

however, the NRC encourages electronic comment submission through the Federal Rulemaking website:

- *Federal Rulemaking Website*: Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0190. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC-2020-0190 on this website.

- *NRC's Agencywide Documents Access and Management System (ADAMS)*: You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The supporting statement and burden spreadsheet are available in ADAMS under Accession Nos. ML20280A683 and ML20280A682.

- *Attention*: The PDR, where you may examine and order copies of public documents is currently closed. You may submit your request to the PDR via email at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

- *NRC's Clearance Officer*: A copy of the collection of information and related instructions may be obtained without charge by contacting NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: [Infocollects.Resource@nrc.gov](mailto:Infocollects.Resource@nrc.gov).

#### B. Submitting Comments

The NRC encourages electronic comment submission through the Federal Rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2020-0190 in your comment submission. The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <https://www.regulations.gov> as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should

inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

#### II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized.

1. *The title of the information collection*: 48 CFR Chapter 20, US NRC Acquisition Regulation (NRCAR).

2. *OMB approval number*: 3150-0169.

3. *Type of submission*: Extension.

4. *The form number, if applicable*: Not applicable.

5. *How often the collection is required or requested*: Monthly, once (at time of award), and on occasion (when changes occur.)

6. *Who will be required or asked to respond*: Contractors and bidders.

7. *The estimated number of annual responses*: 4,908 (4,762 reporting responses + 146 recordkeepers).

8. *The estimated number of annual respondents*: 535.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request*: 12,500 (9,922 reporting + 2,578 recordkeeping).

10. *Abstract*: The mandatory requirements of the NRCAR implement and supplement the government-wide Federal Acquisition Regulation (FAR) and ensure that the regulations governing the procurement of goods and services with the NRC satisfy the needs of the agency. This includes reports and recordkeeping requirements for certain contractors or offerors to submit a monthly progress report that summarizes work performed during the previous month, and/or retain records of equipment, payroll, inspection and quality control records, as applicable. Because of differing statutory authorities among Federal agencies, the FAR permits agencies to issue a regulation to implement FAR policies and procedures internally to satisfy the specific need of the agency.

The NRCAR includes policies, procedures, solicitation provisions and contract clauses needed to ensure effective and efficient evaluation, negotiation, and administration of agency acquisitions. Certain reports, such as reports of contractor

organizational conflicts of interest or changes in key personnel are collected from contractors on as needed basis as changes occur whether at the time award or throughout the life of the contract. Some reports are required to be submitted monthly such as the Financial Status report and Technical Progress Report. There are also some reports that bidders are required to submit upon request, such as responses to pre-award questions that demonstrate their ability to meet minimum standards set forth in Federal Acquisition Regulations.

#### III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the estimate of the burden of the information collection accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: March 4, 2021.

For the Nuclear Regulatory Commission.

**David C. Cullison,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

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#### PENSION BENEFIT GUARANTY CORPORATION

##### **Proposed Submission of Information Collection for OMB Review; Comment Request; Locating and Paying Participants**

**AGENCY**: Pension Benefit Guaranty Corporation.

**ACTION**: Notice of intent to request extension of OMB approval, with modifications.

**SUMMARY**: The Pension Benefit Guaranty Corporation (PBGC) intends to request that the Office of Management and Budget (OMB) extend approval, with modifications, to a collection of information (OMB Control Number 1212-0055; expires October 31, 2021) under the Paperwork Reduction Act. The purpose of the information collection is to enable PBGC to pay benefits to participants and beneficiaries. This notice informs the public of PBGC's intent and solicits

public comment on the collection of information, as modified.

**DATES:** Comments must be received on or before May 10, 2021 to be assured of consideration.

**ADDRESSES:** Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* [paperwork.comments@pbgc.gov](mailto:paperwork.comments@pbgc.gov). Refer to Locating and Paying Participants information collection in the subject line.

- *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026.

All submissions received must include the agency's name (Pension Benefit Guaranty Corporation, or PBGC) and refer to Locating and Paying Participants information collection. All comments received will be posted without change to PBGC's website, <http://www.pbgc.gov>, including any personal information provided.

