

**POSTAL SERVICE****Product Change—Priority Mail Express Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Effective date:* December 30, 2014.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth A. Reed, 202-268-3179.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on December 22, 2014, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express Contract 25 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2015-22, CP2015-28.

**Stanley F. Mires,**

*Attorney, Federal Requirements.*

[FR Doc. 2014-30425 Filed 12-29-14; 8:45 am]

**BILLING CODE 7710-12-P**

**RAILROAD RETIREMENT BOARD****Agency Forms Submitted for OMB Review, Request for Comments**

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the

ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

*1. Title and purpose of information collection:* Railroad Service and Compensation Reports/System Access Application; OMB 3220-0008.

Under Section 9 of the Railroad Retirement Act (RRA) and Section 6 of the Railroad Unemployment Insurance Act (RUIA) the Railroad Retirement Board (RRB) maintains for each railroad employee, a record of compensation paid to that employee by all railroad employers for whom the employee worked after 1936. This record, which is used by the RRB to determine eligibility for, and amount of, benefits due under the laws it administers, is conclusive as to the amount of compensation paid to an employee during such period(s) covered by the report(s) of the compensation by the employee's railroad employer(s), except in cases when an employee files a protest pertaining to his or her reported compensation within the statute of limitations cited in Section 9 of the RRA and Section 6 of the RUIA.

To enable the RRB to establish and maintain the record of compensation, employers are required to file with the RRB, reports of their employees' compensation, in such manner and form and at such times as the RRB prescribes. Railroad employers' reports and responsibilities are prescribed in 20 CFR 209. The RRB currently utilizes Form BA-3, *Annual Report of Creditable Compensation*, and Form BA-4, *Report of Creditable Compensation Adjustments*, to secure the required information from railroad employers. Form BA-3 provides the RRB with information regarding annual creditable service and compensation for each individual who worked for a railroad employer covered by the RRA and RUIA in a given year. Form BA-4 provides for the adjustment of any previously submitted reports and also the opportunity to provide any service and compensation that had been previously omitted. Requirements specific to Forms BA-3 and BA-4 are prescribed in 20 CFR 209.8 and 209.9.

Employers currently have the option of submitting BA-3 and BA-4 reports electronically by CD-ROM, File Transfer Protocol (FTP), secure Email, or online via the RRB's Employer Reporting System (ERS).

The information collection also includes RRB Form BA-12, Application for Employer Reporting Internet Access, and Form G-440, Report Specifications Sheet. Form BA-12 is completed by railroad employers to obtain system

access to ERS. Once access is obtained, authorized employees may submit reporting forms online to the RRB. The form determines what degree of access (view/only, data entry/modification or approval/submission) is appropriate for that employee. It is also used to terminate an employee's access to ERS. Form G-440, Report Specifications Sheet, serves as a certification document for various RRB employer reporting forms (Form BA-3, Form BA-4, Form BA-6a, BA-6, Address Report (OMB 3220-0005), Form BA-9, Report of Separation Allowance or Severance Pay (OMB 3220-0173) and Form BA-11, Report of Gross Earnings (OMB 3220-0132)). It records the type of medium the report was submitted on, and serves as a summary recapitulation sheet for reports filed on paper.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (79 FR 63652 on October 24, 2014) required by 44 U.S.C. 3506(c)(2). On November 25, 2014, the RRB received comments from the Department of Commerce's Bureau of Economic Analysis (BEA), strongly supporting the RRB's continued collection of the data on Forms BA-3 and BA-4 stating "these forms are our main data source for key components of BEA's economic statistics."

**Information Collection Request (ICR)**

*Title:* Railroad Service and Compensation Reports/System Access Application.

*OMB Control Number:* 3220-0008.

*Form(s) submitted:* BA-3, BA-3 (Internet), BA-4, BA-4 (Internet), BA-12 and G-440.

*Type of request:* Revision of a currently approved collection.

*Affected public:* Private Sector; Businesses or other for-profits.

*Abstract:* Under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, employers are required to report service and compensation for each employee to update Railroad Retirement Board records for payments of benefits. The collection obtains service and compensation information and information needed to ensure secure system access from employers who voluntarily opt to use the RRB's Internet-based Employer Reporting System to submit reporting forms and information needed to certify employer reporting transactions.

*Changes proposed:* The RRB proposes to eliminate the paper version of Form BA-3 and to make minor non-burden impacting changes to Forms BA-12.

