

laundering programs required under the proposed rule must establish and implement policies and procedures that can be reasonably expected to detect and cause the reporting of transactions required under Section 5318(g) of the Bank Secrecy Act and the implementing regulations under that Act. The programs must also establish and implement policies, procedures, and internal controls reasonably designed to achieve compliance with the Bank Secrecy Act and the implementing regulations thereunder. The programs must provide for independent testing for compliance to be conducted by member personnel or by a qualified outside party. The programs must also designate, and identify to the Exchange, a person or persons responsible for implementing and monitoring the day-to-day operations and internal controls of the program and provide prompt notification to the Exchange regarding any change in such designation. In addition, the programs must provide ongoing training for appropriate persons. The proposed rule also states that, in the event any of the provisions of the rule conflict with any of the provisions of another applicable SRO's rule requiring the development and implementation of an anti-money laundering compliance program, the provisions of the member's Designated Examining Authority ("DEA") rule would apply.

### III. Discussion and Commission Findings

The Commission finds, for the reasons set forth below, that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a registered national securities exchange,<sup>8</sup> and, in particular, with the requirements of Sections 6(b)(5)<sup>9</sup> of the Act. Section 6(b)(5) requires, among other things that the rules of a registered national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general to protect investors and the public interest.

The Commission finds that the proposed rule change is consistent with these Sections of the Act. The Commission finds that the NSX has proposed a rule that accurately, reasonably, and efficiently implements the requirements of the PATRIOT Act as it applies to NSX members. Moreover, the Commission finds it appropriate and consistent with the Act for NSX members to follow the anti-money laundering rules of their DEAs to the extent those rules conflict with NSX's. The Commission believes that provision of the NSX rule implementing this approach will avoid confusion and enhance compliance for dual members.

### IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>10</sup> that the proposal SR-NSX-2004-02, as amended, be and hereby is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E4-2499 Filed 10-5-04; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3620]

#### State of Florida (Amendment #4)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 25, 2004, the above numbered declaration is hereby amended to include Manatee, Sarasota, and Suwannee as disaster areas due to damages caused by Hurricane Frances occurring on September 3, 2004, and continuing.

In addition, applications for economic injury loans from small businesses located in the contiguous county of Madison in the State of Florida 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 3, 2004 and for economic injury the deadline is June 6, 2005.

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

<sup>10</sup> 15 U.S.C. 78s(b)(2).

<sup>11</sup> 17 CFR 200.30-3(a)(12).

Dated: September 30, 2004.

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22490 Filed 10-5-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #P056]

#### State of Georgia

As a result of the President's major disaster declaration for Public Assistance on September 24, 2004, and a notice from the Department of Homeland Security—Federal Emergency Management Agency dated September 27, 2004, the U.S. Small Business Administration is activating its disaster loan program only for private non-profit organizations that provide essential services of a governmental nature. I find that Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Bibb, Bleckley, Brantley, Brooks, Butts, Calhoun, Camden, Candler, Charlton, Clinch, Coffee, Colquitt, Cook, Crawford, Crisp, Decatur, Dodge, Dooly, Dougherty, Echols, Elbert, Emanuel, Evans, Glynn, Grady, Greene, Hancock, Harris, Hart, Houston, Irwin, Jasper, Jeff Davis, Johnson, Jones, Lamar, Lanier, Laurens, Long, Lowndes, Macon, McIntosh, Monroe, Montgomery, Peach, Pike, Pulaski, Putnam, Rabun, Schley, Spalding, Sumter, Talbot, Taliaferro, Tattnall, Taylor, Telfair, Thomas, Tift, Toombs, Treutlen, Turner, Twiggs, Upson, Ware, Wayne, Washington, Webster, Wheeler, Wilcox, Wilkes, Wilkinson, and Worth Counties in the State of Georgia constitute a disaster area due to damages caused by Tropical Storm Frances occurring on September 3, 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 23, 2004 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.

*The interest rates are:*

|   | Percent |
|---|---------|
| For Physical Damage:  |         |
| Non-profit organizations without credit available elsewhere ..... | 2.900   |
| Non-profit organizations with credit available elsewhere .....    | 4.875   |

The number assigned to this disaster for physical damage is P05608.

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

<sup>8</sup> In approving these rules, the Commission has considered their impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>9</sup> 15 U.S.C. 78f(b)(5).

Dated: September 28, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22383 Filed 10-5-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3629]

#### State of Georgia (Corrected Copy)

As a result of the President's major disaster declaration on September 18, 2004, I find that Carroll, Cherokee, Cobb, Dawson, DeKalb, Early, Franklin, Fulton, Gilmer, Madison, Rabun, Towns, Union, and White Counties in the State of Georgia constitute a disaster area due to damages caused by Hurricane Ivan occurring on September 14, 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 17, 2004, and for economic injury until the close of business on June 20, 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: Baker, Banks, Bartow, Calhoun, Clarke, Clay, Clayton, Coweta, Douglas, Elbert, Fannin, Fayette, Forsyth, Gordon, Gwinnett, Habersham, Hall, Haralson, Hart, Heard, Henry, Jackson, Lumpkin, Miller, Murray, Oglethorpe, Paulding, Pickens, Rockdale, Seminole and Stephens in the State of Georgia; Cleburne, Henry, Houston and Randolph counties in the State of Alabama; Oconee county in the State of South Carolina; Cherokee, Clay, Jackson and Macon counties in the State of North Carolina.

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:  |         |

Percent

Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere ..... 2.900

The number assigned to this disaster for physical damage is 362908. For economic injury the number is 9ZX900 for Georgia; 9ZY100 for Alabama; 9ZY200 for South Carolina; and 9ZY300 for North Carolina.

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

Dated: October 1, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22491 Filed 10-5-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3628]

#### State of North Carolina (Amendment #1)

In accordance with notices received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 23 and 27, 2004, the above numbered declaration is hereby amended to establish the incident period for this disaster as beginning September 16, 2004, and continuing through September 23, 2004. The declaration is also amended to include Alamance, Alleghany, Ashe, Caswell, Davidson, Forsyth, Graham, Guilford, Randolph, Rockingham, Stokes, Swain, and Wilkes Counties as disaster areas due to damages caused by Hurricane Ivan.

In addition, applications for economic injury loans from small businesses located in the contiguous counties of Chatham, Davie, Iredell, Montgomery, Moore, Orange, Person, Rowan, Stanly, Surry, and Yadkin in the State of North Carolina; Blount, Monroe, and Sevier Counties in the State of Tennessee; and Grayson, Halifax, Henry, Patrick, and Pittsylvania 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 disaster number assigned to Virginia is 9AD400. All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 17, 2004 and for economic injury the deadline is June 20, 2005. (Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: September 29, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22426 Filed 10-5-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3623]

#### State of North Carolina (Amendment #3)

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency—effective September 27, 2004, the above numbered declaration is hereby amended to include Alleghany, Ashe, and Wilkes Counties as disaster areas due to damages caused by Tropical Storm Frances occurring on September 7, 2004, and continuing through September 12, 2004.

In addition, applications for economic injury loans from small businesses located in the contiguous county of Surry in the State of North Carolina; and Grayson County 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 disaster number assigned to Virginia is 9AD500.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is November 9, 2004 and for economic injury the deadline is June 10, 2005.

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

Dated: September 29, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-22427 Filed 10-5-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #P054]

#### State of South Carolina

As a result of the President's major disaster declaration for Public Assistance on September 15, 2004 the U.S. Small Business Administration is activating its disaster loan program only for private non-profit organizations that provide essential services of a governmental nature. I find that Berkeley, Charleston and Williamsburg Counties in the State of South Carolina