

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.<sup>20</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. 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-Phlx-2006-40 on the subject line.

##### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2006-40. 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 Phlx. All

<sup>20</sup> The effective date of the original proposed rule change is June 28, 2006, the date of the original filing, and the effective date of Amendment No. 1 is July 18, 2006, the filing date of the amendment. For purposes of calculating the 60-day abrogation period within which the Commission may summarily abrogate the proposed rule change, as amended, under Section 19(b)(3)(C) of the Act, the Commission considers the period to commence on July 18, 2006, the date on which the Exchange submitted Amendment No. 1. See 15 U.S.C. 78s(b)(3)(C).

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-2006-40 and should be submitted on or before August 15, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>21</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E6-11792 Filed 7-24-06; 8:45 am]

**BILLING CODE 8010-01-P**

#### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 10519 and # 10520]

##### New York Disaster Number NY-00022

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of New York (FEMA-1650-DR), dated 07/03/2006.

*Incident:* Severe Storms and Flooding.

*Incident Period:* 06/26/2006 and continuing through 07/10/2006.

*Effective Date:* 07/10/2006.

*Physical Loan Application Deadline Date:* 09/01/2006.

*EIDL Loan Application Deadline Date:* 04/03/2007.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, National Processing and Disbursement Center, 14925 Kingsport Road Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the State of New York, dated 07/03/2006, is hereby amended to establish the incident period for this disaster as beginning 06/26/2006 and continuing through 07/10/2006.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E6-11785 Filed 7-24-06; 8:45 am]

**BILLING CODE 8025-01-P**

<sup>21</sup> 17 CFR 200.30-3(a)(12).

#### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 10515 and # 10516]

##### Pennsylvania Disaster Number PA-00004

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 4.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Pennsylvania (FEMA-1649-DR), dated 07/04/2006.

*Incident:* Severe Storms, Flooding, and Mudslides.

*Incident Period:* 06/23/2006 and continuing through 07/10/2006.

*Effective Date:* 07/10/2006.

*Physical Loan Application Deadline Date:* 09/05/2006.

*EIDL Loan Application Deadline Date:* 04/04/2007.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, National Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for the Commonwealth of Pennsylvania, dated 07/04/2006, is hereby amended to establish the incident period for this disaster as beginning 06/23/2006 and continuing through 07/10/2006.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E6-11783 Filed 7-24-06; 8:45 am]

**BILLING CODE 8025-01-P**

#### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 10515 and # 10516]

##### Pennsylvania Disaster Number PA-00004

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 5.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Pennsylvania (FEMA-1649-DR), dated 07/04/2006.

*Incident:* Severe Storms, Flooding, and Mudslides.

*Incident Period:* 06/23/2006 through 07/10/2006.

*Effective Date:* 07/14/2006.

*Physical Loan Application Deadline Date:* 09/05/2006.

*EIDL Loan Application Deadline Date:* 04/04/2007.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, National Processing and Disbursement Center, 14925 Kingsport Road Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the Presidential disaster declaration for the Commonwealth of Pennsylvania, dated 07/04/2006 is hereby amended to include the following areas as adversely affected by the disaster:

*Primary Counties:* Bradford, Carbon, Luzerne.

*Contiguous Counties:*

Pennsylvania: Tioga;

New York: Chemung.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Cheri L. Cannon,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E6-11786 Filed 7-24-06; 8:45 am]

**BILLING CODE 8025-01-P**

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## SOCIAL SECURITY ADMINISTRATION

### Privacy Act of 1974, as Amended; Alteration to Existing System of Records

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

**ACTION:** Altered system of records, including proposed new routine uses.

**SUMMARY:** In accordance with the Privacy Act (5 U.S.C. 552a(e)(4) and (e)(11)), we are issuing public notice of our intent to alter an existing system of records entitled *Medicare Part D and Part D Subsidy File, 60-0321*. The proposed alterations will result in the following changes to the system of records:

(1) Expansion of the categories of individuals covered by the system to include individuals entitled to Medicare Part A, Part B and Medicare Advantage Part C; and

(2) Proposed new routine uses 17-21 providing for the release of information for purposes of efficient administration of Medicare Part A, Part B, Medicare Advantage Part C, and Medicare Part D.

We are also changing the name of the existing *Medicare Part D and Part D Subsidy File* system of records. The proposed new name is the *Medicare Database*, hereinafter referred to as the *MDB File*. The change reflects the establishment of a single repository for all Medicare-related data.

The proposed alterations are discussed in the **SUPPLEMENTARY INFORMATION** section below. We invite public comments on this proposal.

**DATES:** We filed a report of the proposed alteration with the Chairman of the Senate Committee on Homeland Security and Governmental Affairs, the Chairman of the House Committee on Government Reform, and the Director, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB) on July 18, 2006. The proposed alteration will become effective on August 26, 2006 unless we receive comments that will result in a contrary determination.

**ADDRESSES:** Interested individuals may comment on this publication by writing to the Executive Director, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, Room 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. All comments received will be available for public inspection at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine W. Johnson, Lead Social Insurance Specialist, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, Room 3-C-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, telephone at (410) 965-8563, e-mail: <mailto:chris.w.johnson@ssa.gov>.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Background and Purpose of Proposed Alteration to the MDB File System of Records**

##### *A. General Background*

On December 8, 2003, the Medicare Prescription Drug, Improvement, and Modernization Act (also known as the Medicare Modernization Act or MMA) of 2003, created a voluntary prescription drug coverage benefit program under new Part D of Medicare for all individuals eligible for Medicare Part A and/or Part B. The MMA also created a subsidy program to assist Medicare beneficiaries with limited means to pay for prescription drug coverage. The new Medicare Part D was implemented January 2006. We published a notice of system of records in the **Federal**

**Register** to implement the Medicare Part D coverage on December 28, 2004. The notice can be found at 70 FR 77816, December 28, 2004. Additionally, Section 811 of the MMA established a premium subsidy reduction which will result in an income-related adjustment amount being added to the standard monthly Medicare Part B premium amount.

The Medicare Part B premium subsidy reduction becomes effective January 2007. Sections 101 and 201 of the MMA changed some of the terms and definitions for Medicare Part C (now Medicare Advantage) and provided for the implementation of the Medicare Advantage program.

Medicare Part B is a voluntary program which provides medical insurance coverage for medical and health services such as physician services, diagnostic services and medical supplies. Medicare Part B beneficiaries are responsible for deductibles, co-insurance and monthly premiums towards the cost of covered services. Generally, the Part B premium covers approximately 25 percent of the Part B program costs and the remaining 75 percent of the program costs are subsidized by the Federal Government by contributions to the Federal Supplementary Medical Insurance Trust Fund. Certain Part B beneficiaries may also pay an increased premium for late reenrollment or for enrollment after a period without coverage.

Beginning January 2007, the Medicare Part B premium subsidy will result in an income-related adjustment amount being added to the standard monthly Medicare Part B premium amount for an estimated 4 to 5 percent of the approximately 40 million Part B beneficiaries who have income above an income threshold set by the MMA. Beneficiaries with modified adjusted gross income above a statutory income threshold will pay more of the cost of their Part B premiums through an income-related monthly adjustment amount. The income-related monthly adjustment amount is an additional amount of premium for Part B coverage that is added to the Part B standard monthly premium. The purpose of the income-related adjustment is to reduce the Federal subsidy to Medicare Part B beneficiaries with income above the statutory threshold.

To implement the Medicare Part B premium subsidy reduction and establish eligibility for Part D subsidies, we must collect and maintain relevant information that will be used for these determinations. We will maintain the information in the *MDB File*. We currently maintain information about