

AUTO-X disengagement period of 30 seconds (if the specialist revises the quote in the series prior to the expiration of 30 seconds, AUTO-X will be automatically re-engaged). Because of the new system, it is no longer necessary to require that the specified disengagement size be greater than the largest disseminated size for any series in a given option. Therefore, the proposal would delete from Commentary .07 to Phlx Rule 1080 the provision that the specified disengagement size shall not be for a number of contracts that is fewer than the highest quotation size for any series in the given option.<sup>16</sup>

The Exchange believes that the new system should enable specialists to continue to fulfill their obligations to make fair and orderly markets during periods of peak market activity, while simultaneously enabling them to meet the requirement to provide automatic executions up to the disseminated size, regardless of whether the specified disengagement size is for a number of contracts that is less than the disseminated size.

## 2. Statutory Basis

The Exchange believes that its proposal is consistent with section 6(b) of the Act,<sup>17</sup> in general, and furthers the objectives of section 6(b)(5) of the Act,<sup>18</sup> in particular, in that it is designed to perfect the mechanisms of a free and open market and the national market system, protect investors and the public interest and promote just and equitable principles of trade by providing automatic executions for eligible orders up to the Exchange's disseminated size, while continuing to enable Exchange specialists to maintain fair and orderly markets during periods of peak market activity.

### *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.

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

The proposed rule change has become effective pursuant to section 19(b)(3)(A) of the Act,<sup>19</sup> and Rule 19b-4(f)(5) thereunder.<sup>20</sup> The proposal effects a change in an existing order-entry or trading system of a self-regulatory organization that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) does not have the effect of limiting the access to or availability of the system pursuant to Rule. 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 or for the protection of investors, or otherwise in furtherance of the purposes of the Act.<sup>21</sup>

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. 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 will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx-2003-52 and should be submitted by October 1, 2003.

<sup>19</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>20</sup> 17 CFR 240.19b-4(f)(5).

<sup>21</sup> For the purposes of calculating the 60-day abrogation period, the Commission considers the period to have commenced on August 26, 2003, the date Phlx filed Amendment No. 1.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>22</sup>

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 03-22981 Filed 9-9-03; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3539]

#### State of New York

As a result of the President's major disaster declaration on August 29, 2003, I find that Allegany, Cattaraugus, Chemung, Columbia, Delaware, Fulton, Greene, Livingston, Montgomery, Ontario, Rensselaer, Schuyler, Steuben, and Yates Counties in the State of New York constitute a disaster area due to damages caused by severe storms, flooding and tornadoes occurring on July 21, 2003 and continuing through August 13, 2003. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on October 28, 2003 and for economic injury until the close of business on May 31, 2004 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 1 Office, 360 Rainbow Blvd. South, 3rd Fl., Niagara Falls, NY 14303.

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: Albany, Broome, Chautauqua, Chenango, Dutchess, Erie, Genesee, Hamilton, Herkimer, Monroe, Otsego, Saratoga, Schenectady, Schoharie, Seneca, Sullivan, Tioga, Tompkins, Ulster, Washington, Wayne, and Wyoming Counties in the State of New York; Bradford, McKean, Potter, Tioga, Warren, and Wayne counties in the State of Pennsylvania; Bennington County in the State of Vermont; Berkshire County in the State of Massachusetts; and Litchfield County in the State of Connecticut.

The interest rates are:

#### For Physical Damage:

*Homeowners With Credit Available Elsewhere:* 5.625%.

*Homeowners Without Credit Available Elsewhere:* 2.812%.

*Businesses With Credit Available Elsewhere:* 5.906%.

*Businesses and Non-Profit Organizations Without Credit Available Elsewhere:* 2.953%.

<sup>22</sup> 17 CFR 200.30-3(a)(12).

<sup>16</sup> See Amendment No. 1, *supra* note 3.

<sup>17</sup> 15 U.S.C. 78f(b).

<sup>18</sup> 15 U.S.C. 78f(b)(5).

*Others (Including Non-Profit Organizations) With Credit Available Elsewhere: 5.500%.*

#### **For Economic Injury**

*Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere: 2.953%.*

The number assigned to this disaster for physical damage is 353911. For economic injury the number is 9W7900 for New York; 9W8000 for Pennsylvania; 9W8100 for Vermont; 9W8200 for Massachusetts; and 9W8300 for Connecticut.

