

also included activities that are inherently governmental. This is the first release of the FAIR Act inventories for FY 2003. Interested parties who disagree with the agency's initial judgment can challenge the inclusion or the omission of an activity on the list of

activities that are not inherently governmental and, if not satisfied with this review, may demand a higher agency review/appeal.

The Office of Federal Procurement Policy has made available a FAIR Act User's Guide through its Internet site: <http://www.whitehouse.gov/OMB/>

[procurement/fair-index.html](http://www.whitehouse.gov/procurement/fair-index.html). This User's Guide will help interested parties review FY 2003 FAIR Act inventories and gain access to agency inventories through agency web-site addresses.

**Joshua B. Bolten,**  
Director.

FIRST FAIR ACT RELEASE 2003

Architectural and Transportation Barriers Compliance Board .....	Mr. Larry Roffee, 202-272-0001 <a href="http://www.access-board.gov">http://www.access-board.gov</a> .
Chemical Safety Board .....	Ms. Bea Robinson, 202-261-7627 <a href="http://www.csb.gov">http://www.csb.gov</a> .
Christopher Columbus Fellowship Foundation .....	Ms. Judith M. Shellenberger, 315-258-0090 <a href="http://www.whitehouse.gov/omb/procurement/fair_list_nosite.html">http://www.whitehouse.gov/omb/procurement/fair_list_nosite.html</a> .
Commission on Fine Arts .....	Mr. Frederick Lindstrom, 202-504-2200 <a href="http://www.cfa.gov">www.http://www.cfa.gov</a> .
Committee for Purchase from People Who are Blind or Severely Disabled.	Mr. Leon Wilson, 703-604-7740 <a href="http://www.jwod.gov">http://www.jwod.gov</a> .
Consumer Product Safety Commission .....	Mr. Edward Quist, 301-504-7655 <a href="http://www.cpsc.gov">http://www.cpsc.gov</a> .
Council on Environmental Quality .....	Mr. Ted Boling, 202-395-3449 <a href="http://www.whitehouse.gov/ceq">http://www.whitehouse.gov/ceq</a> .
Department of Housing and Urban Development .....	Ms. Janice Blake-Green, 202 708-0614 x3214 <a href="http://www.hud.gov">http://www.hud.gov</a> .
Department of Housing and Urban Development .....	Mr. Michael Kirby, 202-708-0614 IG) x8190 <a href="http://www.hudoig.gov">http://www.hudoig.gov</a> .
Department of the Interior .....	Ms. Helen Bradwell-Lynch, 202-219-0727 <a href="http://www.doi.gov">http://www.doi.gov</a> .
Department of the Interior (IG) .....	Mr. Eric Lippold, 202-208-5317 <a href="http://www.oig.doi.gov">http://www.oig.doi.gov</a> .
Department of Transportation .....	Mr. David Litman, 202-366-4263 <a href="http://www.dot.gov">http://www.dot.gov</a> .
Equal Employment Opportunity Commission .....	Mr. Jeffrey Smith, 202-663-4200 <a href="http://www.eeoc.gov">http://www.eeoc.gov</a> .
Federal Communications Commission IG .....	Mr. Charles Willoughby, 202-418-0472 <a href="http://www.fcc.gov/org">http://www.fcc.gov/org</a> .
Federal Election Commission .....	Mr. John O'Brien, 202-694-1216 <a href="http://www.fec.gov">http://www.fec.gov</a> .
Federal Energy Regulatory Commission .....	Ms. Kimberly Fernandez, 202-208-1298 <a href="http://www.ferc.gov">http://www.ferc.gov</a> .
Federal Labor Relations Authority .....	Mr. David Smith, 202-218-7999 <a href="http://www.flra.gov">http://www.flra.gov</a> .
Federal Maritime Commission .....	Mr. Bruce Dombrowski, 202-523-5800 <a href="http://www.fmc.gov">http://www.fmc.gov</a> .
Federal Mine Safety and Health Review Commission .....	Mr. Richard Baker, 202-434-9905 <a href="http://www.fmshrc.gov">http://www.fmshrc.gov</a> .
Holocaust Museum .....	Ms. Helen Shepherd, 202-314-0396 <a href="http://www.usmmm.gov">http://www.usmmm.gov</a> .
James Madison Memorial Fellowship Foundation .....	Mr. Steve Weiss, 202-653-6109 <a href="http://www.jamesmadison.com">http://www.jamesmadison.com</a> .
Merit Systems Protection Board .....	Ms. Deborah Miron, 202-653-6772 x1168 <a href="http://www.mspb.gov">http://www.mspb.gov</a> .
Morris K. Udall Foundation .....	Mr. Christopher Helms, 520-670-5530 <a href="http://www.udall.gov">http://www.udall.gov</a> .
National Aeronautics and Space Administration .....	Mr. Kenneth Sateriale, 202-358-0491 <a href="http://www.nasa.gov">http://www.nasa.gov</a> .
National Council on Disability .....	Ms. Ethel Briggs, 202-272-2004 <a href="http://www.ncd.gov">http://www.ncd.gov</a> .
National Endowment for the Humanities .....	Mr. Barry Maynes, 202-606-8233 <a href="http://www.neh.gov">http://www.neh.gov</a> .
National Gallery of Art .....	Mr. William Roache, 202-842-6329 <a href="http://www.nga.gov">http://www.nga.gov</a> .
National Labor Relations Board .....	Mr. Emil George, 202-273-1966 <a href="http://www.nlrb.gov">http://www.nlrb.gov</a> .
National Labor Relations Board (IG) .....	Mr. Emil George, 202-273-1966 <a href="http://www.nlrb.gov/ig/igindex.htm">http://www.nlrb.gov/ig/igindex.htm</a> .
National Mediation Board .....	Ms. Grace Ann Leach, 202-692-5010 <a href="http://www.nmb.gov">http://www.nmb.gov</a> .
Occupational Safety and Health Review Commission .....	Ms. Ledia Bernal, 202-606-5390 <a href="http://www.oshrc.gov">http://www.oshrc.gov</a> .
Office of Federal Housing Enterprise Oversight .....	Ms. Jill Weide, 202-414-3813 <a href="http://www.ofheo.gov">http://www.ofheo.gov</a> .
Office of Management and Budget .....	Ms. Trish Haney, 202-395-4754 <a href="http://www.whitehouse.gov/omb/procurement/fair/notices_avail.html">http://www.whitehouse.gov/omb/procurement/fair/notices_avail.html</a> .
Office of National Drug Control .....	Mr. Daniel Petersen, 202-395-6745 <a href="http://www.whitehousedrugpolicy.gov">http://www.whitehousedrugpolicy.gov</a> .
Office of Navaho and Hopi Indian Relocation .....	Ms. Nancy Thomas, 928-779-2721 <a href="http://www.whitehouse.gov/omb/procurement/fair_list_nosite.html">http://www.whitehouse.gov/omb/procurement/fair_list_nosite.html</a> .
Office of the Special Counsel .....	Ms. Sharyn Danch, 202-653-8971 <a href="http://www.osc.gov">http://www.osc.gov</a> .
Smithsonian Institution .....	Ms. Alice Maroni, 202-275-2020 <a href="http://www.si.edu">http://www.si.edu</a> .
Woodrow Wilson Center .....	Ms. Ronnie Dempsey, 202-691-4216 <a href="http://wwics.si.edu">http://wwics.si.edu</a> .

