

changes made necessary by the terms of the Termination Agreement. These changes, in part, result from the relinquishment by CBOE of its three NSX Board positions, as well as, CBOE's anticipated relinquishment of additional NSX Board positions. The Commission further notes that the revisions relating to Exchange governance, such as the creation of a new category of directors known as "Independent Directors," the implementation of a transition schedule for having a majority of NSX's thirteen member Board consist of Independent Directors, and the various changes to the composition of NSX's committees, are being made in anticipation of certain governance requirements that the Commission may impose upon self-regulatory organizations. The Commission believes that a Board consisting of a majority of independent directors should help address the conflicts of interest that otherwise may arise when persons with a relationship to the Exchange are involved in key decisions, and should increase the likelihood that the Board will act in accordance with the mandates of the Act and in the best interests not only of the Exchange but also investors.

Therefore, in the Commission's view, the proposal is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with Sections 6(b)(1)<sup>12</sup> and 6(b)(5)<sup>13</sup> of the Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>14</sup> that the proposed rule change (SR-NSX-2005-02) be, and hereby is, approved.

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

**Jill M. Peterson,**

*Assistant Secretary.*

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**BILLING CODE 8010-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #10135 and #10136]**

**Alabama Disaster #AL-00001**

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Alabama (FEMA-1593-DR), dated 07/10/2005.

*Incident:* Hurricane Dennis.  
*Incident Period:* 07/10/2005 and continuing.

*Effective Date:* 07/10/2005.

*Physical Loan Application Deadline Date:* 09/08/2005.

*EIDL Loan Application Deadline Date:* 04/10/2006.

**ADDRESSES:** Submit completed loan applications to: Small Business Administration, Disaster Area Office 3, 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, Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 07/10/2005, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

**Primary Counties:**

Baldwin and Mobile.

**Contiguous Counties:**

Alabama: Clarke, Washington, Escambia and Monroe.

Florida: Escambia.

Mississippi: George, Greene, and Jackson.

The Interest Rates are:

	Percent
Homeowners With Credit Available Elsewhere: .....	5.750
Homeowners Without Credit Available Elsewhere: .....	2.875
Businesses With Credit Available Elsewhere: .....	6.387
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere: .....	4.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere: .....	4.750
Businesses and Non-Profit Organizations Without Credit Available Elsewhere: .....	4.000

The number assigned to this disaster for physical damage is 101358 and for economic injury is 101360

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008.)

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

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**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #10137 and #10138]**

**Florida Disaster #FL-00005**

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

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Florida (FEMA-1595-DR), dated 07/10/2005.

*Incident:* Hurricane Dennis.

*Incident Period:* 07/10/2005 and continuing.

*DATES:* Effective Date: 07/10/2005.

*Physical Loan Application Deadline Date:* 09/08/2005.

*EIDL Loan Application Deadline Date:* 04/10/2006.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Disaster Area Office 3, 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, Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 07/10/2005, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

**Primary Counties:** Escambia, Santa Rosa.

**Contiguous Counties:** Florida:

Okaloosa; Alabama: Baldwin, Escambia.

The Interest Rates are:

	Percent
Homeowners with credit available elsewhere .....	5.750
Homeowners without credit available elsewhere .....	2.875
Businesses with credit available elsewhere .....	6.387
Businesses and small agricultural cooperatives without credit available elsewhere .....	4.000
Other (including non-profit organizations) with credit available elsewhere .....	4.750
Businesses and non-profit organizations without credit available elsewhere .....	4.000

The number assigned to this disaster for physical damage is 101378 and for economic injury is 101380.

<sup>12</sup> 12 15 U.S.C. 78f(b)(1).

<sup>13</sup> 13 15 U.S.C. 78f(b)(5).

<sup>14</sup> 14 15 U.S.C. 78s(b)(2).

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