

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review, Request for Comments

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Railroad Retirement Board (RRB) is forwarding an 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: Statement Regarding Contributions and Support; OMB 3220–0099.

Under section 2 of the Railroad Retirement Act (45 U.S.C. 231a), dependency on an employee for one-half support at the time of the employee’s death can affect (1) entitlement to a survivor annuity when the survivor is a parent of the deceased employee; (2) the amount of spouse and survivor annuities; and (3) the Tier II restored amount payable to a widow(er) whose annuity was reduced for receipt of an employee annuity, and who was dependent on the railroad employee in the year prior to the employee’s death. One-half support may also negate the public service pension offset in Tier I for a spouse or widow(er). The Railroad Retirement Board (RRB) utilizes Form G–134, Statement Regarding Contributions and Support, to secure information needed to adequately determine if the applicant meets the one-half support requirement. One response is completed by each respondent. Completion is required to obtain benefits.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (89 FR 16039 on March 6, 2024) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Statement Regarding Contributions and Support.

OMB Control Number: 3220–0099.

Form(s) submitted: G–134.

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

Affected public: Individuals or Households.

Abstract: Dependency on the employee for one-half support at the time of the employee’s death can be a condition affecting eligibility for a survivor annuity provided for under Section 2 of the Railroad Retirement Act. One-half support is also a condition which may negate the public service pension offset in Tier I for a spouse or widow(er).

Changes proposed: The RRB proposes a minor editorial change to Form G–134 to change the date under Section 1 “General Instructions”.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
G–134:			
With Assistance	11	147	27
Without assistance	4	180	12
Total	15	39

2. Title and purpose of information collection: Financial Disclosure Statement; OMB 3220–0127.

Under Section 10 of the Railroad Retirement Act and Section 2(d) of the Railroad Unemployment Insurance Act (45 U.S.C. 231i), the RRB may recover overpayments of annuities, pensions, death benefits, unemployment benefits, and sickness benefits that were made erroneously. An overpayment may be waived if the beneficiary was not at fault in causing the overpayment and recovery would cause financial hardship. The regulations for the recovery and waiver of erroneous payments are contained in 20 CFR 255 and CFR 340.

The RRB utilizes Form DR–423, Financial Disclosure Statement, to obtain information about the overpaid beneficiary’s income, debts, and

expenses if that person indicates that (s)he cannot make restitution for the overpayment. The information is used to determine if the overpayment should be waived as wholly or partially uncollectible. If waiver is denied, the information is used to determine the size and frequency of installment payments. The beneficiary is made aware of the overpayment by letter and is offered a variety of methods for recovery. One response is requested of each respondent. Completion is voluntary. However, failure to provide the requested information may result in a denial of the waiver request.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (89 FR 16039 on March 6, 2024) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Financial Disclosure Statement.

OMB Control Number: 3220–0127.

Form(s) submitted: DR–423.

Type of request: Extension without change of a currently approved collection.

Affected public: Individuals or Households.

Abstract: Under the Railroad Retirement and the Railroad Unemployment Insurance Acts, the Railroad Retirement Board has authority to secure from an overpaid beneficiary a statement of the individual’s assets and liabilities if waiver of the overpayment is requested.

Changes proposed: The RRB proposes no changes to Form DR–423.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
DR-423	1,200	85	1,700

3. Title and purpose of information collection: Representative Payee Monitoring; OMB 3220-0151.

Under Section 12 of the Railroad Retirement Act (RRA) (45 U.S.C. 231k), the RRB may pay annuity benefits to a representative payee when an employee, spouse, or survivor annuitant is incompetent or a minor. The RRB is responsible for determining if direct payment to an annuitant or a representative payee would best serve the annuitant's best interest. The accountability requirements authorizing the RRB to conduct periodic monitoring of representative payees, including a written accounting of benefit payments received, are prescribed in 20 CFR 266.7. The RRB utilizes the following forms to conduct its representative payee monitoring program.

