

through notice and comment and peer review.

**John D. Graham,**

*Administrator, Office of Information and Regulatory Affairs.*

[FR Doc. 04-3652 Filed 2-19-04; 8:45 am]

**BILLING CODE 3110-01-U**

## POSTAL SERVICE

### Board of Governors; Sunshine Act Meeting

**DATE AND TIMES:** Tuesday, March 2, 2004; 10:30 a.m. and 2:30 p.m.

**PLACE:** Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW., in the Benjamin Franklin Room.

**STATUS:** March 2—10:30 a.m. (Closed); 2:30 p.m. (Open)

#### MATTERS TO BE CONSIDERED:

Tuesday, March 2—10:30 a.m. (Closed)

1. Financial Update.
2. Negotiated Service Agreement.
3. Strategic Planning.
4. Personnel Matters and Compensation Issues.

Tuesday, March 2—2:30 p.m. (Open)

1. Minutes of the Previous Meeting, February 2-3, 2004.
2. Remarks of the Postmaster General and CEO.
3. Committee Reports.
4. Capital Investment.
  - a. Labor Scheduler, Phase 1 Modification Request.
5. Flats Productivity.
6. Customer Connect Update.
7. Tentative Agenda for the April 15, 2004, meeting in Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

William T. Johnstone, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260-1000. Telephone (202) 268-4800.

**William T. Johnstone,**

*Secretary.*

[FR Doc. 04-3870 Filed 2-18-04; 3:06 pm]

**BILLING CODE 7710-12-M**

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

### Summary of Proposal(s)

(1) *Collection title:* Application for Survivor Insurance Annuities.

(2) *Form(s) submitted:* AA-17, AA-17b, AA-17cert, AA-18, AA-19, AA-19a, AA-20.

(3) *OMB Number:* 3220-0030.

(4) *Expiration date of current OMB clearance:* 6/30/2004.

(5) *Type of request:* Extension of a currently approved collection.

(6) *Respondents:* Individuals or households.

(7) *Estimated annual number of respondents:* 4,137.

(8) *Total annual responses:* 4,137.

(9) *Total annual reporting hours:* 1,718.

(10) *Collection description:* Under Section 2(d) of the Railroad Retirement Act, monthly survivor annuities are payable to surviving widow(er)s, parents, unmarried children, and in certain cases, divorced wives (husband), mothers (fathers), remarried widow(er)s and grandchildren of deceased railroad employees. The collection obtains information needed by the RRB for determining entitlement to and amount of the annuity applied for.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer, (312) 751-3363 or [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV).

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 or [Ronald.Hodapp@RRB.GOV](mailto:Ronald.Hodapp@RRB.GOV) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Charles Mierzwa,**

*Clearance Officer.*

[FR Doc. 04-3663 Filed 2-19-04; 8:45 am]

**BILLING CODE 7905-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of February 23, 2004:

Open Meetings will be held on Tuesday, February 24, 2004 at 2 p.m., and Wednesday, February 25, 2004 at 10 a.m., in Room 1C30, the William O. Douglas Room, and a Closed Meeting

will be held on Wednesday, February 25, 2004 at 12 noon.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(5), (7), and (10) and 17 CFR 200.402(a)(5), (7), and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Atkins, as duty officer, voted to consider the item listed for the closed meeting in closed session and that no earlier notice thereof was possible.

The subject matter of the Closed Meeting scheduled for Wednesday, February 25 will be:

Institution of administrative proceedings of an enforcement nature; and Institution of injunctive actions.

The subject matter of the Open Meeting scheduled for Tuesday, February 24, 2004 will be:

The Commission will consider whether to publish for public comment a release setting forth five proposals designed to enhance and modernize the national market system. In particular, the Commission will consider whether to propose the following rules and amendments:

1. Regulation NMS, which would redesignate the national market system rules adopted under Section 11A of the Securities Exchange Act of 1934 ("Exchange Act") as Regulation NMS, and would include a new definitional rule, proposed Rule 600, that would designate reported securities as national market system securities and make certain other technical changes, and include all of the defined terms used in the national market system rules;

2. Rule 610 of Regulation NMS, which would modernize the terms and standards of access to quotations and the execution of orders in equity securities in the national market system, and make conforming changes to Rule 301 of Regulation ATS;

3. Rule 611 of Regulation NMS, which would require market centers to establish, maintain, and enforce policies and procedures designed to prevent the execution of trade-throughs in their markets;

4. Rule 612 of Regulation NMS, which generally would prohibit market participants from accepting, ranking, or displaying orders, quotes, or indications of interest in a pricing increment finer than a penny in any NMS Stock; and

5. Amendments to the three joint industry plans under which consolidated market data for equity securities is disseminated to the public that would modify the formulas for allocating plan net income and create non-voting advisory committees, and amendments to current Exchange Act Rules 11Aa3-1 and 11Ac1-2 (redesignated as Rule 601 and 603 of Regulation NMS) that would modify the requirements for consolidation and display of market data.

