

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 NASD. 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 NASD-2004-063 and should be submitted on or before May 25, 2004.

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

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-10035 Filed 5-3-04; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #P030]**

**Federated States of Micronesia (Amendment #1)**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency, effective April 14, 2004, the above numbered declaration is hereby amended to establish the incidence period as beginning on April 8, 2004, and continuing through April 14, 2004.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is June 9, 2004.

(Catalog of Federal Domestic Assistance Program Nos. 59008)

Dated: April 28, 2004.

**S. George Camp,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E4-1018 Filed 5-3-04; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #3574]**

**Federated States of Micronesia**

As a result of the President's major disaster declaration for Public Assistance on April 10, 2004, and Amendment 2 adding Individual Assistance on April 27, 2004, I find that the State of Yap, located within the Federated States Of Micronesia, constitutes a disaster area due to damages caused by Typhoon Sudal occurring on April 8, 2004, and continuing through April 14, 2004. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on June 28, 2004, and for economic injury until the close of business on January 27, 2005, at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 4 Office, P.O. Box 419004, Sacramento, CA 95841-9004.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere .....	6.125
Homeowners without credit available elsewhere .....	3.125
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 357408 and for economic injury the number is 9ZA900.

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

Dated: April 28, 2004.

**S. George Camp,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E4-1019 Filed 5-3-04; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

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

**AGENCY:** Small Business Administration.

**ACTION:** Notice of intent to waive the Nonmanufacturer Rule for Aluminum Sheet, Plate, and Foil Manufacturing.

**SUMMARY:** The U.S. Small Business Administration (SBA) is considering granting a waiver of the Nonmanufacturer Rule for Aluminum Sheet, Plate, and Foil Manufacturing. The basis for waivers is that no small business manufacturers are supplying these classes of products to the Federal government. The effect of a waiver would be to allow otherwise qualified regular dealers to supply the products of any domestic manufacturer on a Federal contract set aside for small businesses or awarded through the SBA's 8(a) Business Development Program.

**DATES:** Comments and sources must be submitted on or before May 14, 2004.

**FOR FURTHER INFORMATION CONTACT:** Edith Butler, Program Analyst, by telephone at (202) 619-0422; by FAX at (202) 205-7280; 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 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. 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

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

second is the Product and Service Code established by the Federal Procurement Data System.

The SBA received a request on April 16, 2004, to waive the Nonmanufacturer Rule for Aluminum Sheet, Plate, and Foil Manufacturing. In response, SBA is currently processing a request to waive the Nonmanufacturer Rule for Aluminum Sheet, Plate, and Foil Manufacturing, North American Industry Classification System (NAICS) 331315. The public is invited to comment or provide source information to SBA on the proposed waiver of the nonmanufacturer rule for this NAICS code.

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

Dated: April 28, 2004.

**Barry S. Meltz,**

*Acting Associate Administrator.*

[FR Doc. E4-1020 Filed 5-3-04; 8:45 am]

BILLING CODE 8025-01-P

## SOCIAL SECURITY ADMINISTRATION

[Social Security Ruling, SSR 04-1p]

### Attestation as an Alternative Signature

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of social security ruling.

**SUMMARY:** In accordance with 20 CFR 402.35(b)(1), the Commissioner of Social Security gives notice of Social Security Ruling, SSR-04-1p. This Ruling expands the Agency's policies to use attestation as an alternate signature method for SSA applications for benefits. The Agency will extend attestation, without further notice, to other processes as we gain experience and as we deem appropriate. The use of attestation as an alternate signing method will facilitate SSA's use of electronic records in lieu of paper records and increase its electronic processing.

**EFFECTIVE DATE:** May 4, 2004.

**FOR FURTHER INFORMATION CONTACT:** Lola Doyle, Office of Income Security Programs, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 965-5899.

**SUPPLEMENTARY INFORMATION:** Although we are not required to do so pursuant to 5 U.S.C. 552(a)(1) and (a)(2), we are publishing this Social Security Ruling in accordance with 20 CFR 402.35(b)(1).

