

1. NYSE Arca Equities has appropriate rules to facilitate transactions in this type of security in all trading sessions.

2. NYSE Arca Equities surveillance procedures are adequate to properly monitor the trading of the Securities on the Exchange.

3. NYSE Arca Equities will distribute an Information Bulletin to its members prior to the commencement of trading of the Securities on the Exchange that explains the terms, characteristics, and risks of trading such securities.

4. NYSE Arca Equities will require a member with a customer who purchases newly issued Securities on the Exchange to provide that customer with a product prospectus and will note this prospectus delivery requirement in the Information Bulletin.

5. The Exchange will cease trading in the Securities if: (1) The primary market stops trading the securities because of a regulatory halt similar to a halt based on NYSE Arca Equities Rule 7.12 and/or a halt because an updated dissemination of the IIV or Index value at least every 15 seconds has ceased; or (2) if such other event occurs or condition exists which, in the opinion of the Exchange, makes further dealings on the Exchange inadvisable; or (3) the primary market delists the Securities.

This approval order is conditioned on NYSE Arca Equities' adherence to these representations.

The Commission finds good cause for approving this proposed rule change, as amended, before the thirtieth day after the publication of notice thereof in the **Federal Register**. As noted previously, the Commission previously found that the listing and trading of these Securities on the NYSE is consistent with the Act.<sup>35</sup> The Commission presently is not aware of any issue that would cause it to revisit that earlier finding or preclude the trading of these funds on the Exchange pursuant to UTP. Therefore, accelerating approval of this proposed rule change should benefit investors by creating, without undue delay, additional competition in the market for these Securities.

## V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>36</sup> that the proposed rule change (NYSEArca-2006-17), as amended, is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>37</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. E6-12148 Filed 7-28-06; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### Harbert Mezzanine Partners II SBIC, L.P. (License No. 04/04-0298); Notice Seeking Exemption Under 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that Harbert Mezzanine Partners II SBIC, L.P. One Riverchase Parkway South, Birmingham, Alabama, 35244, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and section 107.730, Financings Which Constitute Conflicts of Interest of the Small Business Administration ("SBA") rules and regulations (13 CFR 107.730 (2003)). Harbert Mezzanine Partners II SBIC, L.P. proposes to provide loans to APC Work Force Solutions, LLC (DBA Zero Chaos), 111 N. Orange Ave, Suite 1400, Orlando FL, 32801. The financing is contemplated for the acquisition of another staffing company.

The financing is brought within the purview of Sec. 107.730 (a) (1) of the Regulations because Harbinger Mezzanine Partners, L.P., an Associate of Harbert Mezzanine Partners II SBIC, L.P., currently owns greater than 10 percent of APC Work Force Solutions, LLC (DBA Zero Chaos), and therefore, APC Work Force Solutions, LLC (DBA Zero Chaos), is considered an Associate of Harbert Mezzanine Partners II SBIC, L.P. as defined in Sec. 105.50 of the regulations.

Notice is hereby given that any interested person may submit written comments on the transaction, within 15 days, to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: July 13, 2006.

**Jaime Guzman-Fournier,**

*Associate Administrator for Investment.*

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**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #10535]

#### California Disaster #CA-00037 Declaration of Economic Injury

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of California, dated 07/21/2006.

*Incident:* Ferguson Rockslide.

*Incident Period:* 04/29/2006 and continuing.

*Effective Date:* 07/21/2006.

*EIDL Loan Application Deadline Date:* 04/23/2007.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, National 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 EIDL declaration applications for economic injury 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: Mariposa.

Contiguous Counties:

California, Madera, Merced, Stanislaus, Tuolumne.

The Interest Rate is: 4.000 percent.

The number assigned to this disaster for economic injury is 105350.

The State which received an EIDL Declaration # is California.

(Catalog of Federal Domestic Assistance Number 59002)

**Steven C. Preston,**

*Administrator.*

[FR Doc. E6-12150 Filed 7-28-06; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### [Disaster Declaration #10538]

#### Delaware Disaster #DE-00002

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for

<sup>35</sup> See NYSE Order, *supra* note 5.

<sup>36</sup> 15 U.S.C. 78s(b)(2).

<sup>37</sup> 17 CFR 200.30-3(a)(12).