

the Exchange Act standards for consolidated data, which require that the fees be fair, reasonable, and not unreasonably discriminatory.”<sup>335</sup>

A Non-Supporting Participant also encourages the Commission to consider whether the CT Plan is a more appropriate body for setting fees for consolidated market data.<sup>336</sup> This commenter states that placing the responsibility for setting fees in the hands of the CT Plan would allow SIP fees to be set by an operating committee that better reflects the constituencies affected by the Proposed Amendment, including non-SRO representatives.<sup>337</sup> Another Non-Supporting Participant states that the fee proposals are “the result of a conflicted and unbalanced voting process,” adding that it agrees with the recommendation that the responsibility for setting the proposed fees should be placed on the CT Plan.<sup>338</sup> Another Non-Supporting Participant recommends that the Commission disapprove the proposal and reassign responsibility for the filing to the operating committee for the CT Plan, which the commenter states would have a “broader set of voting stakeholders and a fairer and less conflicted governance structure,” and argues that the Proposed Amendment shows that this change is “badly” needed.<sup>339</sup>

One commenter asks the Commission to reevaluate the process that led to the creation of the Proposed Amendment and to make substantive changes to avoid the amendment process being used to derail timely implementation of the MDI Rules.<sup>340</sup>

While some commenters suggest that the CT Plan is the appropriate mechanism for implementing the changes required by the MDI Rules, that mechanism is not available at this time because the D.C. Circuit has vacated the Commission order approving the CT Plan.<sup>341</sup> And additional discussion on this topic in this Order is unnecessary, as it does not bear on the basis for the Commission’s decision to disapprove the Proposed Amendment. On the record before us, for the independently sufficient reasons discussed in more detail above, we have concluded that the Filing Participants have not demonstrated that approval of the proposed NMS plan amendment is necessary or appropriate in the public

interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system, or otherwise in furtherance of the purposes of the Act.

#### *E. Consideration of Other Actions Under Rule 608 of Regulation NMS*

In connection with recommending disapproval of the Proposed Amendment, one commenter states the Commission could consider potential action under Rule 608(a)(2) of Regulation NMS, which allows the Commission to directly propose amendments to effective national market system plans.<sup>342</sup> The commenter states that in connection with a Commission disapproval of the Proposed Amendment, it would “support the Commission’s efforts to ensure that the newly expanded consolidated market data (*i.e.*, new core data) under the Commission’s Infrastructure Rule is disseminated in a manner consistent with the Exchange Act standards to ensure the investing public and all market participants have fair and reasonable access to it.”<sup>343</sup>

One Filing Commenter states that it would be inconsistent with the Exchange Act and Rule 608 of Regulation NMS for the Commission to change *sua sponte* any or all of the proposed fees, as any such change would be material to the Proposed Amendment.<sup>344</sup> This commenter states that, if the Commission intends to revise the Proposed Amendment in any material way, it must do so through rulemaking under Rule 608(b)(2) of Regulation NMS, by providing public notice of the specific changes it proposes and giving the Plan’s participants and the general public an opportunity to comment.<sup>345</sup>

One commenter states that the Commission should provide guidance in terms of the requirements of the MDI Rules as well as the application of the terms “fair and reasonable” and “not unfairly discriminatory” in the context of supplying competing consolidators with the underlying content of consolidated market data, adding that, without such guidance, any refiling of the amendments will result in proposals that do not meet standards under the Exchange Act.<sup>346</sup>

To the extent that these comments bear on potential future Commission

action, rather than on the basis for the Commission’s decision to disapprove the Proposed Amendment, further discussion on these topics is unnecessary in this Order.

#### **V. Conclusion**

For the reasons set forth above, the Commission does not find, pursuant to Section 11A of the Act, and Rule 608(b)(2) thereunder, that the Proposed Amendment is consistent with the requirements of the Act and the rules and regulations thereunder applicable to an NMS plan amendment.

