

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.<sup>21</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 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-Phlx-2007-11 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-Phlx-2007-11. 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. Copies of the filing also will be available for inspection and copying at the principal office of the Phlx. 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-Phlx-2007-11 and should

be submitted on or before March 13, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>22</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7-2843 Filed 2-16-07; 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 that will require clearance by the Office of Management and Budget (OMB) in compliance with P.L. 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, faxed or e-mailed to the individuals at the addresses and 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, DCFAM, 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).

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. *Application for Benefits under the Italy-U.S. International Social Security Agreement—0960-0445—20 CFR 404.1925.* The United States and Italy entered into an agreement on November 1, 1978. Article 19.2 of that agreement provides that an applicant for benefits can file his application with either country. Article 4.3 of the Protocol to the Agreement provides that the country that receives the application will forward agreed upon forms and applications to the other country. Form SSA-2528 is the form agreed upon that is completed by individuals who file an application for U.S. benefits directly with one of the Italian Social Security Agencies. The information collected on Form SSA-2528 is required by SSA in order to determine entitlement to benefits. The respondents are applicants for old-age, survivors or disability benefits, who reside in Italy.

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

*Number of Respondents:* 200.

*Frequency of Response:* 1.

*Average Burden Per Response:* 20 minutes.

*Estimated Annual Burden:* 67 hours.

2. *Social Security Benefits Applications—20 CFR Subpart D, 404.310-404.311 and 20 CFR Subpart F, 404.601-401.603—0960-0618.* One of the requirements for obtaining Social Security benefits is the filing of an application so that a determination may be made on the applicant's eligibility for monthly benefits. In addition to the traditional paper application, SSA has developed various options for the public to add convenience and operational efficiency to the application process. The total estimated number of respondents to all application collections formats is 3,843,369 with a cumulative total of 995,457 burden hours. The respondents are applicants for retirement insurance benefits (RIB), disability insurance benefits (DIB), and/or spouses' benefits.

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

#### *Internet Social Security Benefits Application (ISBA)*

ISBA, which is available through SSA's Internet site, is one method that an individual can choose to file an application for benefits. Individuals can use ISBA to apply for retirement insurance benefits RIB, DIB and spouse's insurance benefits based on age. SSA gathers only information relevant to the individual applicant's circumstances and will use the

<sup>21</sup> See 15 U.S.C. 78s(b)(3)(C).

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

information collected by ISBA to entitle individuals to RIB, DIB, and/or spouses' benefits. The respondents are applicants for RIB, DIB, and/or spouses benefits.

Number of Respondents: 169,000.

Frequency of Response: 1.

Average Burden Per Response: 21.4 minutes.

Estimated Annual Burden: 60,277 hours.

**Paper Application Forms**

*Application for Retirement Insurance Benefits (SSA-1)*

The SSA-1 is used by SSA to determine an individual's entitlement to retirement insurance benefits. In order to receive Social Security retirement insurance benefits, an individual must file an application with the SSA. The SSA-1 is one application that the Commissioner of Social Security prescribes to meet this requirement. The

information that SSA collects will be used to determine entitlement to retirement benefits. The respondents are individuals who choose to apply for Social Security retirement insurance.

Approximately 1,460,692 respondents complete the SSA-1 annually. Of this total 97% (1,416,871) are completed through SSA's Modernized Claims System (MCS) and 50% of the MCS respondents will use Signature Proxy (708,435.5). The breakdown is displayed on the following chart.

Collection method	Number of respondents	Estimated completion time	Burden hours
MCS .....	708,436	10.5 minutes .....	123,976
MCS/Signature Proxy .....	708,435	9.5 minutes .....	112,169
Paper .....	43,821	10.5 minutes .....	7,669
Totals .....	1,460,692	.....	243,814

*Application for Wife's or Husband's Insurance Benefits (SSA-2)*

SSA uses the information collected on Form SSA-2 to determine if an applicant (including a divorced

applicant) can be entitled to benefits as the spouse of the worker and the amount of the spouse's benefits. The respondents are applicants for wife's or husband's benefits, including those who are divorced. Approximately 700,000

respondents complete the SSA-2 annually. Of this total 95% (665,000) are completed through MCS and 50% of the MCS respondents will use Signature Proxy (332,500). The breakdown is displayed on the following chart:

Collection method	Number of respondents	Estimated completion time	Burden hours
MCS .....	332,500	15 minutes .....	83,125
MCS/Signature Proxy .....	332,500	14 minutes .....	77,583
Paper .....	35,000	15 minutes .....	8,750
Totals .....	700,000	.....	169,458

*Application for Disability Insurance Benefits (SSA-16)*

Form SSA-16-F6 obtains the information necessary to determine whether the provisions of the Act have been satisfied with respect to an applicant for disability benefits, and

detects whether the applicant has dependents who would qualify for benefits on his or her earnings record. The information collected on form SSA-16 helps to determine eligibility for Social Security disability benefits. The respondents are applicants for Social Security disability benefits.

Approximately 1,513,677 respondents complete the SSA-16 annually. Of this total 97% (1,468,267) are completed through SSA's Modernized Claims System (MCS) and 50% of the MCS respondents will use Signature Proxy (734,133.5). The breakdown is displayed on the following chart:

Collection method	Number of respondents	Estimated completion time	Burden hours
MCS .....	734,134	20 minutes .....	244,711
MCS/Signature Proxy .....	734,133	19 minutes .....	232,476
Paper .....	45,410	20 minutes .....	15,137
Totals .....	1,513,677	.....	492,324

II. The information collections listed below have 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 packages by calling the SSA Reports Clearance Officer at

410-965-0454, or by writing to the address listed above.

