

Number SR–NASD–2007–005 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NASD–2007–005. 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, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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 such filing also will be available for inspection and copying at the principal office of NASD. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR–NASD–2007–005 and should be submitted on or before February 23, 2007.

#### IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

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 association.<sup>16</sup> Specifically, the Commission believes that the proposed rule change is consistent with Section 15A(b)(6) of the Act,<sup>17</sup> which requires that the rules of the self-regulatory organization are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest.

<sup>16</sup> In approving this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>17</sup> 15 U.S.C. 78o–3(b)(6).

In addition, the Commission believes that the proposal is consistent with Section 15A(b)(11) of the Act<sup>18</sup> in that it is designed to produce fair and informative quotations, to prevent fictitious or misleading quotations, and to promote orderly procedures for collecting, distributing, and publishing quotations.

In approving SR–NASD–2006–091, which, among other things, amended the ADF rules to align them with Regulation NMS, the Commission considered and addressed the regulatory issues regarding NASD's operation of the ADF. The Commission believes the instant proposal to make the ADF permanent does not raise any new regulatory issues. For the same reasons stated in its order approving SR–NASD–2006–091, the Commission believes that this proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities association.

NASD has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after publication of notice thereof in the **Federal Register**. The Commission believes that granting accelerated approval of the proposed rule change is appropriate because the proposed rule change does not raise any new regulatory issues. In addition, SR–NASD–2006–091 went through a full notice-and-comment period, and no comments were received. Accelerated approval of this proposal will allow the benefits of the ADF to continue without a lapse in the pilot due to expire on January 26, 2007. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>19</sup> for approving the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register**.

#### V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>20</sup> that the proposed rule change (SR–NASD–2007–005) be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>21</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7–1688 Filed 2–1–07; 8:45 am]

**BILLING CODE 8010–01–P**

<sup>18</sup> 15 U.S.C. 78o–3(b)(11).

<sup>19</sup> 15 U.S.C. 78s(b)(2).

<sup>20</sup> 15 U.S.C. 78s(b)(2).

<sup>21</sup> 17 CFR 200.30–3(a)(12).

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–55180; File No. SR–NASD–2007–004]

### Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Notice of Filing of a Proposed Rule Change to Amend NASD Rule 7010(k) Relating to Transaction Reporting and Compliance Engine Transaction Data

January 26, 2007.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on January 16, 2007, the National Association of Securities Dealers, Inc. (“NASD”) 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 substantially prepared by NASD. 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

NASD is proposing to amend NASD Rule 7010(k) relating to Transaction Reporting and Compliance Engine (“TRACE”) transaction data to offer the ability to receive, for a reduced fee, a “snapshot” of real-time TRACE transaction data (“TRACE data”) once each day rather than continuously throughout the day.

The text of the proposed rule change is available on NASD's Web site at <http://www.nasd.com/RulesRegulation/RuleFilings/2007RuleFilings/index.htm>, at NASD's principal office, 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, NASD included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposal. The text of these statements may be examined at the places specified in Item IV below. NASD has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

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

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

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

1. Purpose

NASD proposes to amend its Rule 7010(k) to lower the fee related to the receipt of TRACE data by persons opting to receive the data once a day ("Snapshot TRACE data") rather than on a continuous basis. Specifically, NASD is proposing to amend Rule 7010(k)(3)(A)(ii) to provide persons that choose to receive Snapshot TRACE data ("Snapshot TRACE data Subscribers") the option of paying \$250 per month for the receipt of Snapshot TRACE data rather than paying \$1,500 per month to receive TRACE data continuously throughout the day as is the case today. A Snapshot TRACE data Subscriber would be able to choose the specific time of day it would receive Snapshot TRACE data each day, and NASD expects that many institutional Snapshot TRACE data Subscribers would choose to receive Snapshot TRACE data at or shortly after 4 p.m. (Eastern Standard Time) each day and use it to value certain positions held in their investment portfolios.

Today, NASD's TRACE data dissemination, and the fees charged for it, contemplates only continuous intra-day dissemination of TRACE data.<sup>3</sup> However, based on discussions with certain TRACE data vendors and institutional market participants, NASD believes that an additional program of single intra-day or end-of-day price dissemination also would be useful. This is especially true for those institutional investors that need only one price per security per day to assign a value to a particular position. Transaction data for these types of position valuation purposes typically has been made available through vendor services such as IDC and the Reuters Pricing Service. Vendors usually charge for pricing requests for securities held in individual portfolios either on a per-CUSIP basis or for a fixed monthly fee for a specified group of securities.

NASD believes, based on conversations its staff has undertaken with certain vendors of TRACE data and certain institutional market participants, that the current price charged to persons receiving TRACE data continuously throughout the day (\$1,500 per month)

is unnecessarily expensive for persons that would like to exclusively use TRACE data to value portfolio positions. In this regard, NASD notes that, to date, no institutional market participants have subscribed for the receipt of TRACE data continuously throughout the day.

