third-parties that purchase the Exchange's connectivity and resell it, and customers of those resellers, that the Exchange's fees or the proposed fees for connectivity services would negatively impact their abilities to compete with other market participants or that they are placed at a disadvantage. The Exchange does not believe that the proposed fees for connectivity services place certain market participants at a relative disadvantage to other market participants because the proposed connectivity pricing is associated with relative usage of the Exchange by each market participant and does not impose a barrier to entry to smaller participants. As described above, the connectivity services purchased by market participants typically increase based on their additional message traffic and/or the complexity of their operations. The market participants that utilize more connectivity services typically utilize the most bandwidth, and those are the participants that consume the most resources from the network. Accordingly, the proposed fees for connectivity services do not favor certain categories of market participants in a manner that would impose a burden on competition; rather, the allocation of the proposed connectivity fees reflects the network resources consumed by the various size of market participants and the costs to the Exchange of providing such connectivity services.

Inter-Market Competition

The Exchange does not believes the proposed fees place an undue burden on competition on other SROs that is not necessary or appropriate. In particular, market participants are not forced to connect to all exchanges, as shown by the number of Members of the Exchange as compared to the much greater number of members at other exchanges, as described above. Not only does MEMX have less than half the number of members as certain other exchanges, but there are also a number of the Exchange's Members that do not connect directly to the Exchange. Additionally, other exchanges have similar connectivity alternatives for their participants, but with higher rates to connect.[37] The Exchange is also unaware of any assertion that the proposed fees for connectivity services would somehow unduly impair its competition with other exchanges. To the contrary, if the fees charged are deemed too high by market participants, they can simply disconnect.

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

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [38] and Rule 19b–4(f)(2) [39] thereunder.

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 change 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–MEMX–2021–22 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–MEMX–2021–22. 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 filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–MEMX–2021–22 and should be submitted on or before February 4, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[40]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–00642 Filed 1–13–22; 8:45 am]

BILLING CODE 8011–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA 2021–0051]

Notice of Open Enrollment and Fee Increase for Our Electronic Consent Based Social Security Number Verification Service

AGENCY: Social Security Administration.

ACTION: Notice of open enrollment; fee increase.

SUMMARY: The Social Security Administration (SSA) is announcing open enrollment and a change in the subscription tier structure and associated fees for the electronic Consent Based Social Security Number (SSN) Verification (eCBSV) service. SSA will open eCBSV enrollment in Fiscal Year (FY) 2022, to interested permitted entities (PEs), as defined in section 215 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (*i.e.,* the Banking Bill). The open enrollment period for PEs will begin on February 21, 2022 and remain open indefinitely. In accordance with statutory requirements, PEs will be

[37] *See supra* notes 30–34 and accompanying text.

[38] 15 U.S.C. 78s(b)(3)(A)(ii).

[39] 17 CFR 240.19b–4(f)(2).

[40] 17 CFR 200.30–3(a)(12).

required to provide payment to reimburse SSA for the development and support of the eCBSV system.

DATES:

Applicability date for open enrollment: Open eCBSV enrollment for PEs will commence February 21, 2022, at 6:00 a.m. EST.

Applicability date for fee increase: The revised subscription tier structure and associated fees will go into effect for subscription payments made on or after April 25, 2022.

FOR FURTHER INFORMATION CONTACT: Christopher David, Office of Data Exchange, Policy Publications, and International Negotiations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, (866) 395–8801, email *eCBSV@ssa.gov.*

For information on eligibility or filing for benefits, call SSA's national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit SSA's internet site, Social Security Online, at *http://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION: Section 215 of the Banking Bill directs SSA to modify or develop a database for accepting and comparing fraud protection data [1] provided electronically by a PE.[2] In response to this statutory directive, SSA created eCBSV, a fee-based SSN verification service. eCBSV allows PEs to submit, after receipt of the number holder's consent,[3] the SSN, name, and date of birth of the number holder to SSA for verification via an application programming interface. Each PE must submit a statement that the PE is in compliance with the Banking Bill [4] in the comment section of their application to SSA.

Enrollment

SSA successfully implemented the eCBSV expanded rollout in FY 2021 to the remaining PEs that had previously submitted a valid application but were not selected as part of the limited initial rollout. eCBSV expanded rollout participation remains markedly lower than estimated by the financial industry and will result in increased fees to recover program costs incurred, as required by the Banking Bill.

