

6(b)(5),<sup>14</sup> in particular, in that it is designed to promote just and equitable principles of trade by ensuring that members and member organizations and the public have a fair and impartial forum for the resolution of their disputes.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments on the proposed rule change were neither solicited nor received.

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

PCX has designated the proposed rule change as one 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 become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate. Therefore, the foregoing rule change has become effective pursuant to section 19(b)(3)(A) of the Act<sup>15</sup> and Rule 19b-4(f)(6) thereunder.<sup>16</sup> At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further the purposes of the Act.

Pursuant to Rule 19b-4(f)(6)(iii) under the Act,<sup>17</sup> the proposal may not become operative for 30 days after the date of its filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, and the self-regulatory organization must file notice of intent to file the proposed rule change at least five business days beforehand. The PCX has requested that the Commission waive the five-day pre-filing requirements and the 30-day operative delay so that the proposed rule change

will become immediately effective upon filing.

The Commission believes that waiving the 30-day operative date is consistent with the protection of investors and the public interest.<sup>18</sup> Waiving the pre-filing requirement and accelerating the operative date will merely extend a pilot program that is designed to provide investors with a mechanism to resolve disputes with broker-dealers. During the period of this extension, the Commission and PCX will continue to monitor the status of the previously discussed litigation. For these reasons, the Commission designates that the proposed rule change has become effective and operative immediately.

### **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-PCX-2004-104 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-PCX-2004-104. 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 PCX. 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-PCX-2004-104 and should be submitted on or before December 21, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-26383 Filed 11-29-04; 8:45 am]

BILLING CODE 8010-01-M

---

## **DEPARTMENT OF STATE**

[Public Notice: 4911]

### **30-Day Notice of Proposed Information Collection: Generic Clearance Information Collection for ECA Evaluation Program, OMB No. 1405-XXXX**

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Generic Clearance Information Collection for ECA Evaluation Program.
- *OMB Control Number:* 1405-XXXX.
- *Type of Request:* New collection.
- *Originating Office:* Bureau of Educational and Cultural Affairs (ECA), Office of Policy and Evaluation (ECA/P).
- *Form Number:* None.
- *Respondents:* Respondents of program evaluation and/or program monitoring activities under the proposed information collection may include U.S. and foreign applicants, current grantee exchange visitor participants (J-1 visa holders) and alumni of the Bureau of Educational and Cultural Affairs (ECA) exchange programs, domestic grantee organizations and program administrators, foreign partner organizations, U.S. and foreign hosts of

<sup>14</sup> 15 U.S.C. 78f(b)(5).

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

<sup>16</sup> 17 CFR 240.19b-4(f)(6).

<sup>17</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>18</sup> For purposes of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>9</sup> 17 CFR 200.30-3(a)(12).

exchange visitor participants, and other similar types of respondents associated with ECA exchange programs.

- *Estimated Number of Respondents:* 2,617.
- *Estimated Number of Responses:* 2,167.
- *Average Hours Per Response:* 45 minutes.
- *Total Estimated Burden:* 1,962.
- *Frequency:* Information may be collected annually, on occasion, and per evaluation project.
- *Obligation to Respond:* Voluntary.

**DATES:** Comments may be submitted to the Office of Management and Budget (OMB) for up to 30 days from November 30, 2004.

**ADDRESSES:** Comments and questions should be directed to Alex Hunt, the State Department Desk Officer in Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB), who may be reached on 202-395-7860. You may submit comments by any of the following methods:

- E-mail: [ahunt@omb.eop.gov](mailto:ahunt@omb.eop.gov). You must include the DS form number (if applicable), information collection title, and OMB control number in the subject line of your message.
- Hand Delivery or Courier: OIRA State Department Desk Officer, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.
- Fax: 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the proposed information collection and supporting documents may be obtained from Tamara L. Martin, U.S. Department of State, Bureau of Educational and Cultural Affairs, Office of Policy and Evaluation (ECA/P), 301 4th Street, SW., Room 336 (SA-44), Washington, DC 20547, who may be reached on (202) 205-1975, or via e-mail at [MartinTL1@state.gov](mailto:MartinTL1@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:* The information collection will facilitate the Bureau of Educational and Cultural

Affairs' (ECA) ability to regularly collect critical and timely feedback data from a defined universe of respondents (customer base). The evaluation and performance measurement data obtained through the information collection will allow ECA to better assess and improve ECA's exchange programs, learn more about the results and effectiveness of ECA programs, and comply with reporting requirements established by Congress and the Office of Management and Budget. ECA's exchange programs are critical to the Department of State's foreign policy mission and public diplomacy strategy as they are designed to help promote a balanced and accurate view of the United States and build partnerships around the world.

*Methodology:* Data collected through the information collection will be derived from customer/respondent paper, electronic and on-line surveys, personal interviews and/or focus groups. The customer/respondent base includes applicants, participants, alumni, program administrators, hosts and grantee organizations involved in ECA exchange programs.

Dated: November 8, 2004.

**Cathy Chikes,**

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

[FR Doc. 04-26408 Filed 11-29-04; 8:45 am]

BILLING CODE 4710-05-P

**DEPARTMENT OF STATE**

**[Public Notice 4912]**

**60-Day Notice of Proposed Information Collection: Evaluation of DOS-Sponsored Educational and Cultural Exchange Programs, OMB No. 1405-0118**

**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:* Evaluation of DOS-sponsored Educational and Cultural Exchange Programs.
- *OMB Control Number:* 1405-0118.
- *Type of Request:* Revision of a Currently Approved Collection.

- *Originating Office:* Bureau of Educational and Cultural Affairs (ECA), Office of Policy and Evaluation (ECA/P).

- *Form Number:* SV-2001-0013-A.
- *Respondents:* U.S. and foreign applicants, current grantee exchange visitor participants (J-1 visa holders) and alumni of the Bureau of Educational and Cultural Affairs (ECA) exchange programs, domestic grantee organizations and program administrators, foreign partner organizations, domestic and foreign hosts of exchange visitor participants, and other similar types of respondents associated with ECA exchange programs.

- *Estimated Number of Respondents:* 6,000.

- *Estimated Number of Responses:* 6,000.

- *Average Hours Per Response:* 30 minutes.

- *Total Estimated Burden:* 3,000 hours.

- *Frequency:* Information may be collected annually, on occasion, and per evaluation project.

- *Obligation to Respond:* Voluntary.

**DATES:** The Department will accept comments from the public up to 60 days from November 30, 2004.

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

- E-mail: [MartinTL1@state.gov](mailto:MartinTL1@state.gov). You must include the DS form number (if applicable), information collection title, and OMB control number in the subject line of your message.

- Mail (paper, disk, or CD-ROM submissions): Tamara L. Martin, U.S. Department of State, Bureau of Educational and Cultural Affairs, Office of Policy and Evaluation (ECA/P), 301 4th Street SW., Room 336 (SA-44), 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 Tamara L. Martin, U.S. Department of State, Bureau of Educational and Cultural Affairs, Office of Policy and Evaluation (ECA/P), 301 4th Street SW., Room 336 (SA-44), Washington, DC 20547, who may be reached on (202) 205-1975.

**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