

## 2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5) of the Act,<sup>21</sup> which states that a national securities exchange have rules that are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market, and, in general, to protect investors and the public interest. The Exchange believes that the proposed rule change will facilitate the listing and trading of additional types of exchange-traded products that will enhance competition among market participants, to the benefit of investors and the marketplace. In addition, the listing and trading criteria set forth in NYSE Arca Equities Rule 8.600 are intended to protect investors and the public interest.

### *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 that is not necessary or appropriate in furtherance of the purposes of the Act.

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

The Exchange states that it has neither solicited nor received comments on the proposed rule change.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

- A. By order approve such proposed rule change, or
- B. Institute proceedings to determine whether the proposed rule change should be disapproved.

The Exchange has requested accelerated approval of this proposed rule change prior to the 30th day after the date of publication of the notice of the filing thereof. The Commission is considering granting accelerated approval of the proposed rule change at the end of a 15-day comment period.

## 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. 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-NYSEArca-2008-31 on the subject line.

### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2008-31. 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 Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. 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-NYSEArca-2008-31 and should be submitted on or before May 6, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>22</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-8528 Filed 4-18-08; 8:45 am]

BILLING CODE 8010-01-P

## SMALL BUSINESS ADMINISTRATION

### Revocation of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration by the Final Order of the United States District Court for the District of Massachusetts, dated February 6, 2008, the United States Small Business Administration hereby revokes the license of Axxon Capital, L.P., a Delaware Limited Partnership, to function as a small business investment company under the Small Business Investment Company License No. 01/71-0382 issued to Axxon Capital, L.P., on November 3, 2000 and said license is hereby declared null and void as of February 6, 2008.

Dated: April 1, 2008.

**Harry E. Haskins,**

*Associate Administrator for Investment.*

[FR Doc. E8-8529 Filed 4-18-08; 8:45 am]

BILLING CODE 8025-01-P

## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities; Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law (Pub. L.) 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes 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 how to minimize the burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, e-mail or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and the SSA Reports Clearance Officer

<sup>21</sup> 15 U.S.C. 78f(b)(5).

<sup>22</sup> 17 CFR 200.30-3(a)(12).

to the addresses or fax numbers listed below.

(OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974, E-mail address: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

(SSA), Social Security Administration, DCBPM, Attn: Reports Clearance Officer, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-965-6400, E-mail address: [OPLM.RCO@ssa.gov](mailto:OPLM.RCO@ssa.gov).

SSA has submitted the information collections listed below. Your comments on the information collections will be most useful if OMB and SSA receive them within 30 days from the date of this publication. You can request a copy of the information collections by e-mail,

[OPLM.RCO@ssa.gov](mailto:OPLM.RCO@ssa.gov), fax 410-965-6400, or by calling the SSA Reports Clearance Officer at 410-965-0454.

1. Social Security Number Verification Services—20 CFR 401.45—0960-0660. Under Internal Revenue Service regulations, employers are obligated to provide wage and tax data to SSA using Form W-2 or its electronic equivalent. As part of this process, the employer must furnish the employee's name and Social Security number (SSN). The employee's name and SSN must match SSA's records for the employee's earnings to be posted properly to their Earnings Record, which SSA maintains.

To assure employers provide accurate name and SSN data that match SSA's records, SSA offers several cost-free methods for employers to verify the

information as follows: (1) Internet-based service, known as the Social Security Number Verification Service (SSNVS), where the employer can verify if the reported names and SSNs of their employees match SSA's records; (2) the Employee Verification Service (EVS), where, after registering (a one-time process), employers can verify, via paper and telephone if the reported name and SSN of their employees matches SSA's records; (3) through SSA's National 800 Number, using a new automated telephone employee verification service (TNEV) that allows authenticated callers, who have a pin and password for this process, to verify employee names and SSNs.

*Type of Request:* Revision of an OMB-approved information collection.

Verification system	Number of respondents	Frequency of response	Number of responses	Average burden per response (minutes)	Total annual burden (hours)
EVS .....	50,000	16	800,000	10	133,333
EVS One-Time Registration .....	50	1	50	2	2
SSNVS .....	200,000	60	12,000,000	5	1,000,000
TNEV .....	5,798	60	347,880	9	52,182
Totals .....	255,848	.....	13,147,930	.....	1,185,517

2. Cessation or Continuance of Disability or Blindness Determination and Transmittal—20 CFR 404.1512, 404.1588-1599, 404.1615-0960-0442. SSA uses the information collected on the SSA-833-C3/U3 to determine whether individuals receiving Title II disability benefits continue to be unable to engage in substantial gainful activity and are still eligible to receive benefits. The respondents are State Disability Determination Services employees.