*It is therefore ordered*, pursuant to Section 11A of the Act, and Rule 608(b)(2) thereunder, that the Proposed Amendment (File No. S7–24–89) be, and hereby is, disapproved.

By the Commission.

**J. Matthew DeLesDernier,**

*Deputy Secretary.*

[FR Doc. 2022–20833 Filed 9–26–22; 8:45 am]

**BILLING CODE 8011–01–P**

#### **SMALL BUSINESS ADMINISTRATION**

##### **Reporting and Recordkeeping Requirements Under OMB Review**

**AGENCY:** Small Business Administration.

**ACTION:** 30-Day notice.

**SUMMARY:** The Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested member of the public an additional 30 days to provide comments on the proposed collection of information.

**DATES:** Submit comments on or before October 27, 2022.

**ADDRESSES:** Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection request by selecting “Small Business Administration”; “Currently Under Review,” then select the “Only Show ICR for Public Comment” checkbox. This information collection can be identified by title and/or OMB Control Number.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at [Curtis.Rich@sba.gov](mailto:Curtis.Rich@sba.gov); (202) 205–7030, or

<sup>335</sup> *Id.*

<sup>336</sup> See MEMX Letter, *supra* note 57, at 23–24.

<sup>337</sup> See *id.*

<sup>338</sup> MIAX Letter, *supra* note 57, at 5.

<sup>339</sup> IEX Letter, *supra* note 57, at 5.

<sup>340</sup> See Polygon.io Letter I, *supra* note 126, at 3.

<sup>341</sup> See *The Nasdaq Stock Market LLC, et al. v. Securities and Exchange Commission*, *supra* note 18.

<sup>342</sup> See SIFMA Letter I, *supra* note 57, at 2.

<sup>343</sup> *Id.*

<sup>344</sup> See NYSE Letter, *supra* note 71, at 8.

<sup>345</sup> See *id.*

<sup>346</sup> See MayStreet Letter II, *supra* note 58, at 1–2, 4, 20.

from [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain).

**SUPPLEMENTARY INFORMATION:** Under its Surety Bond Guarantee Program (SBG Program), the U.S. Small Business Administration is authorized to guarantee a bid bond, payment bond, performance bond, as well as any required related ancillary bonds, on a contract issued to a small business contractor up to \$6.5 million or up to \$10 million if a Federal contracting officer certifies that SBA's guarantee is necessary. See Title IV of the Small Business Investment Act (SBIA), Part B, 15 U.S.C. 694a *et seq.* The SBG Program was created to encourage surety companies to issue bonds for small business contractors. The SBIA authorizes SBA to establish the terms and conditions for providing surety bond guarantee assistance and for paying claims resulting from any contractor defaults. This information collection consists of forms relating to the application process for an SBA-guaranteed bond and claims for the reimbursement of losses, including SBA Forms 990, 991, 994, 994B, 994F, and 994H. Except in the case of SBA Form 994H, SBA uses the information to evaluate whether the small business applicant meets the eligibility requirements for a surety bond, as well as the likelihood that the small business will successfully complete the bonded contract. The information collected for this purpose includes: demographics on all owners of the bond applicant, which has no bearing on the credit decision; the status of any current or past SBA financial assistance provided to the applicant; NAICS code for applicant's industry; financial statements; contract amount and nature of contract performance; and in the event performance has begun, evidence that applicant has paid all suppliers and subcontractors. With respect to SBA Form 994H, SBA uses the information collected to evaluate the surety's claim for reimbursement of losses. Surety is required to provide information regarding the date the small business defaulted on the contract; the reason for the default, the amount of any recoveries, and any additional information that would support the surety's claim for reimbursement.

#### Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of

automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

*OMB Control Number:* 3245-0007.

*Title:* Surety Bond Guarantee Assistance.

*Description of Respondents:* Surety Companies.

*Form Number:* SBA Form 990, 991, 994B, 994H.

*Total Estimated Annual Responses:* 30,866.

*Total Estimated Annual Hour Burden:* 8,647.