1. *Pain Report Child—20 CFR 416.912 and 416.1512—0960-0540.* The information collected by form SSA-3371-BK will be used to obtain the types of information specified in SSA's regulations, and to provide disability interviewers (and applicants/claimants in self-help situations) with a

convenient means of recording the information. This information is used by the State disability determination services (DDS) adjudicators and administrative law judges to assess the effects of symptoms on functionality for determining disability under the Social Security Act. The respondents are applicants for Supplemental Security Income (SSI) benefits.

*Type of Request:* Extension 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.

2. *Request for Hearing by Administrative Law Judge*—20 CFR 404.929, 404.933, 416.1429, 404.1433, 405.722, 418.1350—0960-0269. SSA uses form HA-501 to document when applicants for Social Security benefits have their claims denied and want to request an administrative hearing to appeal SSA's decision. The scope of this form is now being expanded to include people who wish to appeal the decision that has been made regarding their obligation to pay a new Income-Related Monthly Adjustment Amount (IRMAA) for Medicare Part B, as per the requirements of the Medicare Modernization Act of 2003. Although

this information will be collected by SSA, the actual hearings will take place before administrative law judges (ALJ) who are employed by the Department of Health and Human Services (HHS). The current respondents include applicants for various Social Security benefits programs who want to request a hearing where they can appeal their denial; the new additional respondents are Medicare Part B recipients whom SSA has determined will have to pay the new Medicare Part B IRMAA and who wish to appeal this decision at a hearing before an HHS ALJ.

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

*Number of Respondents:* 669,469.

*Frequency of Response:* 1.

*Average Burden Per Response:* 10 minutes.

*Estimated Annual Burden:* 111,578 hours.

3. *Request to Resolve Questionable Quarters of Coverage (QC); Request for*

*QC History Based on Relationship—0960-0575.* Form SSA-512 is used by states to request clarification from SSA on questionable QC information. The Personal Responsibility and Work Opportunity Reconciliation Act states that aliens admitted for lawful residence that have worked and earned 40 qualifying QCs for Social Security purposes can generally receive state benefits. Form SSA-513 is used by states to request QC information for an alien's spouse or child in cases where the alien does not sign a consent form giving permission to access his/her Social Security records. QCs can also be allocated to a spouse and/or to a child under age 18, if needed, to obtain 40 qualifying QCs for the alien. The respondents are state agencies that require QC information in order to determine eligibility for benefits.

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

Collections	Number of respondents	Frequency of response	Average burden per response (minute)	Estimated annual burden (hours)
SSA-512 .....	200,000	1	2	6,667
SSA-513 .....	350,000	1	2	11,667
Totals .....	550,000	.....	.....	18,334

Dated: February 9, 2007.

**Elizabeth A. Davidson,**

*Reports Clearance Officer, Social Security Administration.*

[FR Doc. E7-2662 Filed 2-16-07; 8:45 am]

BILLING CODE 4191-02-P

**DEPARTMENT OF STATE**

[Public Notice 5698]

**Debarment Involving Henry L. Lavery III and Security Assistance International, Inc.**

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has imposed an administrative debarment against Henry L. Lavery III and Security Assistance International, Inc. pursuant to a December 12, 2006 Consent Agreement and other authority based upon section 127.7(a) and (b)(2) of the International Traffic in Arms Regulations (ITAR) (22 CFR sections 120 to 130).

**EFFECTIVE DATE:** December 12, 2006.

**FOR FURTHER INFORMATION CONTACT:** David Trimble, Director, Office of Defense Trade Controls Compliance,

Bureau of Political-Military Affairs, Department of State (202) 663-2700.

**SUPPLEMENTARY INFORMATION:** Section 127.7 of the ITAR authorizes the Assistant Secretary of State for Political-Military Affairs to debar any person who has been found pursuant to Section 128 of the ITAR to have committed a violation of the Arms Export Control Act (AECA) or the ITAR of such character as to provide a reasonable basis for the Office of Defense Trade Controls Compliance to believe that the violator cannot be relied upon to comply with the AECA or ITAR in the future. Such debarment prohibits the subject from participating directly or indirectly in the export of defense articles or defense services for which a license or approval is required by the ITAR.

Debarred persons are generally ineligible to participate in activity regulated under the ITAR (see e.g., sections 120.1(c) and (d), 126.7, 127.1(c), and 127.11(a)). The Department of State will not consider applications for licenses or requests for approvals that involve any debarred person.

Henry L. Lavery III doing business as Security Assistance International, Inc.,

(SAI) was under a Consent Agreement dated June 3, 1999, as a result of a Proposed Charging Letter alleging numerous ITAR violations between April 1993 and April 1999. Mr. Lavery and his company, SAI, were cited for submitting export applications on behalf of clients containing falsified applicant signatures; failing to maintain records as required under the ITAR; obtaining export licenses for firms whose registrations expired or who were never registered; and brokering without being registered and without authorization. Under the June 3, 1999, Consent Agreement, Mr. Lavery was required to pay a \$10,000 penalty, register as a broker, reconstruct export records, cease participating directly or indirectly in exports of defense articles and/or defense services and implement a compliance program outlining SAI's operating procedures and internal controls for adherence to the ITAR. On or about August 1, 2001, Mr. Lavery completed the requirements of the Consent Agreement and his export privileges were reinstated by the Department.

On July 11, 2005, the Office of Defense Trade Controls Compliance conducted a review of SAI's ITAR