

### General Wage Determination Publication

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Signed at Washington, DC this 31 day of December 2003.

**Carl Poleskey,**

*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 04-190 Filed 1-8-04; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

### Freedom of Information Act; Notice of Lawsuit

This notice pertains to the 13,000 employers that were identified by the Occupational Safety and Health

Administration on February 25, 2002 as having the highest lost workday injury and illness (LWDII) rates based on employer-reported data from calendar year 2000. On October 22, 2003, the Department was sued in the United States District Court for the Southern District of New York under the Freedom of Information Act to compel disclosure of the 13,000 LWDII rates in *The New York Times v. U.S. Department of Labor*, No. 03-CV-8334 (SAS). This notice is required by 29 CFR 70.26(h).

#### FOR FURTHER INFORMATION CONTACT:

David Schmidt, Occupational Safety and Health Administration, Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone: 202-693-1886.

Signed at Washington, DC the 31st day of December, 2003.

**John L. Henshaw,**

*Assistant Secretary.*

[FR Doc. 04-430 Filed 1-8-04; 8:45 am]

**BILLING CODE 4510-26-P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (04-001)]

### NASA Advisory Council, Education Advisory Committee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council, Education Advisory Committee.

**DATES:** Wednesday, February 18, 2004, 8:30 a.m. to 5:30 p.m., Thursday, February 19, 2004, from 8:30 a.m. to 12:15 p.m.

**ADDRESSES:** National Aeronautics and Space Administration, 300 E Street, SW, ROOM MIC-6, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mei Mei Peng, Code N, National Aeronautics and Space Administration, Washington, DC, 20546, 202/358-1614.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Opening Remarks by the Education Advisory Committee Chairman and NASA Deputy Administrator
- Introduction of Education Advisory Committee members
- Overview of the NASA Education Enterprise and Strategy by the Associate Administrator for Education

- Education highlights and issues by Division Directors and Enterprise Leads
- Open discussion and action assignments
- Next Meeting
- Closing Comments

Attendees will be requested to sign a register and to comply with NASA security requirements, including the presentation of a valid picture ID, before receiving an access badge. Foreign nationals attending this meeting will be required to provide the following information: Full name; gender; date/place of birth; citizenship; visa/greencard information (number, type, expiration date); employer/affiliation information (name of institution, address, county, phone); title/position of attendee. To expedite admittance, attendees can provide identifying information in advance by contacting Ms. Mei Mei Peng via e-mail at [mpeng@hq.nasa.gov](mailto:mpeng@hq.nasa.gov) or by telephone at (202) 358-1614. Persons with disabilities who require assistance should indicate this.

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participant.

**Michael F. O'Brien,**

*Assistant Administrator for External Relations, National Aeronautics and Space Administration.*

[FR Doc. 04-469 Filed 1-8-04; 8:45 am]

**BILLING CODE 7510-01-P**

## NATIONAL SCIENCE FOUNDATION

### Proposal Review Panel for Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463 as amended), the National Science Foundation announces the following meeting:

*Name:* Proposal Review Panel for Materials Research (DMR) #1203.

*Dates & Times:* January 27, 2004; 8 a.m.-7:30 p.m. (open 10:45-12, 1:30-5); January 28, 2004; 8 a.m.-4 p.m. (open 9-10:30).

*Place:* California Institute of Technology, Pasadena, CA.

*Type of Meeting:* Part open.

*Contact Person:* Dr. Maija Kukla, Program Director, Materials Research Science and Engineering Centers, Division of Materials Research, Room 1065, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 292-4940.

*Purpose of Meeting:* To provide advice and recommendations concerning progress of Materials Research Science and Engineering Center.

*Agenda:*

January 27, 2004—Open for Director's overview of Materials Research Science and Engineering Center and presentations.

January 27 & 28, 2004—Closed to review and evaluate progress of Materials Research Science and Engineering Center.

