

This filing addresses NASDAQ Rule 2342, which sets forth requirements for providing information regarding the Securities Investor Protection Corporation ("SIPC") to customers, and which formerly corresponded to NASD 2342. In SR-FINRA-2009-016,⁴ FINRA re-designated NASD Rule 2342 as FINRA Rule 2266, with no material changes. FINRA Rule 2266 requires members, with certain exceptions, to advise all new customers that they may obtain information about SIPC by contacting SIPC, and to provide SIPC's web site address and telephone numbers.

NASDAQ is adopting the new FINRA rule in full and is re-designating the rule as NASDAQ Rule 2266, to correspond to the new FINRA rule number.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,⁵ in general, and with Sections 6(b)(5) of the Act,⁶ in particular, in that the proposal is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The proposed changes will conform NASDAQ Rule 2342 to recent changes made to a corresponding FINRA rule, to promote application of consistent regulatory standards.

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

The Exchange 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

Written comments were neither solicited nor received.

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

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act⁷ and Rule 19b-4(f)(6) thereunder.⁸

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. Please include File Number SR-NASDAQ-2010-001 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NASDAQ-2010-001. 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 Room on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of NASDAQ. 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-NASDAQ-2010-001 and should be submitted on or before February 12, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Florence E. Harmon,
Deputy Secretary.

[FR Doc. 2010-1138 Filed 1-21-10; 8:45 am]

BILLING CODE 8011-01-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 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 and extensions of OMB-approved information collections, a collection in use without an OMB number, and new 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 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 SSA Reports Clearance Director to the following addresses or fax numbers. (OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974, E-mail address: OIRA_Submission@omb.eop.gov.

⁴ Securities Exchange Act Release No. 59987 (May 27, 2009), 74 FR 106 [sic] (June 4, 2009) (SR-FINRA-2009-016).

⁵ 15 U.S.C. 78f.

⁶ 15 U.S.C. 78f(b)(5).

⁷ 15 U.S.C. 78s(b)(3)(A).

⁸ 17 CFR 240.19b-4(f)(6).

⁹ 17 CFR 200.30-3(a)(12).

(SSA), Social Security Administration, DCBPM, Attn: Director, Center for Reports Clearance, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-965-0454, E-mail address: OPLM.RCO@ssa.gov.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than March 23, 2010. Individuals can obtain copies of the collection instruments by calling the SSA Director for Reports Clearance at 410-965-0454 or by writing to the above e-mail address.

1. *Waiver of Supplemental Security Income (SSI) Payment Continuation—20 CFR 416.1400–416.1422—0960–NEW.* SSA collects the information on Form SSA 263-U2 to determine whether an individual meets the provisions of the Social Security Act regarding waiver of payment continuation. Recipients must use Form SSA 263-U2 when they are awaiting a determination on their appeal and have decided to stop their payment continuation. SSA needs the information on the form as proof respondents no longer want their payments to continue. Respondents are recipients of SSI payments who wish to discontinue receipt of payment while awaiting a determination on their appeal.

Type of Request: Existing information collection in use without an OMB number.

Number of Respondents: 3,000.

Frequency of Response: 1.

Average Burden per Response: 5 minutes.

Estimated Annual Burden: 250 hours.

2. *Notice Regarding Substitution of Party upon Death of Claimant—Reconsideration of Disability Cessation—20 CFR 404.917–404.921 and 416.1407–416.1421—0960–0351.* When a claimant dies before we make a determination on that person's request for reconsideration of their disability cessation, SSA seeks a qualified

substitute party to pursue the appeal. If SSA locates a qualified substitute party, the agency will use Form SSA-770 to collect information about whether to pursue or withdraw the reconsideration request. The information Form SSA-770 collects is the basis of the decision to continue or discontinue the appeals process. Respondents are substitute applicants who are pursuing a reconsideration request for a deceased claimant.

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

Number of Respondents: 1,200.

Frequency of Response: 1.

Average Burden per Response: 5 minutes.

Estimated Annual Burden: 100 hours.

3. *Application for Benefits under the Italy-U.S. International Social Security Agreement—20 CFR 404.1925–0960–0445.* SSA collects information using Form SSA-2582 based on the United States-Italy agreement effective November 1, 1978. Article 19.2 of that agreement provides that an applicant for benefits can file an application with either country. Article 4.3 of the Protocol to the Agreement dictates the country receiving the application will forward agreed-upon forms and applications to the other country. As agreed upon by the United States and Italian Social Security agencies, individuals filing an application for U.S. benefits directly with one of the Italian Social Security agencies must complete Form SSA-2528. The SSA-2528 is mandatory for respondents living in Italy who wish to file an application for U.S. benefits. SSA uses the SSA-2528 to establish age, relationship, citizenship, marriage, death, military service, or to evaluate a family bible or other family record when determining eligibility for benefits. The Italian Social Security agencies assist applicants in completing Form SSA-2528 and then forward the application to SSA for processing. The respondents are individuals living in Italy who wish to file for U.S. Social Security benefits.

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

Number of Respondents: 250.

Frequency of Response: 1.

