



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

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:

Section 503 of the American Recovery and Reinvestment Act of 2009 (the Recovery Act), P. L. 111-5, authorizes the Small Business Administration to establish the SBA Secondary Market Guarantee Authority within SBA to provide a Federal guarantee for pools of 504 First Mortgage loans that are to be sold to third party investors. In order to implement this program without further delay, SBA is requesting approval on an emergency basis for this new information collection that is central to the pool application and guarantee process. SBA's target implementation date is September 1, 2009; your review under emergency procedures would greatly facilitate meeting that goal.

As a result of the decline in the economy, the Agency has experienced a significant drop in number of 504 loans since the same time last year. With the various components of the Recovery Act, SBA believes that more 504 Loan Program would be much more robust with the increase in participation by lending institutions in 504 First Mortgage Loans. This guaranty program will assist 504 first mortgage lenders to obtain much needed liquidity and will open up new opportunities for small business concerns to obtain 504 Loans.

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