

section 6(b)(5) of the Act,<sup>13</sup> in particular, in that they will prevent fraudulent and manipulative acts and practices, will foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities and will protect investors and the public interest.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

NQLX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

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

NQLX neither solicited nor received written comment on the proposed rule change.

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

Pursuant to section 19(b)(7)(B) of the Act,<sup>14</sup> the proposed rule change became effective on August 27, 2003. Within 60 days of the date of effectiveness of the proposed rule change, the Commission, after consultation with the CFTC, may summarily abrogate the proposed rule change and require that the proposed rule change be refiled in accordance with the provisions of section 19(b)(1) of the Act.<sup>15</sup>

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change conflicts with the Act. Persons making written submissions should file nine copies of the submission with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. Comments also may be submitted electronically to the following e-mail address: [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule changes 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 these filings will also be available for inspection and copying at the principal office of NQLX. Electronically submitted comments will be posted on the Commission's Internet Web site (<http://www.sec.gov>). All submissions should refer to File No. SR-NQLX-2003-07 and should be submitted by October 17, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>16</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

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**BILLING CODE 8010-01-P**

## **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, New Executive Building, Room 10235, 725 17th St., NW., Washington, DC 20503, 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. *Petition to Obtain Approval Of A Fee For Representing A Claimant Before The Social Security Administration—20 CFR Subpart R, 404.1720, 404.1725, Subpart F, 410.686b, Subpart O, 416.1520 and 416.1525—0960-0040.* A representative of a claimant for Social Security benefits must file either a fee petition or a fee agreement with SSA in order to charge a fee for representing a claimant in proceedings before SSA. The representative uses Form SSA-1560 to petition SSA for authorization to charge and collect a fee. A claimant may also use the form to agree or disagree with the requested fee amount or other information the representative provides on the form. SSA uses the information to determine a reasonable fee that a representative may charge and collect for his or her services. The respondents are claimants, their attorneys, and other persons representing them.

*Type of Request:* Extension of an OMB-Approved Information Collection.  
*Number of Respondents:* 34,624.

*Frequency of Response:* 1.  
*Average Burden Per Response:* 30 minutes.

*Estimated Average Burden:* 17,312 hours.

2. *Child Relationship Statement—0960-0116.* SSA uses the information collected on Form SSA-2519 to help determine the entitlement of children to Social Security benefits under section 216(h)(3) of the Social Security Act (Deemed Child Provision). The respondents are persons providing information about the relationship between the worker and his/her alleged biological child, in connection with the child's application for benefits.

*Type of Request:* Extension of an OMB-approved collection.  
*Number of Respondents:* 50,000.

*Frequency of Response:* 1.  
*Average Burden Per Response:* 15 minutes.

*Estimated Annual Burden:* 12,500 hours.

3. *Request for Replacement Social Security Benefits Statement—20 CFR 401.45—0960-0583.* The information requested by the Social Security Administration (SSA) via the Internet

<sup>13</sup> 15 U.S.C. 78f(b)(5).

<sup>14</sup> 15 U.S.C. 78s(b)(7)(B).

<sup>15</sup> 15 U.S.C. 78s(b)(1).

<sup>16</sup> 17 CFR 200.30-3(a)(75).

will be used to verify, identify, and to provide replacement copies of Form SSA-1099/SSA-1042, which are needed to prepare Federal tax returns. This Internet option to request a replacement SSA-1099/SSA-1042 will eliminate the need for a phone call to a teleservice center or a visit to a field office. The respondents are beneficiaries who request a replacement SSA-1099/1042 via the Internet.

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

*Number of Respondents:* 7,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 5 minutes.

*Estimated Average Burden:* 583 hours.

II. The information collection listed below has been submitted to OMB for clearance. Your comments on the information collections would be most useful if received by OMB and SSA within 30 days from the date of this publication. You can obtain a copy of the OMB clearance package by calling the SSA Reports Clearance Officer at 410-965-0454, or by writing to the addresses listed above.

1. *Statement of Self-Employment Income—20 CFR Subpart B, 404.101, Subpart K, 404.1096—0960-0046.* The information collected on Form SSA-766 is used to determine if the individual will have at least the minimum amount of self-employment income needed for one or more quarters of coverage in the current year. Additional quarters of coverage may be credited on the basis of the information obtained, and benefits payments may be expedited where there are sufficient quarters of coverage to give the individual insured status. The respondents are self-employed persons applying for Social Security benefits.

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

*Number of Respondents:* 5,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 5 minutes.