Average Burden per Response: 20 minutes.

Estimated Annual Burden: 83 hours.

4. *Earnings Record Information—20 CFR 404.801–404.803 and 404.821–404.822—0960–0505.* SSA discovered that as many as 70 percent of the wage reports it receives for children under age 7 are actually the earnings of someone other than the child. To ensure we credit the correct person with the reported earnings, SSA decided we should verify wage reports for children under age 7 with the children's employers before posting to the earnings record. SSA uses Form SSA-L3231-C1 for this purpose. The respondents are employers who report earnings for children under age 7.

Type of Information Collection: Revision of an OMB-approved information collection.

Number of Respondents: 20,000.

Frequency of Response: 1.

Average Burden per Response: 10 minutes.

Estimated Annual Burden: 3,333 hours.

5. *Work Incentives Planning and Assistance Program—0960–0629.* The Work Incentives Planning and Assistance (WIPA) program collects identifying information from project sites and Community Work Incentives Coordinators (CWIC). In addition, the program collects data from beneficiaries on background employment, training, benefits, and work incentives. SSA is interested in identifying beneficiary outcomes under the WIPA program to determine the extent to which beneficiaries with disabilities achieve their employment, financial, and health care goals. SSA will also use the data in its analysis and future planning for Social Security Disability Insurance and SSI programs.

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

Estimated Annual Burden: 5,019 hours.

Respondent	Number of annual responses	Frequency of response	Average burden per response (minutes)	Estimated annual burden hours
Project Site	147	1	2	5
CWIC	422	1	2	14
Beneficiary	60,000	1	5	5,000
Totals	60,569	5,019

6. *Beneficiary Interview and Auditor's Observations Form—0960–0630.* SSA's Office of the Inspector General (OIG)

will use the information collected through Form SSA-322, the Beneficiary Interview and Auditor's Observation

form, to interview beneficiaries and/or their payees to determine if they are complying with their duties and

responsibilities. SSA will randomly select SSI recipients and Social Security beneficiaries who have representative payees as respondents for this collection.

Type of Request: Extension of a previously-approved OMB information collection.

Number of Respondents: 200.

Frequency of Response: 1.

Average Burden per Response: 15 minutes.

Estimated Annual Burden: 50 hours.

7. *Certification of Contents of Document(s) or Record(s)—20 CFR 404.715f—0960-0689.* SSA must secure evidence necessary for individuals to establish rights to benefits. Some of the required evidence categories include evidence of age, relationship, citizenship, marriage, death, and military service. Form SSA-704 allows SSA employees, State record custodians, and other custodians of evidentiary documents to record information from documents and records to establish these types of evidence. State record custodians and other custodians of evidentiary documents are the respondents.

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

Number of Respondents: 4,800.

Frequency of Response: 1.

Average Burden per Response: 10 minutes.

Estimated Annual Burden: 800 hours.

II. SSA has submitted the information collections listed below to OMB for clearance. Your comments on the information collections would be most useful if OMB and SSA receive them within 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than February 22, 2010. You can obtain a copy of the OMB clearance packages by calling the SSA Director for Reports Clearance at 410-965-0454 or by writing to the above email address.

1. *Notification of a Social Security Number (SSN) to an Employer for Wage Reporting—20 CFR 422.103—0960-*

NEW. Individuals applying for employment must provide an SSN or indicate they have applied for one. The information SSA collects on Form SSA-112 allows SSA to send, at the individual's request, the individual's SSN to his or her employer. Mailing this information to the employer ensures the employer has the correct SSN for the individual, allows SSA to receive correct earnings information for wage reporting purposes for the individual, and reduces the delay between the initial SSN assignment and delivery of the SSN information to the employer. The respondents are individuals who are applying for an initial SSN and who ask SSA to mail confirmation of their application or the SSN to their employers.

Type of Request: New information collection.

Number of Respondents: 375,000.

Frequency of Response: 1.

Average Burden per Response: 2 minutes.

Estimated Annual Burden: 12,500 hours.

2. *Important Information about Your Appeal, Waiver Rights, and Repayment Options—20 CFR 404.502-521—0960-NEW.* When SSA accidentally overpays beneficiaries, the agency uses Form SSA-3105 to inform those beneficiaries about their rights to reconsideration, waiver, or a different repayment rate. Beneficiaries use Form SSA-3105 to inform SSA if they do not agree with SSA's initial overpayment determination, if they are unable to repay the overpayment, or to request a waiver for repayment to SSA. The respondents are individuals who are overpaid claimants and who are requesting a waiver of recovery for the overpayment, reconsideration of the overpayment determination, or a lesser rate of withholding of the overpayment.

Type of Request: New information collection.

Number of Respondents: 800,000.

Frequency of Response: 1.

Average Burden per Response: 15 minutes.

Estimated Annual Burden: 200,000 hours.

3. *Physician's/Medical Officer's Statement of Patient's Capability to Manage Benefits—20 CFR 404.2015 and 416.615—0960-0024.* SSA collects information on Form SSA-787 to determine beneficiaries' ability to handle their own benefits. This information assists SSA in determining the need for a representative payee. The respondents are the beneficiary's physicians or medical officers of the institution in which the beneficiary resides.