A copy of the request will be posted on PBGC's website at <https://www.pbgc.gov/prac/laws-andregulation/federal-register-notices-openfor-comment>. It may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005-4026, or calling 202-326-4040 during normal business hours. TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-326-4040.

**FOR FURTHER INFORMATION CONTACT:**

Melissa Rifkin ([rifkin.melissa@pbgc.gov](mailto:rifkin.melissa@pbgc.gov)), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington DC 20005-4026; 202-229-6563. (TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-229-6563.)

**SUPPLEMENTARY INFORMATION:** This information collection is needed to pay participants and beneficiaries who may be entitled to pension benefits from plans that have terminated. Participants and beneficiaries are asked to provide information in connection with an application for benefits. This includes requests to individuals to provide identifying information so that PBGC may determine whether the individuals are entitled to benefits. All requested information is needed so that PBGC may determine benefit entitlements and make appropriate payments.

This information collection includes My Pension Benefit Account (MyPBA), an application on PBGC's website, <http://www.pbgc.gov>, through which plan participants and beneficiaries may conduct electronic transactions with PBGC, including applying for pension benefits, designating a beneficiary, electing or changing federal income tax withholding from periodic payments, changing contact information, and applying for or changing electronic direct deposit.

PBGC is proposing to eliminate one form (the Form 709), add four forms (form 700RN, form 700RSC, form 703RBD and form 703RBD-MP) and revise several other forms in this collection, specifically Forms: 700, 701, 702, 705, 706, 707, 708, 710, 711, 715 and 717. The proposed revisions include the following.

- PBGC is proposing the addition of four new forms: Form 700RN, Form 700RSC, Form 703RBD and Form 703RBD-MP. Each is intended to improve customer service.

(1) Form 700RN and Form 700RSC will be used in rare situations when participants who are already receiving benefits choose to elect a retroactive annuity starting state. Form 700RN will be used by participants where spousal consent is not required, and Form 700RSC will be used by participants where spousal consent is required. PBGC will use this information to provide eligible participants an option to change their annuity starting date and receive reduced monthly benefits.

(2) Form 703RBD and Form 703RBD-MP will be used in rare situations by participants who have reached their required beginning date (RBD) and are eligible to elect a lump sum payment in lieu of an annuity. Form 703RBD will be used for trustee plan participants. Form 703RBD-MP will be used for participants claiming benefits under the Missing Participants Program and requires notarization of the participant's signature as a fraud prevention measure. PBGC is separating participants who have reached their RBD from other participants able to elect a lump sum payment to ensure that appropriate information is communicated to participants who have reached their RBD.

- To Form 700, PBGC is proposing to remove the question that asks participants to designate beneficiaries for amounts owed at death and collect this information only on Form 707. This change is intended to reduce errors with customers completing Form 700.

- To Form 701, PBGC is proposing to add a question asking for the gender of the participant's spouse. PBGC will use

this information for actuarial calculations required to operate the single-employer insurance program.

- To Forms 701, 702, 705, 706, 707, and 708, PBGC is proposing to clarify the requested information about beneficiaries owed benefits upon the participant's death.

- To Forms 701, 705, 706 and 710, PBGC is proposing to eliminate a question and information about Electronic Transfer Accounts (ETA), as this Department of the Treasury sponsored program ended.

- To Form 711, PBGC is proposing to add a question for notarized spousal consent to the change in a beneficiary for a certain and continuous annuity. This change is intended to comply with applicable requirements under the Internal Revenue Code.

- To Form 715, PBGC is proposing to clarify the instructions to improve customer service.

- To Form 717, PBGC is proposing to eliminate questions asking for gender, the branch or division where the employee worked, lump sum amount and date paid, whether the lump sum was rolled over to an individual retirement account (IRA), and whether the employee is currently receiving retirement benefits. PBGC is proposing to add requests for the last dates of employment, information on the type of retirement plan, and information appearing on SSA Form L-99-C1. This addition will decrease the need for PBGC to follow up with customers for additional, required information and increase processing efficiency.

