

is based on the forward price. In the event a Currency Reference Asset is based on the forward price, and the forward price becomes unavailable due to a holiday, the spot price may be used for calculating the price of the component(s) comprising the Currency Reference Asset. The pricing information of such Currency Reference Asset on the following business day must be the forward price. This exception is intended to permit certain hedged products that use forward pricing information to use the spot price, which is quoted in the United States, when the forward price, which is derived from the spot price, is unavailable due to a foreign holiday.

### III. Discussion and Commission's Findings

After careful consideration, 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 exchange.<sup>6</sup> In particular, the Commission finds that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act,<sup>7</sup> which requires, among other things, that the Exchange's rules be designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Commission believes that opportunities to invest in derivative securities products based not only on the spot value, but also on the forward price, of a foreign currency provide additional choices to accommodate particular investment needs and objectives, should benefit investors. The Commission notes that the foreign exchange market as a whole, which is predominantly OTC, is a highly liquid market.<sup>8</sup> The Commission also notes that outright forward transactions account for a material percentage of reported daily volume on the foreign exchange markets.<sup>9</sup>

<sup>6</sup> In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>8</sup> The Exchange states that, in 2007, the average daily spot turnover accounted for over US\$1 trillion, and the average daily forward turnover accounted for US\$362 billion. See *supra* notes 4 and 5.

<sup>9</sup> See *id.*

In the interest of assuring sufficient liquidity of the underlying components and thereby protecting investors of Currency-Linked Securities that are based on the generally accepted forward price for the currency exchange rate in question, the use of forward pricing information for any such component of a Currency Reference Asset would be limited to the High Volume Global Currencies. The Commission notes that Currency-Linked Securities that satisfy the applicable requirements under NYSE Arca Equities Rule 5.2(j)(6) would be able to be listed and traded pursuant to Rule 19b-4(e) under the Act.<sup>10</sup> The Commission believes that, to list and trade Currency-Linked Security products based on forward prices of foreign currencies pursuant to Rule 19b-4(e) under the Act, limiting such foreign currencies to the High Volume Global Currencies is an appropriate measure to assure sufficient liquidity in the underlying components.<sup>11</sup> In addition, the forward price should be used for pricing purposes only to the extent that the Currency Reference Asset is based on the forward price.<sup>12</sup> The Commission believes that the proposed rule change, which seeks to expand the types of components on which Currency-Linked Securities are based, should promote the listing and trading of additional Currency-Linked Securities and thereby support greater options and competition in such products, to the benefit of investors and the public interest.

### IV. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>13</sup> that the

<sup>10</sup> See 17 CFR 240.19b-4(e)(1). Rule 19b-4(e)(1) under the Act provides that the listing and trading of a new derivative securities product by a self-regulatory organization ("SRO") shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b-4 under the Act (17 CFR 240.19b-4(c)(1)), if the Commission has approved, pursuant to Section 19(b) of the Act (15 U.S.C. 78s(b)), the SRO's trading rules, procedures, and listing standards for the product class that would include the new derivatives securities product, and the SRO has a surveillance program for the product class.

<sup>11</sup> The Commission further notes that, if the Exchange seeks to list and trade a Currency-Linked Security product based on forward prices of non-High Volume Global Currencies, it can do so by filing a proposed rule change pursuant to Sections 19(b)(1) of the Act.

<sup>12</sup> The proposal also states that, with respect to a Currency-Linked Security that is based on the forward price of a foreign currency, if the forward price is not available due to a holiday, the spot price may be used for calculating the pricing information on the Currency Reference Asset. The pricing information on the following business day must be based on the forward price. See proposed Commentary .01 to NYSE Arca Equities Rule 5.2(j)(6)(B)(III).

<sup>13</sup> 15 U.S.C. 78s(b)(2).

proposed rule change (SR-NYSEArca-2008-12) be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

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

[FR Doc. E8-5099 Filed 3-13-08; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### In the Matter of Beverage Creations, Inc.; Order of Suspension of Trading

Date: March 12, 2008.

It appears to the Securities and Exchange Commission that the market for the securities of Beverage Creations, Inc. ("BCI"), quoted on the Pink Sheets under the ticker symbol BVRG, may be reacting to manipulative forces or deceptive practices and that there is a lack of current and accurate information about BCI upon which an informed investment decision can be made. For example, it appears that BCI distributed a press release falsely disclaiming its affiliation with a company that has been touting BCI's stock through a widely distributed promotional mailer. In addition to the promotional mailer, several stock promotion Web sites have featured BCI's stock, including one that has touted the stock through numerous e-mail alerts.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above listed company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the above listed company is suspended for the period from 9:30 a.m. EDT, March 12, 2008 through 11:59 p.m. EDT, on March 26, 2008.

