

consistent with the protection of investors and the public interest.<sup>10</sup>

The Exchange has requested that the Commission waive the 30-day operative delay, so that the proposed rule change may become operative upon filing. The Commission hereby grants the Exchange's request and believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest.<sup>11</sup> As a result of this action, the Exchange will be able to implement without undue delay a proposed rule change that reduces the likelihood of quotations or orders on NYSE Bonds from being stepped ahead of by an insignificant amount. Accordingly, the Commission designates the proposed rule change operative upon filing with the Commission.

At any time within 60 days of the filing of the 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. 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-NYSE-2008-129 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. All submissions should refer to File Number SR-NYSE-2008-129. This file number should be included on the subject line if e-mail is used. To help the

<sup>10</sup>In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission has determined to waive the five-day pre-filing notice requirement in this case.

<sup>11</sup>For the purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

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-NYSE-2008-129 and should be submitted on or before January 20, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>12</sup>

**Florence E. Harmon,**  
*Acting Secretary.*

[FR Doc. E8-30789 Filed 12-24-08; 8:45 am]

**BILLING CODE 8011-01-P**

#### **SMALL BUSINESS ADMINISTRATION**

##### **Administrator's Line of Succession Designation, No. 1-A, Revision 29**

This document replaces and supersedes "Line of Succession Designation No. 1-A, Revision 28."

##### **Line of Succession Designation No. 1-A, Revision 29**

Effective immediately, the Administrator's Line of Succession Designation is as follows:

(a) In the event of my inability to perform the functions and duties of my position, or my absence from the office, the Deputy Administrator will assume all functions and duties of the Administrator. In the event the Deputy Administrator and I are both unable to perform the functions and duties of the position or are absent from our offices,

I designate the officials in listed order below, if they are eligible to act as Administrator under the provisions of the Federal Vacancies Reform Act of 1998, to serve as Acting Administrator with full authority to perform all acts which the Administrator is authorized to perform:

- (1) Chief of Staff
- (2) General Counsel
- (3) Associate Administrator for Management and Administration
- (4) Chief Financial Officer
- (5) Regional Administrator for Region 1

(b) Notwithstanding the provisions of SBA Standard Operating Procedure 00 01 2, "absence from the office," as used in reference to myself in paragraph (a) above, means the following:

(1) I am not present in the office and cannot be reasonably contacted by phone or other electronic means, and there is an immediate business necessity for the exercise of my authority; or

(2) I am not present in the office and, upon being contacted by phone or other electronic means, I determine that I cannot exercise my authority effectively without being physically present in the office.

(c) An individual serving in an acting capacity in any of the positions listed in subparagraphs (a) (1) through (5), unless designated as such by the Administrator, is not also included in this Line of Succession. Instead, the next non-acting incumbent in the Line of Succession shall serve as Acting Administrator.

(d) This designation shall remain in full force and effect until revoked or superseded in writing by the Administrator, or by the Deputy Administrator when serving as Acting Administrator.

(e) Serving as Acting Administrator has no effect on the officials listed in subparagraphs (a)(1) through (5), above, with respect to their full-time position's authorities, duties and responsibilities (except that such official cannot both recommend and approve an action).

Dated: December 18, 2008.

**Sandy K. Baruah,**  
*Acting Administrator.*

[FR Doc. E8-30774 Filed 12-24-08; 8:45 am]

**BILLING CODE 8025-01-P**

#### **SMALL BUSINESS ADMINISTRATION**

##### **Small Business Investment Companies; Increase in Maximum Leverage Ceiling**

##### *Correction*

In Notice document E8-29027 appearing on page 75488 in the issue of Thursday, December 11, 2008, make the following correction:

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

The table should appear as follows:

| If your leverageable capital is:                      | Then your maximum leverage is:                              |
|---|---|
| (1) Not over \$22,800,000 .....                       | 300 percent of Leverageable Capital.                        |
| (2) Over \$22,800,000 but not over \$45,700,000 ..... | \$68,400,000 + [2 x (Leverageable Capital - \$22,800,000)]. |
| (3) Over \$45,700,000 but not over \$68,600,000 ..... | \$114,200,000 + (Leverageable Capital - \$45,700,000).      |
| (4) Over \$68,600,000 .....                           | \$137,100,000.  |

[FR Doc. Z8-29027 Filed 12-24-08; 8:45 am]  
 BILLING CODE 1505-01-D

**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 existing 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 ways 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 at 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*. (SSA), Social Security Administration, DCBPM, Attn: Reports Clearance Officer, 1332 Annex Building, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-965-6400, E-mail address: *OPLM.RCO@ssa.gov*.

The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. Therefore, your comments would be most helpful if you submit them to SSA within 60 days from the date of this publication. Individuals can obtain copies of these collection instruments by calling the SSA Reports Clearance Officer at 410-965-0454 or by writing to the e-mail address listed above.

**1. Application for EXTRA Help with Medicare Prescription Drug Plan**

**Costs—20 CFR 418.3101—0960-0696.**

The Medicare Modernization Act of 2003 mandated the creation of the Medicare Part D prescription drug coverage program and provided for certain subsidies for eligible Medicare beneficiaries to help pay for the costs of prescription drugs. SSA uses Form SSA-1020 (and the i1020, its electronic counterpart), the Application for Extra Help with Medicare Prescription Drug Plan Costs, to collect information to make Part D subsidy eligibility determinations.

In compliance with Public Law 110-275, beginning in January 2010, SSA will use a new version of Form SSA-1020. In this new version, SSA will eliminate questions about the value of life insurance policies and in-kind support and maintenance, and we will ask applicants about their interest in applying for the Medicare Savings Program. This information collection request (ICR) is for the new version we will use in 2010. The respondents are Medicare beneficiaries who are applying for the Medicare Part D subsidy.

| Form type                               | Number of respondents | Frequency of response | Average burden per response (minutes) | Estimated annual burden (hours) |
|---|-----------------------|-----------------------|---------------------------------------|---------------------------------|
| SSA-1020 (paper application form) ..... | 560,000               | 1                     | 30                                    | 280,000                         |
| i1020 (online application) .....        | 240,000               | 1                     | 40                                    | 160,000                         |
| Field office interview .....            | 200,000               | 1                     | 30                                    | 100,000                         |
| Totals .....                            | 1,000,000             | .....                 | .....                                 | 540,000                         |

**2. Medicare Subsidy Quality Review Forms—20 CFR 418(b)(5)—0960-0707.**

The Medicare Modernization Act of 2003 mandated the creation of the Medicare Part D prescription drug coverage program and provided for certain subsidies for eligible Medicare beneficiaries to help pay for the costs of prescription drugs. As part of its stewardship duties of the Medicare Part D subsidy program, SSA must conduct

periodic quality review checks of the information Medicare beneficiaries report on their subsidy applications (Form SSA-1020). SSA uses the Medicare Quality Review program to conduct these checks.

Beginning in January 2010, SSA will revise the Medicare Quality Review system to comply with Public Law 110-275. Specifically, we will: (1) Eliminate the use of Form SSA-9309, the Life

Insurance Verification form; and (2) remove any questions about life insurance policy values and in-kind support and maintenance from the other forms in the collection. This ICR is for the revised Medicare Quality Review System, which we will not use until January 2010. The respondents are applicants for the Medicare Part D subsidy whom we have chosen to undergo a Quality Review.

| Form number and name   | Number of respondents | Frequency of response | Average burden per response (minutes) | Estimated annual burden (hours) |
|--|-----------------------|-----------------------|---------------------------------------|---------------------------------|
| SSA-9301 (Medicare Subsidy Quality Review Case Analysis Questionnaire) | 5,000                 | 1                     | 30                                    | 2,500                           |