

### C. Acceleration

The Commission finds good cause for approving proposed Amendment No. 2 before the 30th day after the date of publication of notice of filing thereof in the **Federal Register**. In Amendment No. 2, Amex made minor modifications to the rule text and corresponding description, which clarified the scope of the proposal. The Commission believes that Amendment No. 2 will facilitate application of the Exchange's generic listing standards and enable more expeditious review and listing of Index Securities by Amex, reducing administrative burdens and benefiting the investing public. Thus, the Commission finds good cause to accelerate approval of the proposed rule change, as amended.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning Amendment No. 2, including whether Amendment No. 2 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](mailto:rule-comments@sec.gov). Please include File Number SR-Amex-2005-001 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-Amex-2005-001. 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. Copies of such filing also will be available for inspection and copying at the principal office of the Amex. 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-Amex-2005-001 and should be submitted on or before May 16, 2005.

### V. Conclusion

It is therefore ordered, pursuant to section 19(b)(2) of the Act,<sup>33</sup> that the proposed rule change (SR-Amex-2005-001), as modified by Amendment No. 1, is hereby approved, and that Amendment No. 2 to the proposed rule change is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>34</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. E5-1949 Filed 4-22-05; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### Delegations of Authority

**AGENCY:** Small Business Administration.

**ACTION:** Notice of Delegations of Authority.

**SUMMARY:** This document provides the public notice of the delegations of authority for lender oversight and enforcement activities by the Administrator of the Small Business Administration (SBA) to the Associate Administrator for the Office of Lender Oversight, the Lender Oversight Committee, and the Associate Deputy Administrator for Capital Access.

#### FOR FURTHER INFORMATION CONTACT:

Janet A. Tasker, Associate Administrator for the Office of Lender Oversight, or Diane K. Wright, Attorney Advisor, U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416, telephone numbers: (202) 205-3049 or (202) 205-6642, respectively; facsimile number: (202) 205-6846; and electronic mail: [janet.tasker@sba.gov](mailto:janet.tasker@sba.gov) or [diane.wright@sba.gov](mailto:diane.wright@sba.gov), respectively.

**SUPPLEMENTARY INFORMATION:** This publication provides the public notice of the Administrator's delegations of authority with respect to SBA's lender

oversight and enforcement activities. It follows in time the Administrator's approval of designated responsibilities of SBA's Office of Lender Oversight. It also incorporates specific authorities enacted in Pub. L. 108-447, Division K (December 7, 2004) or promulgated in SBA regulations codified at 13 CFR part 120 or part 145. Delegation of Authority 12-G reads as follows:

Delegation of Authority No. 12-G.

I. The Administrator of the SBA, Hector V. Barreto, pursuant to the authority vested in him by the Small Business Act, 15 U.S.C. 631, as amended, and the Small Business Investment Act of 1958, 15 U.S.C. 661, as amended, hereby delegates the following authorities:

A. *To the Associate Administrator for the Office of Lender Oversight (AA/OLO):*

1. Lender Oversight Activities.
  - a. To direct and coordinate SBA's lender oversight activities.
  - b. To review, examine, monitor, and assess the risks to SBA loan programs of, SBA lenders [including but not limited to Small Business Lending Companies (SBLCs); non-Federally regulated lenders (as defined in Section 3(r)(2) of the Small Business Act); other 7(a) lenders; Certified Development Companies (CDCs); and intermediaries participating in SBA's Microloan Program (as defined in 13 CFR 120.701(e))] using a variety of oversight tools, including but not limited to: SBA's Loan and Lender Monitoring System (L/LMS); on-site reviews; off-site monitoring and evaluation; and lender ratings.

c. To set capital standards for SBLCs.

d. To assume responsibility for follow-up and day-to-day dealings with lenders with higher risk ratings of 4 or 5, other than servicing actions on individual loans (which will be reviewed by the Office of Financial Assistance (OFA)), including but not limited to approving delegations of program authority (for example new authority, renewal of authority, or expansion of authority in the Preferred Lender Program, Express Program, Premier Certified Lender Program or any other delegated program authority established in the future).

e. To head and direct the activities of the Bureau of PCLP Oversight.

f. To take all other actions relating to lender oversight activities that are not otherwise delegated to others pursuant to these Delegations of Authority.

2. Enforcement Actions.

a. To make recommendations to the Lender Oversight Committee relating to enforcement actions against lenders

<sup>33</sup> 15 U.S.C. 78s(b)(2).

<sup>34</sup> 17 CFR 200.30-3(a)(12).

with higher risk ratings (ratings of 4 or 5).

b. To take enforcement actions against lenders with higher risk ratings (ratings of 4 or 5) as approved by the Lender Oversight Committee and, if necessary, as approved by the Administrator or his/her authorized delegatee, with the concurrence of the Office of General Counsel.

c. To take all other actions in connection with lender oversight enforcement for lenders with higher risk ratings (ratings of 4 or 5) that are not otherwise delegated to others pursuant to these Delegations of Authority.

d. To take other actions in connection with lender oversight enforcement as permitted by regulation.

