

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Exchange Act,<sup>13</sup> in general, and furthers the objectives of section 6(b)(5) of the Exchange Act,<sup>14</sup> in particular, in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanisms of a free and open market and a national market system.

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

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

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

No written comments were neither solicited nor received.

## III. 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 Exchange 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 [rules-comments@sec.gov](mailto:rules-comments@sec.gov). Please include File No. SR-NYSEArca-2006-22 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 No. SR-NYSEArca-2006-22. 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

percent of a fund's total assets, and at least 50 percent of a fund's total assets must be comprised of cash (including government securities) and securities of single issuers whose securities account for less than 5 percent of such fund's total assets.

<sup>13</sup> 15 U.S.C. 78f(b).

<sup>14</sup> 15 U.S.C. 78f(b)(5).

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 will also be available for inspection and copying at the principal office of NYSE Arca. 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-NYSEArca-2006-22 and should be submitted July 10, 2006.

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

After careful consideration, the Commission finds that the proposed rule change is consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.<sup>15</sup> In particular, the Commission believes that the proposal is consistent with section 6(b)(5) of the Exchange Act,<sup>16</sup> which requires that the rules of an 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 and protect investors and the public interest. The Commission believes that the proposed rule is reasonably designed to provide additional flexibility in listing ICUs under the Exchange's generic listing standards. The Commission further believes that the proposed rule change will serve to protect investors and the public interest by maintaining the size and liquidity requirements applicable to the securities underlying the relevant index or portfolio.

Under section 19(b)(2) of the Exchange Act,<sup>17</sup> the Commission may not approve any proposed rule change

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

<sup>16</sup> 15 U.S.C. 78f(b)(5).

<sup>17</sup> 15 U.S.C. 78s(b)(2).

prior the thirtieth day after the date of publication of the notice of filing thereof, unless the Commission finds good cause for so doing. The Commission hereby finds good cause for approving the proposed rule change prior to the thirtieth day after publishing notice of the filing thereof in the **Federal Register**. The Commission notes that it has previously approved similar proposals by the American Stock Exchange LLC ("Amex"), and Chicago Board Options Exchange, Incorporated ("CBOE") to increase to 30 percent the permissible weight of the most heavily weighted component stock in an underlying index.<sup>18</sup>

For the reasons set forth above, the Commission finds good cause to accelerate approval of the proposed rule change pursuant to section 19(b)(2) of the Exchange Act.

## V. Conclusion

*It is therefore ordered*, pursuant to section 19(b)(2) of the Exchange Act, that the proposed rule change (SR-NYSEArca-2006-22) is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>19</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. E6-9534 Filed 6-16-06; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### [Public Notice 5446]

### Update on Current Universal Postal Union Issues

**AGENCY:** Department of State.

**ACTION:** Notice of briefing.

The Department of State will host a briefing on Wednesday, July 19, 2006, to provide an update on current Universal Postal Union issues, including the results of the March 2006 session of the UPU Postal Operations Council in Bern.

The briefing will be held from 1:30 p.m. until approximately 4 p.m., on July

<sup>18</sup> See Securities Exchange Act Release Nos. 44532 (July 10, 2001), 66 FR 37078 (July 16, 2001) (SR-Amex-2001-25) (approving an increase for indexes underlying Portfolio Depositary Receipts and Index Fund shares listed on the Amex) and 44908 (October 4, 2001), 66 FR 52161 (October 12, 2001) (SR-CBOE-2001-38) (approving an increase for indexes underlying Index Portfolio Receipts and Index Portfolio Shares listed on the CBOE). See also Securities Exchange Act Release No. 53934 (June 1, 2006), 71 FR 33326 (June 8, 2006) (NYSE 2006-39) (approving an increase for indexes or portfolios underlying a series of Investment Company Units listed on NYSE).

<sup>19</sup> 17 CFR 200.30-3(a)(12).

19, 2006 in Room 1207 of the Department of State, 2201 C Street, NW., Washington, DC. The briefing will be open to the public up to the capacity of the meeting room of 50.

Special attention will be paid to further reform of the UPU, terminal dues, priorities of the Consultative Committee, the UPU's efforts to measure service performance and achievement of UPU strategic plans, and the U.S. Government policy toward extraterritorial offices of exchange. Dennise Mathieu, Director of the Office of Technical Specialized Agencies of the Department of State, will chair the briefing.