*The burden estimate for the ICR is as follows:*

Reporting	Responses	Time (minutes)	Burden (hours)
BA-3:			
Electronic Media .....	96	46.25 (2,775 min) .....	4,440
BA-3 (Internet) .....	617	46.25 (2,775 min) .....	28,536
Total BA-3 .....	713	.....	32,976
BA-4:			
Paper .....	160	1.25 (75 min) .....	200
Electronic Media .....	285	1.00 (60 min) .....	285
BA-4 (Internet) .....	3,852	.33 (20 min) .....	1,284
Total BA-4 .....	4,297	.....	1,769
BA-12:			
Initial Access .....	295	.33 (20 min) .....	98
Access Termination .....	38	.166 (10 min) .....	6
Total BA-12 .....	333	.....	105
G-440 (Certification):			
Form BA-3 (zero employees) .....	19	.25 (15 min) .....	5
Form BA-11 (zero employees) .....	60	.25 (15 min) .....	15
Paper forms (without recap) .....	7	.25 (15 min) .....	2
Electronic transactions .....	94	.50 (30 min) .....	47
BA-3 and BA-4 (with recap) .....	125	1.25 (75 min) .....	156
Total G-440 .....	305	.....	224
Grand Total .....	5,648	.....	35,074

2. *Title and Purpose of information collection:* Medical Reports; OMB 3220-0038.

Under sections 2(a)(1)(iv) and 2(a)(1)(v) of the Railroad Retirement Act (RRA), annuities are payable to qualified railroad employees whose physical or mental condition makes them unable to (1) work in their regular occupation (occupational disability) or (2) work at all (permanent total disability). The requirements for establishing disability and proof of continuing disability under the RRA are prescribed in 20 CFR 220.

Under Sections 2(c)(1)(ii)(C) and 2(d)(1)(ii) of the RRA, annuities are also payable to qualified spouses and widow(er)s, respectively, who have a qualifying child who became disabled before age 22. Annuities are also payable to surviving children on the basis of disability under section 2(d)(1)(iii)(C) if the child's disability began before age 22 as well as to widow(er)s on the basis of disability under section 2(d)(1)(i)(B). To meet the disability standard, the RRA provides that individuals must have a permanent physical or mental condition that makes them unable to engage in any regular employment.

Under section 2(d)(1)(v) of the RRA, annuities are also payable to remarried widow(er)s and surviving divorced spouses on the basis of, among other things, disability or having a qualifying disabled child in care. However, the

disability standard in these cases is that found in the Social Security Act. That is, individuals must be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment. The RRB also determines entitlement to a Period of Disability and entitlement to early Medicare based on disability for qualified claimants in accordance with Section 216 of the Social Security Act.

When making disability determinations, the RRB needs evidence from acceptable medical sources. The RRB currently utilizes Forms G-3EMP, Report of Medical Condition by Employer; G-197, Authorization to Release Medical Information to the Railroad Retirement Board; G-250, Medical Assessment; G-250A, Medical Assessment of Residual Functional Capacity; G-260, Report of Seizure Disorder; RL-11B, Disclosure of Hospital Medical Records; RL-11D, Disclosure of Medical Records from a State Agency; and RL-250, Request for Medical Assessment, to obtain the necessary medical evidence. One response is requested of each respondent. Completion is voluntary.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (79 FR 63653 on October 24, 2014) required by 44 U.S.C. 3506(c)(2).

#### Information Collection Request (ICR)

*Title:* Medical Reports.

*OMB Control Number:* 3220-0038.

*Form(s) submitted:* G-3EMP, G-197, G-250, G-250a, G-260, RL-11B, RL-11D, RL-250.

*Type of request:* Revision of a currently approved collection of information.

*Affected public:* Individuals or households; Private Sector; State, Local and Tribal Government.

*Abstract:* The Railroad Retirement Act provides disability annuities for qualified railroad employees whose physical or mental condition renders them incapable of working in their regular occupation (occupational disability) or any occupation (total disability). The medical reports obtain information needed for determining the nature and severity of the impairment.

*Changes proposed:* The RRB proposes to add a fraud statement; request a doctor's National Provider Number; and make other minor non-burden impacting editorial and cosmetic changes to Forms G-250, G-250A, and G-260. The RRB also proposes to revise Form G-197 to include authorization to disclose educational records from various sources, as well as make other minor non-burden impacting editorial changes. There are no proposed changes to Forms RL-11B, RL-11D, RL-250.

*The burden estimate for the ICR is as follows:*

Form No.	Annual responses	Time (minutes)	Burden (hours)
G-3EMP .....	600	10	100
G-197 .....	6,000	10	1,000
G-250 .....	11,950	30	5,975
G-250A .....	50	20	17
G-260 .....	100	25	42
RL-11B .....	5,000	10	833
RL-11D .....	250	10	42
RL-250 .....	11,950	10	1,992
	35,900	.....	10,001

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Dana Hickman at (312) 751-4981 or [Dana.Hickman@RRB.GOV](mailto:Dana.Hickman@RRB.GOV).

