

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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the PCX. All submissions should refer to File No. SR-PCX-98-04 and should be submitted by March 17, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁹

Margaret H. McFarland,
Deputy Secretary.

Exhibit A—Text of the Proposed Rule Change¹⁰

¶ 4733 Admission to and Conduct on the Options Trading Floor

Rule 6.2(a)–(c)—No change.

Commentary:

.01–.04—No change.

[.05] [Moved to Rule 6.77, Com. .01.]

* * * * *

¶ 5085 Order Identification

Rule 6.66(a)–(b)—No change.

(c) Broker-Dealer Orders. Prior to executing an order in which a broker-dealer has an interest, a member must indicate by public outcry that such order is for a broker-dealer. [if the order is to be executed at the trading crowd's disseminated bid or offering price.] This rule applies regardless of whether such broker-dealer is an Exchange member.

* * * * *

¶ 5151 Contract Made on Acceptance of Bid or Offer

Rule 6.77—No change.

Commentary:

.01 Two Options Floor Officials may nullify a transaction or adjust its terms if they determine the transaction to have been in violation of any of the following:

(a) [I] Rule 6.73 (Manner of Bidding and Offering).[:]

(b) [ii] Rule 6.75 (Priority of Bids and Offers).[:]

(c) [iii] Rule 6.56 (Transactions outside the Order Book Official's Last Quoted Range).[:]

(d) [iv] Rule 6.76 (Priority on Split Price Transaction).[:]

(e) [v] Rule 6.86 (Trading Crowd Firm Dissemination Market Quotes).

(f) *Rule 6.66(c) (Failure to identify a broker-dealer order for 20 contracts or less).* [FR Doc. 98-4572 Filed 2-23-98; 8:45 am]

BILLING CODE 8010-01-M

SOCIAL SECURITY ADMINISTRATION

Information Collection Activities: Proposed Collection Requests and Comment Requests

This notice lists information collection packages that will require submission to the Office of Management and Budget (OMB), as well as information collection packages submitted to OMB for clearance, in compliance with Public Law 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995.

I. The information collection(s) listed below require(s) extension(s) of the current OMB approval(s) or are proposed new collection(s):

1. Response to Notice of Revised Determination—0960-0347. Form SSA-765 is used by claimants to request a disability hearing and/or to submit additional information before a revised reconsideration determination is issued. The respondents are claimants who wish to file for a disability hearing in response to a notice of a revised determination for Old-Age, Survivors and Disability Insurance and Supplemental Security Income (SSI), under titles II and XVI of the Social Security Act.

Number of Respondents: 1,925.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Average Burden: 963 hours.

2. Notification of Projected Completion Date—0960-0429. Form SSA-891 is used by the Social Security Administration (SSA) and Disability Determination Services (DDS) components to inform the disability hearing units whenever a hearing case will not be completed and forwarded to the hearing unit as expected. This information is necessary to enable the hearing units to schedule hearings as promptly and efficiently as possible. The respondents are State DDSs and SSA components that make disability determinations for the Agency.

Number of Respondents: 100.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Average Burden: 8 hours.

3. Subpoena—Disability Hearing—0960-0428. The information on Form SSA-1272-U4 is used by SSA to subpoena evidence or testimony needed at disability hearings. The respondents are comprised of officers from Federal and State DDSs.

Number of Respondents: 36.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Average Burden: 18 hours.

4. Student's Statement Regarding Resumption of School Attendance—0960-0143. The information on Form SSA-1386 is used by SSA to verify full-time attendance at educational institutions and to determine eligibility for student benefits. The respondents are student beneficiaries currently receiving SSA benefits.

Number of Respondents: 133,000.

Frequency of Response: 1.

Average Burden Per Response: 6 minutes.

Estimated Average Burden: 13,300 hours.

5. Real Property Current Market Value Estimate—0960-0471. The information on Form SSA-2794 is used by SSA to determine the value of non-home real property owned by applicants for or recipients of SSI. The respondents are persons experienced in estimating the current market value of real property.

Number of Respondents: 5,438.

Frequency of Response: 1.

Average Burden Per Response: 20 minutes.

Estimated Average Burden: 1,813 hours.

Written comments and recommendations regarding the information collection(s) should be sent on or before April 27, 1998, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Nicholas E. Tagliareni, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

II. The information collection(s) listed below have been submitted to OMB:

1. Report by Former Representative Payee—0960-0112. SSA collects the information on Form SSA-625 when a mental facility is terminating its payee services and a successor payee is to be named. The information is needed to determine the proper disposition of any conserved funds. The respondents are State institutions or agencies which are no longer serving as representative payee for beneficiaries who are incapable of managing benefits.

Number of Respondents: 8,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

⁹ 17 CFR 200.30-3(a)(12).

¹⁰ New text is italicized; deletions are bracketed.

Estimated Average Burden: 2,000 hours.

2. Pre-1957 Military Service Federal Benefit Questionnaire—0960–0120. Form SSA–2512 is used by SSA to solicit sufficient information to make a determination of eligibility for military wage credits. Sections 217 (a) and (e) of the Social Security Act provide for crediting military service to the wage earner's record and for using the data in the claims adjudication process to grant gratuitous military wage credits, when applicable. The respondents are individuals who are applying for Social Security benefits on a record where the wage earner has pre-1957 military service.

