



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

[April 30, 2009](#)

Wendy Liberante
OMB Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Ms. Liberante:

The U.S. Small Business Administration is requesting approval on an emergency basis for certain 504 Loan Program forms affected by the American Recovery and Reinvestment Act of 2009 (ARRA) under Sec. 504, Stimulus for Community Development Lending Low Interest Refinancing under Local Development Business Loan Program initiative. Your approval of this request would facilitate SBA's implementation of this new initiative that the Agency intends to implement by April 30, 2009.

The following forms are affected by the new legislation:

- Application for Section 504 Loan (SBA Form 1244)
- Eligibility Information Required for PCLP Submission [SBA Form 2234 (Part C)]
- Servicing Agent Agreement (SBA Form 1506)

We have provided a highlighted or marked copy to show the changes that have been made.

As a result of the decline in the economy, the Agency has experienced a significant drop of almost 47 percent in number of 504 loans since the same time last year. With the various components of the ARRA, SBA believes that more small business will look to the 504 Loan Program to obtain refinancing of eligible debt as part of a larger 504 project. This refinancing will assist small businesses in restructuring existing debt while seeking financing to expand.

To further facilitate the SBA's implementation of this loan initiative, the Agency also asks that OMB exercise its authority to waive the 60-day comment period for forms required under 5 C.F.R. §1320.8(2)(d)(1). The notice for comment has not been published. SBA acknowledges the need for the notice requirement but since compliance with the notice requirement would cause a substantial delay in implementing the initiative, SBA asks that OMB waive the requirement for Notice and for the 60-day comment period at this time. OMB regulations provide that emergency approval, if granted, will expire after 6 months. If this request for emergency processing is approved, SBA will shortly thereafter take the necessary steps to obtain the type of approval that would enable the Agency to continue to use this information beyond the 6 months.

Being able to move forward with this new statutory requirement as expeditiously as possible is essential to the Agency's ability to carry out its mission to help expand the access to capital for small businesses.

SBA appreciates your prompt attention to this matter and looks forward to receiving your emergency approval for this collection of information within five business days.

Sincerely,

Eric R. Zarnikow
Associate Administrator for Capital Access