Sports Blackout Rules to Satellite Retransmission—SHVIA                                                                          | 3961     | In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets                      |
| 3910             | Cable Television Rate Regulation                                                                                                                                                            | 3941     | Assessment and Collection of Regulatory Fees for FY 2004                                                                                                                                            | 3962     | In the Matter of Automatic and Manual Roaming Obligations Pertaining to Commercial Mobile Radio Services                                          |
| 3911             | Cable Television Rate Regulation: Cost of Service                                                                                                                                           | 3942     | Amendment of the Commission's Rules Concerning Maritime Communications                                                                                                                              | 3963     | Amendment of Part 90 for Licensing Low Power Operations in 450-470 MHz Band                                                                       |
| 3912             | Cable Customer Service Standards (MM 92-263)                                                                                                                                                | 3943     | Resale and Roaming Obligations Pertaining to Commercial Mobile Radio Services                                                                                                                       | 3964     | Review of Quiet Zones Application Procedures                                                                                                      |
| 3913             | Filing of Television Network Affiliation Contracts (MM Docket No. 95-40)                                                                                                                    | 3944     | Implementation of Section 309(j) of the Communications Act, Competitive Bidding; 218-219 MHz Competitive Bidding Rules                                                                              | 3965     | Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59)                                                      |
| 3914             | Rules Governing Broadcast Television Advertising (MM Docket No. 95-90)                                                                                                                      | 3945     | 39 GHz Channel Plan                                                                                                                                                                                 | 3966     | Implementation of 911 Act                                                                                                                         |
| 3915             | Cable Home Wiring                                                                                                                                                                           | 3946     | Implementation of 309(j) of the Communications Act, Amendment of Parts 20 and 24 of the Commission's Rules — Broadband PCS Competitive Bidding and the Commercial Mobile Radio Service Spectrum Cap | 3967     | Year 2000 Part 22 Biennial Review                                                                                                                 |
| 3916             | Closed Captioning                                                                                                                                                                           | 3947     | Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems                                                                                                           | 3968     | Air-Ground Telecommunications Services                                                                                                            |
| 3917             | Cable Act Reform                                                                                                                                                                            | 3948     | In the Matter of the Communications Assistance for Law Enforcement Act                                                                                                                              | 3969     | Biennial Regulatory Review - Amendment of Parts 1, 22, 24, 27, and 90 To Streamline and Harmonize Various Rules Affecting Wireless Radio Services |
| 3918             | Competitive Availability of Navigation Devices                                                                                                                                              | 3949     | Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements                                                                                      | 3970     | Facilitating the Provision of Spectrum-Based Services to Rural Areas                                                                              |
| 3919             | Minor Modifications of Broadcast Licenses Without Prior Construction Permit (MM Docket No. 96-58)                                                                                           | 3950     | Multiple Access Systems                                                                                                                                                                             | 3971     | Extending Wireless Telecommunications Services to Tribal Lands                                                                                    |
| 3920             | Pole Attachment Provisions (CS Docket No. 97-98)                                                                                                                                            | 3951     | Amendment of Part I of the Commission's Rules — Competitive Bidding Procedures                                                                                                                      | 3972     | Amendment of Commission Rules Concerning Airport Terminal Use Frequencies 450-470 MHz Band of the Private Land Mobile Radio Services, WT 02-318   |
| 3923             | Horizontal Ownership Limits                                                                                                                                                                 | 3952     | Amendment of Part 90 of the Rules To Adopt Regulations for Automatic Vehicle Monitoring Systems                                                                                                     | 3973     | Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels.                                  |
| 3924             | Retransmission Consent Issues—SHVIA                                                                                                                                                         | 3953     | Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules                                                                                             | 3974     | Review of Part 87 of the Commission's Rules Concerning Aviation                                                                                   |
| 3925             | Digital Audio Broadcasting Systems (MM Docket No. 99-325)                                                                                                                                   | 3954     | Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended                                                                                                              | 3975     | Digital Broadcast Content Protection (MB Docket No. 02-230)                                                                                       |
| 3927             | Ancillary or Supplemental Use of DTV Capacity by Non-Commercial Licensees (MM Docket No. 98-203)                                                                                            | 3955     | Amendment to Parts 1, 2, 87, and 101 of the Rules to License Fixed Services at 24 GHz                                                                                                               | 3976     | National Exchange Carrier Association Petition                                                                                                    |
| 3928             | Periodic Review of Rules and Policies Affecting the Conversion to DTV                                                                                                                       | 3957     | Amendment of Parts 13 and 80 Governing Maritime Communications                                                                                                                                      | 3979     | Implementation of the Universal Service Portions of the 1996 Telecommunications Act                                                               |