If the proposed rule change is approved by the Commission, NASD intends to work with third-party "Retransmission Vendors" that would redistribute Snapshot TRACE data to Snapshot TRACE data Subscribers. As is the case today with the distribution of TRACE data to desktop display applications, NASD does not intend to develop its own capabilities to distribute Snapshot TRACE data directly to Snapshot TRACE data Subscribers.

NASD believes that the proposed fee of \$250 per month for Snapshot TRACE data is reasonable, particularly as it is a charge more in line with what NASD perceives to be the more tailored information requirements of a subset of institutional market participants that today are foregoing TRACE data at the higher costs per month for continuous data.

NASD would announce the effective date of the proposed rule change in a *Notice to Members* to be published no later than 60 days following Commission approval, if approval is given. The effective date would be not later than 45 days following publication of the *Notice to Members* announcing Commission approval.

2. Statutory Basis

NASD believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act, which requires, among other things, that NASD rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest and Section 15A(b)(5) of the Act, which requires, among other things, that NASD rules provide for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility or system that NASD operates or controls. NASD believes that offering Snapshot TRACE data for a reduced charge should result in more persons subscribing to receive TRACE data with a concomitant increase in market transparency resulting from the wider dissemination and use of TRACE data.

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

NASD does not believe that proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments were neither solicited nor received.

**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 NASD 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. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NASD-2007-004 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NASD-2007-004. 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, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements

<sup>3</sup>NASD has proposed adding the phrase "receipt of continuous" to the text of Rule 7010(k)(3)(a)(ii) that today sets forth the \$1,500 per month fee for TRACE data to further clarify the distinction between the current and proposed frequency of delivery of TRACE data to persons subscribing to receive such data.

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 such filing also will be available for inspection and copying at the principal office of NASD. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASD-2007-004 and should be submitted on or before February 23, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

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

[FR Doc. E7-1690 Filed 2-1-07; 8:45 am]  
BILLING CODE 8010-01-P

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #10794 and #10795]

### Pennsylvania Disaster #PA-00008

**AGENCY:** Small Business Administration.  
**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the Commonwealth of Pennsylvania Dated 01/25/2007.

*Incident:* Fire.

*Incident Period:* 01/11/2007.

*Effective Date:* 01/25/2007.

*Physical Loan Application Deadline Date:* 03/26/2007.

*Economic Injury (EIDL) Loan Application Deadline Date:* 10/25/2007.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 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, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, 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: Bedford.

Contiguous Counties: Pennsylvania; Blair, Cambria, Fulton, Huntingdon, Somerset, Maryland; Allegany.

The Interest Rates are:

	Percent
Homeowners With Credit Available Elsewhere .....	6.000
Homeowners Without Credit Available Elsewhere .....	3.000
Businesses With Credit Available Elsewhere .....	8.000
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere .....	5.250
Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 10794 5 and for economic injury is 10795 0.

The States which received an EIDL Declaration # are: Pennsylvania, Maryland.

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

Dated: January 25, 2007.

**Steven C. Preston,**  
*Administrator.*

[FR Doc. E7-1705 Filed 2-1-07; 8:45 am]  
BILLING CODE 8025-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Request To Release Airport Property at Monroe Regional Airport, Monroe, LA

**AGENCY:** Federal Aviation Administration (FAA) DOT.

**ACTION:** Request for public comment.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at Monroe Regional Airport under the provisions of Title 49, U.S.C. 47153(c).

**DATES:** Comments must be received on or before March 5, 2007.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Joseph G. Washington, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Louisiana/New Mexico Airports Development

Office, ASW-640, Fort Worth, Texas 76193-0640.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mayor James E. Mayo at the following address: Office of the Mayor, P.O. Box 123, Monroe, LA 71210.

**FOR FURTHER INFORMATION CONTACT:** Joseph G. Washington, Manager, Federal Aviation Administration, Louisiana/New Mexico Airports Development Office, ASW-640, 2601 Meacham Blvd., Fort Worth, Texas 76193-0640.

The request to release property may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release property at the Monroe Regional Airport.

On January 24, 2007, the FAA determined that the request to release property at Monroe Regional Airport submitted by the City of Monroe met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may approve the request, in whole or in part, no later than March 5, 2007.

The following is a brief overview of the request:

The City of Monroe, Louisiana requests the release of 7.588 acres of airport property. The release of property will allow for construction of a new 80,000 square foot warehouse facility and rail access for Allied Building Stores, Inc. to proceed. The sale is estimated to provide \$91,000.00 whereas the proceeds will go to continue the Bermuda Release Program (turf improvement on the airfield) and expansion of the security camera system in the terminal building and on the airfield.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Monroe Regional Airport, Monroe, Louisiana.

Issued in Fort Worth, Texas, on January 26, 2007.

**Kelvin L. Solco,**

*Manager, Airports Division.*

[FR Doc. 07-468 Filed 2-1-07; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Bell County, TX

**AGENCY:** Federal Highway Administration (FHWA), DOT.

<sup>4</sup> 17 CFR 200.30-3(a)(12).