By the Commission.

**Nancy M. Morris,**  
Secretary.

[FR Doc. 08-1033 Filed 3-12-08; 10:19am]

BILLING CODE 8011-01-P

## SMALL BUSINESS ADMINISTRATION

### Disaster Declaration # 11162; Kansas Disaster Number KS-00025

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

**ACTION:** Amendment 1.

<sup>14</sup> 17 CFR 200.30-3(a)(12).

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Kansas (FEMA-1741-DR), dated 02/01/2008.

*Incident:* Severe Winter Storms.

*Incident Period:* 12/06/2007 through 12/19/2007.

*Effective Date:* 02/28/2008.

*Physical Loan Application Deadline Date:* 04/02/2008.

**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:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Kansas, dated 02/01/2008, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Gove, Logan, Sheridan, Thomas, Wallace.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. E8-5078 Filed 3-13-08; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 11178 and # 11179]**

**Kentucky Disaster Number KY-00013**

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

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA-1746-DR), dated 02/21/2008.

*Incident:* Severe Storms, Tornadoes, Straight-line Winds, and Flooding.

*Incident Period:* 02/05/2008 through 02/06/2008.

*Effective Date:* 03/05/2008.

*Physical Loan Application Deadline Date:* 04/21/2008.

*EIDL Loan Application Deadline Date:* 11/21/2008.

**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:** The notice of the Presidential disaster declaration for the Commonwealth of Kentucky, dated 02/21/2008 is hereby amended to include the following areas as adversely affected by the disaster:

*Primary Counties:* Bath, Harrison, Hopkins, Nicholas, Shelby, Spencer.

*Contiguous Counties:*

Kentucky: Bracken, Fleming, Franklin, Grant, Henry, Menifee, Montgomery, Oldham, Pendleton, Robertson, Rowan, Webster.

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. E8-5077 Filed 3-13-08; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Revocation of License of Small Business Investment Company**

Pursuant to the authority granted to the United States Small Business Administration by the Final Order of the United States District Court for the District of Massachusetts, dated August 8, 2007, the United States Small Business Administration hereby revokes the license of Marathon Investment Partners, L.P., a Delaware Limited Partnership, to function as a small business investment company under the Small Business Investment Company License No. 01/01-0370 issued to Marathon Investment Partners, L.P. on September 30, 1998 and said license is hereby declared null and void as of August 8, 2007.

United States Small Business Administration.

Dated: March 6, 2008.

**A. Joseph Shepard,**

*Associate Administrator for Investment.*

[FR Doc. E8-5080 Filed 3-13-08; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF STATE**

**[Public Notice 6134]**

**Advancing Democracy Around the World**

**AGENCY:** International Information Programs, State Department.

**ACTION:** Request for Submissions.

**SUMMARY:** The State Department's Bureaus of International Information Programs (IIP) and Democracy Human Rights and Labor (DRL) invite U.S.-based civil society and private-sector groups and American citizens engaged in democracy promotion abroad to partner with us on innovative programs that develop Internet-based multi-media materials for non-U.S. audiences relevant to democracy.

**ADDRESSES:** Interested parties should respond to Outreach Coordinator Lori Brutton, U.S. Department of State, Bureau of International Information Programs, 301 4th St. SW., Room 849, Washington, DC 20547 or by e-mail at [America\\_gov@state.gov](mailto:America_gov@state.gov) no later than March 28, 2008.

**FOR FURTHER INFORMATION, CONTACT:** Lori Brutton, (202/453-8777) at the above address.

**SUPPLEMENTARY INFORMATION:** This is the first of a series of **Federal Register** notices by IIP on specific *America.gov* thematic program areas. As part of *America.gov*, the Department's premier Web site for engaging with foreign audiences, IIP in partnership with DRL developed a "Democracy Around the World" page, to engage the global community in a substantive discussion about the principles, implementation and benefits of democracy (including rule of law, and participation and dissent). The IIP-DRL partnership will also help ensure the State Department meets the "Advancing Democratic Values Act's" (Pub. L. 110-53, Section 2132) requirements for enhancing its Internet presence on global democracy and human rights (e.g., streaming video and audio and other media regarding democratic principles, practices and values and the promotion of strengthening democracy).

IIP and DRL invite U.S.-based civil society and private-sector groups and American citizens engaged in democracy promotion abroad to partner with us with the goal of enhancing the site's democracy content by providing Internet-based innovative programs and multimedia materials for non-U.S. audiences. Programmatic opportunities for cooperation could include:

- Broadening existing online youth dialogues;