| 3929             | Direct Broadcast Public Interest Obligations; MM Docket No. 93-25                                                                                                                           | 3958     | Amendment of the Rules Regarding Installment Payment Financing for Personal Communications Services Licensees                                                                                       | 3981     | Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information                                       |
| 3934             | Revision of EEO Rules and Policies; MM Docket No. 98-204                                                                                                                                    |          |                                                                                                                                                                                                     | 3983     | Implementation of the Local Competition Provisions of the Telecommunications Act of 1996                                                          |
| 3935             | Reexamination of Comparative Standards for Noncommercial Educational Applicants; MM Docket No. 95-31                                                                                        |          |                                                                                                                                                                                                     | 3984     | Enhanced 911 Services for Wireline                                                                                                                |
| 3936             | Cross Ownership of Broadcast Stations and Newspapers                                                                                                                                        |          |                                                                                                                                                                                                     |          |                                                                                                                                                   |



| Governmental Jurisdictions—Cont. |                                                                                                                                                                   | Seq. No. | Title                                                                                                                                                                                                    | Seq. No. | Title                                                                                                                                  |
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| Seq. No.                         | Title                                                                                                                                                             |          | <b>FCC</b>                                                                                                                                                                                               |          |                                                                                                                                        |
| 1142                             | Grants for State and Community Programs on Aging, Training, Research, and Discretionary Programs; Vulnerable Elder Rights; Grants to Indians and Native Hawaiians | 3856     | Implementation of Section 255 and Section 251(a)(2) of the Telecommunications Act of 1996; Access to Telecommunications Services Equipment and Customer Premise Equipment for Persons With Disabilities; | 3959     | Transfer of the 3650 Through 3700 MHz Band From Federal Government Use                                                                 |
|                                  | <b>DHS</b>                                                                                                                                                        | 3860     | Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53)                                                              | 3966     | Implementation of 911 Act                                                                                                              |
| 1233                             | Reduction of the Number of Acceptable Documents and Other Changes to Employment Verification Requirements ( <b>Section 610 Review</b> )                           | 3864     | 3650-3700 Government Transfer Band                                                                                                                                                                       | 3968     | Air-Ground Telecommunications Services                                                                                                 |
| 1258                             | Claims Procedures Under the Oil Pollution Act of 1990 (USCG-2004-17697)                                                                                           | 3872     | Exposure to Radiofrequency Electromagnetic Fields                                                                                                                                                        | 3971     | Extending Wireless Telecommunications Services to Tribal Lands                                                                         |
|                                  | <b>DOL</b>                                                                                                                                                        | 3873     | Above 76 GHz                                                                                                                                                                                             | 3973     | Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels.                       |
| 100                              | Occupational Exposure to Hexavalent Chromium (Preventing Occupational Illness: Chromium)                                                                          | 3875     | Commission Rules Concerning Disruptions to Communications                                                                                                                                                | 3979     | Implementation of the Universal Service Portions of the 1996 Telecommunications Act                                                    |
|                                  | <b>DOT</b>                                                                                                                                                        | 3879     | Unlicensed Operation of the 3650-3700 Band (ET Doc. No. 04-151)                                                                                                                                          | 3984     | Enhanced 911 Services for Wireline                                                                                                     |
| 2217                             | Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States                                             | 3880     | WRC-03 Omnibus (ET Doc. No. 04-139)                                                                                                                                                                      | 3993     | Numbering Resource Optimization                                                                                                        |
| 2254                             | FMVSS: Head Restraints (Height and Distance Requirements)                                                                                                         | 3882     | Narrowbanding for Private Land Mobile Radio Service (ET Doc. No. 04-243)                                                                                                                                 |          | <b>NRC</b>                                                                                                                             |
|                                  | <b>IMLS</b>                                                                                                                                                       | 3883     | Unlicensed Devices and Equipment Approval (ET Docket No. 03-201)                                                                                                                                         | 4129     | Control of Solid Material                                                                                                              |
| 3520                             | Implementation of Title IX of the Education Act Amendments of 1972                                                                                                | 3886     | Reallocation of 27 MHz Spectrum                                                                                                                                                                          | 4155     | Distribution of Source Material to Exempt Persons and General Licensees and Revision of 10 CFR 40.22 General License                   |
|                                  | <b>NEA</b>                                                                                                                                                        | 3907     | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, and Allocation of Spectrum for Broadcast Satellite Service                                                       |          | <b>Organizations</b>                                                                                                                   |
