

guarantee to floor brokers representing crossing and facilitation orders in index options. Floor brokers would be guaranteed a participation right of 20% for crossing and facilitation orders they represent in index options. All other current rules concerning participation guarantees in crossing and facilitation orders would apply to index options under the proposal.<sup>7</sup> The Exchange believes that the proposed expansion of the participation guarantee to crossing and facilitation orders in index options would make the Exchange more competitive by providing an incentive to index options order flow providers to bring order flow to the Exchange.<sup>8</sup> The Exchange also believes that the proposed rule change should make order flow providers, as customers of Exchange floor brokers, aware of the percentage of crossing and facilitation orders in index options to which they are entitled and also provide the Exchange's trading crowd participants with the same guidelines.

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,<sup>9</sup> in general, and furthers the objectives of section 6(b)(5) of the Act,<sup>10</sup> in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect the investors and the public interest by providing floor brokers and Exchange crowd participants with rules setting forth guidelines regarding the percentage of crossing and facilitation orders in index options to which the floor brokers are entitled, and by making the Exchange more competitive by providing an incentive to index options order flow providers to bring order flow to the Exchange.

### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

### *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**

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve such proposed rule change; or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

### **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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. Comments should be submitted electronically at the following e-mail address: [rule-comments@sec.gov](mailto:rule-comments@sec.gov). All comment letters should refer to File No. SR-Phlx-2003-71. 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, comments should be sent in hard copy or by e-mail but not by both methods. 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 the filing will also be available for inspection and copying at the principal offices of the Exchange. All submissions should be submitted by March 10, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-3433 Filed 2-17-04; 8:45 am]

BILLING CODE 8010-01-P

## **SMALL BUSINESS ADMINISTRATION**

### **Notice Inviting Application for Funding Under the 7(j) Management and Technical Assistance Program**

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

**ACTION:** Notice of invitation for proposals for 7(j) management and technical assistance awards in FY 2004.

**SUMMARY:** The U.S. Small Business Administration (SBA) plans to issue program announcement No. MTA-04-01, to solicit proposals from organizations to provide business development assistance for nationwide 7(j) eligible client executives. The authorizing legislation for this training is Section 7(j) of the Small Business Act, U.S.C. 636(j). SBA will select successful proposals using a competitive process.

Award recipients will have responsibility for project oversight, design, marketing, management, execution, monitoring and reporting for the training program. Proposals are being solicited from non-profit organizations, small businesses and educational institutions. The applicant must have the qualified trainers, support staff, training and technical materials, equipment and facilities, or access to facilities, as well as an internal financial management system, to provide business development assistance to 7(j) eligible client executives.

The business development proposal must provide practical information and guidance on how to define business development and carry out that business development. The proposal must include plans to assist the firms in the development of Individualized Business Development Plans (IBDPs). The proposal must also include the development of DVD/materials package (full audio and video) for the 7(j) clients. The business development training workshops, IBDPs and DVDs will be provided to firms with less than two years in the 8(a) program and other 7(j) eligible clients who have been in business for not more than four (4) years. The class room lecture and workshops will provide brief training

<sup>7</sup> *Id.* See also Phlx Rule 1064, Commentary .02.

<sup>8</sup> The Exchange indicated this belief in the section of its filing that discusses the statutory basis for the proposed rule change.

<sup>9</sup> 15 U.S.C. 78f(b).

<sup>10</sup> 15 U.S.C. 78f(b)(5).

<sup>11</sup> 17 CFR 200.30-3(a)(12).

and development of the (IBDP) that address: competence in accounting; competence in marketing; competence in cash flow management; access to credit; access to capital; access to surety; access to Federal procurement, non-Federal procurement and subcontracts; access to further training, which may include marketing, human resources, accounting, management, technical/professional skills.

SBA plans to award approximately \$1,000,000.00, subject to the availability of funds, under this notice. This amount would fund one or multi-awards which would provide business development training workshops and DVDs to approximately 1,500 firms including 8(a) participants entering the program and other eligible 7(j) executives. SBA reserves the right to fund, in whole or in part, any, all, or none of the proposals submitted in response to this notice. Awards will have a project period of one (1) year. Award amounts may vary, depending on the number of 7(j) eligible clients that an applicant is able to train.

The selection criteria to be used for this competition will be provided in the application package.

**DATES:** The closing date for applications will be March 24, 2004.

**ADDRESSES:** To obtain a copy of the complete application package call Adrienne Dinkins at (202) 205-7140, or go to SBA's Web site at <http://www.sba.gov>.

#### FOR APPLICATIONS AND FURTHER

**INFORMATION:** Questions concerning the technical aspects of this notice should be directed to Jacqueline Fleming at (202) 205-6177. Questions about budget or funding matters should be directed to Adrienne Dinkins at (202) 205-7140.

