

\$793,752.<sup>25</sup> This estimate does not include the time spent filing transaction reports on Form N-SAR, which is encompassed in the information collection burden estimate for that form. Commission staff estimates that there is no cost burden for rule 10f-3 other than the costs associated with the hour burden. These estimates are made solely for the purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of Commission rules.

It is mandatory that funds provide the information required by rule 10f-3 to obtain the benefit of the exemption provided by the rule. The information required by rule 10f-3 that is reported on Form N-SAR is public and therefore not confidential. Written records of rule 10f-3 transactions maintained by funds, the written procedures that ensure compliance with the rule, and any modifications to these procedures are non-public and therefore confidential.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; and (ii) Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, Mail Stop 0-4, 450 5th Street, NW, Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: April 17, 2002.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02-10148 Filed 4-24-02; 8:45 am]

**BILLING CODE 8010-01-U**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act; meetings

**STATUS:** Closed meetings

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

<sup>25</sup> \$46,002 for pre-transaction reporting + \$46,002 for post-transaction reporting + \$35,900 for preparing the board report + \$410,000 for board review of rule 10f-3 transactions + \$255,848 for monitoring and revising rule 10f-3 procedures = \$793,752

**DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING:** Tuesday, April 23, 2002 at 10 a.m. and Wednesday, April 24, 2002 at 10 a.m.

**CHANGE IN THE MEETING:** Cancellation of Meeting/Time Change.

The closed meeting scheduled for Tuesday, April 23, 2002, has been cancelled. The closed meeting scheduled for Wednesday, April 24, 2002 at 10 a.m. has changed to Wednesday, April 24, 2002 at 9:30 a.m.

For further information, please contact the Office of the Secretary at (202) 942-7070.

Dated: April 23, 2002.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02-10287 Filed 4-23-02; 11:53 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act; Meeting

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 held the following additional meeting during the week of April 15, 2002:

An additional closed meeting was held on Wednesday, April 17, 2002 at 4 p.m.

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

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries attended the closed meeting. Certain staff members who had an interest in the matters were also present.

The General Counsel of the Commission, or his designee, 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), permitted consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting held on Wednesday, April 17, 2001, was:

Adjudicatory matters; and formal order of investigation.

For further information, please contact: The Office of the Secretary at (202) 942-7070.

Dated: April 23, 2002.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02-10288 Filed 4-23-02; 11:53 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45773; File No. SR-Amex-2002-32]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the American Stock Exchange LLC Relating to Suspension of Transaction Charges for Certain Exchange-Traded Funds and Trust Issued Receipts

April 17, 2002.

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> notice is hereby given that on April 15, 2002, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to suspend Exchange transaction charges for customer orders in the following Amex-listed Exchange-Traded Funds and Trust Issued Receipts: MidCap SPDRs™, Select Sector SPDRs® (9 series), and HOLDRs™ (17 series).

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

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Amex has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

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

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

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

1. Purpose

The Exchange is proposing to suspend transaction charges for customer orders for the following Amex-listed securities: (1) MidCap SPDRs™ (Symbol: MDY); (2) all series of Select Sector SPDRs, including Basic Industries (XLB), Consumer Services (XLV), Consumer Staples (XLP), Cyclical/Transportation (XLY), Energy (XLE), Financial (XLF), Industrial (XLI), Technology (XLK), and Utilities (XLU); and (3) all series of HOLDRs, including: Biotech (BBH), Broadband (BDH), B2B Internet (BHH), Europe 2001 (EKH), Internet (HHH), Internet Architecture (IAH), Internet Infrastructure (IIH), Market 2000+ (MKH), Oil Service (OIH), Pharmaceutical (PPH), Regional Bank (RKH), Retail (RTH), Semiconductor (SMH), Software (SWH), Telecom (TTH), Utilities (UTH), and Wireless (WMH).

Off-floor orders (*i.e.*, customer and broker-dealer orders) in these securities currently are charged \$.006 per share (\$.60 per 100 shares), capped at \$100 per trade (16,667 shares). Orders entered electronically into the Amex Order File from off the floor ("System Orders") for up to 5,099 shares are currently not assessed a transaction charge, while System Orders over 5,099 shares are subject to a \$.006 per share transaction charge, capped at \$100 per trade. The Exchange proposes to suspend transaction charges applicable to customer orders. The Exchange will continue to impose, and is not suspending, existing transaction charges applicable to entities other than customers, including Exchange specialists, registered traders, and member organizations.

The Exchange believes a suspension of fees for these securities for customer orders is appropriate to enhance the competitiveness of executions in these securities on the Amex. The Exchange will reassess the fee suspension as appropriate, and will file any modification to the fee suspension with the Commission pursuant to Section 19(b)(3)(A) of the Act.<sup>3</sup>

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,<sup>4</sup> in general, and furthers the objectives of Section 6(b)(4)

of the Act,<sup>5</sup> in particular, because it is intended to assure the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition.<sup>6</sup>

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

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

**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<sup>7</sup> and subparagraph (f)(2) of Rule 19b-4 thereunder<sup>8</sup> 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 such 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 the 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. 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 Room. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR-Amex-2002-32 and should be submitted by May 16, 2002.

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

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

[FR Doc. 02-10151 Filed 4-24-02; 8:45 am]

**BILLING CODE 8010-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-45782; File No. SR-Amex-2002-34]

**Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the American Stock Exchange LLC Relating to the Exchange's Booth Automated Routing System (BARS)**

April 18, 2002.

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> notice is hereby given that on April 17, 2002, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Amex. Amex has designed the proposed rule change as "non-controversial" under Rule 19b-4(f)(6),<sup>3</sup> thus rendering it immediately effective. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

Amex is filing enhancements to its order routing technology known as BARS (Booth Automated Routing System). There is no proposed rule text as such.

<sup>1</sup> 17 CFR 200.30-3(a)(12).

<sup>2</sup> 15 U.S.C. 78s(b)(1).

<sup>3</sup> 17 CFR 240.19b-4.

<sup>4</sup> 17 CFR 240.19b-4(f)(6).

<sup>5</sup> 15 U.S.C. 78f(b)(4).

<sup>6</sup> At the request of Amex, the Commission revised this sentence. Telephone call between Michael Cavalier, Associate General Counsel, Amex, and Jennifer Lewis, Attorney, Division of Market Regulation, Commission, on April 17, 2002.

<sup>7</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>8</sup> 17 CFR 240.19b-4(f)(2).

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>4</sup> 15 U.S.C. 78f(b).