| 3522                             | Nondiscrimination on the Basis of Sex in Federally Assisted Programs and Activities—Implementation of Title IX of the Education Amendments of 1972                | 3909     | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, & Allocation of Spectrum in the 17.3-17.8 and 24.75-25.25 GHz Bands for Broadcast Satellite Service              | Seq. No. | Title                                                                                                                                  |
|                                  | <b>FAR</b>                                                                                                                                                        | 3910     | Cable Television Rate Regulation                                                                                                                                                                         |          | <b>USDA</b>                                                                                                                            |
| 3767                             | FAR Case 1989-093, Implementation of the Anti-Lobbying Statute                                                                                                    | 3911     | Cable Television Rate Regulation: Cost of Service                                                                                                                                                        | 178      | National Organic Program: National List—Crops, Livestock, and Processing (TM-04-04)                                                    |
|                                  |                                                                                                                                                                   | 3912     | Cable Customer Service Standards (MM 92-263)                                                                                                                                                             | 222      | Agricultural Bioterrorism Protection Act of 2002; Possession, Use, and Transfer of Biological Agents and Toxins                        |
|                                  |                                                                                                                                                                   | 3917     | Cable Act Reform                                                                                                                                                                                         | 258      | National Flood Insurance Regulations                                                                                                   |
|                                  |                                                                                                                                                                   | 3947     | Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems                                                                                                                | 326      | Food Safety Inspections, Audits, and Reports                                                                                           |
|                                  |                                                                                                                                                                   | 3949     | Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements                                                                                           | 327      | School Food Safety: Hazard Analysis and Critical Control Point System                                                                  |
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|                                  |                                                                                                                                                                   | 3955     | Amendment to Parts 1, 2, 87, and 101 of the Rules to License Fixed Services at 24 GHz                                                                                                                    |          | <b>DOC</b>                                                                                                                             |
|                                  |                                                                                                                                                                   |          |                                                                                                                                                                                                          | 32       | Amendments 18 and 19 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs—Crab Rationalization Program |
|                                  |                                                                                                                                                                   |          |                                                                                                                                                                                                          | 538      | Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 9                                                                        |

| Organizations—Cont. |                                                                                                                                                                                               | Seq. No. | Title                                                                                                                                                                                                    | Seq. No. | Title                                                                                                                                                                                                   |
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| Seq. No.            | Title                                                                                                                                                                                         |          |                                                                                                                                                                                                          |          |                                                                                                                                                                                                         |
| 540                 | Amendment 71A to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area                                                                           | 1341     | Fees for Participation in Dedicated Commuter Lanes at Selected Ports of Entry; Collection of Fees Under the Dedicated Commuter Lane Program                                                              | 3859     | Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991; CG Docket No. 02-278<br><b>(Section 610 Review)</b>                                                            |
| 649                 | Atlantic Large Whale 2002 Seasonal Area Management (SAM) Program                                                                                                                              |          | <b>DOJ</b>                                                                                                                                                                                               | 3860     | Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53)                                                             |
| 669                 | Annual Specifications for the Atlantic Bluefish Fishery for 2004                                                                                                                              | 86       | Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities<br><b>(Section 610 Review)</b>                                                                           | 3872     | Exposure to Radiofrequency Electromagnetic Fields                                                                                                                                                       |
|                     | <b>HHS</b>                                                                                                                                                                                    |          | <b>DOT</b>                                                                                                                                                                                               | 3875     | Commission Rules Concerning Disruptions to Communications                                                                                                                                               |
