

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is implementing an enhanced e-mail and instant messaging retention system that will be used to retain messages of its on-floor members who use e-mail and instant messaging functionalities provided or supported by the Exchange. This retention system is designed to help the Exchange's members better meet their record retention obligations and can be used by the Exchange to conduct reviews of member e-mail and instant messaging correspondence.

The proposed rule change would charge member firms the costs associated with each firm's use of the retention system.⁵ Specifically, the proposal would bill firms a monthly fee of \$25 per mailbox and would impose additional charges if the members request off-line optical disks so that they can have a copy of the electronic correspondence captured by the Exchange.⁶ These additional fees would be \$200 for each 5.2GB optical disk and \$300 for each 9.1GB optical disk.

These fee changes take effect immediately and will be billed to firms when the enhanced e-mail retention system is activated for their on-floor members.

2. Statutory Basis

The Exchange believes the proposal is consistent with Section 6(b) of the Act,⁷ in general and Section 6(b)(4) of the Act,⁸ in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among its members.

B. Self-Regulatory Organization's Statement of Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments Regarding the Proposed Rule Change Received from Members, Participants or Others

No written comments were either solicited or received with respect to the proposed rule change.

⁵ The Exchange currently does not charge its members for any e-mail or instant messaging services.

⁶ The system is designed to give member firm compliance staff on-line access to retained messages; this optical disk fee will only apply if a firm requests an off-line copy of the messages.

⁷ 15 U.S.C. 78f(b)

⁸ 15 U.S.C. 78f(b)(4).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change has become effective pursuant to section 19(b)(3)(A)(ii) of the Act,⁹ and Rule 19b-4(f)(2)¹⁰ thereunder, because it establishes or changes a due, fee or other charge imposed by the Exchange. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic comments:

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-CHX-2004-13 on the subject line.

Paper comments:

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number SR-CHX-2004-13. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549-0609. Copies of

⁹ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁰ 17 CFR 240.19b-4(f)(2).

such filing also will be available for inspection and copying at the principal office of the CHX. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CHX-2004-13 and should be submitted on or before June 3, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹¹

J. Lynn Taylor,

Assistant Secretary.

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DEPARTMENT OF STATE

[Public Notice 4715]

Culturally Significant Objects Imported for Exhibition Determinations: "Constantin Brancusi: The Essence of Things"

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 [79 Stat. 985; 22 U.S.C. 2459], Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 [112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*], Delegation of Authority No. 234 of October 1, 1999 [64 FR 56014], Delegation of Authority No. 236 of October 19, 1999 [64 FR 57920], as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition, "Constantin Brancusi: The Essence of Things," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with foreign lenders. I also determine that the exhibition or display of the exhibit objects at the Guggenheim Museum, New York, New York, from on or about June 10, 2004, to on or about September 19, 2004, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information or a list of exhibit objects, contact Paul W. Manning,

¹¹ 17 CFR.200.30-3(a)(12).

Attorney-Adviser, Office of the Legal Adviser, (202) 619-5997, and the address is United States Department of State, SA-44, Room 700, 301 4th Street, SW., Washington, DC 20547-0001.

Dated: May 5, 2004.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. 04-10886 Filed 5-12-04; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 4718]

Bureau of Educational and Cultural Affairs Request for Grant Proposals: Iraqi Administrator and Teacher Training Project

SUMMARY: The Teacher Exchange Branch in the Office of Global Educational Programs of the Bureau of Educational and Cultural Affairs (ECA), announces an open competition for the development of a training program for Iraqi teachers and administrators. Public and private non-profit organizations meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3) may submit proposals to support the development of a two-part training project to enhance the skills of Iraqi secondary school teachers of English and of secondary school administrators. Bureau funding up to \$400,000 is currently available to support one grant for this two-part training project.