*Type of Request:* Extension of an OMB-approved information collection.

*Number of Respondents:* 190,507.

*Frequency of Response:* 1.

*Average Burden per Response:* 30 minutes.

*Estimated Annual Burden:* 95,254 hours.

3. Continuing Disability Review Report—20 CFR 404.1589, 416.989-0960-0072. SSA uses the information collected on Form SSA-454-BK to determine whether an individual who receives Social Security disability benefits continues to be disabled. The SSA-454-BK updates the record of the disabled individual, providing information on recent medical treatment, vocational and educational experience, work activity, and evaluations of work potential for adults. It also collects information on the ability

of Title XVI children to function without marked and severe limitations. Based on the responses provided, SSA obtains medical and other evidence to determine whether disability, as defined by the Social Security Act, continues or has ended, and, if so, when the disability ended. SSA conducts a continuing disability review (CDR) when a disabled individual's medical reexamination diary matures, or when SSA receives a report of medical improvement. The number of CDRs done each fiscal year depends on the number of maturing diaries, reports of medical improvement and SSA budget constraints. The respondents are recipients of benefits based on disability under Title II and/or Title XVI of the Social Security Act.

*Type of Request:* Revision of an OMB-approved information collection.

*Number of Respondents:* 398,000.

*Frequency of Response:* 1.

*Average Burden per Response:* 60 minutes.

*Estimated Annual Burden:* 398,000 hours.

4. Information Collections conducted by State DDSs on Behalf of SSA—20 CFR, subpart P, 404.1503a, 404.1512, 404.1513, 404.1514 404.1517, 404.1519; 20 CFR subpart Q, 404.1613, 404.1614, 404.1624; 20 CFR subpart I, 416.903a,

416.912, 416.913, 416.914, 416.917, 416.919 and 20 CFR subpart J, 416.1013, 416.1024, 416.1014-0960-0555. The State Disability Determination Services (DDSs) collect certain information to administer the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. They collect consultative examination (CE) medical evidence, CE credentials and Medical Evidence of Record (MER) from medical sources. The DDSs collect information from claimants regarding medical appointments and pain/symptoms. The respondents are medical providers, other sources of MER and disability claimants.

*Type of Request:* Revision of an OMB-approved information collection.

The total combined burden is 1,803,810 hours.

### CE Collections

There are two collections from CE providers: (a) medical evidence about claimants, which DDSs use to make disability determinations when the claimant's own medical sources cannot or will not provide the required information; and (b) when CE providers offer proof of their credentials.

(a) Medical Evidence From CE Providers

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submissions .....	1,215,000	1	30	607,500
Electronic Records Express (ERE) Submissions .....	285,000	1	15	71,250
Totals .....	1,500,000	—	—	678,750

## (b) CE Credentials

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submission .....	3,000	1	20	1,000

*There are two CE claimant collections:* (a) CE claimant completion of a response form in which claimants

indicate if they intend to keep their CE appointment; and (b) CE claimant completion of a form indicating whether

they want a copy of the CE report sent to their doctor.

(a) Claimants re Appointment Letter

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submission .....	750,000	1	5	62,500

## (b) Claimants re Report to Medical Provider

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submission .....	1,500,000	1	5	125,000

**MER Collections**

The DDSs collect MER from the claimant's medical sources to determine

a claimant's physical and/or mental status, prior to making a disability determination.

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submissions .....	2,480,800	1	15	620,200
Connect Direct (CD), (electronic transfer) .....	218,400	1	15	54,600
ERE .....	100,800	1	7	11,760
Submission .....	.....	.....	.....	.....
Total .....	2,800,000	—	—	686,560

**Pain/Other Symptoms Information from Claimants**

The DDSs use information about pain/symptoms to determine how pain/

symptoms affect the claimant's ability to do work-related activities, prior to making a disability determination.

	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
Paper Submission .....	1,000,000	1	15	250,000

5. Function Report—Adult—Third Party—20 CFR 404.1512, 416.912—0960–0635. SSA needs the information collected on the SSA–3380–BK to make determinations on SSI and SSDI claims. This information is necessary for case development and adjudication, and DDS evaluators use it as an evidentiary source in the disability evaluation process. The respondents are third parties familiar with the functional limitations (or lack thereof) of claimants who apply for SSDI benefits and SSI payments.