Comments regarding the information collection should be addressed to Charles Mierzwa, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV) and to the OMB Desk Officer for the RRB, Fax: 202-395-6974, Email address: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

Charles Mierzwa,

Chief of Information Resources Management.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-73911; File No. 10-214]

### Automated Matching Systems Exchange, LLC; Notice of Filing of Amendment No. 1 to an Application for Limited Volume Exemption From Registration as a National Securities Exchange Under Section 5 of the Securities Exchange Act of 1934

December 22, 2014.

On July 7, 2014, Automated Matching Systems Exchange, LLC (“AMSE”) submitted to the Securities and Exchange Commission (“SEC” or “Commission”) an application seeking a limited volume exemption under Section 5 of the Securities Exchange Act (“Exchange Act”) from registration as a national securities exchange under Section 6 of the Exchange Act.<sup>1</sup> Notice of AMSE’s exemption application was published for comment in the **Federal Register** on July 29, 2014.<sup>2</sup> On October 23, 2014, the Commission issued an

<sup>1</sup> The Commission notes that AMSE’s application only seeks a limited volume exemption under Section 5 of the Exchange Act from registration as a national securities exchange under Section 6 of the Exchange Act. AMSE’s application does not seek to register as a national securities exchange.

<sup>2</sup> See Securities Exchange Act Release No. 72661 (July 23, 2014), 79 FR 44070 (“Notice”).

order instituting proceedings to determine whether to grant or deny AMSE’s exemption application.<sup>3</sup> On November 10, 2014, AMSE submitted Amendment No. 1 to its exemption application. The Commission is publishing this notice in order to solicit views of interested persons on AMSE’s exemption application as amended by Amendment No. 1.

### I. Description of AMSE’s System

AMSE proposes to conduct business in reliance upon an exemption from registration as a national securities exchange pursuant to Section 5 of the Exchange Act.<sup>4</sup> In general, AMSE seeks to operate as an exchange for alternative trading systems.<sup>5</sup> AMSE proposes to operate solely on an “off-order-book” trading basis. AMSE does not intend to have a physical exchange trading floor, centralized order book, or specialists or market makers with affirmative and negative market making obligations. Each member of AMSE would maintain its own automated matching system or electronic order book. Each member of AMSE would adopt its own rules governing the execution and priority of orders on its system. Trades would occur when an order to buy and an order to sell match on a member’s electronic order book. Each member would report its transactions to AMSE at such intervals as required by AMSE.

### II. Amendment No. 1 to AMSE’s Exemption Application

On November 10, 2014, AMSE submitted Amendment No. 1 to its exemption application. AMSE has represented that the only substantive change to its exemption application made by Amendment No. 1 is the

<sup>3</sup> See Securities Exchange Act Release No. 73419 (October 23, 2014), 79 FR 64421 (October 29, 2014) (“Order Instituting Proceedings”).

<sup>4</sup> 15 U.S.C. 78e.

<sup>5</sup> For more detail on AMSE’s proposed system, see AMSE’s full amended exemption application and exhibits, which are published with this notice on the Commission’s Web site at <http://www.sec.gov/rules/other.shtml>.

addition of the following paragraph to Exhibit E:<sup>6</sup>

The Exchange will bring together orders for multiple buyers and sellers and such will be done by the use of consolidated quotation systems which effect transactions for multiple buyers and sellers. The consolidated quotation systems will display, or otherwise represent, trading interests entered on the AMSE system to its system users. AMSE may use a centralized order router which would match trading interests on the electronic order book of one member with the trading interests on the electronic order book of a second member.

### III. Additional Grounds for Denial Under Consideration

In the Order Instituting Proceedings, the Commission provided notice of the grounds for denial under consideration.<sup>7</sup> Specifically, the Commission noted that it was concerned that AMSE’s exemption application does not meet a key threshold requirement for being granted an exemption from exchange registration—namely, that the applicant actually be an “exchange” as defined under Section 3(a)(1) of the Exchange Act and Rule 3b-16 thereunder.<sup>8</sup> The Commission continues to have this concern.

The Commission is providing notice of additional grounds for denial under consideration. Specifically, the Commission is concerned that it would not be necessary or appropriate in the public interest or for the protection of investors to grant a limited volume exemption under Section 5 of the Exchange Act because it appears from the exemption application that the operation of the proposed exchange would be inconsistent with the Exchange Act.

<sup>6</sup> See email from Michael Stegawski, Chief Regulatory Officer, AMSE, to SEC staff, dated November 14, 2014.

<sup>7</sup> See Order Instituting Proceedings, *supra* note 3, at 64422.

<sup>8</sup> See Regulation ATS Adopting Release, 63 FR at 70898-70901 (discussing the Commission’s revised interpretation of the “exchange” definition). Among other things, the Commission stated that “the first essential element of an exchange is the bringing together of orders of multiple buyers and sellers.” *Id.* at 70900.