| 1045                | Hospital Conditions of Participation: Requirements for History and Physical Examinations; Authentication of Verbal Orders; Securing Medications; and Post-Anesthesia Evaluations (CMS-3122-P) | 2217     | Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States                                                                                    | 3887     | Amateur Radio Service Rules                                                                                                                                                                             |
| 1049                | Competitive Acquisition for Certain Durable Medical Equipment (DME), Prosthetics, Orthotics, and Supplies (CMS-1270-P)                                                                        | 2254     | FMVSS: Head Restraints (Height and Distance Requirements)                                                                                                                                                | 3894     | Allocate & Designate: Spec for Fixed-Sat Srv (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHz Bands). Allocate: Fixed & Mobile 40.5-42.5 GHz; Wireless 46.9-47 GHz; Gov Oper 37-38 & 40-40.5 GHz; IB Doc No. 97-95 |
| 1051                | Revisions to HIPAA Code Sets (CMS-0013-P)                                                                                                                                                     | 2671     | Mandatory e-Filing for Forms 1120                                                                                                                                                                        | 3907     | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, and Allocation of Spectrum for Broadcast Satellite Service                                                      |
| 1091                | Physicians' Referrals to Health Care Entities With Which They Have Financial Relationships—Phase II (CMS-1810-IFC)                                                                            |          | <b>IMLS</b>                                                                                                                                                                                              | 3909     | Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Satellite Earth Stations, & Allocation of Spectrum in the 17.3-17.8 and 24.75-25.25 GHz Bands for Broadcast Satellite Service             |
| 1108                | Hospital Patients' Rights CoP—Standard Safety Compliance Committees (CMS-3120-P)                                                                                                              | 3520     | Implementation of Title IX of the Education Act Amendments of 1972                                                                                                                                       | 3941     | Assessment and Collection of Regulatory Fees for FY 2004                                                                                                                                                |
| 1125                | Special Rules for Employer-Sponsored Drug Programs: Subsidies to Encourage Retention (Title I) (CMS-2199-P)                                                                                   |          | <b>NEA</b>                                                                                                                                                                                               | 3947     | Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems                                                                                                               |
|                     | <b>DHS</b>                                                                                                                                                                                    | 3522     | Nondiscrimination on the Basis of Sex in Federally Assisted Programs and Activities—Implementation of Title IX of the Education Amendments of 1972                                                       | 3955     | Amendment to Parts 1, 2, 87, and 101 of the Rules to License Fixed Services at 24 GHz                                                                                                                   |
| 75                  | Establishing Procedures for Recertification of Schools Approved by the Student and Exchange Visitor Program (SEVP) to Enroll F or M Nonimmigrant Students                                     |          | <b>FAR</b>                                                                                                                                                                                               | 3964     | Review of Quiet Zones Application Procedures                                                                                                                                                            |
| 1233                | Reduction of the Number of Acceptable Documents and Other Changes to Employment Verification Requirements<br><b>(Section 610 Review)</b>                                                      | 3767     | FAR Case 1989-093, Implementation of the Anti-Lobbying Statute                                                                                                                                           | 3966     | Implementation of 911 Act                                                                                                                                                                               |
| 1258                | Claims Procedures Under the Oil Pollution Act of 1990 (USCG-2004-17697)                                                                                                                       |          | <b>FCC</b>                                                                                                                                                                                               | 3967     | Year 2000 Part 22 Biennial Review                                                                                                                                                                       |
|                     |                                                                                                                                                                                               | 3856     | Implementation of Section 255 and Section 251(a)(2) of the Telecommunications Act of 1996; Access to Telecommunications Services Equipment and Customer Premise Equipment for Persons With Disabilities; | 3968     | Air-Ground Telecommunications Services                                                                                                                                                                  |
|                     |                                                                                                                                                                                               |          |                                                                                                                                                                                                          | 3970     | Facilitating the Provision of Spectrum-Based Services to Rural Areas                                                                                                                                    |
|                     |                                                                                                                                                                                               |          |                                                                                                                                                                                                          | 3973     | Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels.                                                                                        |
|                     |                                                                                                                                                                                               |          |                                                                                                                                                                                                          | 3984     | Enhanced 911 Services for Wireline                                                                                                                                                                      |
|                     |                                                                                                                                                                                               |          |                                                                                                                                                                                                          | 3993     | Numbering Resource Optimization                                                                                                                                                                         |