Entry to the Department of State building is controlled and will be facilitated by advance arrangements. In order to arrange admittance, persons desiring to attend the briefing should, no later than close of business on July 18, 2006, notify the Office of Technical and Specialized Agencies, Bureau of International Organization Affairs, Department of State, preferably by fax. The name of the meeting and the individual's name, Social Security number, date of birth, professional affiliation, address and telephone number should be indicated. The fax number to use is (202) 647-8902. Voice telephone is (202) 647-1044. This request applies to both government and non-government individuals.

All attendees must use the main entrance of the Department of State at 22nd and C Streets, NW. Please note that under current security restrictions, C Street is closed to vehicular traffic between 21st and 23rd Streets. Taxis may leave passengers at 21st and C Streets, 23rd and C Streets, or 22nd Street and Constitution Avenue. One of the following means of identification will be required for admittance: Any U.S. driver's license with photo, a passport, or any U.S. Government agency identification card.

Questions concerning the briefing may be directed to Mr. Dennis Delehanty at (202) 647-4197 or via e-mail at [delehantydm@state.gov](mailto:delehantydm@state.gov).

Dated: June 12, 2006.

**Dennise Mathieu,**

*Office Director for Postal Affairs, Department of State.*

[FR Doc. E6-9595 Filed 6-16-06; 8:45 am]

**BILLING CODE 4710-19-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Privacy Act of 1974: System of Records

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice to establish a system of records.

**SUMMARY:** DOT intends to establish a system of records under the Privacy Act of 1974.

**EFFECTIVE DATE:** July 31, 2006. If no comments are received, the proposal will become effective on the above date. If comments are received, the comments will be considered and, where adopted, the documents will be republished with changes.

**FOR FURTHER INFORMATION CONTACT:** Kara Spooner, Department of Transportation, Office of the Secretary, 400 7th Street, SW., Washington, DC 20590, (202) 366-1965 (telephone), (202) 366-7373 (fax), [kara.spooner@dot.gov](mailto:kara.spooner@dot.gov) (Internet address).

**SUPPLEMENTARY INFORMATION:** The Department of Transportation system of records notice subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, has been published in the **Federal Register** and is available from the above mentioned address.

#### DOT/ALL 16

##### SYSTEM NAME:

Mailing Management Systems.

##### SECURITY CLASSIFICATION:

Unclassified, non-sensitive.

##### SYSTEM LOCATION:

Records are maintained at the Department of Transportation (DOT) in Washington, DC, the Volpe National Transportation Systems Center in Cambridge, Massachusetts, the Transportation Safety Institute in Oklahoma City, Oklahoma and the Saint Lawrence Seaway Development Corporation in Massena, New York.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of the public and Department of Transportation and other government agency employees who have requested to receive one-time or periodic mailings from DOT.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Individual name, contact information, title and organization, if applicable, details regarding the requested publication and payment information for those publications for sale.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; 49 U.S.C. 322.

##### PURPOSE(S):

To provide individuals and other government agencies, at their request, with mailed copies of publicly available information about DOT and its operating administrations' programs.

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) The address portion of the records is compared against a master address list of the United States Postal Service to verify valid addresses; (2) to printing services that are contracted by DOT to print and mail the reports and other publications.

##### DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

##### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Records are stored manually in file folders and electronically in mailing management system applications and databases.

##### RETRIEVABILITY:

Records are retrievable by customer number, customer name, customer address, mailing list title and publication ID number.

##### SAFEGUARDS:

Access to the system is limited to individuals responsible for distributing mailings of publications and the system administrator through the use of user IDs and passwords. Physical access to the system and manual records is restricted through security guards and access badges to enter the facility where equipment and records are located. Records received in hard copy (e.g., requests submitted by letter or fax) are kept in files stored in locked file cabinets, with access limited to those who conduct the distribution or administer the system.

##### RETENTION AND DISPOSAL:

System records, with the exception of those at the VOLPE center, are retained until either the request has been met, the individual requests removal from the system, or the individual's address cannot be verified as valid by the United States Postal Service, depending on the database. Payment information associated with publication requests for which there is a charge is retained for 30 days or less. Records maintained at the Volpe center are retained for up to five years.