[FR Doc. 03-29076 Filed 11-20-03; 8:45 am]  
BILLING CODE 3110-01-P

**RAILROAD RETIREMENT BOARD 2004  
Railroad Experience Rating  
Proclamations, Monthly Compensation  
Base and Other Determinations**

**Railroad Retirement Board.**

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 8(c)(2) and section 12(r)(3) of the Railroad

Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(2) and 45 U.S.C. 362(r)(3), respectively), the Board gives notice of the following:

1. The balance to the credit of the Railroad Unemployment Insurance (RUI) Account, as of June 30, 2003, is \$64,044,131.87;
2. The September 30, 2003, balance of any new loans to the RUI Account, including accrued interest, is zero;
3. The system compensation base is \$3,111,077,919.78 as of June 30, 2003;

4. The cumulative system unallocated charge balance is (\$250,584,364.46) as of June 30, 2003;

5. The pooled credit ratio for calendar year 2004 is zero;

6. The pooled charged ratio for calendar year 2004 is zero;

7. The surcharge rate for calendar year 2004 is 1.5 percent;

8. The monthly compensation base under section 1(i) of the Act is \$1,130 for months in calendar year 2004;

9. The amount described in section 1(k) of the Act as "2.5 times the monthly

compensation base" is \$2,825 for base year (calendar year) 2004;

