

and substantially similar to the existing rules of the other options exchanges. The Commission previously approved these rules and, therefore, believes that accelerating such rules for Phlx XL on a six month pilot basis is appropriate, because the revisions do not raise new issues of regulatory concern. Therefore, the Commission finds that accelerated approval of Amendments No. 6 and 7 is consistent with section 19(b)(2) of the Act.<sup>58</sup>

## VI. Conclusion

For the foregoing reasons, the Commission finds that the proposed rule change, as amended, is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with section 6(b)(5) of the Act.<sup>59</sup>

It is therefore ordered, pursuant to section 19(b)(2) of the Act,<sup>60</sup> that the proposed rule change and Amendments No. 1, 2, 3, 4, and 5 (SR-Phlx-2003-59) are approved, that Amendments No. 6 and 7 thereto are approved on an accelerated basis, and that the opening procedures are approved on a pilot basis until January 31, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>61</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 04-17650 Filed 8-2-04; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #P043]

#### State of South Dakota

As a result of the President's major disaster declaration for Public Assistance on July 20, 2004, the U.S. Small Business Administration is activating its disaster loan program only for private non-profit organizations that provide essential services of a governmental nature. I find that Haakon, Jackson, Marshall, Mellette, Minnehaha, Todd, Tripp, and Turner Counties, and the Rosebud Indian Reservation in the State of South Dakota constitute a disaster area due to damages caused by severe storms and flooding occurring on May 28, 2004, and continuing. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on

September 20, 2004, at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 3 Office, 14925 Kingsport Road, Fort Worth, TX 76155-2243.

The interest rates are:

	Percent
For Physical Damage: Non-Profit Organizations Without Credit Available Elsewhere .....	2.750
Non-profit organizations with credit available elsewhere .....	4.875

The number assigned to this disaster for physical damage is P04306.

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

Dated: July 26, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-17590 Filed 8-2-04; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### Notice of Action Subject to Intergovernmental Review Under Executive Order 12372

**AGENCY:** Small Business Administration.

**ACTION:** Notice of action subject to intergovernmental review.

**SUMMARY:** The Small Business Administration (SBA) is notifying the public that it intends to grant the pending applications of 42 existing Small Business Development Centers (SBDCs) for refunding on January 1, 2005, subject to the availability of funds. Fourteen states do not participate in the EO 12372 process therefore, their addresses are not included. A short description of the SBDC program follows in the supplementary information below.

The SBA is publishing this notice at least 120 days before the expected refunding date. The SBDCs and their mailing addresses are listed below in the address section. A copy of this notice also is being furnished to the respective State single points of contact designated under the Executive Order. Each SBDC application must be consistent with any area-wide small business assistance plan adopted by a State-authorized agency.

**DATES:** A State single point of contact and other interested State or local entities may submit written comments regarding an SBDC refunding within 30 days from the date of publication of this notice to the SBDC.

## ADDRESSES:

### *Addresses of Relevant SBDC State Directors*

- Mr. Greg Panichello, Acting State Director, Salt Lake Community College, 1623 South State Street, Salt Lake City, UT 84115, (801) 957-3493.
- Mr. Herbert Thweatt, Director, American Samoa Community College, P.O. Box 2609, Pago Pago, American Samoa 96799, 011-684-699-9155.
- Mr. John Lenti, State Director, University of South Carolina, 1710 College Street, Columbia, SC 29208, (803) 777-4907.
- Ms. Kelly Manning, State Director, Office of Business Development, 1625 Broadway, Suite 1710, Denver, CO 80202, (303) 892-3864.
- Mr. Henry Turner, Executive Director, Howard University, 2600 6th St., NW, Room 125, Washington, DC 20059, (202) 806-1550.
- Mr. Jerry Cartwright, State Director, University of West Florida, 401 East Chase Street, Suite 100, Pensacola, FL 32501, (850) 595-6060.
- Mr. Hank Logan, State Director, University of Georgia, Chicopee Complex, Athens, GA 30602, (706) 542-6762.
- Mr. Darryl Mleynek, State Director, University of Hawaii/Hilo, 200 West Kawili Street, Hilo, HI 96720, (808) 974-7515.
- Mr. Sam Males, State Director, University of Nevada/Reno, College of Business Administration, Room 411, Reno, NV 89557-0100, (775) 784-1717.
- Mr. Patrick Geho, Acting State Director, Tennessee Board of Regents, 1415 Murfreesboro Road, Suite 324, Nashville, TN 37217-2833, (615) 366-3931.
- Ms. Debbie Bishop Trocha, State Director, Economic Development Council, One North Capitol, Suite 420, Indianapolis, IN 46204, (317) 234-2086.
- Ms. Mary Collins, State Director, University of New Hampshire, 108 McConnell Hall, Durham, NH 03824, (603) 862-4879.
- Mr. John Massaua, State Director, University of Southern Maine, 96 Falmouth Street, Portland, ME 04103, (207) 780-4420.
- Ms. Carolyn Clark, State Director, Washington State University, 534 East Trent Avenue, Spokane, WA 99210-1495, (509) 358-7765.
- Ms. Christine Martin, State Director, University of North Dakota, P.O. Box 7308, Grand Forks, ND 58202, (701) 777-3700.
- Mr. Casey Jeszenka, Director, University of Guam, P.O. Box 5061-U.O.G.

<sup>58</sup> *Id.*

<sup>59</sup> 15 U.S.C. 78f(b)(5).

<sup>60</sup> 15 U.S.C. 78s(b)(2).

<sup>61</sup> 17 CFR 200.30-3(a)(12).