The recipient organization will be responsible for planning, implementing, and evaluating programs for two different groups: (1) A three-week program for secondary school administrators from Iraq (such as, principals and/or vice principals) followed by (2) a six-week English language training program, for secondary school teachers of English from Iraq. Grantee should plan and allocate funding for follow-on activities, such as linkages between U.S. secondary schools and Iraqi schools, the provision of instructional materials, *etc.*, for the administrators and teachers. If funding should become available, the Bureau might later amend the grant to allow the grantee to facilitate an in-country follow-up "train-the-trainers" workshop at which program alumni would present what they have learned on the program to professional colleagues in Iraq.

Although the Bureau expects the secondary school teachers of English on this project to have sufficient English

language skills to participate in the program without language interpretation, it is likely that the secondary school administrators will require it. Therefore, the grantee organization should plan and budget for Arabic language interpreters during the program for administrators.

The Public Affairs Section of the U.S. Embassy in Iraq will recruit and select teachers and administrators for the project. The recipient organization should expect to work closely with ECA and the Embassy as the programs are planned and implemented in order to adapt them to changing conditions as necessary.

Program Information

Overview

The proposal should include four emphases: first, to conduct a program focusing on secondary school administration; second, to produce a highly focused training program that introduces teachers to best practices in EFL at the secondary level; third, to provide both groups of participants with "train-the-trainer" skills that will enable them to conduct workshops on program topics in Iraq in the future; and fourth, to provide both groups of participants with opportunities to interact with Americans, thereby allowing them to gain an awareness and understanding of U.S. culture and society.

The Bureau seeks detailed proposals from U.S. colleges, universities and non-profit organizations that have expertise in the field of secondary school curriculum development and management, as well as teaching English as a Foreign Language (EFL). Proposals should demonstrate sensitivity to the local educational situation in Iraq as well as the issues confronting English language education there. The grantee will design and implement two U.S. based training programs. In the first program, secondary school administrators will discuss with U.S. counterparts and project administrators the training needs of Iraqi teachers for the development of the second program. The Iraqi administrators will observe and shadow administrators in U.S. secondary schools as well as observe EFL and other classrooms. The administrators will also consult with the U.S. project administrators responsible for planning and implementing the teacher-training program, to discuss how to design a program that will target the needs of Iraqi secondary school EFL teachers. The teachers program will follow the administrator program and will include specialized training in U.S.

methodologies for teaching EFL.

Applicants are strongly encouraged to include university-based training in the teacher program. Please read the Project Objectives, Goals, and Implementation (POGI) for additional details of both programs.

Proposals should demonstrate experience training teachers and administrators and conducting other programs in Iraq or the Middle East/North Africa region. Proposals should outline and budget for practical and feasible follow-on activities that build on the achievements of the training programs while promoting the continued exchange of ideas between the participants and counterparts at the U.S. grantee organization and in U.S. secondary schools.

Guidelines

Project Planning and Implementation

Grant Inception and Duration

The planning of the administrator program and the teacher program should begin as soon as the grant is awarded. The grantee should consult closely with ECA to assess local conditions in Iraq and to determine a feasible implementation strategy. Secondary school administrators and teachers will probably not be given leave during the academic school year. Since the administrator program is shorter in length, it might be scheduled for a school break for the 2004-05 academic year. The teacher program may be more feasible if it is scheduled during the summer of 2005 when school will not be in session.

Planning

In coordination with the Iraqi Ministry of Education, participants will be recruited and selected in Iraq by the Public Affairs Section (PAS) of the U.S. Embassy. Following the U.S. training activities, embassy officials will work with Iraqi educational officials as appropriate to facilitate follow-on training activities. Grantee should outline a plan for follow-on activities and a budget of at least \$20,000 to cover these costs.

After the participants have been selected, they will travel from Iraq to Amman, Jordan for U.S. visa issuance and to receive a pre-departure orientation workshop by the PAS of the U.S. Embassy in Amman. Both orientations will be organized in Amman, Jordan, unless conditions allow for such activities to be organized in Iraq, in which case the pre-departure orientations will be held by the PAS of the U.S. Embassy in Iraq. The grantee will work closely with the PAS in