

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.*

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#### 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.*

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**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).