

tighter markets and more competition among exchange members.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were either solicited or received.<sup>35</sup>

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>36</sup> and Rule 19b-4(f)(2)<sup>37</sup> thereunder, because it establishes or changes a due, fee, or other charge imposed by the Exchange. Accordingly, the proposal will take effect upon filing with the Commission. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-PHLX-2004-60 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

<sup>35</sup> Previously, in connection with SR-PHLX-2004-50, the Exchange received one written comment letter dated August 10, 2004, which was forwarded to the Commission on August 20, 2004.

<sup>36</sup> 15 U.S.C. 78s(b)(A)(ii).

<sup>37</sup> 17 CFR 240.19b-4(f)(2).

All submissions should refer to File Number SR-PHLX-2004-60. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the Phlx. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-PHLX-2004-60 and should be submitted on or before October 26, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>38</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E4-2489 Filed 10-4-04; 8:45 am]

**BILLING CODE 8010-01-P**

### SMALL BUSINESS ADMINISTRATION

#### Declaration of Disaster #3624; State of Alabama (Amendment #1)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 23, 2004, the above numbered declaration is hereby amended to include Autauga, Barbour, Bibb, Blount, Bullock, Calhoun, Chilton, Choctaw, Clay, Coosa, Cullman, Dallas, Dale, Elmore, Etowah, Fayette, Franklin, Greene, Hale, Jefferson, Lamar, Lawrence, Lee, Lowndes, Macon, Marengo, Marshall, Marion, Montgomery, Perry, Pickens, Pike, Shelby, St. Clair, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Wilcox, and Winston as disaster areas due to

<sup>38</sup> 17 CFR 200.30-3(a)(12).

damages caused by Hurricane Ivan occurring on September 13, 2004 and continuing.

In addition, applications for economic injury loans from small businesses located in the contiguous counties of Chambers, Cherokee, Cleburne, Colbert, DeKalb, Henry, Jackson, Lauderdale, Limestone, Madison, Morgan, Randolph, and Russell in the State of Alabama; Clay, Harris, Muscogee, Quitman, and Stewart in the State of Georgia; and Clarke, Itawamba, Kemper, Lauderdale, Lowndes, Monroe, Noxubee, and Tishomingo in the State of Mississippi may be filed until the specified date at the previously designated location. All other counties contiguous to the above named primary counties have previously been declared.

The economic injury number assigned to Georgia is 9AA500.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 15, 2004 and for economic injury the deadline is June 15, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: September 27, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22291 Filed 10-4-04; 8:45 am]

**BILLING CODE 8025-01-P**

### SMALL BUSINESS ADMINISTRATION

#### [Declaration of Disaster #3635]

#### State of Florida

As a result of the President's major disaster declaration on September 26, 2004, and a notice received from the Department of Homeland Security—Federal Emergency Management Agency—on September 27, 2004, I find that Brevard, Hardee, Hernando, Highlands, Hillsborough, Indian River, Lake, Marion, Martin, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia Counties in the State of Florida constitute a disaster area due to damages caused by Hurricane Jeanne occurring on September 24, 2004 and continuing. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on November 26, 2004 and for economic injury until the close of business on June 27, 2005 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 2 Office, One Baltimore Place, Suite 300, Atlanta, GA 30308.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the above location: Alachua, Broward, Charlotte, Citrus, DeSoto, Flagler, Glades, Hendry, Levy, Manatee, and Putnam in the State of Florida.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere .....	6.375
Homeowners without credit available elsewhere .....	3.187
Businesses with credit available elsewhere .....	5.800
Businesses and non-profit organizations without credit available elsewhere .....	2.900
Others (including non-profit organizations) with credit available elsewhere .....	4.875
For Economic Injury	
Businesses and small agricultural cooperatives without credit available elsewhere .....	2.900

The number assigned to this disaster for physical damage is 363508 and for economic injury the number is 9AA400. (Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: September 28, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22290 Filed 10-4-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3632]

#### **Commonwealth of Pennsylvania; Amendment #2**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 22, 2004, the above numbered declaration is hereby amended to include Franklin, Lebanon, Montour, Tioga, and York counties as disaster areas due to damages caused by Tropical Depression Ivan occurring on September 17, 2004 and continuing.

In addition, applications for economic injury loans from small businesses located in the contiguous county of Steuben in the State of New York; and Baltimore, Carroll, Frederick, and Harford Counties in the State of Maryland may be filed until the specified date at the previously designated location. All other counties

contiguous to the above named primary counties have previously been declared.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 18, 2004 and for economic injury the deadline is June 20, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: September 27, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22288 Filed 10-4-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### **Declaration of Disaster #3634; Commonwealth of Puerto Rico (Amendment #1)**

In accordance with notices received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 19 and 22, 2004, the above numbered declaration is hereby amended to establish the incident period for this disaster as beginning September 14, 2004 and continuing through September 19, 2004. The declaration is also amended to include the municipalities of Caguas and Vieques as disaster areas due to damages caused by Tropical Storm Jeanne. All other municipalities contiguous to the above named primary municipalities have previously been declared.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 22, 2004 and for economic injury the deadline is June 21, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: September 27, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22289 Filed 10-4-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### **Declaration of Disaster #3633; State of West Virginia (Amendment #1)**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 24, 2004, the above numbered declaration is hereby amended to include Berkeley, Cabell, Jackson, Kanawha, Lincoln, Mason,

Morgan, and Wood Counties as disaster areas due to damages caused by severe storms, flooding and landslides occurring on September 16, 2004, and continuing.

In addition, applications for economic injury loans from small businesses located in the contiguous counties of Boone, Clay, Fayette, Hampshire, Jefferson, Logan, Mingo, Nicholas, Putnam, Raleigh, and Wayne in the State of West Virginia; Athens, Gallia, Lawrence, and Meigs in the State of Ohio; Allegany and Washington Counties in the State of Maryland; and Clarke and Frederick Counties in the Commonwealth of Virginia may be filed until the specified date at the previously designated location. All other counties contiguous to the above named primary counties have previously been declared.

The economic injury number assigned to Maryland is 9AA200 and Virginia is 9AA300.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 19, 2004 and for economic injury the deadline is June 20, 2005.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: September 27, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22292 Filed 10-4-04; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF THE TREASURY

### **Submission for OMB Review; Comment Request**

September 14, 2004.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before November 4, 2004 to be assured of consideration.

### **Internal Revenue Service (IRS)**

*OMB Number:* 1545-1882.

*Form Number:* IRS Form 8877.