10. The amount described in section 2(c) of the Act as "an amount that bears the same ratio to \$775 as the monthly compensation base for that year as computed under section 1(i) of this Act bears to \$600" is \$1,460 for months in calendar year 2004;

11. The amount described in section 3 of the Act as "2.5 times the monthly compensation base" is \$2,825 for base year (calendar year) 2004;

12. The amount described in section 4(a-2)(i)(A) of the Act as "2.5 times the monthly compensation base" is \$2,825 with respect to disqualifications ending in calendar year 2004;

13. The maximum daily benefit rate under section 2(a)(3) of the Act is \$56 with respect to days of unemployment and days of sickness in registration periods beginning after June 30, 2004.

**DATES:** The balance in notice (1) and the determinations made in notices (3) through (7) are based on data as of June 30, 2003. The balance in notice (2) is based on data as of September 30, 2003. The determinations made in notices (5) through (7) apply to the calculation, under section 8(a)(1)(C) of the Act, of employer contribution rates for 2004. The determinations made in notices (8) through (12) are effective January 1, 2004. The determination made in notice (13) is effective for registration periods beginning after June 30, 2004.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

**FOR FURTHER INFORMATION CONTACT:**

Marla L. Huddleston, Bureau of the Actuary, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092, telephone (312) 751-4779.

**SUPPLEMENTARY INFORMATION:** The RRB is required by section 8(c)(1) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(1)) as amended by Public Law 100-647, to proclaim by October 15 of each year certain system-wide factors used in calculating experience-based employer contribution rates for the following year. The RRB is further required by section 8(c)(2) of the Act (45 U.S.C. 358(c)(2)) to publish the amounts so determined and proclaimed. The RRB is required by section 12(r)(3) of the Act (45 U.S.C. 362(r)(3)) to publish by December 11, 2003, the computation of the calendar year 2004 monthly compensation base (section 1(i) of the Act) and amounts described in sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act which are related to changes in the monthly compensation base. Also, the RRB is required to publish, by June 11, 2004, the maximum daily benefit

rate under section 2(a)(3) of the Act for days of unemployment and days of sickness in registration periods beginning after June 30, 2004.

**Surcharge Rate**

A surcharge is added in the calculation of each employer's contribution rate, subject to the applicable maximum rate, for a calendar year whenever the balance to the credit of the RUI Account on the preceding June 30 is less than the greater of \$100 million or the amount that bears the same ratio to \$100 million as the system compensation base for that June 30 bears to the system compensation base as of June 30, 1991. If the RUI Account balance is less than \$100 million (as indexed), but at least \$50 million (as indexed), the surcharge will be 1.5 percent. If the RUI Account balance is less than \$50 million (as indexed), but greater than zero, the surcharge will be 2.5 percent. The maximum surcharge of 3.5 percent applies if the RUI Account balance is less than zero.

The system compensation base as of June 30, 1991 was \$2,763,287,237.04. The system compensation base for June 30, 2003 was \$3,111,077,919.78. The ratio of \$3,111,077,919.78 to \$2,763,287,237.04 is 1.12586121. Multiplying 1.12586121 by \$100 million yields \$112,586,121. Multiplying \$50 million by 1.12586121 produces \$56,293,061. The Account balance on June 30, 2003, was \$64,044,131.87. Accordingly, the surcharge rate for calendar year 2004 is 1.5 percent.

**Monthly Compensation Base**

For years after 1988, section 1(i) of the Act contains a formula for determining the monthly compensation base. Under the prescribed formula, the monthly compensation base increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The monthly compensation base for months in calendar year 2004 shall be equal to the greater of (a) \$600 or (b)  $\$600 [1 + \{(A - 37,800)/56,700\}]$ , where A equals the amount of the applicable base with respect to tier 1 taxes for 2004 under section 3231(e)(2) of the Internal Revenue Code of 1986. Section 1(i) further provides that if the amount so determined is not a multiple of \$5, it shall be rounded to the nearest multiple of \$5.

The calendar year 2004 tier 1 tax base is \$87,900. Subtracting \$37,800 from \$87,900 produces \$50,100. Dividing \$50,100 by \$56,700 yields a ratio of 0.88359788. Adding one gives 1.88359788. Multiplying \$600 by the amount 1.88359788 produces the

amount of \$1,130.16, which must then be rounded to \$1,130. Accordingly, the monthly compensation base is determined to be \$1,130 for months in calendar year 2004.