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

Dated: August 29, 2003.

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 03-23083 Filed 9-9-03; 8:45 am]

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### **SMALL BUSINESS ADMINISTRATION**

#### **[Declaration of Disaster #3534]**

#### **State of Ohio**

#### **(Amendment #3)**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency, effective August 25, 2003, the above numbered declaration is hereby amended to establish the incident period as beginning on July 21, 2003 and continuing through August 25, 2003.

All other information remains the same, i.e., the deadline for filing applications for physical damage is September 30, 2003, and for economic injury the deadline is May 3, 2004.

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

Dated: August 29, 2003.

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 03-23084 Filed 9-9-03; 8:45 am]

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### **SMALL BUSINESS ADMINISTRATION**

#### **Region III Regulatory Fairness Board; Public Federal Regulatory Enforcement Fairness Hearing**

The Small Business Administration Region III Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Thursday, September 25, 2003, at 8:30 a.m. at the Duquesne University, 600 Forbes Avenue, Room 713 Rockwell Hall, Pittsburgh, PA 15282, to receive

comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by Federal agencies.

Anyone wishing to attend or to make a presentation must contact Donald Nemchick in writing or by fax, in order to be put on the agenda. Donald Nemchick, SBA Business Information Center, 700 River Ave., Pittsburgh, PA 15212, phone (412) 322-6441, fax (412) 395-6562, e-mail: [wpbic@riversidecenterforinnovation.com](mailto:wpbic@riversidecenterforinnovation.com).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: September 2, 2003.

**Michael L. Barrera,**

*National Ombudsman.*

[FR Doc. 03-23079 Filed 9-9-03; 8:45 am]

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### **SMALL BUSINESS ADMINISTRATION**

#### **Public Federal Regulatory Enforcement Fairness Roundtable; Region I Regulatory Fairness Board**

The Small Business Administration Region I Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Wednesday, September 24, 2003 at 9:30 a.m. at The Legislative Office Building, North State Street, Room 201-203, Concord, NH 03301, 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 William Phillips in writing or by fax, in order to be put on the agenda. William Phillips, District Director, SBA New Hampshire District Office, 143 North Main Street, Suite 202, Concord, NH 03301, phone (603) 225-1400 Ext. 115, fax (603) 225-1409, e-mail: [william.phillips@sba.gov](mailto:william.phillips@sba.gov).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: September 2, 2003.

**Michael L. Barrera,**

*National Ombudsman.*

[FR Doc. 03-23080 Filed 9-9-03; 8:45 am]

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### **SMALL BUSINESS ADMINISTRATION**

#### **Public Federal Regulatory Enforcement Fairness Roundtable; Small Business Administration, Region I Regulatory Fairness Board**

The Small Business Administration Region I Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Tuesday, September 23, 2003 at 9:30 a.m. at The Vermont Statehouse, 115 State Street, Room 11, First Floor, Montpelier, VT 05602, 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 Vallerie H. Morse in writing or by fax, in order to be put on the agenda. Vallerie H. Morse, U.S. Small Business Administration, Vermont District Office, 87 State Street, Room 205, P.O. Box 605, Montpelier, VT 05601, phone (802) 828-4422, Ext. 211, fax (802) 82-4485, e-mail: [vallerie.morse@sba.gov](mailto:vallerie.morse@sba.gov).

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

Dated: September 2, 2003.

**Michael L. Barrera,**

*National Ombudsman.*

[FR Doc. 03-23081 Filed 9-9-03; 8:45 am]

**BILLING CODE 8025-01-P**

### **SMALL BUSINESS ADMINISTRATION**

#### **Public Federal Regulatory Enforcement Fairness Roundtable; Small Business Administration, Region II Regulatory Fairness Board**

The Small Business Administration Region II Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Friday, September 26, 2003 at 9:30 a.m. at the State University of New York, State University Plaza, SUNY Board Room, Albany, NY 12246, 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 Jim King in writing or by fax, in order to be put on the agenda. Jim King, Small Business Development Center, 41 State Street, Albany, NY 12246, phone (518) 443-5398 Ext. 0 or 800-732-7232, fax (518) 443-5275, e-mail: [J.King@nyssbdc.org](mailto:J.King@nyssbdc.org).