PBGC is making editorial and formatting changes as well, including changing the design and appearance of MyPBA. PBGC believes these revisions will provide greater clarity to customers and improve their experience with the online system.

The existing collection of information was approved under OMB control number 1212-0055 (expires October 31, 2021). PBGC intends to request that OMB extend its approval (with modifications) for three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that it will receive 170,521 benefit application or information forms annually. The total annual burden associated with this collection of information is estimated to be 58,376 hours and an estimated \$58,682, which is the total average maximum cost of notary services for participants' or participants' spouses' signatures on applicable forms.

PBGC is soliciting public comments to—

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Issued in Washington, DC, by

**Stephanie Cibinic,**

*Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91248; File No. SR-NYSEAMER-2021-12]

### Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the NYSE American Options Fee Schedule

March 3, 2021.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on March 1, 2021, NYSE American LLC ("NYSE American" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE American Options Fee Schedule

("Fee Schedule") regarding an incentive program for Market Makers. The Exchange proposes to implement the fee change effective March 1, 2021. The proposed rule change is available on the Exchange's website at *www.nyse.com*, at the principal office of the Exchange, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The purpose of this filing is to modify the Fee Schedule to eliminate an incentive program that was designed to encourage Market Makers<sup>4</sup> to increase their Manual volume above a base rate (the "Step-Up Program"). The Exchange proposes to implement the rule change on March 1, 2021.

Currently, the Exchange offers discounts on the standard \$0.25 per contract fee on Manual volume to Market Makers that increase their Manual volume by a specified percentage of TCADV over their August 2019 volume or, for new Market Makers, that increase Manual volume by a specified percentage of TCADV above a base level of 15,000 ADV ("Increased Manual Volume"). Specifically, the Exchange provides an \$0.18 per contract charge on Increased Manual Volume to Market Makers (excluding Specialists and e-Specialists)<sup>5</sup> with Increased Manual Volume of at least 0.15% TCADV and a \$0.12 per contract charge on Increased Manual Volume to Market Makers with Increased Manual Volume of at least 0.30% TCADV.

The Exchange adopted the Step-Up Program—a voluntary program—in October of 2019 to encourage Market

Makers to increase Manual volume on the Exchange.<sup>6</sup> However, because the Step-Up Program has not been utilized (and therefore did not achieve its intended effect), the Exchange proposes to eliminate the Step-Up Program from the Fee Schedule.<sup>7</sup>

The Exchange believes that the elimination of the Step-Up Program would not impact any Market Makers, given that no Market Makers ever achieved the Increased Manual Volume necessary to qualify for the discounted rates.

###### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,<sup>8</sup> in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,<sup>9</sup> in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed rule change to eliminate the Step-Up Program from the Fee Schedule is reasonable because this program has not been utilized and thus has not effectively incented Market Makers to increase participation in manual executions on the Exchange. The Exchange believes eliminating an unutilized incentive program would simplify the Fee Schedule. The Exchange believes that eliminating the Step-Up Program from the Fee Schedule is equitable and not unfairly discriminatory because the program would be eliminated in its entirety and would no longer be available to any Market Maker.

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

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, the Exchange believes that the proposed elimination of the Step-Up Program from the Fee Schedule would not affect intramarket or intermarket competition because, as discussed

<sup>6</sup> See Securities Exchange Act Release No. 87404 (October 28, 2019), 84 FR 58772 (November 1, 2019) (SR-NYSEAMER-2019-43) (notice regarding adoption of the Step-Up Program).

<sup>7</sup> See proposed Fee Schedule, Section I.A. (reflecting deletion of footnote 8 relating to the Step-Up Program).

<sup>8</sup> 15 U.S.C. 78f(b).

<sup>9</sup> 15 U.S.C. 78f(b)(4) and (5).

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.

<sup>4</sup> Unless otherwise specified, the term "Market Makers" as used herein includes Specialists and e-Specialists.

<sup>5</sup> Specialists and e-Specialists already pay a rate of \$0.18 per contract on Manual volume.