

Further, the Exchange's proposed changes to General 3, Rule 1030(b) to permit the Chief Executive Officer to halt, suspend trading in any and all securities traded on the Exchange, to close some or all Exchange facilities, and to determine the duration of any such halt, suspension, or closing, when he or she deems such action necessary for the maintenance of fair and orderly markets, the protection of investors, or otherwise in the public interest including certain specified special circumstances does not impose an undue burden on competition. The proposed authority would permit Nasdaq and its Affiliated Markets to close on an ad hoc basis for an extraordinary event without the need to file a rule change by providing notice to members of these unanticipated closures. This would allow the Exchange to continue to coordinate with the securities industry for unanticipated closures. These proposed changes are not designed to address any competitive issues and are consistent with existing rules of other exchanges.¹⁶

The Exchange's proposal to add rule text at the end of General 3, Section 1030(b) to make clear the power of the Chief Executive Officer to halt, suspend or close facilities of the Exchange within paragraph (b) applies only to the circumstances noted within that paragraph does not impose an undue burden on competition, rather, the rule text will make clear the powers of the Chief Executive Officer thereby adding greater transparency to the proposed rule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or 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)(iii) of the Act¹⁷ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁸

¹⁶ See Cboe BYX Rule 11.1(b) and (c) and Cboe Rules 5.1(d) and 5.23(d).

¹⁷ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁸ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend 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. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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 email to rule-comments@sec.gov. Please include File Number SR-NASDAQ-2021-093 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-NASDAQ-2021-093. This file number should be included on the subject line if email 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 website (<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 website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the

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 Exchange has satisfied this requirement.

filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2021-093 and should be submitted on or before December 27, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

J. Matthew DeLesDernier,
Assistant Secretary.

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SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA-2021-0027]

Agency Information Collection Activities: New Emergency 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 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes a new, emergency information collection.

SSA is asking OMB for approval of this information collection seven days after the date of publication of this **Federal Register** Notice, independent of public comment, due to its emergency nature. However, we still welcome comment 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. We will consider any comments if we ultimately seek to extend this information collection beyond the standard six-month emergency approval. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA.
Comments: <https://www.reginfo.gov/public/do/PRAMain>. Submit your

¹⁹ 17 CFR 200.30-3(a)(12).

comments online referencing Docket ID Number [SSA–2021–0027].

(SSA) Social Security Administration, OLCA, Attn: Director, Office of Regulations and Reports Clearance, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410–966–2830, Email address: *OR.Reports.Clearance@ssa.gov*. Or you may submit your comments online through <https://www.reginfo.gov/public/do/PRAMain>, referencing Docket ID Number [SSA–2021–0027]. We recommend submitting comments via this link as the fastest way for them to reach us.

SSA is submitting the information collection below to OMB for clearance. If you wish to submit comments, we recommend you do so no later than January 3, 2022. However, please be aware that due to the emergency nature of this collection, SSA will be seeking OMB clearance in advance of this date. Individuals may obtain copies of this OMB clearance package by writing to *OR.Reports.Clearance@ssa.gov*.

COVID–19 Symptoms Screener for In-Person Hearings—20 CFR 404.929, 404.933, 416.1429, 416.1433, 418.1350, and 422.203—0960–NEW. Following a temporary pause on in-person service, such as in-person hearings due to the COVID–19 pandemic, SSA will soon restart in-person hearings on a limited basis. When SSA resumes these limited in-person hearings, we will ask participating members of the public to complete a brief COVID–19 symptoms screener questionnaire within 24 hours of their hearings.

Background

During the recent COVID–19 pandemic, SSA conducted its services almost exclusively online or by telephone, to protect the health of both the public and our employees. We took these measures in accordance with relevant Centers for Disease Control COVID–19 pandemic guidance, and to comply with existing Occupational Safety and Health Act provisions regarding workplace safety.

While in-person hearings have not been available since March 2020, claimants or their appointed representatives who wished to appeal a redetermination could choose to participate in an online video hearing or phone hearing instead. We would like to soon resume in-person hearings on a limited-capacity basis. Initially, we plan to keep the number of in-person hearings to an average of three separate hearings per hearing office per day, to ensure the continued health and safety of the public and SSA employees. The number of in-person hearings per hearing office may be revised over the course of reentry.

Need for Information Collection; Collection Methodology; How Information Will Be Used

Because of COVID–19 health and safety considerations, we plan to require all members of the public entering an SSA hearing office to participate in an in-person hearing to complete a brief screener questionnaire designed to identify COVID–19 symptoms. A link to the questionnaire will be provided in the mailed notice of scheduled hearings.

People participating in a hearing can complete and submit the questionnaire online within 24 hours before the start of the hearing. If hearings participants do not wish to use the internet, they can call the hearings office where the hearing is scheduled and complete the questionnaire over the phone.

The questionnaire will ask questions relating to personal experience of any COVID symptoms; exposure to someone diagnosed with COVID; or travel by means other than land travel, such as car, bus, ferry, or train. SSA will use the screener responses to determine if the in-person hearings participant is “cleared” or “not cleared” to enter an SSA hearing office. If participants answer “no” to all questions, they are “cleared” to participate. If they answer “yes” to any part of the screener, they will be “not cleared.” Persons who are not cleared may seek to be rescheduled for the next in-person hearing date that at least 14 days after the COVID–19 symptoms first presented, or 14 days after they tested positive for COVID–19.

Alternatives to Completing the Information Collection

Although completion of the questionnaire will be required for an in-person hearing, it is not required for other modalities of appeals hearings. One may choose an online video hearing or telephone hearing as an alternative to an in-person hearing. Claimants may obtain Social Security payments regardless of the hearing method they choose.

Type of Request: New (temporary, emergency) information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Average wait time in hearing office (minutes)**	Total annual opportunity cost (dollars)***
COVID Screener Questionnaire.	179,580 (164 hearing offices × 3 hearings per office per day × 2 persons per hearing × 182.5 days, which is the duration of the emergency information collection request (ICR)).	1	10	29,930 (179,580 respondents × 10 completion minutes/60 minutes per burden hour).	\$19.01*	10**	\$1,934,496*** (29,930 response hours + 71,832 office wait time hours = 101,762 total hours. Then multiply 101,762 hours × \$19.01).

*We based this figure on averaging both the average disability insurance (DI) payments based on SSA’s current fiscal year (FY) 2021 data (<https://www.ssa.gov/legislation/2021FactSheet.pdf>), and the average U.S. worker’s hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

**We based this figure on the average FY 2021 wait times for hearing offices, based on SSA’s current management information data.

***This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated: November 17, 2021.

Naomi Sipple,

Reports Clearance Officer, Office of Legislation and Congressional Affairs, Social Security Administration.

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