Form G-99a, *Representative Payee Report*, is used to obtain information needed to determine whether the benefit payments certified to the representative payee have been used for the annuitant's current maintenance and personal needs and whether the representative payee continues to be concerned with the annuitant's welfare. RRB Form G-99c, *Representative Payee Evaluation Report*, is used to obtain more detailed information from a

representative payee who fails to complete and return Form G-99a or in situations when the returned Form G-99a indicates the possible misuse of funds by the representative payee. Form G-99c contains specific questions concerning the representative payee's performance and is used by the RRB to determine whether or not the representative payee should continue in that capacity.

Form G-106, *Statement of Care and Responsibility to Annuitant*, is used to solicit information about the representative payee's performance and the annuitant's well-being from the custodian of the annuitant. The form contains specific questions concerning the representative payee's performance and is used by the RRB to determine whether or not the representative payee should continue in that capacity.

Completion of the forms in this collection is required to retain benefits.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (89 FR 16039 on March 6, 2024) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Representative Payee Monitoring.

OMB Control Number: 3220-0151.
Forms submitted: G-99a, G-99c and G-106.

Type of request: Revision of a currently approved collection.
Affected public: Individuals or Households.

Abstract: Under Section 12(a) of the Railroad Retirement Act, the RRB is authorized to select, make payments to, and conduct transactions with an annuitant's relative or some other person willing to act on behalf of the annuitant as representative payee. If the representative payee does not have custody of the beneficiary, the RRB will obtain the information from the custodian for evaluation. The collection obtains information needed to determine if a representative payee is handling benefit payments in the best interest of the annuitant.

Changes proposed: The RRB proposes no changes to Form G-99a or Form G-99c. The RRB proposes the following changes to Form G-106 to Add a drop-down box 'Second Request' at the top of the form to when the RRB needs to follow-up with a Third-Party Custodian who did not respond to the initial request.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
G-99a (legal and all other, excepting parent for child)	5,300	18	1,590
G-99c (Parts I and II)	300	24	120
G-99c (Parts I, II, and III)	120	31	62
G-106	500	10	83
Total	6,220	1,855

4. Title and Purpose of information collection: Earnings Information Request; OMB 3220-0184

Under section 2 of the Railroad Retirement Act (45 U.S.C. 231a), an annuity is not payable, or is reduced for any month(s) in which the beneficiary works for a railroad or earns more than prescribed amounts. The provisions relating to the reduction

or non-payment of annuities by reason of work are prescribed in 20 CFR 230.

The RRB utilizes Form G-19-F, *Earnings Information Request*, to obtain earnings information that either had not been previously reported or erroneously reported by a beneficiary.

Currently the claimant is asked to enter the date they stopped working, if applicable. If a respondent fails to

complete the form, the RRB may be unable to pay them benefits. One response is requested of each respondent.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (89 FR 16040 on March 6, 2024) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Earnings Information Request.
OMB Control Number: 3220-0184.
Form(s) submitted: G-19-F.
Type of request: Extension without change of a currently approved collection.

Affected public: Individuals or Households.
Abstract: Under Section 2 of the Railroad Retirement Act, an annuity is not payable, or is reduced for any month(s) in which the beneficiary works for a railroad or earns more than prescribed amounts. The collection

obtains earnings information not previously or erroneously reported by a beneficiary.

Changes proposed: The RRB proposes no changes to the Form G-19-F.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
G-19-F	700	8	93

Additional Information or Comments:

Copies of the forms and supporting documents can be obtained from Kennisha Money at (312) 469-2591 or Kennisha.Money@rrb.gov. Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-1275 or Brian.Foster@rrb.gov.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

Brian Foster,

Clearance Officer.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-100156; File No. SR-BOX-2023-20]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing of Amendment No. 3 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 3, To Adopt Rules To Govern FLEX Equity Options and a New Order Type To Trade FLEX Equity Options on the BOX Trading Floor

May 15, 2024.

