

19b-4(f)(2)¹⁴ thereunder.¹⁵ 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 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 Phlx. All submissions should refer to File No. SR-Phlx-99-45 and should be submitted by January 24, 2000.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.¹⁶

Margaret H. McFarland,
Deputy Secretary.

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SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Request and Comment Request

In compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, SSA is providing notice of its information collections that require submission to the Office of Management and Budget (OMB). SSA is soliciting comments on the accuracy of the agency's burden estimate; 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.

I. The information collections listed below will be submitted to OMB within 60 days from the date of this notice. Therefore, comments and recommendations regarding the information collections would be most useful if received by the Agency within 60 days from the date of this publication. Comments should be directed to the SSA Reports Clearance Officer at the address listed at the end of this publication. You can obtain a copy of the collection instruments by calling the SSA Reports Clearance Officer on (410) 965-4145, or by writing to him at the address listed at the end of this publication.

1. Report to United States Social Security Administration by Person Receiving Benefits for a Child or Adult Unable to Handle Funds—0960-0049. The information on Forms SSA-7161-OCR-SM and 7162-OCR-SM is used by the Social Security Administration (SSA) to determine continuing entitlement and proper benefit amounts for Social Security beneficiaries who live outside the United States (U.S.). The respondents are persons living outside the U.S. who are entitled to benefits or who are representative payees for an entitled beneficiary.

	SSA-7161-OCR-SM	SSA-7162-OCR-SM
Number of Respondents:	30,000	200,000
Frequency of Response:	1	1
Average Burden Per Response (minutes):	15	5
Estimated Annual Burden (hours):	7,500	16,667

2. State Agency Schedule for Equipment Purchases for SSA Disability Programs—0960-0406. SSA uses the information collected on Form SSA-871 to budget and account for expenditures of funds for equipment purchases by the State Disability Determination Services (DDS) that administer the disability determination program. The respondents are State governments that make disability determinations.

Number of Respondents: 54.

Frequency of Response: 4.

Average Burden Per Response: 60 minutes.

Estimated Annual Burden: 216 hours.

3. Physical Residual Functional Capacity Assessment; Mental Residual Functional Capacity Assessment—0960-0431. The information collected on forms SSA-4734-BK and SSA-4734-

BK-SUP is needed by SSA to assist in the adjudication of disability claims involving physical and/or mental impairments. The forms assist the State DDS to evaluate impairment(s) by providing a standardized data collection format to present findings in a clear, concise and consistent manner. The respondents are State DDSs administering title II and title XVI disability programs.

Number of Responses: 1,130,772.

Frequency of Response: 1.

Average Burden Per Response: 20 minutes.

Estimated Annual Burden: 376,924 hours.

4. Letter to Employer Requesting Wage Information—0960-0138. The information collected on form SSA-L4201 is used by SSA to determine

eligibility and proper benefit payments for SSI applicants/recipients. The respondents are employers of applicants for and recipients of SSI payments.

Number of Respondents: 133,000.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 66,500 hours.

5. Privacy and Disclosure of Official Records and Information: Availability of Information and Records to the Public—20 CFR 401 and 402—0960-0566. The respondents are individuals requesting access to their SSA records, correction of their SSA records and disclosure of SSA records. This information is required to:

(a) Identify individuals who request access to their records:

¹⁴ 17 CFR 240.19b-4(f)(2).

¹⁵ In reviewing this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 USC 78c(f).

¹⁶ 17 CFR 200.30-3(a)(12).

Number of Respondents: 10,000.
Frequency of Response: On Occasion.
Average Burden Per Response: 11 minutes.

Estimated Annual Burden: 1,833.

(b) Designate an individual to receive and review a recordholder's sensitive medical records in accordance with 20 CFR 401.55 and for disclosure of such records to the recordholder by his/her designee:

Number of Respondents: 3,000.

Frequency of Response: On Occasion.

Average Burden Per Response: 2 hrs.

Estimated Annual Burden: 6,000 hrs.

(c) Correct or amend records:

Number of Respondents: 100.

Frequency of Response: On Occasion.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 17 hrs.

(d) Obtain consent from an individual to release his/her records to others. Consents are submitted by letter in writing or by use of an SSA-3288:

Number of Respondents: 200,000.

Frequency of Response: On Occasion.

Average Burden Per Response: 3 minutes.

Estimated Annual Burden: 10,000 hrs.