Social Security Rulings make available to the public precedential decisions relating to the Federal Old-age, Survivors, Disability, Supplemental Security Income, and Black Lung

benefits programs. Social Security Rulings may be based on case decisions, Commissioner's decisions, opinions of the Office of the General Counsel, and policy interpretations of the law and regulations.

Although Social Security Rulings do not have the same force and effect as the statute or regulations, they are binding on all components of the Social Security Administration, in accordance with 20 CFR 402.35(b)(1), and are to be relied upon as precedents in adjudicating cases.

If this Social Security Ruling is later suspended, modified, or rescinded, we will publish a notice in the **Federal Register** to that effect.

(Catalog of Federal Domestic Assistance, Programs 96.001 Social Security—Disability Insurance; 96.002 Social Security—Retirement Insurance; 96.003 Social Security—Special Benefits for Persons Aged 72 and Over; 96.004 Social Security—Survivors Insurance; 96.006 Supplemental Security Income)

Dated: April 28, 2004.

**Jo Anne B. Barnhart,**

*Commissioner of Social Security.*

### Policy Interpretation Ruling

*Attestation as an Alternative Signature*

**Purpose:** To announce the approval and planned use of attestation as an alternate means to satisfy the signing of SSA applications for benefits. Although this ruling addresses applications for benefits, the Agency will extend attestation, without further notice, to other processes as we gain experience and as we deem appropriate. Other processes may include requests for appeals and withdrawals, foreign claims, and Title XVI of the Social Security Act redeterminations processed through SSA's automated claims systems.

**Citations:** Regulations No. 4, subpart G, sections 404.610, 404.612, 404.630, 404.631, 404.632, 404.640 and 404.641; subpart J, sections 404.909, 404.924, 404.925, 404.933, and 404.968; and Regulations No. 16, subpart C, sections 416.310, 416.315, 416.340, 416.345, 416.350, and 416.355; subpart N, sections 416.1409, 416.1424, 416.1425, 416.1433, and 416.1468.

**Introduction:** SSA has a long established reliance on the pen-and-ink signature for applications and requests for appeals and withdrawals. However, as we will describe, SSA also has the authority to use alternate signature methods to satisfy the signing requirements under our existing regulations. As SSA increases the use of electronic technology in its business process, the use of alternate signing methods will also increase.

The Agency regulations require that one of certain prescribed persons signs an application for Social Security or Supplemental Security Income benefits in order to establish a valid claim for benefits. To satisfy this signing requirement, SSA has long required a pen-and-ink signature on paper applications. SSA's procedures also permit the use of a pen-and-ink mark on the application in place of the individual's signature provided the mark is witnessed and such witnessing is documented in the claims record. Even for the existing Agency Web site application for benefits, SSA currently requires an applicant to submit a signed and completed paper application.

SSA regulations regarding requests for administrative appeals and withdrawals require that such requests be "written" or "in writing." SSA has interpreted these regulations as also requiring a signature or signing.

In 1996, SSA established policy formally interpreting its authority to accept alternate means of signing under its regulations. SSR 96-10p dated December 30, 1996, established a policy authorizing the use of approved electronic or digital signature technologies in lieu of the pen-and-ink signature. SSA established this authority as part of a broader policy authorizing the Agency's use of electronic documents and records in lieu of paper records. SSR 96-10p further expands the definition of a "signature" to include electronic and digital signature methods. SSR 96-10p remains in effect and is consistent with this ruling.

In August 2002, SSA clarified its procedures for the review and approval of electronic and digital signature technologies. In a **Federal Register** notice dated August 30, 2002, SSA indicated that it could adopt these technologies as well as other means of signing to facilitate electronic processing of its claims. The notice advised that SSA would treat information received or distributed through an approved electronic service delivery process as the functional equivalent of information received or distributed using traditional paper based methods.

**SUPPLEMENTARY INFORMATION:** The purpose of this ruling is to notify the public of the Agency's adoption of attestation as an alternative to the pen-and-ink signature to facilitate SSA's use of electronic records in lieu of paper records and to increase its electronic processing. For SSA purposes, attestation is defined as the actions taken by a SSA employee in confirming