**Program Authority:** 15 U.S.C. 636(j)

Eugene Cornelius, Jr.,  
Associate Administrator, Business  
Development.

[FR Doc. 04-3471 Filed 2-17-04; 8:45 am]

BILLING CODE 8025-01-P

### SMALL BUSINESS ADMINISTRATION

#### National Advisory Council; Public Meeting

The U.S. Small Business Administration (SBA) will be hosting a meeting of the Executive Committee of the National Advisory Council (NAC). The meeting will be held on Monday, February 23, 2004 at the Sheraton Old Town Hotel located 800 Rio Grande Boulevard NW., Albuquerque, NM 87104.

Anyone wishing to attend and make an oral presentation to the Board must

contact Kimberly Mace, no later than Tuesday, February 17, 2004 via e-mail or fax. Kimberly Mace, U.S. Small Business Administration, 409 3rd Street SW., Washington, DC 20416 (202) 205-8414 phone or (202) 205-6113 fax or e-mail [kimberly.mace@sba.gov](mailto:kimberly.mace@sba.gov).

Matthew Becker,

Committee Management Officer.

[FR Doc. 04-3472 Filed 2-17-04; 8:45 am]

BILLING CODE 8025-01-P

### SMALL BUSINESS ADMINISTRATION

#### Advisory Committee on Veterans Business Affairs; Public Meeting

##### The SBA Advisory Committee on Veterans Business Affairs

The U.S. Small Business Administration (SBA), pursuant to the Veterans Entrepreneurship and Small Business Development Act of 1999 (Pub. L. 106-50), will be hosting its first Advisory Committee meeting on Veterans Business Affairs for Fiscal Year 2004. The meeting will be held on March 1-2, 2004 from 9 a.m.-5 p.m. and on March 3, 2004 from 9 a.m.-12 p.m. in the Eisenhower Conference Room. The conference room is located on the 2nd Floor-Side B, at SBA Headquarters, 409 3rd Street SW., Washington, DC, 20416. If you have any questions regarding this meeting, please contact Cheryl Clark in the Office of Veterans Business development at (202) 205-6773.

Matthew Becker,

Committee Management Officer.

[FR Doc. 04-3473 Filed 2-17-04; 8:45 am]

BILLING CODE 8025-01-P

### DEPARTMENT OF TRANSPORTATION

#### Surface Transportation Board

[STB Finance Docket No. 33388 (Sub-No. 91)]

**CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc. and Consolidated Rail Corporation [General Oversight]**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Decision No. 12 in STB Finance Docket No. 33388 (Sub-No. 91); Notice of Public Hearings in Trenton, NJ, and Washington, DC.

**SUMMARY:** The Surface Transportation Board (Board) will hold two public

hearings in this proceeding: the first on Friday, April 2, 2004, in Trenton, NJ; and the second on Monday, May 3, 2004, in Washington, DC. The hearings will provide a forum for interested persons to express their views on the matters at issue in this proceeding. Persons wishing to speak at either or both of the hearings should notify the Board in writing.

**DATES:** The public hearings will take place on Friday, April 2, 2004 (in Trenton, NJ), and on Monday, May 3, 2004 (in Washington, DC). Persons wishing to speak at the first hearing (to be held April 2nd, in Trenton, NJ) should file with the Board a written notice of intent to speak (and should indicate a requested time allotment) as soon as possible but no later than March 18, 2004. Persons wishing to speak at the second hearing (to be held May 3rd, in Washington, DC) should file with the Board a written notice of intent to speak (and should indicate a requested time allotment) as soon as possible but no later than April 16, 2004. Any person wishing to speak at both hearings may file a single written notice of intent to speak (provided that such notice is filed by the March 18th deadline for the first hearing) or, if such person prefers, such person may file two separate written notices of intent to speak (provided that each such notice is filed by the appropriate deadline, *i.e.*, March 18th for the first hearing and April 16th for the second hearing). Written statements by persons speaking at either or both of the hearings may be submitted prior to the appropriate hearing but are not required. Persons wishing to submit written statements in advance of the first hearing should do so by March 26, 2004. Persons wishing to submit written statements in advance of the second hearing should do so by April 26, 2004.

**ADDRESSES:** An original and 10 copies of all notices of intent to speak and any written statements should refer to STB Finance Docket No. 33388 (Sub-No. 91) and should be sent to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

#### FOR FURTHER INFORMATION, CONTACT:

Julia M. Farr, (202) 565-1655.

[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** In *CSX Corp. et al.—Control—Conrail Inc. et al.*, 3 S.T.B. 196 (1998) (*Merger Dec. No. 89*), the Board approved, subject to various conditions (including a 5-year general oversight condition): (1) the acquisition of control of Conrail Inc. and Consolidated Rail Corporation