Number of Respondents: 56,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Average Burden: 9,333 hours.

3. Certificate of Support—0960–0001. The information collected on Form SSA–760–F4 is used to determine whether the deceased worker provided one-half support required for entitlement to parent's or spouse's benefits. The information will also be used to determine whether the Government pension offset would apply to the applicant's benefit payment. The respondents are parents of deceased workers or spouses who may be subject to Government pension offset.

Number of Respondents: 18,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Average Burden: 4,500 hours.

4. Report of Function—Child—0960–0542. The information collected on Forms SSA–3375, 3376, 3377, 3378, and 3379 will be used by SSA to help determine if a child claiming SSI disability benefits under title XVI is disabled. The respondents are parents or guardians who file for such benefits on behalf of a child.

Number of Respondents: 500,000.

Frequency of Response: 1.

Average Burden Per Response: 20 minutes.

Estimated Annual Burden: 166,667 hours.

Written comments and recommendations regarding the information collection(s) should be directed within 30 days to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses:

(OMB) Office of Management and Budget, OIRA, Attn: Laura Oliven, New Executive Office Building, Room 10230, 725 17th St., NW, Washington, D.C. 20503.

(SSA) Social Security Administration, DCFAM, Attn: Nicholas E. Tagliareni 1–A–21 Operations Bldg., 6401 Security Blvd., Baltimore, MD 21235.

To receive a copy of any of the forms or clearance packages, call the SSA Reports Clearance Officer on (410) 965–4125 or write to him at the address listed above.

Dated: February 18, 1998.

Nicholas E. Tagliareni,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 98–4705 Filed 2–23–98; 8:45 am]

BILLING CODE 4190–29–P

SOCIAL SECURITY ADMINISTRATION

[Social Security Acquiescence Ruling 98–2(8)]

Sird v. Chater; Mental Retardation—What Constitutes an Additional and Significant Work-Related Limitation of Function—Titles II and XVI of the Social Security Act

AGENCY: Social Security Administration.

ACTION: Notice of Social Security Acquiescence Ruling.

SUMMARY: In accordance with 20 CFR 402.35(b)(2), the Commissioner of Social Security gives notice of Social Security Acquiescence Ruling 98–2(8).

EFFECTIVE DATE: February 24, 1998.

FOR FURTHER INFORMATION CONTACT:

Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–1695.

SUPPLEMENTARY INFORMATION: Although not required to do so pursuant to 5 U.S.C. 552(a)(1) and (a)(2), we are publishing this Social Security Acquiescence Ruling in accordance with 20 CFR 402.35(b)(2).

A Social Security Acquiescence Ruling explains how we will apply a holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act (the Act) or regulations when the Government has decided not to seek further review of that decision or is unsuccessful on further review.

We will apply the holding of the Court of Appeals' decision as explained in this Social Security Acquiescence Ruling to claims at all levels of administrative adjudication within the Eighth Circuit. This Social Security Acquiescence Ruling will apply to all determinations and decisions made on or after February 24, 1998. If we made a determination or decision on your application for benefits between January

27, 1997, the date of the Court of Appeals' decision, and February 24, 1998, the effective date of this Social Security Acquiescence Ruling, you may request application of the Ruling to your claim if you first demonstrate, pursuant to 20 CFR 404.985(b) or 416.1485(b), that application of the Ruling could change our prior determination or decision.

If this Social Security Acquiescence Ruling is later rescinded as obsolete, we will publish a notice in the **Federal Register** to that effect as provided for in 20 CFR 404.985(e) or 416.1485(e). If we decide to relitigate the issue covered by this Social Security Acquiescence Ruling as provided for by 20 CFR 404.985(c) or 416.1485(c), we will publish a notice in the **Federal Register** stating that we will apply our interpretation of the Act or regulations involved and explaining why we have decided to relitigate the issue.

(Catalog of Federal Domestic Assistance Program Nos. 96.001 Social Security - Disability Insurance; 96.002 Social Security - Retirement Insurance; 96.004 Social Security - Survivors Insurance; 96.005 Special Benefits for Disabled Coal Miners; 96.006 Supplemental Security Income.)

Dated: December 29, 1997.

Kenneth S. Apfel,

Commissioner of Social Security.

Acquiescence Ruling 98–2(8)

Sird v. Chater, 105 F.3d 401 (8th Cir. 1997)—Mental Retardation—What Constitutes an Additional and Significant Work-Related Limitation of Function—Titles II and XVI of the Social Security Act.

Issue: Whether a claimant for disability insurance benefits or Supplemental Security Income (SSI) benefits based on disability who has mental retardation or autism with a valid IQ score in the range covered by Listing 12.05C, and who cannot perform his or her past relevant work because of a physical or other mental impairment, has *per se* established the additional and significant work-related limitation of function requirement of Regulations 20 CFR Part 404, Subpart P, Appendix 1, section 12.05C.¹

Statute/Regulation/Ruling Citation: Sections 223(d)(1) and 1614(a)(3) of the Social Security Act (42 U.S.C. 423(d)(1) and 1382c(a)(3)); 20 CFR Part 404, Subpart P, Appendix 1, section 12.05C.

Circuit: Eighth (Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota).

¹ Although *Sird* was a title XVI case, similar principles also apply to title II. Therefore, this Ruling extends to both title II and title XVI disability claims.