For further information, please contact Yvonne Fraticelli at (202) 942-0197 (Reg NMS Proposal); Jennifer Colihan at (202) 942-0735 (Trade-Through Proposal); Patrick Joyce at (202) 942-0779 (Access Proposal); Ronesha Butler at (202) 942-0791 (Sub-Pennies Proposal); or Sapna Patel at (202) 942-0166 (Market Data Proposal).

The subject matter of the Open Meeting scheduled for Wednesday, February 25, 2004 will be:

The Commission will consider a recommendation to propose for public comment rule 22c-2 under the Investment Company Act of 1940. The recommended proposal would require open-end investment companies to impose a two percent redemption fee on the redemption of shares held for five business days or fewer. The Commission also will consider whether to ask for comment about additional ways to address market timing.

For further information, please contact Shaswat Das, Senior Counsel, Division of Investment Management, at (202) 942-0650.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942-7070.

Dated: February 17, 2004.

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 04-3831 Filed 2-18-04; 12:59 pm]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-49225; File No. SR-PCX-2003-62]

### Self-Regulatory Organizations; Pacific Exchange, Inc; Order Approving Proposed Rule Change and Amendment No. 1 Thereto Relating to Initial Listing Requirements for Securities Listed Under the Tier I and Tier II Designations

February 12, 2004.

On November 4, 2003, the Pacific Exchange, Inc. ("PCX" or "Exchange"), through its wholly owned subsidiary, PCX Equities, Inc. ("PCXE"), filed with the Securities and Exchange Commission ("Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to amend PCXE Rules 5.2(c)(4) and 5.2(k)(4) to replace the term "non-recurring" with the term "income from continuing operations," a term which is recognized under Generally Accepted Accounting Principles ("GAAP"). The proposed rule change also amends PCXE Rule 5.2(c)(4) to eliminate the requirement that an issuer have net income of at least \$400,000, excluding non-recurring and extraordinary items. The Exchange submitted an amendment to the proposed rule change on December 17, 2003.<sup>3</sup> The proposed rule change, as amended, was published for comment in the **Federal Register** on January 9, 2004.<sup>4</sup> The Commission received no comment letters on the proposal.

The Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange<sup>5</sup> and, particularly, section 6(b)(5) of the Act.<sup>6</sup> The Commission believes that amending PCXE Rules 5.2(c)(4) and 5.2(k)(4) to replace the term "non-recurring" with the term "income from continuing operations," a term which is recognized under GAAP, promotes just and equitable principles of trade and is not designed to permit unfair

discrimination among issuers. The Commission notes that removing from PCXE Rule 5.2(c)(4) the requirement that an issuer have net income of at least \$400,000, excluding non-recurring and extraordinary items, conforms to the initial listing requirements of another exchange.<sup>7</sup> The Commission further notes that the proposed rule change merely clarifies the Exchange's current listing standards and is not designed to make the Exchange's listing standards more or less restrictive or alter the method upon which the Exchange calculates whether an issuer satisfies these standards.

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act,<sup>8</sup> that the proposed rule change, as amended, (SR-PCX-2003-62) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Margaret H. McFarland,**  
Deputy Secretary.

[FR Doc. 04-3667 Filed 2-19-04; 8:45 am]

BILLING CODE 8010-01-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 March 22, 2004. 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

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> On December 17, 2003, the Exchange filed a Form 19b-4, which replaced the original filing in its entirety ("Amendment No. 1").

<sup>4</sup> See Securities Exchange Act Release No. 49013 (December 31, 2003), 69 FR 1610.

<sup>5</sup> In approving this proposed rule change, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>6</sup> 15 U.S.C. 78f(b)(5).

<sup>7</sup> See American Stock Exchange LLC Company Guide section 101(a)(2).

<sup>8</sup> 15 U.S.C. 78s(b)(2).

<sup>9</sup> 17 CFR 200.30-3(a)(12).