**Curtis Rich,**

*Agency Clearance Officer.*

[FR Doc. 2022-20899 Filed 9-26-22; 8:45 am]

**BILLING CODE 8026-09-P**

## SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2022-0048]

### Charging Standard Administrative Fees for Non-Program Information

**AGENCY:** Social Security Administration.

**ACTION:** Notice of updated schedule of standard administrative fees.

**SUMMARY:** On August 22, 2012, we announced in the **Federal Register** a schedule of standard administrative fees we charge to the public. When authorized, we charge these fees to recover our full costs when we provide information and related services for non-program purposes. We are announcing an update to the previously published schedule of standard administrative fees. The updated standard fee schedule is part of our continued effort to standardize fees for non-program information requests. Standard fees provide consistency and ensure we recover the full cost of supplying information when we receive a request for a purpose not directly related to the administration of a program under the Social Security Act (Act).

**DATES:** The changes described above are applicable for requests we receive on or after October 1, 2022.

#### FOR FURTHER INFORMATION CONTACT:

Karen Hunter, Social Security Administration, Office of Finance, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 965-5861. For information on eligibility or filing for benefits, visit our website, [socialsecurity.gov](http://socialsecurity.gov), or call our national toll-free number, 1-800-772-1213 or TTY 1-800-325-0778.

**SUPPLEMENTARY INFORMATION:** Section 1106 of the Act and the Privacy Act<sup>1</sup> authorize the Commissioner of Social Security to promulgate regulations regarding the fees related to providing information. Our regulations and operating instructions identify when we will charge fees for information.<sup>2</sup> Under section 1106(c) of the Act, whenever we determine a request for information is for any purpose not directly related to the administration of the Social Security programs, we may require the requester to pay the full cost of providing the information.<sup>3</sup> The agency may also charge fees in response to records requests when otherwise authorized by law, such as when authorized for certain program requests under section 1106(b) of the Act. To inform the public of the standard fees we charge to recover our costs, we announced in the **Federal Register** a schedule of standard administrative fees we charge to the public on August 22, 2012.<sup>4</sup> We last updated the schedule of standard fees on September 29, 2020.<sup>5</sup>

*New Information:* We are required to review and update standard administrative fees at least every two years.<sup>6</sup> Based on the most recent cost analysis, the following table provides the new schedule of standard administrative fees<sup>7</sup> per request:

*Copying an Electronic Folder:* \$49.

*Copying a Paper Folder:* \$97.

*Regional Office Certification:*<sup>8</sup> \$68.

*Record Extract:*<sup>9</sup> \$40.

*Third Party Manual SSN Verification:* \$42.

*Office of Central Operations Certification:*<sup>10</sup> \$44.

*W-2/W-3 Requests:*<sup>11</sup> \$126.

*Form SSA-7050, Request for Social Security Earning Information:* \$100.

*Requests for Copy of Original Form SS-5, Application for a Social Security Card:* \$30.

<sup>1</sup> 42 U.S.C. 1306 and 5 U.S.C. 552a(f)(5), respectively.

<sup>2</sup> See 20 CFR 401.95, 402.170, and 402.175; Program Operations Manual System (POMS) GN 03311.005.

<sup>3</sup> See 42 U.S.C. 1306(c) and 20 CFR 402.175.

<sup>4</sup> 77 FR 50757.

<sup>5</sup> 85 FR 61078.

<sup>6</sup> See the Office of Management and Budget Circular No. A-25, *User Charges*.

<sup>7</sup> Fees may differ for processing of records depending on applicable fee authorities and actions needed to respond to a records request, such as whether redactions are necessary and whether special services have been requested.

<sup>8</sup> Requests received in a field office, regional office, or headquarters component.

<sup>9</sup> Requests received and processed in a field office.

<sup>10</sup> Requests received in the Office of Central Operations.

<sup>11</sup> W-2/W-3 Fee is \$126 per request, not dependent on the number of years or number of individuals within request.