*Estimated Annual Burden:* 417 hours.  
2. *Application For Special Age 72-or-Over Monthly Payments—20 CFR, Subpart D, 404.380-384—0960-0096.*

Form SSA-19-F6 is needed to determine if an individual is entitled to Special Age 72 payments. Eligibility requirements will be evaluated based on the data collected in this form. The respondents are individuals who attained age 72 before 1972.

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

*Number of Respondents:* 10.

*Frequency of Response:* 1.

*Average Burden Per Response:* 20 minutes.

*Estimated Annual Burden:* 3 hours.

3. *Subpart T-State Supplementation Provisions—20 CFR 416.2095-2099—0960-0240.* Section 1618 of the Social Security Act contains pass-along provisions of the Social Security Amendments. These provisions require States that supplement the Federal SSI benefits to pass along Federal cost-of-living increases to the individuals who are eligible for State Supplementary benefit payments. If the State fails to keep payments at the required level, it becomes ineligible for Medicaid reimbursement under Title XIX of the Social Security Act. Regulations at 20 CFR 416.2099 require the States to report mandatory minimum and optional supplementary payment data to SSA. The information is used to determine compliance with the law and regulations. The respondents are States that supplement Federal SSI payments.

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

*Number of Respondents:* 26.

*Frequency of Response:* 15 states report quarterly, 11 states report annually.

*Average Burden Per Response:* 1 hour.

*Estimated Annual Burden:* 71 hours.

4. *You Can Make Your Payment by Credit Card—0960-0462.* SSA will use the information on Forms SSA-4588 and SSA-4589 to update the individual's Social Security record to reflect that a payment has been made on their overpayment and to effectuate payment through the appropriate credit card company. The respondents are Title II (Old-Age, Survivors, and Disability Insurance) and Title XVI (Supplemental Security Income) debtors; and citizens requesting material through SSA.

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

*Number of respondents:* 19,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 5 minutes.

*Estimated Annual Burden:* 1,583 hours.

5. *State Vocational Rehabilitation Agency Claim (SSA-199-U2) and Subpart V—Payments for Vocational Rehabilitation Services—20 CFR Sections 404.2104, 404.2108, 404.2113, 404.2117, 404.2121, 416.2204, 416.2208, 416.2213, 416.2217—0960-0310.* The information collected on Form SSA-199-U2 and through these current rules is used by SSA to determine if State vocational rehabilitation agencies are providing appropriate services, including referrals when necessary, and whether those claims for services should be paid. The respondents are the 80-100 State vocational rehabilitation agencies and alternate participants who offer vocational and employment services for SSA beneficiaries.

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

CFR sections	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
404.2108 & 416.2208 SSA-199 .....	90	2145	23	5,003
404.2117 & 416.2217 .....	80	1	160	80
404.2121 & 416.2221 .....	190	1	100	833

<sup>1</sup>500 total responses for all participants.

<sup>2</sup>On Average.

*Total Burden Hours For this Request:* 5,916 hours

6. *Childhood Disability Evaluation Form—20 CFR 416.924—0960-0568.* SSA and State Disability Determination Services use the information collected on the Form SSA-538 to record medical and functional findings regarding the

severity of impairments of the children who claim Supplemental Security Income benefits based on disability. The form is used for initial determinations of eligibility, in appeals and in initial continuing disability reviews.

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

*Number of Respondents:* 750,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 25 minutes.

*Estimated Annual Burden:* 312,500 hours.

Dated: September 23, 2003.

**Elizabeth A. Davidson,**

*Reports Clearance Officer, Social Security Administration.*

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## SOCIAL SECURITY ADMINISTRATION

### **Program: Cooperative Agreements for Homeless Outreach Projects and Evaluation (HOPE); Program Announcement No. SSA-OPDR-03-02**

**AGENCY:** Social Security Administration.

**ACTION:** Announcement of the availability of cooperative agreement funds for fiscal year 2003 and request for applications.

**SUMMARY:** The Social Security Administration requests applications for cooperative agreement funding to support projects that provide targeted outreach, supportive services, and benefit application assistance to individuals who are chronically homeless.

**DATES:** The closing date for receipt of cooperative agreement applications under this announcement is November 25, 2003. Section VI of this announcement contains instructions for submitting applications under this announcement.

Prospective applicants are also asked to submit, preferably by October 16, 2003, a fax, post card, letter, or e-mail of intent that includes (1) the program announcement number (SSA-OPDR-03-02) and title (Homeless Outreach Projects and Evaluation); (2) the name of the agency or organization that is applying; and (3) the name, mailing address, e-mail address, telephone number, and fax number for the organization's contact person.