To encourage increased program participation, SSA will open eCBSV enrollment in February 2022, to interested PEs, as defined in section 215 of the Banking Bill. The enrollment period to register for this service will open on February 21, 2022, at 6:00 a.m. EST, and will remain open indefinitely. After a thorough analysis, we determined that establishing an open-ended enrollment satisfies the requirements of the Banking Bill, helps increase program participation and transaction volumes, and aids in recovering costs. Additionally, opening the program to interested PEs starting February 21, 2022, provides new PEs with the flexibility to enroll at current subscription rates before the fee increase takes effect on April 25, 2022.

PEs who wish to enroll, must:

- Complete the technical registration requirements
- use the eCBSV ''Permitted Entity Registration'' screen to provide company information
- electronically sign an EIN Consent
- receive their OAuth Client ID from SSA
- configure requesting application to access the eCBSV Customer Connection and provide contact information
- review, agree, and electronically sign the Permitted Entity Certification
- review, agree, initial to all terms and conditions, and electronically sign the user agreement
- purchase the tier subscription based on expected transaction volume

Fees

The public cost burden is dependent upon the number of PEs using the service and the annual transaction volume. To date, 11 PEs enrolled out of 123 applications received to participate in eCBSV. We based the revised tier fee schedule below on 45 participating PEs in FY 2022 submitting an anticipated volume of 280,000,000 transactions. The total cost for developing the service is $50,000,000 through FY 2021, and SSA will recover the cost over a three-year period, assuming projected enrollments and transaction volumes meet our projections.

eCBSV TIER FEE SCHEDULE

Tier	Annual volume threshold	Annual fee
1	Up to 1,000 (1–1,000)	$400
2	Up to 10,000 (1,001–10,000)	3,500
3	Up to 200,000 (10,001–200,000)	40,000
4	Up to 1 million (200,001–1 million)	315,000
5	Up to 20 million (1,000,001–20 million)	1,500,000
6	Up to 50 million (20,000,001–50 million)	4,000,000
7	Over 50 million (50,000,001 and over)	7,500,000

Each enrolled PE will be required to remit the above tier-based subscription fee for the 365-day agreement period starting on or after April 25, 2022. Fees are calculated based on forecasted systems and operational expenses, agency oversight, overhead, and Certified Public Accountant (CPA) audit contract costs. Effective April 25, 2022, SSA will no longer charge a separate administrative fee in addition to the tier-based subscription fee.

[1] The Banking Bill defines ''fraud protection data'' to mean a combination of an individual's name (including the first name and any family forename or surname), SSN, and date of birth (including month, day, and year). Public Law 115–174, Title II, 215(b)(3), codified at 42 U.S.C. 405b(b)(3).

[2] The Banking Bill defines a ''permitted entity'' to mean a financial institution or service provider, subsidiary, affiliate, agent, subcontractor, or assignee of a financial institution. Public Law 115–174, Title II, 215(b)(4), codified at 42 U.S.C. 405b(b)(4).

[3] Valid, signed consent must include a wet or electronic signature. Electronic signatures must meet the definition in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006) and SSA requirements. 42 U.S.C. 405b(f)(2). The written consent must clearly specify to whom the information may be disclosed, the information you want us to disclose (*i.e.,* SSN verification) and, where applicable, during which timeframe the information may be disclosed (*i.e.,* within either the time specified on the Written Consent, or within 90 calendar days from the date the SSN holder signs the Written Consent). *See* 20 CFR 401.100(b).

[4] The permitted entity must certify that (1) the entity is a permitted entity; (2) the entity is in compliance with section 215; (3) the entity is, and will remain, in compliance with its privacy and data security requirements in Title V of 15 U.S.C. 6801, *et seq.,* with respect to the information the entity receives from the Commissioner of Social Security pursuant to this section; and (4) the entity will retain sufficient records to demonstrate its compliance with its certification and section 215 for a period of not less than 2 years. 42 U.S.C. 405b(e)(1)–(3).

Section 215(h)(1)(A) of the Banking Bill requires that the Commissioner shall ''periodically adjust'' the price paid by users. On at least an annual basis, SSA will monitor costs incurred to provide eCBSV services and will revise the tier fee schedule accordingly. We will notify PEs of the tier fee schedule in effect at the renewal of eCBSV user agreements, and via notice in the **Federal Register**. At that time, PEs can cancel the agreement or renew service according to the new tier fee schedule.

