

adversely affected by the disaster.

*Primary Counties:* Alfalfa, Beckham, Bryan, Caddo, Carter, Cherokee, Creek, Dewey, Greer, Harmon, Haskell, Kiowa, Le Flore, Logan, Mayes, McCurtain, McIntosh, Osage, Pawnee, Pittsburg, Roger Mills, Seminole, Wagoner, Washington, Washita.

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. 2010-6963 Filed 3-29-10; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

RIN 3244-AF61

### Small Business Innovation Research Program Policy Directive

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

**ACTION:** Notice of Final Amendments to Policy Directive.

**SUMMARY:** This document announces a final amendment to the Small Business Innovation Research (SBIR) Program Policy Directive (PD). This amendment adjusts the SBIR Program award threshold amounts to offset the effect of inflation. This document also considers the public comments received in response to SBA's Notice of Proposed Amendment to the Policy Directive, which was published in the **Federal Register** on August 15, 2008.

**DATES:** This amendment is effective on March 30, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Edsel M. Brown, Jr., Assistant Director, Office of Technology, SBA, at (202) 205-7343. You may also email questions to [technology@sba.gov](mailto:technology@sba.gov).

**SUPPLEMENTARY INFORMATION:** On August 15, 2008, SBA published in the **Federal Register** proposed amendments to the SBIR Program PD to raise the SBIR Phase I award threshold amount from \$100,000 to \$150,000, and the Phase II award threshold amount from \$750,000 to \$1,000,000 (FR 48004). Congress established the current award threshold amounts of \$100,000 for Phase I and \$750,000 for Phase II in the program's 1992 reauthorization legislation. SBA has statutory authority to increase these award amounts to adjust for inflation or other economic or programmatic considerations once every five years (U.S.C. 638(j)(2)(D)). The regulatory

guideline for the SBIR award amounts can be found in Section 7(h)(1) of the SBIR Policy Directive (67 FR 6008, Sept. 24, 2002). SBA has determined that to restore the average economic value of the SBIR awards, the award threshold amounts should be increased at this time. SBA determined that adjusting the threshold amounts to \$150,000 for Phase I and \$1,000,000 for Phase II adequately offsets the general effects of inflation, maintains a degree of stability and simplicity to the threshold levels, and continues to provide participating agencies with an appropriate degree of flexibility in award size. In the proposed amendment, the SBA explained that it monitored information from the U.S. Department of Commerce's Bureau of Economic Analysis, including the GDP Implicit Price Deflator and the Satellite R&D Account, as well as the Biomedical Research and Development Price index, to determine the appropriate time for, and amount of, this adjustment. The SBA believes this information still supports the adjustment in this final amendment.

#### Discussion of Comments on the Final Amendments

The 30-day public comment period closed on September 15, 2008. SBA received two comments on the proposed amendment. Both of the comments supported the proposed amendments and commended SBA for making the adjustments to the threshold amounts. One commenter noted further that because the National Institutes of Health (NIH) had already taken advantage of existing flexibility to exceed the guidelines, he did not foresee a significant reduction in the number of awards at that agency resulting from the change in guideline levels. SBA will move forward with the amendment as originally proposed.

#### Paperwork Reduction Act

SBA has determined that these amendments to the SBIR PD do not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

#### Regulatory Impact Analysis

OMB has determined that this amendment constitutes a "significant regulatory action" under Executive Order 12866 and in the proposed amendment to the Policy Directive, the SBA prepared a Regulatory Impact Analysis. The SBA received no comments on this analysis and continues to believe that the analysis was accurate.

#### Notice of Final Amendments to the Policy Directive; Small Business Innovation Research Program

*To:* The Directors, Small Business Innovation Research (SBIR) Program  
*Subject:* Final Revisions to the SBIR Program Policy Directive Concerning Phase I and Phase II Threshold Amounts

1. *Purpose.* Section 9(j)(3) of the Small Business Act (Act) (15 U.S.C. 638(j)(3)) requires the Administrator of the U.S. Small Business Administration (SBA) to modify the SBIR Program Policy Directive as required for the general conduct of the SBIR Program within the Federal Government. Specifically, § 9(j)(2) of the Act requires the SBA to adjust the award amounts for Phase I and II to reflect economic or programmatic considerations once every five years.

2. *Authority.* These amendments to the Policy Directive are issued under the authority of 15 U.S.C. 638(j).

