

Section 19(b)(3)(A)(ii) of the Act²⁰ and subparagraph (f)(2) of Rule 19b-4²¹ thereunder, because it establishes or changes a due, fee, or other charge.

At any time within 60 days of the filing of the proposed rule change, the 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.²²

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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. 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 such filing will also be available for inspection and copying at the principal office of Phlx. All submissions should refer to File No. SR-Phlx-2003-61 and should be submitted by October 6, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²³

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 03-23416 Filed 9-12-03; 8:45 am]

BILLING CODE 8010-01-P

SOCIAL SECURITY ADMINISTRATION

Privacy Act of 1974, as Amended; New System of Records and New Routine Use Disclosures

AGENCY: Social Security Administration.

ACTION: Proposed new system of records and proposed routine uses.

SUMMARY: In accordance with the Privacy Act (5 U.S.C. 552a(e)(4) and (e)(11)), we are issuing public notice of our intent to establish a new system of records entitled *eWork System*, 60-0330, and routine uses applicable to the system of records. We also are issuing notice that we may disclose personally identifiable information from the *eWork System* to consumer reporting agencies in accordance with 5 U.S.C. 552a(b)(12) and 31 U.S.C. 3711(e). We invite public comment on this proposal.

DATES: We filed a report of the proposed *eWork System* and the applicable routine uses with the Chairwoman of the Senate Committee on Governmental Affairs, the Chairman of the House Committee on Government Reform, and the Director, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB) on September 9, 2003. The proposed *eWork System* and the proposed routine uses will become effective on October 18, 2003, unless we receive comments warranting them not to be effective.

ADDRESSES: Interested individuals may comment on this publication by writing to the Executive Director, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, Room 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. All comments received will be available for public inspection at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Pamela J. McLaughlin, Strategic Issues Team, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, Room 3-C-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, e-mail address at pam.mclaughlin@ssa.gov, or by telephone at (410) 965-3677.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose of the Proposed New eWork System of Records

A. General Background

Social Security Title II disability beneficiaries are allowed to work in a "trial work period." Under certain other circumstances permitted by the Social Security Act, SSA can also make determinations concerning their ability to successfully return to the workforce. These individuals must undergo continuing disability reviews (CDRs) based on work activity. SSA is developing the *eWork System* as a means of controlling and processing "work" CDRs. This system will replace

a manual, labor-intensive paper process. The *eWork System* will allow SSA personnel to process "work" CDRs more efficiently, timely, and accurately. In addition, the *eWork System* will collect information from Title XVI recipients making any report of earnings. Because SSA will maintain and retrieve information from the proposed *eWork System* using individuals' Social Security numbers (SSNs) and/or names, the proposed system will constitute a "system of records" under the Privacy Act.

The *eWork System* will allow SSA to automate programmatic and administrative tasks such as:

- Generating requests to employers and Title II disability applicants or beneficiaries to verify the applicants'/beneficiaries' earnings and work activity;
- Recording and storing monthly earnings and other work activity information for employed and/or self-employed Title II disability applicants or beneficiaries, and for Title XVI recipients making any report of earnings;
- Producing feedback reports of an individual beneficiary's current entitlement/eligibility and work status based on information in other SSA databases, and producing receipts for all reports of earnings;
- Identifying complex and sensitive cases for handling by appropriate direct service personnel, such as technical experts;
- Automating requests for disability folders that may be located at different locations within SSA;
- Recording the completion of a work CDR decision for management information and workload reporting purposes;
- Obtaining relevant information from other SSA databases for use in work CDR's;
- Providing management information reports concerning "work" CDR's and earnings reports; and
- Providing information for statistical and evaluation purposes.

B. Collection and Maintenance of Data in the eWork System

The *eWork System* will include identifying information about Title II disability beneficiaries; information about their disability claims, work activity, and participation in the "Ticket-to-Work" Program (if applicable), Title XVI recipients and their reports of earnings; and administrative data. See the "Categories of records" section of the notice below for a full description of the data that will be maintained in the system.

²⁰ 15 U.S.C. 78s(b)(3)(A)(ii).

²¹ 17 CFR 240.19b-4(f)(2).

²² See 15 U.S.C. 78s(b)(3)(C).

²³ 17 CFR 200.30-3(a)(12).