Shirley H. Weiss Associate General Counsel Direct: (202) 728-8844 Fax: (202) 728-8264

VIA MESSENGER

March 23, 2004

Katherine A. England Assistant Director Division of Market Regulation Securities and Exchange Commission 450 Fifth Street, N.W. Washington, D.C. 20549-1001

Re: File No. SR-NASD-2002-108 - Business Continuity Plans and Emergency Contact Information; Amendment No. 7

Dear Ms. England:

The purpose of this amendment is to clarify in proposed Rule 3520(b) that if a firm's Executive Representative designates a person to perform the Executive Representative's duties under Rule 3250(b), any such designation must be in writing. Proposed new language is underlined.

(b) Each member must promptly update its emergency contact information, via such electronic or other means as NASD may require, in the event of any material change. Each member must review and, if necessary, update its emergency contact information, including designation of two emergency contact persons, within 17 business days after the end of each calendar quarter to ensure the information's accuracy. The member's Executive Representative, or his or her designee, which <u>designation</u> must be in writing, must conduct such review and any update. Furthermore, members must have adequate controls and procedures to ensure that only the Executive Representative, or his or her written designee, may perform the review and update. Katherine A England Page 2 of 2 March 23, 2004

If you have any questions concerning this submission, please contact me at (202) 728-8844; e-mail <u>shirley.weiss@nasd.com</u>. The fax number of the Office of General Counsel is (202) 728-8264.

Very truly yours,

Shirley H. Weiss

cc: Kelly M. Riley Michael J. Gaw