

CA030013 (Jun. 13, 2003)
 CA030027 (Jun. 13, 2003)
 CA030029 (Jun. 13, 2003)
 CA030030 (Jun. 13, 2003)
 CA030031 (Jun. 13, 2003)
 CA030032 (Jun. 13, 2003)

General Wage Determination Publication

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Signed at Washington, DC, this 29 day of July, 2004.

John Frank,

Acting Chief, Branch of Construction Wage Determinations.

[FR Doc. 04-17698 Filed 8-5-04; 8:45 am]

BILLING CODE 4510-27-P

POSTAL RATE COMMISSION

Sunshine Act Meetings

AGENCY: Postal Rate Commission.

TIME AND DATE: August 11, 2004 at 9:30 a.m.

PLACE: Commission conference room, Postal Rate Commission, 1333 H Street, NW., Suite 300, Washington, DC 20268-0001.

STATUS: Open.

MATTERS TO BE CONSIDERED: Item No. 1: Discussion and vote on the Postal Rate Commission's fiscal year 2005 budget; item No. 2: Selection of vice chairman.

CONTACT PERSON FOR MORE INFORMATION: Stephen L. Sharfman, General Counsel, 202-789-6818 or sharfmans@prc.gov.

Dated: August 3, 2004.

Steven W. Williams,
Secretary.

[FR Doc. 04-18157 Filed 8-5-04; 8:45 am]

BILLING CODE 7710-FW-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-50122; File No. SR-Amex-2004-32]

Self-Regulatory Organizations; Order Granting Approval to Proposed Rule Change by the American Stock Exchange LLC to Amend Article II, Section 3 of the Exchange Constitution

July 29, 2004.

I. Introduction

On May 12, 2004, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² a proposed rule change to amend Article II, Section 3 of the Exchange Constitution to provide the Amex the ability to contract with another self-regulatory organization for regulatory services. The proposed rule change was published for comment in the **Federal Register** on June 3, 2004.³ The Commission received no comments on the proposed rule change. On June 24, 2004, Amex filed Amendment No. 1 to the proposal.⁴ This order approves the proposed rule change.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 49775 (May 26, 2004), 69 FR 31437.

⁴ See letter from William Floyd-Jones, Jr., Associate General Counsel, Amex, to Nancy J. Sanow, Assistant Director, Division of Market Regulation, ("Division"), Commission, dated June

II. Description of Proposal

The Exchange proposes to amend Article II, Section 3 of the Exchange Constitution to create a mechanism to allow the Exchange to contract with another self-regulatory organization for the performance of certain of Amex's regulatory functions. The amendment would authorize an officer of the Exchange, on behalf of the Exchange, subject to approval by the Amex Board, to enter into one or more agreements with another self-regulatory organization to provide regulatory services to the Exchange to assist the Exchange in discharging its obligations under Section 6 and Section 19(g) of the Act.⁵ Under the proposal, any action taken by another self-regulatory organization, or its employees or authorized agents, acting on behalf of Amex pursuant to a regulatory services agreement will be deemed to be an action taken by the Exchange. However, the amended Constitution states that nothing in Article II, Section 3 shall affect the oversight of such other self-regulatory organization by the Commission. The amended Constitution also provides that Amex will retain ultimate legal responsibility for, and control of, its self-regulatory responsibilities, and that any such regulatory services agreement shall so provide.

In the proposal, the Exchange noted that this rule change would have immediate applicability with respect to a Regulatory Services Agreement ("RSA") dated as of April 30, 2004, between the National Association of Securities Dealers, Inc. ("NASD") and the Amex.⁶ Amex determined that, to best discharge its self-regulatory responsibilities, it would contract with the NASD, which is subject to Commission oversight pursuant Sections 15A and 19 of the Act,⁷ to provide certain regulatory services to the Amex. Under the RSA, NASD, through its wholly owned subsidiaries NASD Regulation, Inc. ("NASDR") and NASD Dispute Resolution, Inc. ("NASDDR"), performs certain

23, 2004 ("Amendment No. 1"). In Amendment No. 1 the Exchange advised that on June 22, 2004, the proposed rule change was approved by New NASD Holdings, Inc., the holder of the Class B interest in the Exchange, and as a result, the Exchange's internal procedures with respect to the proposed rule change were complete. Amendment No. 1 is a technical amendment, and, therefore, not subject to notice and comment.

⁵ 15 U.S.C. 78f and 15 U.S.C. 78s(g).

⁶ Pursuant to applicable provisions of the Freedom of Information Act, 18 U.S.C. 1905, and Commission regulations thereunder, 17 CFR 200.83, Amex has requested confidential treatment for the RSA.

⁷ 15 U.S.C. 78o-3 and 15 U.S.C. 78s.