

### III. Discussion

After careful consideration, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange<sup>6</sup> and, in particular, the requirements of Section 6 of the Act.<sup>7</sup> Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>8</sup> which requires, among other things, that the rules of a national securities exchange be 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 investors and the public interest.

The Commission believes that expanding the basket of equity securities that may be linked to a BLN may enhance competition and benefit investors and the marketplace through additional product choices and alternatives. The Commission does not believe that there would be investor protection concerns with expanding the number of equity securities that may be linked to a BLN from more than one common stock to up to thirty common stocks. The Commission notes that the proposed rule change to Phlx's listing standards for BLNs, specifically Phlx Rule 803(k), is substantially similar to the listing standards of the American Stock Exchange LLC regarding equity linked term notes, which are substantially similar investment products.<sup>9</sup>

The Commission finds good cause to grant accelerated approval of the proposed rule change because it will enable the Exchange to immediately consider listing and trading a BLN consistent with the rules of other national securities exchanges and does not raise any new regulatory issues. Accordingly, the Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the notice is published for comment in the **Federal Register** pursuant to Section 19(b)(2) of the Act.<sup>10</sup>

<sup>6</sup> In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>7</sup> 15 U.S.C. 78f.

<sup>8</sup> 15 U.S.C. 78f(b)(5).

<sup>9</sup> See Amex Company Guide Section 107B; and Securities Exchange Act Release No. 47055 (December 19, 2002), 67 FR 79669 (December 30, 2002) (SR-Amex-2002-110).

<sup>10</sup> 15 U.S.C. 78s(b)(2).

### IV. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>11</sup> that the proposed rule change (SR-Phlx-2006-85) is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>12</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

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### SMALL BUSINESS ADMINISTRATION

#### National Advisory Council Public Meeting

The U.S. Small Business Administration (SBA) National Advisory Council public meeting originally scheduled for Tuesday, February 27, 2007, will be cancelled and rescheduled to Wednesday, February 28, 2007 at 2 p.m. The meeting will take place using an audio/web conference system. To participate, please call our toll free conferencing service at 1-866-740-1260 and enter access code 3711001 at the prompt. The purpose of the meeting is to provide and discuss recent updates pertaining to the delivery of the Agency's programs and services. Information will be presented by the staff of the SBA, members of the council or interested others. Anyone wishing to attend or to make a presentation must contact Mina Wales in writing, phone or e-mail in order to be put on the agenda. Mina Wales, NAC Designated Federal Officer, SBA Headquarters, 409 3rd Street SW., Washington, DC 20416, phone (202) 205-8414, e-mail: [mina.wales@sba.gov](mailto:mina.wales@sba.gov). For more information about the National Advisory Council, see our Web site at <http://www.sba.gov/nac/index.html>.

**Matthew Teague,**

*Committee Management Officer.*

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### DEPARTMENT OF STATE

[Public Notice 5693]

#### Notice of Proposal To Extend the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Guatemala Concerning the Imposition of Import Restrictions on Archaeological Objects and Materials from the Pre-Columbian Cultures of Guatemala

The Government of the Republic of Guatemala has informed the Government of the United States of its interest in an extension of the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Guatemala Concerning the Imposition of Import Restrictions on Archaeological Objects and Materials from the Pre-Columbian Cultures of Guatemala which entered into force on September 29, 1997, and was extended on September 29, 2002.

Pursuant to the authority vested in the Assistant Secretary for Educational and Cultural Affairs, and pursuant to the requirement under 19 U.S.C. 2602(f)(1), an extension of this Memorandum of Understanding is hereby proposed.

Pursuant to 19 U.S.C. 2602(f)(2), the views and recommendations of the Cultural Property Advisory Committee regarding this proposal will be requested.

A copy of the Memorandum of Understanding, the designated list of restricted categories of material, and related information can be found at the following Web site: <http://exchanges.state.gov/culprop>.

**Dina Habib Powell,**

*Assistant Secretary for Educational and Cultural Affairs, Department of State.*

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### DEPARTMENT OF STATE

[Public Notice 5694]

#### Notice of Proposal To Extend the Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material From the Region of the Niger River Valley and the Bandiagara Escarpment (Cliff)

The Government of the Republic of Mali has informed the Government of the United States of its interest in an extension of the Memorandum of

<sup>11</sup> 15 U.S.C. 78s(b)(2).

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