On September 1, 2023, BOX Exchange LLC (“Exchange” or “BOX”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Exchange Act”)¹ and Rule 19b-4 thereunder,² a proposed rule change to adopt Rules

5055 and 7605 which, among other applicable Exchange rules, will govern the trading of flexible exchange equity options (“FLEX Equity Options”) on the BOX Trading Floor, and make related changes to Rules 100 (Definitions), 7620 (Accommodation Transactions), and 12140 (Imposition of Fines for Minor Rule Violations). The proposed rule change was published for comment in the **Federal Register** on September 19, 2023.³

On September 27, 2023, pursuant to Section 19(b)(2) of the Exchange Act,⁴ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On December 12, 2023, the Exchange submitted Amendment No. 2 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed.⁶ On December 15, 2023, the Commission published notice of Amendment No. 2 and instituted proceedings pursuant to Section 19(b)(2)(B) of the Exchange Act⁷ to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 2.⁸ On March 12, 2024, the Commission

designated a longer period for Commission action on the proposed rule change.⁹ On May 10, 2024, the Exchange filed Amendment No. 3, which replaced and superseded the proposed rule change, as modified by Amendment No. 2.¹⁰ The Commission is publishing this notice to solicit comments on Amendment No. 3 from interested persons, and is approving the proposed rule change, as modified by Amendment No. 3, on an accelerated basis.

I. Self-Regulatory Organization’s Description of the Proposed Rule Change, as Modified by Amendment No. 3¹¹

The Exchange proposes to (1) adopt Rules 5055 and 7605 which will govern the trading of flexible exchange options (“FLEX Equity Options”) on BOX; and (2) make related changes to Rules 100 (Definitions), 7620 (Accommodation Transactions), and 12140 (Imposition of Fines for Minor Rule Violations). The text of the proposed rule change is available from the principal office of the Exchange, at the Commission’s Public Reference Room and also on the Exchange’s internet website at <https://rules.boxexchange.com/rulefilings>.

³ See Securities Exchange Act Release No. 98380 (September 13, 2023), 88 FR 64482 (“Notice”). Comment on the proposed rule change can be found at: <https://www.sec.gov/comments/sr-box-2023-20/srbox202320.htm>.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 98568, 86 FR 68237 (October 3, 2023). The Commission designated December 18, 2023, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to approve or disapprove, the proposed rule change.

⁶ On December 1, 2023, the Exchange submitted Amendment No. 1 to the proposed rule change. Amendment No. 1 was withdrawn on December 12, 2023. Amendment No. 2 is available on the Commission’s website at: <https://www.sec.gov/comments/sr-box-2023-20/srbox202320-310739-809082.pdf> (“Amendment No. 2”).

⁷ 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 99192, 88 FR 88437 (December 21, 2023) (Notice of Filing of Amendment No. 2 and Order Instituting Proceedings) (“OIP”).

⁹ See Securities Exchange Act Release No. 99725, 89 FR 19386 (March 18, 2024) (Extension No. 2).

¹⁰ In Amendment No. 3, the Exchange revised the proposal to better align the proposed rule change with the FLEX Equity Options rules of other exchanges, and to provide more specificity and clarification to the proposed rule change. Specifically, Amendment No. 3: (i) removed proposed Rule 5055(e)(2)(v)(a) regarding when a FLEX Equity Option order may be submitted; (ii) added rule language to proposed Rule 5055(b)(3) to clarify that FOO Orders may only be traded on the Trading Floor; (iii) modified proposed Rule 7605(c) to clarify who is applicable to apply to be a FLEX Market Maker; and (iv) made various clarifications to the rule text, including proposed Rule 7605(d)(4), and added additional clarifying changes to the description of and statutory basis for the proposed rule change. Amendment No. 3 is available on the Commission’s website at: <https://www.sec.gov/comments/sr-box-2023-20/srbox202320-471351-1297514.pdf> (“Amendment No. 3”).

¹¹ This Section I and II reproduces Amendment No. 3, as filed by the Exchange.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.