

proposed rule establishes or changes a due, fee, or other charge. At any time within sixty days of the filing of such 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-NSCC-2004-06 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.

All submissions should refer to File Number SR-NSCC-2004-06. 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 Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of NSCC and on NSCC's Web site at <http://www.nsc.com/legal>. 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-NSCC-2004-06 and should be submitted on or before November 24, 2004.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>8</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E4-2988 Filed 11-2-04; 8:45 am]

**BILLING CODE 8010-01-P**

#### SMALL BUSINESS ADMINISTRATION

##### [Declaration of Disaster #3633]

##### State of West Virginia (Amendment #4)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective October 28, 2004, the above numbered declaration is hereby amended to include Logan County as a disaster area due to damages caused by severe storms, flooding and landslides occurring on September 16, 2004, and continuing through September 27, 2004.

All other counties contiguous to the above named primary county have previously been declared. 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: October 28, 2004.

**S. George Camp,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 04-24496 Filed 11-2-04; 8:45 am]

**BILLING CODE 8025-01-P**

#### SMALL BUSINESS ADMINISTRATION

##### Public Federal Regulatory Enforcement Fairness Roundtable; Region VII Regulatory Fairness Board

The Small Business Administration Region VII Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Thursday, November 18, 2004 at 8:30 a.m. at the Bradbury Thompson Center on the Campus of Washburn University, 1700 SW College Avenue, Topeka, KS 66621-0001, to provide small business owners and representatives of trade associations with an opportunity to share

information concerning the Federal regulatory enforcement and compliance environment.

Anyone wishing to attend or to make a presentation must contact Gary Cook in writing or by fax, in order to be put on the agenda. Gary Cook, District Director, SBA Kansas City District Office, 323 W 8th Street, Suite 501, Kansas City, MO 64105, phone (816) 374-6897, fax (816) 374-6759, e-mail: [gary.cook@sba.gov](mailto:gary.cook@sba.gov).

For more information, see our Web site at <http://www.sba.gov/ombudsman>.

Dated: October 28, 2004.

**Peter Sorum,**

*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 04-24497 Filed 11-2-04; 8:45 am]

**BILLING CODE 8025-01-P**

#### SMALL BUSINESS ADMINISTRATION

##### Small Business Size Standards: Waiver of the Nonmanufacturer Rule

**AGENCY:** Small Business Administration.

**ACTION:** Notice of termination of waiver of the Nonmanufacturer Rule for Power-Driven Handtools Manufacturing.

**SUMMARY:** The U.S. Small Business Administration (SBA) is terminating the waiver of the Nonmanufacturer Rule for Power-Driven Handtools Manufacturing based on our recent discovery of a small business manufacturer for this class of products. Terminating this waiver will require recipients of contracts set aside for small businesses, service-disabled veteran-owned small businesses, SBA's Very Small Business Program or 8(a) businesses to provide the products of small business manufacturers or process on such contracts.

**DATES:** This termination of waiver is effective on November 18, 2004.

##### **FOR FURTHER INFORMATION CONTACT:**

Edith Butler, Program Analyst, by telephone at (202) 619-0422; by FAX at (202) 481-1788; or by e-mail at [edith.butler@sba.gov](mailto:edith.butler@sba.gov).

**SUPPLEMENTARY INFORMATION:** Section 8(a)(17) of the Small Business Act, (Act)15 U.S.C. 637(a)(17), requires that recipients of Federal contracts set aside for small businesses, service-disabled veteran-owned small businesses, SBA's Very Small Business Program or SBA's 8(a) Business Development Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. This requirement is commonly referred to as the Nonmanufacturer Rule.

<sup>8</sup> 17 CFR 200.30-3(a)(12).

The SBA regulations imposing this requirement are found at 13 CFR 121.406 (b). Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

As implemented in SBA's regulations at 13 CFR 121.1204, in order to be considered available to participate in the Federal market for a class of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal government within the last 24 months. The SBA defines "class of products" based on six digit coding systems. The first coding system is the Office of Management and Budget North American Industry Classification System (NAICS). The second is the Product and Service Code established by the Federal Procurement Data System.