3. *Procurement Regulations.* The Federal Acquisition Regulations may need to be modified to conform to the requirements. Regulatory provisions that pertain to the areas of SBA responsibility will require approval of the SBA Administrator or designee. The SBA's Office of Technology is the appropriate office for coordinating such regulatory provisions.

4. *Personnel Concerned.* All Federal Government personnel who are involved in the administration of the program, including those involved with the issuance and management of funding agreements of the SBIR Program and the establishment of goals for small business concerns in research or research and development procurements or grants.

5. *Distribution.* Federal Government agencies and departments participating in the SBIR Program and those required to establish small business research development goals as directed by § 9 of the Act (15 U.S.C. 638(j)).

6. *Originator.* Office of Technology, SBA.

7. *Dates.* These amendments will be effective when issued as final in the **Federal Register**.

For the reasons set forth in the preamble, the SBIR Policy Directive is amended as follows:

1. Amend § 7(h)(1) by removing "\$100,000" and adding in its place "150,000" and by removing "\$750,000" and replacing it with "\$1,000,000".

2. Amend § 7(h)(2) by removing "\$100,000" and adding in its place "\$150,000" and by removing "\$750,000" and adding in its place "\$1,000,000".

3. Amend § 10(b)(7) by removing "\$100,000" and adding in its place

“\$150,000” and by removing “\$750,000” and adding in its place “\$1,000,000”.

Dated: May 29, 2009.

**Karen G. Mills,**

*Administrator, U.S. Small Business Administration.*

**Editorial Note:** This document was received in the Office of the Federal Register on March 25, 2010.

[FR Doc. 2010-7018 Filed 3-29-10; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-61716; File No. SR-CBOE-2010-008]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving a Proposed Rule Change Relating to Co-location Service Fees

March 16, 2010.

#### Correction

In notice document 2010-6184 beginning on page 13625 in the issue of Monday, March 22, 2010, make the following correction:

On page 13625, the heading is corrected to read as set forth above.

[FR Doc. C1-2010-6184 Filed 3-29-10; 8:45 am]

BILLING CODE 1505-01-D

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, April 1, 2010 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Aguilar, as duty officer, voted to consider the items listed for the Closed Meeting in a closed session.

The subject matter of the Closed Meeting scheduled for Thursday, April 1, 2010 will be:

Institution and settlement of injunctive actions;  
Institution of administrative proceedings; and  
Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551-5400.

Dated: March 25, 2010.

**Elizabeth M. Murphy,**  
*Secretary.*

[FR Doc. 2010-7128 Filed 3-26-10; 11:15 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-61764; File No. SR-Phlx-2010-46]

### Self-Regulatory Organizations; NASDAQ OMX PHLX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to U.S. Dollar-Settled Foreign Currency Options

March 23, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on March 18, 2010, NASDAQ OMX PHLX, Inc. (“Phlx” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change, as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Fee Schedule to add the Norwegian Krone (“XDV”) to the U.S. Dollar-Settled Foreign Currency Options fees.<sup>3</sup> While changes to the Fee Schedule pursuant to this proposal are effective upon filing, the Exchange has designated this

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> FCOs are currently traded on the Exchange under the name PHLX World Currency Options® (“WCOs”).

proposal to be operative on March 22, 2010.

The text of the proposed rule change is available on the Exchange’s Web site at <http://nasdaqtrader.com/micro.aspx?id=PHLXfilings>, on the Commission’s Web site at <http://www.sec.gov>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The purpose of the proposed rule change is to amend the Fee Schedule to add XDV to the list of securities currently subject to the U.S. Dollar-Settled Foreign Currency Options fees. The Exchange proposes to add this currency to increase its offering of products.

Currently, the following U.S. Dollar-Settled Foreign Currency Options are subject to the U.S. Dollar-Settled Foreign Currency Options fees: XDB (British Pound), XDE (Euro), XDN (Japanese Yen), XDS (Swiss Franc), XDA (Australian Dollar), XDM (Mexican Peso), XEH (Swedish Krona), XEV (South African Rand), XDZ (New Zealand Dollar) and XDC (Canadian Dollar).

The Exchange filed a proposed rule change to amend its rules to enable it to list and trade options on the Norwegian Krone.<sup>4</sup>

While changes to the Fee Schedule pursuant to this proposal are effective upon filing, the Exchange has designated this proposal to be operative on March 22, 2010.

###### 2. Statutory Basis

The Exchange believes that its proposal to amend its schedule of fees

<sup>4</sup> See Securities and Exchange Release Act No. 60169 (July 2, 2009), 74 FR 31782 (June 24, 2009) (SR-Phlx-2009-40). [sic]