

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

In its filing with the Commission, Nasdaq 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. Nasdaq 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 adopt fees associated with the use of NASD's Web CRD system.<sup>5</sup> The proposed fees are similar to those fees charged by other SROs that use NASD's Web CRD.<sup>6</sup> Members will pay the NASD fees associated with Web CRD directly to NASD through Web CRD.

Specifically, members will pay: (a) An NASD CRD Processing Fee of \$85 for each initial U4 filed; (b) an NASD Disclosure Processing Fee of \$95 for each initial or amended U4 or U5 that includes the initial reporting, amendment, or certification of one or more disclosure events or proceedings; (c) an NASD Annual System Processing Fee of \$30; (d) a \$75 session fee for individuals required to complete the Regulatory Element of the Continuing Education Requirements under Nasdaq Rule 1120; (e) a fingerprinting fee for submission of fingerprints to NASD equal to \$13 plus a pass-through of the applicable Department of Justice fee (currently \$22 for a first or a third submission); and (f) a \$13 fee for processing fingerprint results where the

<sup>5</sup> Use of NASD's Web CRD system by Nasdaq members is required by Nasdaq Rule 1013. Fees for the use of Web CRD by Nasdaq members that are also NASD members are assessed by NASD under Schedule A, Section 4 of the NASD By-Laws. This filing will enable the NASD to collect certain fees from Nasdaq members that are not NASD members. To the extent that such Nasdaq members are already members of another self-regulatory organization ("SRO") that participates in Web CRD, these fees are already being assessed by NASD under the authority of such other SRO. Accordingly, this filing will not result in the imposition of duplicative fees by NASD.

<sup>6</sup> See Securities Exchange Act Release Nos. 53688 (April 20, 2006), 71 FR 24885 (April 27, 2006) (SR-Phlx-2006-24); 51641 (May 2, 2005), 70 FR 24155 (May 6, 2005) (SR-PCX-2005-49); 48066 (June 19, 2003), 68 FR 38409 (June 27, 2003) (SR-AMEX-2003-49); and 45112 (November 28, 2001), 66 FR 63086 (December 4, 2001) (SR-NYSE-2001-47).

member had prints processed through an SRO other than the NASD. NASD will process the fingerprint cards using Web CRD, in accordance with Nasdaq's Fingerprinting Plan.<sup>7</sup>

#### 2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of Section 6 of the Act<sup>8</sup> in general, and with Section 6(b)(4) of the Act<sup>9</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using Nasdaq's facilities.

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

Nasdaq does not believe that the proposed rule change will result in 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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii)<sup>10</sup> of the Act and paragraph (f)(2) of Rule 19b-4 thereunder,<sup>11</sup> in that it establishes or changes a due, fee, or other charge applicable to Nasdaq members.

At any time within 60 days of the filing of the proposed rule change the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

## 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:

<sup>7</sup> Securities Exchange Act Release No. 53908 (May 31, 2006), 71 FR 33007 (June 7, 2006).

<sup>8</sup> 15 U.S.C. 78f.

<sup>9</sup> 15 U.S.C. 78f(b)(4).

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>11</sup> 17 CFR 240.19b-4(f)(2).

### 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-NASDAQ-2006-015 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-NASDAQ-2006-015. 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 the 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-NASDAQ-2006-015 and should be submitted on or before August 30, 2006.

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

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E6-12892 Filed 8-8-06; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

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

**ACTION:** Notice of reporting requirements submitted for OMB review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before September 8, 2006. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

*Copies:* Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: *Agency Clearance Officer*, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and *OMB Reviewer*, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-7044.

**SUPPLEMENTARY INFORMATION:**

Title: Entrepreneurial Development Management Information System (EDMIS) Counseling Information Form & Management Training Report.  
No.: 641 and 888.

*Frequency:* On Occasion.

*Description of Respondents:* New established and prospective Small Business Owners using the services and programs by the Business Information Center Program.

*Responses:* 276,489.

*Annual Burden:* 86,593.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. E6-12928 Filed 8-8-06; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Reporting and Recordkeeping Requirements Under OMB Review**

**AGENCY:** Small Business Administration.

**ACTION:** Notice of reporting requirements submitted for OMB review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to

submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before September 8, 2006. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

*Copies:* Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: *Agency Clearance Officer*, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and *OMB Reviewer*, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Jacqueline White, Agency Clearance Officer, (202) 205-7044.

**SUPPLEMENTARY INFORMATION:**

Title: SBA Counseling Evaluation.

No.: 1419.

*Frequency:* On Occasion.

*Description of Respondents:* Small Business Clients.

*Responses:* 15,000.

*Annual Burden:* 2,550.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. E6-12929 Filed 8-8-06; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration # 10525 and # 10526]

**New Jersey Disaster Number NJ-00004**

**AGENCY:** Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of New Jersey (FEMA-1653-DR), dated 07/07/2006.

*Incident:* Severe Storms and Flooding.  
*Incident Period:* 06/23/2006 and continuing through 07/10/2006.

*Effective Date:* 07/10/2006.

*Physical Loan Application Deadline Date:* 09/05/2006.

*EIDL Loan Application Deadline Date:* 04/09/2007.

**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:** The notice of the President's major disaster declaration for the State of New Jersey, dated 07/07/2006, is hereby amended to establish the incident period for this disaster as beginning 06/23/2006 and continuing through 07/10/2006.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. E6-12918 Filed 8-8-06; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #10557 and #10558]

**Ohio Disaster #OH-00007**

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Ohio (FEMA-1656-DR), dated 08/01/2006.

*Incident:* Severe Storms, Straight Line Winds, and Flooding.

*Incident Period:* 07/27/2006 and continuing.

*Effective Date:* 08/01/2006.

*Physical Loan Application Deadline Date:* 10/02/2006.

*Economic Injury (EIDL) Loan Application Deadline Date:* 05/01/2007.

**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 President's major disaster declaration on 08/01/2006, 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 (Physical Damage and Economic Injury Loans):*