### 3. Policy, Program, and Portfolio Analysis.

a. To provide the Office of Capital Access (OCA) and appropriate program management offices with independent policy, program and portfolio analysis for SBA's loan programs and portfolios.

b. To monitor changes in accounting, banking, and financial industries relative to small business lending, and recommend appropriate modification of SBA oversight and lending policies.

c. To conduct reviews of the guaranteed purchase review process, practices and decisions.

d. To provide L/LMS administration and support.

4. To serve as the debarring and suspending official for SBA's financial assistance programs in accordance with current regulations.

5. To take all other actions in connection with matters related to SBA's Lender Oversight Program and to do and perform and to assent to the doing and performance of, each and every act and thing requisite and proper to effectuate the powers granted herein.

### B. To the Lender Oversight Committee:

1. To review reports on lender oversight activities.

2. To review enforcement action recommendations of the AA/OLO for lenders with higher risk ratings (ratings of 4 or 5), and

a. With respect to enforcement actions under Sections 23(b) (directive to increase capital for SBLC), 23(d) (revocation or suspension of loan authority of SBLC/non-Federally regulated lender), and 23(e) (cease and desist order issued to SBLC/non-Federally regulated lender) of the Small Business Act, to vote to recommend this or another action or to vote to not recommend action, to the Administrator or his/her authorized delegatee, and

b. With respect to all other enforcement actions, to vote to approve, disapprove, or modify the action.

3. To review OLO's budget, staffing, and operating plans.

4. To take such other actions and perform such other functions as may be formally adopted by SOP or otherwise.

### C. To the Associate Deputy Administrator for Capital Access (ADA/CA):

1. In addition to the powers and authorities already delegated to the ADA/CA, to issue a directive to one or more SBLCs that he/she determines is being operated in an imprudent manner to increase capital to such level as he/she determines will result in the safe and sound operation of the SBLC, in accordance with SBA regulations.

II. The authorities delegated to the AA/OLO, except the authority to change assigned ratings, may be redelegated.

III. The authorities delegated to the AA/OLO may be exercised by any SBA employee officially designated as Acting in the position.

IV. The authority delegated herein to the ADA/CA may be exercised by any SBA employee officially designated as Acting in the position.

V. Other than the authority delegated to the Lender Oversight Committee in Paragraph I.B.2.b., the authorities delegated herein to the Lender Oversight Committee and the ADA/CA may not be redelegated. With regard to the Paragraph I.B.2.b., the Lender Oversight Committee may delegate authority to the AA/OLO to approve certain specified enforcement actions.

VI. The authorities delegated herein can only be revoked by the Administrator and in writing.

VII. All previous delegations that are contrary to these delegations are hereby revoked.

VIII. These delegations of authority may be amended from time to time.

**Authority:** 15 U.S.C. 634(b)(7); 15 U.S.C. 687(f); 15 U.S.C. 650; 15 U.S.C. 696(3)(A); 15 U.S.C. 697(a)(2); 15 U.S.C. 697e(c)(8); and Pub.L. 104-208, Division D, Title I, Section 103(h) (September 30, 1996).

Dated: April 19, 2005.

**Hector V. Barreto,**

*Administrator.*

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## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information

collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. The information collection packages that may be included in this notice are for new information collections, approval of existing information collections, revisions to OMB-approved information collections, and extensions (no change) of OMB-approved information collections.

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. Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer. The information can be mailed and/or faxed to the individuals at the addresses and fax numbers listed below:

(OMB), Office of Management and Budget, Attn: Desk Officer for SSA;  
Fax: (202) 395-6974.  
(SSA), Social Security Administration, DCFAM, Attn: Reports Clearance Officer, 1338 Annex Building, 6401 Security Blvd., Baltimore, MD 21235;  
Fax: (410) 965-6400.

I. The information collections listed below are pending at SSA and will be submitted to OMB within 60 days from the date of this notice. Therefore, your comments should be submitted to SSA within 60 days from the date of this publication. You can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at (410) 965-0454 or by writing to the address listed above.

### 1. Record of SSI Inquiry—20 CFR 416.345—0960-0140.

Form SSA-3462 is completed by SSA personnel via telephone or personal interview, and it is used to determine potential eligibility for Supplemental Security Income (SSI) benefits. The respondents are individuals who inquire about SSI eligibility for themselves or someone else.

*Type of Request:* Extension of an OMB-approved information collection.  
*Number of Respondents:* 2,134,100.

*Frequency of Response:* 1.  
*Average Burden per Response:* 5 minutes.

*Estimated Annual Burden:* 177,842 hours.

### 2. The Ticket to Work and Self-Sufficiency Program—20 CFR 411.160-.730—0960-0644.