

incentive for specialist units to bring in more business, above the fixed monthly fee amount, which would be free of additional transaction charges assessed on specialist units, while protecting the Exchange's revenue base. Additional order flow may generate transaction fees on the contra side that, in turn, may generate additional revenue for the Exchange. In addition, the proposed \$310,000 monthly fee cap has the potential to attract additional specialist units to the Exchange's trading floor.

## 2. Statutory Basis

The Exchange believes that its proposal to amend its schedule of dues, fees and charges is consistent with section 6(b) of the Act<sup>11</sup> in general, and furthers the objectives of section 6(b)(4) of the Act<sup>12</sup> in particular, in that it is an equitable allocation of reasonable dues, fees, and other charges among Exchange members.

### 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 not necessary or appropriate in furtherance of purposes of the Act.

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

No written comments were solicited or received with respect to the proposed rule change.

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

Because the foregoing rule change establishes or changes a due, fee, or other charge imposed by the Exchange, it has become effective pursuant to section 19(b)(3)(A)(ii) of the Act<sup>13</sup> and subparagraph (f)(2) of Rule 19b-4<sup>14</sup> thereunder. At any time within 60 days of the filing of the 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, 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*. Please include File Number SR-Phlx-2004-30 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-Phlx-2004-30. 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 Room. Copies of such filing also will be available for inspection and copying at the principal office of the Phlx. 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-Phlx-2004-30 and should be submitted on or before June 9, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>15</sup>

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. 04-11312 Filed 5-18-04; 8:45 am]

BILLING CODE 8010-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Agency Information Collection Activities Under OMB Review

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requests (ICR) abstracted below have been forwarded to the Office of Management and Budget (OMB) for extension of the currently approved collections. The ICR describes the nature of the information collection and the expected burden. The **Federal Register** notices with a 60-day comment period soliciting comments on the following collections of information were published on August 11, 2003, pages 47628-47629, and March 8, 2004, pages 10806-10807, respectively.

**DATES:** Comments must be submitted on or before June 18, 2004. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**FOR FURTHER INFORMATION CONTACT:** Judy Street on (202) 267-9895.

#### SUPPLEMENTARY INFORMATION:

##### Federal Aviation Administration (FAA)

1. **Title:** Certification: Pilots and Flight Instructors.

**Type of Request:** Revision of a currently approved collection.

**OMB Control Number:** 2120-0021.

**Forms(s):** FAA Form 8710-1.

**Affected Public:** A total of 125,500 pilots and flight instructors.

**Abstract:** 14 CFR part 61 prescribes certification standards for pilots, flight instructors, and ground instructors. The information collected is used to determine compliance with applicant eligibility.

**Estimated Annual Burden Hours:** An estimated 291,340 hours annually.

2. **Title:** Report of Inspections Required by Airworthiness Directives, Part 39.

**Type of Request:** Extension of a currently approved collection.

**OMB Control Number:** 2120-0056

**Forms(s):** NA.

**Affected Public:** A total of 1120 aircraft owners and operators.

**Abstract:** Airworthiness directives are regulations issued to require corrective action to correct unsafe conditions in aircraft, engines, propellers, and appliances. Reports of inspections are often needed when emergency corrective action is taken to determine

<sup>11</sup> 15 U.S.C. 78f(b).

<sup>12</sup> 15 U.S.C. 78f(b)(4).

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>14</sup> 17 CFR 240.19b-4(f)(2).

<sup>15</sup> 17 CFR 200.30-3(a)(12).

if the action was adequate to correct the unsafe condition. The respondents are aircraft owners and operators.

**Estimated Annual Burden Hours:** A total of 2,800 hours annually.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention FAA Desk Officer.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on May 12, 2004.

**Judith D. Street,**  
FAA Information Collection Clearance Officer, Standards and Information Division, APF-100.

[FR Doc. 04-11303 Filed 5-18-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Membership in the National Parks Overflights Advisory Group

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** By **Federal Register** notice published on March 11, 2004, the National Park Service (NPS) and the Federal Aviation Administration (FAA), asked interested persons to apply to fill a vacant position representing aviation interests on the National Parks Overflights Advisory Group (NPOAG) Aviation Rulemaking Committee (ARC). This notice informs the public of the person selected to fill that vacancy on the NPOAG ARC.

**FOR FURTHER INFORMATION CONTACT:** Barry Brayer, Executive Resource Staff, Western Pacific Region Headquarters, 15000 Aviation Blvd., Hawthorne, CA 90250, telephone: (310) 725-3800, E-mail: [Barry.Brayer@faa.gov](mailto:Barry.Brayer@faa.gov), or Karen Trevino, National Park Service, Natural Sounds Program, 1201 Oakridge Dr., Suite 350, Ft. Collins, CO 80525,

telephone (970) 225-3563, or [Karen\\_Trevino@nps.gov](mailto:Karen_Trevino@nps.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The NPOAG was established in March 2001. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator and the Director (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the NPOAG ARC.

The NPOAG ARC provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) on commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) on other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) at the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

##### Changes in Membership

To maintain the balanced representation of the group, the FAA and the NPS recently published a notice in the **Federal Register** asking interested persons to apply to fill a vacancy representing aviation interests on the NPOAG ARC. The person selected to fill that position is Mr. Elling Halverson, Papillon Airways, Inc. The current members of the NPOAG ARC now are Heidi Williams (general aviation), Richard Larew, Elling Halverson, and Alan Stephen (commercial air tour operations), Chip Dennerlein, Charles Maynard, Steve Bosak, and Susan Gunn (environmental interests), and Germaine White and Richard Deertrack (Indian tribes).

Issued in Washington, DC, on May 13, 2004.

**Steven W. Douglas,**  
Acting Director, Flight Standards Service.  
[FR Doc. 04-11301 Filed 5-18-04; 8:45 am]  
BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Order 8100.9A, DAS, DOA, and SFAR 36 Authorization Procedures

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability and request for public comments.

**SUMMARY:** This notice announces the availability of and requests comments on a proposed revision to Order 8100.9, DAS, DOA, and SFAR 36 Authorization Procedures, implementing a new evaluation program for these organizations. This notice is necessary to give all interested persons an opportunity to present their views on the proposed policy.

**DATES:** Comments must be received on or before June 18, 2004.

**ADDRESSES:** Send all comments on the proposed revised Order to: Ralph Meyer, Delegation and Airworthiness Programs Branch, P.O. Box 26460, Oklahoma City, OK 73125. Comments may be faxed to: (405) 954-7072 or e-mailed to: [ralph.meyer@faa.gov](mailto:ralph.meyer@faa.gov).

**FOR FURTHER INFORMATION CONTACT:** Ralph Meyer, Aircraft Engineering Division, Airworthiness Programs Branch (AIR-140), P.O. Box 26460, Oklahoma City, OK 73125. Telephone: (405) 954-7072 or FAX: (405) 954-4104.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

You are invited to comment on the proposed revised Order by submitting such written data, views, or arguments to the address or FAX number listed above. Your comments should identify "Order 8100.9A." The Associate Administrator for Regulation and Certification will consider all communications received on or before the closing date before issuing the final Order.

##### Background

The revision to Order 8100.9 establishes a new evaluation program to evaluate all aspects of an authorization holder's performance. Currently, these organizations are evaluated under both the Aircraft Certification Systems Evaluation Program (ACSEP) and Order 8100.9 Technical Evaluations. When