The SBA received a request on June 29, 2004 to waive the Nonmanufacturer Rule for Power-Driven Handtools Manufacturing. In response, on July 28, 2004, SBA published in the **Federal Register**, and FedBizOpps notices of intent to the waiver of the Nonmanufacturer Rule for Power-Driven Handtools Manufacturing.

In responses to these notices, SBA discovered the existence of a small business manufacturer of that class of products. Accordingly, based on the available information, SBA has determined that there is a small business manufacturer of this class of products, and is therefore terminating the class waiver of the Nonmanufacturer Rule for Power-Driven Handtools Manufacturing, NAICS 333991.

**Authority:** 15 U.S.C. 637(a)(17).

Dated: October 27, 2004.

**Arthur E. Collins,**

*Acting Deputy Associate Administrator for Office of Government Contracting.*

[FR Doc. 04-24499 Filed 11-2-04; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice 4883]

### 60-Day Notice of Proposed Information Collection: Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, OMB Control Number 1405-0119

**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

- Title of Information Collection: Certificate of Eligibility for Exchange Visitor (J-1) Status.
- OMB Control Number: 1405-0119.
- Type of Request: Extension of Currently Approved Collection.
- Originating Office: Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs (ECA/EC/ECD).
- Form Number: DS-2019.
- Respondents: Department of State designated Exchange Visitor Program sponsors and exchange visitors.
- Estimated Number of Respondents: 300,000.
- Estimated Number of Responses: 300,000.
- Average Hours Per Response: 45 minutes.
- Total Estimated Burden: 225,000 hours.
- Frequency: On occasion.
- Obligation to Respond: Required to Obtain or Retain a Benefit.

**DATES:** The Department will accept comments from the public up to 60 days from November 3, 2004.

**ADDRESSES:** You may submit comments by any of the following methods:

- E-mail: [RoseVT@state.gov](mailto:RoseVT@state.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.
- Mail (paper, disk, or CD-ROM submissions): Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs, 301 Fourth Street, SW., Room 734, U.S. Department of State, Washington, DC 20547.
- Fax: (202) 401-9809.
- Hand Delivery or Courier: 301 Fourth Street, SW., Room 734, U.S. Department of State, Washington, DC 20547.

#### FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Vicki Rose, Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs, 301 Fourth Street, SW., Room 734, U.S. Department of State, Washington, DC

20547, who may be reached on (202) 401-9810 or by e-mail at [RoseVT@state.gov](mailto:RoseVT@state.gov).

**SUPPLEMENTARY INFORMATION:** We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper performance of our functions.
- Evaluate the accuracy of our estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of technology.

**Abstract of proposed collection:** This Form collects information on nonimmigrants for the purpose of producing a document to enable a non-immigrant to seek a visa to participate in the Exchange Visitor Program.

**Methodology:** The information is collected electronically and is maintained in the Student and Exchange Visitor Information System (SEVIS).

Dated: October 14, 2004.

**Cathy T. Chikes,**

*Executive Director, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 04-24547 Filed 11-2-04; 8:45 am]

**BILLING CODE 4710-05-P**

## DEPARTMENT OF STATE

[Public Notice 4870]

### Notice of Meeting of the Advisory Committee on International Law

A meeting of the Advisory Committee on International Law will take place on Friday, November 19, 2004, from 10 a.m. to approximately 4 p.m., as necessary, in Room 1105 of the United States Department of State, 2201 C Street, NW., Washington, DC. The meeting will be chaired by the Legal Adviser of the Department of State, William H. Taft, IV, and will be open to the public up to the capacity of the meeting room. The meeting will cover various issues relating to current international legal topics, including the role of the State Department in domestic litigation in light of the Supreme Court's decisions in *Republic of Austria v. Altmann and Sosa v. Alvarez-Machain*, an update on the work of the International Law Commission, an update on prisoners and detainees, and