*Reason for Closing:* The work being reviewed may include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: January 6, 2004.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 04-433 Filed 1-8-04; 8:45 am]

**BILLING CODE 7555-01-M**

## NATIONAL SCIENCE FOUNDATION

### NSF-NASA—Astronomy and Astrophysics Advisory Committee, #13883; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following NSF-NASA-Astronomy and Astrophysics Advisory Committee meeting (#13883):

*Date and Time:* February 5-6, 2004, 8 a.m.-5 p.m.

*Place:* National Aeronautics and Space Administration Headquarters, 300 E St., SW., Washington, DC 20024.

*Type of Meeting:* Open.

*Contact Person:* Dr. G. Wayne Van Citters, Director, Division of Astronomical Sciences, Suite 1045, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: 703-292-4908.

*Purpose of Meeting:* To provide advice and recommendations to the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the two agencies.

*Agenda:* To hear presentations of current programming by representatives from NSF and NASA; to discuss current and potential areas of cooperation between the two agencies; to formulate recommendations for continued and new areas of cooperation and mechanisms for achieving them.

Dated: January 6, 2004.

**Susanne E. Bolton,**

*Committee Management Officer.*

[FR Doc. 04-434 Filed 1-8-04; 8:45 am]

**BILLING CODE 7555-01-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:* RUIA Investigations and Continuing Entitlement.

(2) *Form(s) submitted:* UI-9, UI-23, UI-44, ID-4F, ID-4U, ID-4X, ID-4Y, ID-20-1, ID-20-2, ID-20-4, ID-5I, ID-5R(SUP), ID-49R, UI-48.

(3) *OMB Number:* 3220-0025.

(4) *Expiration date of current OMB clearance:* 02/29/2004.

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

(6) *Respondents:* Individuals or households, business or other for-profit, non-profit institutions, State, local or tribal government.

(7) *Estimated annual number of respondents:* 7,905.

(8) *Total annual responses:* 7,905.

(9) *Total annual reporting hours:* 1,622.

(10) *Collection description:* The information collection has two purposes. When RRB records that railroad service and/or compensation is insufficient to qualify a claimant for unemployment or sickness benefits, the RRB obtains information needed to reconcile the compensation and/or service on record with that claimed by the employee. Other forms in the collection allow the RRB to determine whether unemployment or sickness benefits were properly obtained.

**FOR FURTHER INFORMATION CONTACT:** Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (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. 04-397 Filed 1-8-04; 8:45 am]

**BILLING CODE 7905-M**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-49012; File No. SR-CHX-2003-23]

### Self-Regulatory Organizations; Order Granting Accelerated Approval to Proposed Rule Change and Amendment No. 1 Thereto by the Chicago Stock Exchange, Incorporated To Amend Article XX, Rule 37(a)(4) Relating to the Definition of Preopening Order

December 31, 2003.

On August 1, 2003, the Chicago Stock Exchange, Incorporated ("CHX" or "Exchange") 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 CHX Article XX, Rule 37(a)(4) to modify the definition of "preopening order" to provide that preopening orders for Nasdaq/NM securities must be received at or prior to 8:20 a.m. (CT), instead of the 8:25 (CT) deadline currently set forth in the rule. The Exchange submitted an amendment to the proposed rule change on November 6, 2003.<sup>3</sup>

The proposed rule change and Amendment No. 1 were published for comment in the **Federal Register** on December 8, 2003.<sup>4</sup> The Commission received no comments on the proposal and Amendment No. 1. This order grants accelerated approval to the Exchange's proposed rule change, as amended.

The CHX requested that the Commission grant accelerated approval to the proposed rule change, as amended, pursuant to Section 19(b)(2) of the Act.<sup>5</sup> After careful review, the Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and the regulations thereunder applicable to a national securities exchange.<sup>6</sup> Specifically, the Commission believes that the proposal is consistent with Section 6 of the Act

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

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

<sup>3</sup> See letter from Kathleen M. Boege, Associate General Counsel, CHX, to Nancy J. Sanow, Assistant Director, Division of Market Regulation, Commission, dated November 4, 2003 ("Amendment No. 1").

<sup>4</sup> See Securities Exchange Act Release No. 48859 (December 1, 2003), 68 FR 68434. The 15-day comment period ran through December 23, 2003.

<sup>5</sup> 15 U.S.C. 78s(b)(2).

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