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

Number of Respondents: 120,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 20,000 hours.

4. *Statement for Determining Continuing Eligibility, Supplemental Security Income Payment(s)—20 CFR 416.204—0960-0416.* SSA uses the information from the SSA-8203-BK for high-error-profile (HEP) redeterminations of disability to determine whether SSI recipients have met and continue to meet all statutory and regulatory requirements for SSI eligibility and whether they have been, and are still receiving, the correct payment amount. Periodic collection of this information is the only way SSA can make these determinations, and collection of this information is mandatory under the law. Typically, beneficiaries complete this collection in field offices by personal contact (face-to-face or telephone interview) using the automated Modernized SSI Claim System (MSSICS). The respondents are SSI recipients or their representative payees.

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

Collection method	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
MSSICS	94,568	1	20	31,523
MSSICS/Signature Proxy	31,522	1	19	9,982
Paper	31,522	1	20	10,507
Totals	157,612	52,012

5. *Pain Report Child—20 CFR 416.912 and 416.512—0960-0540.* Disability interviewers and applicants/claimants in self-help situations use Form SSA-3371-BK to record information about

pain or other symptoms of a child who is claiming disability. The State Disability Determination Services adjudicators and administrative law judges use this information to assess the

effects of symptoms on functionality to help make a disability determination. The respondents are applicants for SSI payments.

Note: This is a correction notice. SSA published this information collection as an extension on November 17, 2009, at 74 FR 59336. Since we are revising the Privacy Act Statement, this is now a revision of an OMB-approved information collection.

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

Number of Respondents: 250,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 62,500 hours.

6. *Internet Direct Deposit Application—31 CFR 210—0960—0634.* SSA uses Direct Deposit/Electronic Funds Transfer (DD/EFT) enrollment information received from beneficiaries to facilitate DD/EFT of their Social Security benefits with a financial institution. Respondents are Social Security beneficiaries who use the Internet to enroll in DD/EFT.

Note: This is a correction notice. SSA published this information collection as an extension on November 17, 2009, at 74 FR 59336. Since we are revising the Privacy Act Statement, this is now a revision of an OMB-approved information collection.

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

Number of Respondents: 90,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 15,000 hours.

7. *Certificate of Support—20 CFR 404.370, 404.750, 404.408a—0960—0001.* A parent of a deceased, fully insured worker may be entitled to Title II benefits on the earnings record of the deceased worker under certain conditions. One of the conditions is the parent must have received at least one-half support from the deceased worker. The one-half support requirement also applies to a spouse applicant in determining whether Title II benefits are subject to Government Pension Offset (GPO). SSA uses the information from Form SSA-760-F4 to determine whether the parent of a deceased worker or a spouse applicant meets the one-half support requirement. Respondents are parents of deceased workers or spouses who may be exempt from GPO.

Note: This is a correction notice. SSA published this information collection as an extension on October 26, 2009, at 74 FR 55080. Since we are revising the Privacy Act Statement, this is now a revision of an OMB-approved information collection.

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

Number of Respondents: 18,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 4,500 hours.

Dated: January 15, 2010.

Elizabeth A. Davidson,

Director, Center for Reports Clearance, Social Security Administration.

[FR Doc. 2010-1115 Filed 1-21-10; 8:45 am]

BILLING CODE 4191-02-P

DEPARTMENT OF STATE

[Public Notice 6884]

Culturally Significant Object Imported for Exhibition; Determinations: "Projects 92: Yin Xiuzhen"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the object to be included in the exhibition "Projects 92: Yin Xiuzhen," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at the Museum of Modern Art, New York, New York, from on or about February 24, 2010, until on or about May 24, 2010, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a description of the exhibit object, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6469). The mailing address is U.S. Department of State, SA-5, L/DP, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: January 14, 2010.

Maura M. Pally,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2010-1215 Filed 1-21-10; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice 6883]

Culturally Significant Objects Imported for Exhibition Determinations: "The Mourners: Tomb Sculptures From the Court of Burgundy"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "The Mourners: Tomb Sculptures from the Court of Burgundy," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Metropolitan Museum of Art, New York, NY, from on or about March 1, 2010, until on or about May 23, 2010; the St. Louis Art Museum, St. Louis, MO, from on or about June 20, 2010, until on or about September 6, 2010; the Dallas Museum of Art, Dallas, TX, from on or about October 3, 2010 until on or about January 2, 2011; the Minneapolis Institute of Arts, Minneapolis, MN, from on or about January 23, 2011, until on or about April 17, 2011; the Los Angeles County Museum of Art, Los Angeles, CA, from on or about May 8, 2011, until on or about July 31, 2011; the Fine Arts Museums of San Francisco, San Francisco, CA, from on or about August 21, 2011, until on or about January 1, 2012; the Virginia Museum of Fine Arts, Richmond, VA, from on or about January 20, 2012, until on or about April 15, 2012; and at possible additional exhibitions or venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.