

an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

#### *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*

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)<sup>12</sup> of the Act and subparagraph (f)(2) of Rule 19b-4<sup>13</sup> thereunder, because it establishes a due, fee, or other charge imposed by the NYSE.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend 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 email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSE-2012-50 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary,

Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2012-50. This file number should be included on the subject line if email 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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. 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-NYSE-2012-50 and should be submitted on or before November 6, 2012.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

**Kevin M. O'Neill,**  
*Deputy Secretary.*

[FR Doc. 2012-25322 Filed 10-15-12; 8:45 am]

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### SMALL BUSINESS ADMINISTRATION [Disaster Declaration #13252 and #13253]

#### **New Mexico Disaster Number NM-00029**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of New Mexico (FEMA-4079-DR), dated 08/24/2012.

*Incident:* Flooding.  
*Incident Period:* 06/22/2012 through 07/12/2012.

*Effective Date:* 10/03/2012.

*Physical Loan Application Deadline Date:* 10/23/2012.

*Economic Injury (EIDL) Loan Application Deadline Date:* 05/24/2013.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, 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 Private Non-Profit organizations in the State of NEW MEXICO, dated 08/24/2012, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Los Alamos; and the Mescalero Apache Tribe.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Joseph P. Loddo,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2012-25313 Filed 10-15-12; 8:45 am]

**BILLING CODE 8025-01-P**

### SMALL BUSINESS ADMINISTRATION [Disaster Declaration #13241 and #13242]

#### **Oklahoma Disaster Number OK-00063**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 3.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of Oklahoma (FEMA-4078-DR), dated 08/22/2012.

*Incident:* Freedom and Noble Wildfires.

*Incident Period:* 08/03/2012 through 08/14/2012.

**DATES:** *Effective Date:* 10/05/2012.

*Physical Loan Application Deadline Date:* 11/21/2012.

*EIDL Loan Application Deadline Date:* 05/22/2013.

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

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance,

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>13</sup> 17 CFR 240.19b-4(f)(2).

<sup>14</sup> 17 CFR 200.30-3(a)(12).

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 OKLAHOMA, dated 08/22/2012 is hereby amended to extend the deadline for filing applications for physical damages as a result of this disaster to 11/21/2012.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2012-25327 Filed 10-15-12; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #13317 and #13318]

**Alabama Disaster Number AL-00044**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Alabama (FEMA-4082-DR), dated 09/21/2012.

*Incident:* Hurricane Isaac.

*Incident Period:* 08/26/2012 through 09/05/2012.

*Effective Date:* 10/03/2012.

*Physical Loan Application Deadline Date:* 11/20/2012.

*Economic Injury (EIDL) Loan*

*Application Deadline Date:* 06/21/2013.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, 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 Private Non-Profit organizations in the State of Alabama, dated 09/21/2012, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Covington, Dallas, Geneva, Monroe, Perry.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Joseph P. Loddo,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2012-25314 Filed 10-15-12; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**SBIR/STTR Phase I to Phase II Transition Benchmarks**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice of Small Business Innovation Research and Small Business Technology Transfer Programs Phase I to Phase II Transition Benchmarks.

**SUMMARY:** The Small Business Administration (SBA) is publishing the Small Business Innovation Research (SBIR) and the Small Business Technology Transfer (STTR) Phase I to Phase II transition rate benchmarks for the 11 participating agencies for public comment. The rates are the minimum required ratio of past Phase II to Phase I awards that an awardee firm must maintain to be eligible for a new Phase I award from a particular agency. This requirement is described in Section 4(a) of the SBIR Policy Directive and the STTR Policy Directive which implements section 5165 of the SBIR/STTR Reauthorization Act of 2011.

**DATES:** *Effective Date:* December 17, 2012 and when published on [www.sbir.gov](http://www.sbir.gov).

*Comment Date:* Comments to this notice must be received on or before November 15, 2012.

**ADDRESSES:** Comments on this notice may be submitted to Edsel Brown, Jr., Assistant Director, Office of Innovation, Small Business Administration, 409 Third Street SW., Washington, DC 20416; telephone (202) 205-6450; email ([Technology@sba.gov](mailto:Technology@sba.gov)).

**FOR FURTHER INFORMATION CONTACT:** Edsel Brown, Jr., Assistant Director, Office of Innovation, Small Business Administration, 409 Third Street SW., Washington, DC 20416; telephone (202) 205-6450; email ([Technology@sba.gov](mailto:Technology@sba.gov)).

**SUPPLEMENTARY INFORMATION:** Section 4(a)(3)(iii) of the SBIR Policy Directive, which was published on August 6, 2012, at 77 FR 46806 and the STTR Policy Directive, which was published the same day at 77 FR 46855, requires each agency to establish an SBA-approved Phase I-Phase II Transition Rate benchmark. The Phase I-Phase II Transition Rate benchmark sets, for each agency, the minimum required number of Phase II awards the applicant must have received for a given number of Phase I awards during a specified period. If an applicant has won prior SBIR/STTR awards, and does not meet the benchmark rate of the agency to which it is applying, the applicant is not eligible for an SBIR or STTR Phase I award from that agency for a period of one year from the date of submission of the proposal or application. A firm's Phase II transition rate is calculated over a specified 5, 10, or 15 year period, as the ratio of previous Phase II awards to previous Phase I awards, expressed as a percentage. Each of the participating agencies has selected a rate and time period. These are presented below in Table 1.

SBA has reviewed and approved these benchmarks. However, § 5165 of the SBIR/STTR Reauthorization Act of 2011 requires SBA to publish, at least 60 days before becoming effective, each agency's system and minimum performance standard, and each approval by SBA. SBA will review all comments received in response to this notice and issue the final transition rates within 60 days of the date this notice is published. These rates will be available at [www.sbir.gov](http://www.sbir.gov).

TABLE 1

Agency	Benchmark rate (Phase II/Phase I)	Length of period (years)
Department of Agriculture .....	0.25	5
Department of Commerce (National Institute of Standards and Technology) .....	0.25	5
Department of Commerce (National Oceanic and Atmospheric Administration) .....	0.25	5
Department of Defense .....	0.25	5
Department of Education .....	0.25	10
Department of Energy .....	0.25	5