*Type of Request:* Revision of an OMB-approved information collection.

*Number of Respondents:* 1,000,000.

*Frequency of Response:* 1.

*Average Burden per Response:* 60 minutes.

*Estimated Annual Burden:* 1,000,000 hours.

6. Function Report—Adult—20 CFR 404.1512 and 419.912—0960–0681. SSA uses Form SSA–3373 to collect information about a disability applicant's impairment-related limitations and ability to function. It documents the types of information specified in SSA regulations and provides disability interviewers with a convenient means to record information about how the claimant's condition affects his or her ability to function. This information, together with medical evidence, forms the evidentiary basis for the initial disability process. The respondents are SSDI and SSI applicants.

*Type of Request:* Revision to an OMB-approved information collection.

*Number of Respondents:* 4,005,367.

*Frequency of Response:* 1.

*Average Burden per Response:* 60 minutes.

*Estimated Annual Burden:* 4,005,367 hours.

Dated: April 14, 2008.

**Elizabeth A. Davidson,**

*Reports Clearance Officer, Social Security Administration.*

[FR Doc. E8–8358 Filed 4–18–08; 8:45 am]

**BILLING CODE 4191–02–P**

## **SOCIAL SECURITY ADMINISTRATION**

**[Docket No. SSA 2008–0023]**

### **Use of Master and Sub Accounts and Other Account Arrangements for the Payment of Benefits**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of request for comments.

**SUMMARY:** We are issuing this notice to obtain public input regarding an anticipated change to an Agency payment procedure that permits benefit payments to be deposited into a third-party's "master" account when the third party maintains separate "sub" accounts for individual beneficiaries. We anticipate changing our current procedure in light of concerns about how high-interest lenders are using this master/sub account procedure. We are also seeking comments on the practice that some beneficiaries follow of preauthorizing their banks to transfer their benefits to lenders immediately after the benefits are deposited into their accounts.

**DATES:** To be sure that your comments are considered, we must receive them by *June 20, 2008*.

**ADDRESSES:** You may submit comments by any one of four methods—Internet, facsimile, regular mail, or hand-delivery. Commenters should not submit the same comments multiple times or by more than one method. Regardless of which of the following methods you choose, please state that your comments refer to Docket No. SSA–2008–0023 to ensure that we can associate your comments with the correct regulation:

1. Federal eRulemaking portal at <http://www.regulations.gov>. (This is the most expedient method for submitting your comments, and we strongly urge you to use it.) In the *Comment or Submission* section of the webpage, type "SSA–2008–0023", select "Go," and then click "Send a Comment or Submission." The Federal eRulemaking portal issues you a tracking number when you submit a comment.

2. Telefax to (410) 966–2830.

3. Letter to the Commissioner of Social Security, P.O. Box 17703, Baltimore, Maryland 21235–7703.

4. Deliver your comments to the Office of Regulations, Social Security

Administration, 922 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, between 8 a.m. and 4:30 p.m. on regular business days.

All comments are posted on the Federal eRulemaking portal, although they may not appear for several days after receipt of the comment. You may also inspect the comments on regular business days by making arrangements with the contact person shown in this preamble.

**Caution:** All comments we receive from members of the public are available for public viewing in their entirety on the Federal eRulemaking portal at <http://www.regulations.gov>. Therefore, you should be careful to include in your comments only information that you wish to make publicly available on the Internet. We strongly urge you not to include any personal information, such as your Social Security number or medical information, in your comments.

**FOR FURTHER INFORMATION CONTACT:** Ashley Harder, Office of the General Counsel, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 966–9483, for information about this notice. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at <http://www.socialsecurity.gov>.

### **SUPPLEMENTARY INFORMATION:**

#### **Electronic Version**

The electronic file of this document is available on the date of publication in the **Federal Register** at <http://www.gpoaccess.gov/fr/index.html>.

#### **Authorities**

Section 205(i) of the Social Security Act (the Act) directs the Commissioner of Social Security to certify to the Department of Treasury, the name and address of the beneficiary or his representative payee, the amount of the benefit payments, and the time at which such payments should be made. The Department of Treasury's Financial Management Service then makes payments in accordance with our certification. Section 207 of the Act prohibits transfer or assignment of the right of any person to any future benefit payments under the Act and protects