Michelle King,

Deputy Commissioner, for Budget, Finance, and Management.

[FR Doc. 2022–00638 Filed 1–13–22; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2018–0346]

Safe Driver Apprenticeship Pilot Program To Allow Persons Ages 18, 19, and 20 To Operate Commercial Motor Vehicles in Interstate Commerce

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice and establishment of pilot program.

SUMMARY: On September 10, 2020, FMCSA proposed a pilot program to allow persons ages 18, 19, and 20 to operate commercial motor vehicles (CMVs) in interstate commerce. That pilot was never implemented. However, the Infrastructure Investment and Jobs Act (IIJA), which was signed into law on November 15, 2021, requires FMCSA to establish a pilot program that would allow employers to establish an apprenticeship program for certain 18-, 19-, and 20-year-old drivers to operate commercial vehicles in interstate commerce. This notice addresses the comments received on the September 10, 2020, notice and provides the details on the establishment of the Safe Driver Apprenticeship Pilot Program required by the IIJA.

FOR FURTHER INFORMATION CONTACT: Ms. Nikki McDavid, Commercial Driver's License Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, *nikki.mcdavid@dot.gov,* (202) 366–0831. If you have questions about viewing or submitting material to the docket, call DOT Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Definitions

For the purposes of the Safe Driver Apprenticeship Pilot Program, FMCSA is using the following definitions, as prescribed in section 23022 of IIJA:

Apprentice—An individual who is under the age of 21 and holds a commercial driver's license (CDL).

Commercial driver's license (CDL)—A license issued by a State to an individual authorizing the individual to operate a class of CMV.

Commercial motor vehicle (CMV)—Any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—(1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; or (3) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (4) is used in transporting material found by the Secretary of Transportation (the Secretary) to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

Driving time—All time spent at the driving controls of a CMV in operation.

Experienced driver—An individual who

1. Is not younger than 26 years of age;
2. Has held a commercial driver's license for the 2-year period ending on the date on which the individual serves as an experienced driver;
3. During the 2-year period ending on the date on which the individual serves as an experienced driver, has had no

i. preventable accidents reportable to the Department; or

ii. pointed moving violations; and

4. Has a minimum of 5 years of experience driving a CMV in interstate commerce.

On-duty time—All time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. *On-duty time* shall include:

1. All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
2. All time inspecting, servicing, or conditioning any CMV at any time;
3. All driving time as defined in the term *driving time;*
4. All time in or on a CMV, other than:

i. Time spent resting in or on a parked vehicle, except as otherwise provided in § 397.5;

ii. Time spent resting in a *sleeper berth;* or

iii. Up to 3 hours riding in the passenger seat of a property-carrying vehicle moving on the highway immediately before or after a period of at least 7 consecutive hours in the sleeper berth;

5. All time loading or unloading a CMV, supervising, or assisting in the loading or unloading, attending a CMV being loaded or unloaded, remaining in readiness to operate the CMV, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV;
7. All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, to comply with the random, reasonable suspicion, post-crash, or follow-up testing required by part 382 when directed by a motor carrier;
8. Performing any other work in the capacity, employ, or service of, a motor carrier; and
9. Performing any compensated work for a person who is not a motor carrier.

Pointed moving violation—A violation that results in points being added to the license of a driver, or a similar comparable violation, as determined by the Secretary.

II. Legal Basis

Subject to limited exceptions for farm vehicle drivers of articulated CMVs (49 CFR 391.67) and private (non-business) motor carriers of passengers (49 CFR 391.68), drivers of CMVs engaged in interstate commerce must be at least 21 years of age, whether or not operation of the CMV requires a CDL (49 CFR 391.11(b)(1)).

Under 49 U.S.C. 31315 and 31136(e), the Secretary has authority to grant waivers and exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs) and to conduct pilot programs in which one or more exemptions are granted to allow for the testing of innovative alternatives to certain FMCSRs. FMCSA must publish in the **Federal Register** a detailed description of each pilot program, including the exemptions being considered, and provide notice and an opportunity for public comment before the effective date of the program. The Agency is required to ensure that the