

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 filings also will be available for inspection and copying at the principal office of the Exchange. 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-NSX-2006-16 and should be submitted on or before May 10, 2007.

For the Commission by the Division of Market Regulation, pursuant to the delegated authority.<sup>8</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7-7428 Filed 4-18-07; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### Small Business Size Standards: Waiver of the Nonmanufacturer Rule

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice Denying a Request for a Waiver of the Nonmanufacturer Rule for Re-Refining Used Petroleum Lubricating Oils (MIL-PRF-2104; Type 10W, Type 15W40, Type 30W and Type 40W).

**SUMMARY:** The U.S. Small Business Administration (SBA) is denying the request for a class waiver of the Nonmanufacturer Rule for Re-Refining Used Petroleum Lubricating Oils (MIL-PRF-2104; Type 10W, Type 15W40, Type 30W and Type 40W), under the NAICS code 324191. The basis for this denial is that SBA has determined that this request is for a product in a specific solicitation, rather than for a class of products within a subdivision within a North American Industry Classification, as is required for class waivers under 13 CFR 121.1202(d).

**DATES:** This notice is effective immediately.

**FOR FURTHER INFORMATION CONTACT:** Sarah L. Ayers, Program Analyst, by telephone at (202) 205-6413; by FAX at (202) 292-3771; or by e-mail at [sarah.ayers@sba.gov](mailto:sarah.ayers@sba.gov).

**SUPPLEMENTARY INFORMATION:** The SBA received a request on December 12, 2006, to waive the Nonmanufacturer

Rule for Re-Refining Used Petroleum Lubricating Oils (MIL-PRF-2104; Type 10W, Type 15W40, Type 30W and Type 40W) prompted by a Defense Supply Center Richmond (DSCR) solicitation.

In response, on January 5, 2007, SBA published in the **Federal Register**, Vol. 72, No. 3, a notice of intent to waive the Nonmanufacturer Rule for Re-Refining Used Petroleum Lubricating Oils (MIL-PRF-2104; Type 10W, Type 15W40, Type 30W and Type 40W). SBA explained in the notice that it was soliciting comments and sources of small business manufacturers for the products described in the request. SBA received one comment. The commenter indicated that one company currently supplies re-refined engine oils to the Federal government, and this same company also supplies several distributors with re-refined lubricating oils. The commenter also indicated the knowledge of two other companies that have supplied re-refined lubricating oils to the Federal market within the last 24 months. However, these companies did not wish to identify themselves or their contracting history to SBA for review. Based on SBA's review of the comments received, and its further examination of the waiver request, SBA is denying the requested class waiver because it does not seek a waiver for a "class of products" within the contemplation of 13 CFR 121.1202(d). In particular, a "class of products" for purposes of the class waiver procedures provided in 13 CFR 121.1204(a), is comprised of products within a "subdivision under a NAICS Industry Number." See 13 CFR 121.1202(d). By contrast, the individual waiver procedures under 13 CFR 121.1204(b) apply when a request for a waiver of the Nonmanufacturer Rule is "for a product in a specific solicitation." See 13 CFR 121.1203. Since the instant request is "for a product in a specific solicitation," it is governed by the procedures for an individual waiver under 13 CFR 121.1204(b). According to that provision, only a contracting officer may request an individual waiver for a specific solicitation.

SBA is therefore denying the instant request for a class waiver because it constitutes a request for an "individual waiver for a product in a specific solicitation," which must be initiated by a contracting officer pursuant to 13 CFR 121.1204(b).

**Authority:** 15 U.S.C. 637(a)(17).

**Arthur E. Collins,**

*Acting Director for Government Contracting.*

[FR Doc. E7-7454 Filed 4-18-07; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 5780]

### Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals: Fellowships in the Visual Arts, Film, and Architecture and Urban Design

*Announcement Type:* New Cooperative Agreement.

*Funding Opportunity Number:* ECA/PE/C/CU-07-60.

*Catalog of Federal Domestic Assistance Number:* 00.000.

*Key Dates:*

*Application Deadline:* May 29, 2007.

*Executive Summary:* The Bureau of Educational and Cultural Affairs will award up to three Cooperative Agreements to support programs for short residency and training programs in the United States for emerging and mid-career visual artists, film artists, and architecture and urban design professionals from selected countries. Each Cooperative Agreement may support artists from one or more of the three categories. The foreign participants will be nominated by the Public Affairs Sections of U.S. Embassies, in consultation with the grantee. Grantees will develop 30-60 day programs in the United States for the nominated participants, individually or in small groups. Each program should be built around a residency experience, which may be supplemented by other program elements designed to enhance and expand upon the activities of the residency. The goal of each project is to increase cross-cultural understanding internationally by providing program participants with an in-depth exposure to their professional discipline as practiced in the United States; outreach to U.S. colleagues and publics, and opportunities for creation and exhibition of their work.

### I. Funding Opportunity Description:

*Authority:*

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87-256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries \* \* \*; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations \* \* \* and thus to assist in the

<sup>8</sup> 17 CFR 200.30-3(a)(12).