The notice of intent should be (1) e-mailed to [Homeless.Outreach@ssa.gov](mailto:Homeless.Outreach@ssa.gov), using "HOPE—Notice of Intent" in the subject line; (2) faxed to (410) 597-0825, to the attention of the HOPE Project Team; or (3) mailed to Social Security Administration, Office of Program Development and Research, Office of Program Development, 128 Altmeyer Building; 6401 Security Boulevard, Baltimore, Maryland, 21235-6401, Attention: HOPE Project Team.

The notice of intent is not required, is not binding, and does not enter into the review process of a subsequent application. The purpose of the notice is to allow SSA staff to estimate the number of technical reviewers needed and to avoid potential conflicts of interest in the review.

**ADDRESSES:** All applications for funding under this announcement should be submitted via the new process that the Federal government has established for electronic submission of applications for grant and cooperative agreement funding.

#### **FOR FURTHER INFORMATION CONTACT:**

Send questions about this announcement to the following Internet address: [Homeless.Outreach@ssa.gov](mailto:Homeless.Outreach@ssa.gov). When sending a question, use the program announcement number (SSA-OPDR-03-02) and the date of this announcement, September 26, 2003. Questions and answers will be posted to the "Outreach Initiatives" link on the Social Security Service to the Homeless Web site at: <http://www.socialsecurity.gov/homelessness>. The identity of questioners will not be revealed when questions and answers are posted on this Web site. All applicants are encouraged to review the Web site while developing their applications.

Although the Internet is the preferred method of communication, applicants who have questions about the program content of the application may also contact: Virginia McCaskey, Research Analyst, or Leola Brooks, Director, Office of Program Development. The phone number for Virginia McCaskey is (410) 965-3425, and the phone number for Leola Brooks is (410) 965-2219. Inquiries may also be faxed to (410) 597-0825, or mailed to: Social Security Administration, Office of Program Development and Research, Office of Program Development, 128 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, Attention: HOPE Project Team.

For general (non-programmatic) information—regarding submission of applications, contact: Phyllis Y. Smith, Grants Management Officer, Social Security Administration, Office of Acquisition and Grants, Grants Management Team, 1-E-4 Gwynn Oak Building, 1710 Gwynn Oak Avenue, Baltimore, MD 21207-5279, [phyllis.y.smith@ssa.gov](mailto:phyllis.y.smith@ssa.gov), phone (410) 965-9518.

**Application Kit:** Section VI of this announcement contains instructions for obtaining an application kit.

**SUPPLEMENTARY INFORMATION:** This overview of the HOPE projects is included to allow potential applicants to quickly learn the contents of this announcement, and to decide whether they are eligible to apply for the funding opportunity described. It follows the outline of the full text of the first three sections of the announcement.

**Program Description:** SSA is making cooperative agreement funding available to demonstrate methods to improve the quality of assistance that medical and social service providers give to homeless individuals who file claims for Social Security benefits. The projects are shaped by SSA knowledge about effective outreach practices, as well as evaluation data from previous outreach demonstration projects.

Awardees of cooperative agreement funding will be required to provide outreach, supportive services, and benefit application assistance to chronically homeless adults and/or children. The target population for these projects is homeless individuals who are members of under-served groups, which may include people with severe and persistent mental illness, HIV infection, limited English proficiency, multiple and co-occurring disorders, or cognitive impairments, as well as homeless veterans with disabilities.

Applicants may propose to establish presumptive disability screening procedures or pre-release procedures for institutionalized individuals with disabilities. Applicants may also propose to use project funding to improve their capacity to provide representative payment services to beneficiaries, strengthen their ability to assist disability claimants with filing electronic disability applications, or develop an employment intervention.

SSA will train staff of organizations that are awarded funding under this announcement. The focus of the training will be to improve participant knowledge about SSA's requirements for disability case processing. SSA will conduct an evaluation of projects, with a focus on the impact that training has on the quality of assistance provided to disability claimants by the grantee. SSA is particularly interested in achieving outcomes such as reduced processing time, and reduced denials for initial claims from individuals that would be eligible for benefits under SSA's rules.

**Award Information:** Congress appropriated \$8 million in FY 2003, and directed SSA to use the appropriation to provide outreach to "homeless and under-served" populations. SSA intends to fund approximately 30 projects, with awards of up to \$200,000 in the first year of project funding. Subject to the availability of additional appropriations, SSA plans to fund projects for four years, with requirements that awardees reduce their dependence on cooperative agreement funding in each year of the projects. Year 4 activities will consist only of follow-up data reporting. SSA has reserved a portion of the appropriation to evaluate the projects,