**Amounts Related to Changes in Monthly Compensation Base**

For years after 1988, sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act contain formulas for determining amounts related to the monthly compensation base.

Under section 1(k), remuneration earned from employment covered under the Act cannot be considered subsidiary remuneration if the employee's base year compensation is less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 2004 monthly compensation base of \$1,130 produces \$2,825. Accordingly, the amount determined under section 1(k) is \$2,825 for calendar year 2004.

Under section 2(c), the maximum amount of normal benefits paid for days of unemployment within a benefit year and the maximum amount of normal benefits paid for days of sickness within a benefit year shall not exceed an employee's compensation in the base year. In determining an employee's base year compensation, any money remuneration in a month not in excess of an amount that bears the same ratio to \$775 as the monthly compensation base for that year bears to \$600 shall be taken into account. The calendar year 2004 monthly compensation base is \$1,130. The ratio of \$1,130 to \$600 is 1.88333333. Multiplying 1.88333333 by \$775 produces \$1,460. Accordingly, the amount determined under section 2(c) is \$1,460 for months in calendar year 2004.

Under section 3, an employee shall be a "qualified employee" if his/her base year compensation is not less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 2004 monthly compensation base of \$1,130 produces \$2,825. Accordingly, the amount determined under section 3 is \$2,825 for calendar year 2004.

Under section 4(a-2)(i)(A), an employee who leaves work voluntarily without good cause is disqualified from receiving unemployment benefits until he has been paid compensation of not less than 2.5 times the monthly compensation base for months in the calendar year in which the disqualification ends. Multiplying 2.5 by the calendar year 2004 monthly compensation base of \$1,130 produces \$2,825. Accordingly, the amount

determined under section 4(a-2)(i)(A) is \$2,825 for calendar year 2004.

### Maximum Daily Benefit Rate

Section 2(a)(3) contains a formula for determining the maximum daily benefit rate for registration periods beginning after June 30, 1989, and after each June 30 thereafter. Legislation enacted on October 9, 1996, revised the formula for indexing maximum daily benefit rates. Under the prescribed formula, the maximum daily benefit rate increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The maximum daily benefit rate for registration periods beginning after June 30, 2004, shall be equal to 5 percent of the monthly compensation base for the base year immediately preceding the beginning of the benefit year. Section 2(a)(3) further provides that if the amount so computed is not a multiple of \$1, it shall be rounded down to the nearest multiple of \$1.

The calendar year 2003 monthly compensation base is \$1,120. Multiplying \$1,120 by 0.05 yields \$56.00, an even multiple of \$1. Accordingly, the maximum daily benefit rate for days of unemployment and days of sickness beginning in registration periods after June 30, 2004, is determined to be \$56.

Dated: November 17, 2003.

By Authority of the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 03-29098 Filed 11-20-03; 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, Public Law 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of November 24, 2003: A closed meeting will be held on Tuesday, November 25, 2003 at 2 p.m.

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. 552(b)(5), (6), (7), 9(B) and (10)

and 17 CFR 200.402(a)(5), (6), (7), (9)(ii) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Glassman, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Tuesday, November 25, 2003 will be:

Formal orders of investigation;

Institution and settlement of administrative proceedings of an enforcement nature; and

Institution and settlement of injunctive actions.

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: November 18, 2003.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 03-29209 Filed 11-18-03; 4:33 pm]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

#### FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:

[68 FR 64672, November 14, 2003]

**STATUS:** Closed meeting.

**PLACE:** 450 Fifth Street, NW., Washington, DC.

#### ANNOUNCEMENT OF ADDITIONAL MEETING:

Additional meeting.

An additional Closed Meeting will be held on Wednesday, November 19, 2003 at 3 p.m.

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 matter may also be present.

Commissioner Glassman, as duty officer, determined that no earlier notice thereof was possible.

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. 552(b)(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 Glassman, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the Closed Meeting to be held on Wednesday, November 19, 2003 will be:

Report of Investigation.

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: November 18, 2003.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 03-29293 Filed 11-19-03; 1:20 pm]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27762]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

November 14, 2003.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by December 8, 2003, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After December 8, 2003, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

#### Allegheny Energy, Inc., et al.

[70-10100]

Allegheny Energy, Inc. ("Allegheny"), a registered holding company, and