(e) Facilitate the release of information under the Freedom of Information Act (FOIA):

Number of Respondents: 15,000.

Frequency of Response: On Occasion.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 1,250.

(f) Grant Waiver or reduction of fees for records requested under FOIA:

Number of Respondents: 400.

Frequency of Response: On Occasion.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 33 hrs.

II. The information collections listed below have been submitted to OMB for clearance. Written comments and recommendations on the information collections would be most useful if received within 30 days from the date of this publication. Comments should be directed to the SSA Reports Clearance Officer and the OMB Desk Officer at the addresses listed at the end of this publication. You can obtain a copy of the OMB clearance packages by calling the SSA Reports Clearance Officer on (410) 965-4145, or by writing to him.

1. Partnership Questionnaire—0960-0025. Form SSA-7104 is used to establish several aspects of eligibility for benefits, including accuracy of reported partnership earnings, the veracity of a retirement, and lag earnings where they are needed for insured status. The respondents are applicants for OASDI and disability benefits.

Number of Respondents: 12,350.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 6,175 hours.

2. Report of New Information in Disability Cases—0960-0071. The information collected on Form SSA-612 is used to update the disability records of respondents, based on changes reported. The respondents are applicants for and recipients of title II disability benefits.

Number of Respondents: 27,000.

Frequency of Response: 1.

Average Burden Per Response: 6 minutes.

Estimated Annual Burden: 2,700 hours.

3. Claimant's Recent Medical Treatment—0960-0292. The information collected on Form HA-4631 is used to provide an updated medical history for a disability claimant who requests a hearing and to afford claimants their statutory right to a hearing and decision under the Social Security Act. The respondents are claimants requesting hearings on entitlement to benefits based on disability under title II (Old-Age, Survivors and Disability Insurance) and/or title XVI (Supplemental Security Income) of the Social Security Act.

Number of Respondents: 309,490.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 51,582 hours.

4. Supplemental Security Income (SSI)—Quality Review Case Analysis—0960-0133. Form SSA-8508-BK is used with a sample of SSI recipients in a personal interview and covers all elements of SSI eligibility. The information obtained is used to assess the effectiveness of SSI policies and procedures and to establish payment accuracy rates. The respondents are SSI Recipients.

Number of Respondents: 15,000.

Frequency of Response: 1.

Average Burden Per Response: 60 minutes.

Estimated Annual Burden: 15,000 hours.

5. Psychiatric Review Technique—0960-0413. The information collected on Form SSA-2506 is needed by SSA to facilitate the adjudication of claims involving mental impairments. The information is used to identify the need for additional evidence for the determination of impairment severity; to consider aspects of mental impairment relevant to the individual's ability to work; and to organize and present the findings in a clear, concise manner. The

respondents are State DDS's administering titles II and XVI disability programs.

Number of Respondents: 1,005,804.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 251,451 hours.

6. Instructions for Completion of Federal Assistance Application Form SSA-96 for SSA Research and Demonstration Grant Programs—0960-0184. The information collected on form SSA-96 is needed by SSA to evaluate and select grant proposals for funding. The respondents are applicants for Federal assistance, including State and local governments, educational institutions and other nonprofit and for-profit organizations.

Number of Respondents: 150.

Frequency of Response: 1.

Average Burden Per Response: 14 hours.

Estimated Annual Burden: 2,100 hours.

7. Work Activity Report—Employee. 0960-0059. The information on form SSA-821-BK will be used by the Social Security Administration (SSA) to obtain work issue information from beneficiaries in face-to-face interviews, telephone interviews, or by mail during the initial claims process, during the continuing disability review process, and whenever a work issue arises in SSI claims. The purpose of the SSA-821-BK is to collect information concerning whether beneficiaries have worked in employment after becoming disabled and, if so, whether that work is substantial gainful activity. The information will be used to determine if the recipient continues to meet the disability requirements of the law.

Number of Respondents: 300,000.

Frequency of Response: 1.

Average Burden Per Response: 45 minutes.

Estimated Annual Burden: 225,000 hours.

SSA Address: Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

OMB Address: Office of Management and Budget, OIRA, Attn: Desk Officer for SSA, New Executive Office Building, Room 10230, 725 17th St., NW, Washington, DC 20503.

Dated: December 22, 1999.

Nicholas E. Tagliareni,
Director, Center for Publications Management, Social Security Administration.
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