

member organizations may qualify for this rebate, provided they transact the requisite volume.

The Exchange's proposal to increase the current \$0.26 per contract rebate to \$0.27 per contract, provided the QCC Order comprised of a Lead Market Maker, Market Maker, Broker-Dealer, or Firm order on one side and a Lead Market Maker, Market Maker, Broker-Dealer, or Firm order on the other side, does not impose an undue burden on intra-market competition because all members and member organizations may qualify for this rebate, provided they transact the requisite volume.

*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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.<sup>14</sup>

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: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) 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](mailto:rule-comments@sec.gov). Please include File Number SR-PHLX-2023-15 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-PHLX-2023-15. 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. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number SR-PHLX-2023-15 and should be submitted on or before May 30, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>15</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2023-09756 Filed 5-8-23; 8:45 am]

**BILLING CODE 8011-01-P**

## SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA 2023-0003]

### Notice of Fee Increase for Our Electronic Consent Based Social Security Number Verification Service

**AGENCY:** Social Security Administration.

**ACTION:** Notice of fee increase.

**SUMMARY:** The Social Security Administration (SSA) is announcing a change in the subscription tier structure and associated fees for the electronic Consent Based Social Security Number (SSN) Verification (eCBSV) service. In

accordance with statutory requirements, a permitted entity (PE) is required to provide payment to reimburse SSA for the development and support of the eCBSV system.

**DATES:** *Applicability date for fee increase:* The revised subscription tier structure and associated fees will go into effect for subscription payments made on or after July 10, 2023.

**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](mailto: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 <https://www.socialsecurity.gov>.

**SUPPLEMENTARY INFORMATION:** Section 215 of the Economic Growth, Regulatory Relief, and Consumer Protection Act<sup>1</sup> (the Banking Bill) directs SSA to modify or develop a database for accepting and comparing fraud protection data<sup>2</sup> provided electronically by a PE.<sup>3</sup> In response to this statutory directive, SSA created eCBSV, a fee-based SSN verification service. eCBSV allows PEs to submit, based on the number holder's consent,<sup>4</sup> the SSN, name, and date of birth of the number holder in connection with a credit transaction or a circumstance described in section 604 of the Fair Credit Reporting Act to SSA

<sup>1</sup> Public Law 115-174, codified at 42 U.S.C. 405b.

<sup>2</sup> 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).

<sup>3</sup> 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). They must possess an Employer Identification Number and a Dun and Bradstreet number.

<sup>4</sup> Under the eCBSV User Agreement, valid Written Consent must meet the requirements of applicable Federal law, SSA's regulations, and section IV of the eCBSV User Agreement. Valid Written consent must include a wet or electronic signature. Section IV.A.1. eCBSV User Agreement. Electronic signatures must meet the definition in section 106 of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7006). 42 U.S.C. 405b(f)(2); section IV.E. eCBSV User Agreement. The written consent must clearly specify to whom the information may be disclosed, the information you want us to disclose (e.g., SSN verification) and, where applicable, during which timeframe the information may be disclosed (e.g., whenever the subject individual is receiving specific services). 20 CFR 401.100.

<sup>14</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>15</sup> 17 CFR 200.30-3(a)(12).

for verification via an application programming interface. Each PE must submit a certification statement<sup>5</sup> that the PE is in compliance with the Banking Bill as part of their application to SSA.

SSA revised the subscription tier structure and associated fees for eCBSV in 2022 but program participation remains markedly lower than estimated by the financial industry. Limited

program participation has led us to re-evaluate the fees we charge our customers.

**Fees**

The public cost burden is dependent upon the number of PEs using the service and the annual transaction volume. We based the revised tier fee schedule below on 20 participating PEs in fiscal year (FY) 2023 submitting an anticipated volume of 65 million

transactions.<sup>6</sup> The total cost for developing and operating the service is \$53 million through FY 2022. Of this amount, \$38 million remains unrecovered/unreimbursed. The new subscription tier structure and associated fees are intended to recover these costs over a three-year period, assuming projected enrollments and transaction volumes meet these projections.

**eCBSV TIER FEE SCHEDULE**

Tier	Annual volume threshold	Annual fee
1	Up to 10,000 (1–10,000)	\$7,000
2	Up to 200,000 (10,001–200,000)	130,000
3	Up to 1 million (200,001–1 million)	630,000
4	Up to 2.5 million (1,000,001–2.5 million)	1,500,000
5	Up to 5 million (2,500,001–5 million)	3,000,000
6	Up to 10 million (5,000,001–10 million)	4,500,000
7	Up to 15 million (10,000,001–15 million)	5,000,000
8	Up to 20 million (15,000,001–20 million)	6,250,000
9	Up to 25 million (20,000,001–25 million)	7,250,000
10	Up to 75 million (25,000,001–75 million)	8,250,000

Each enrolled PE will be required to remit the above tier-based subscription fee for the 365-day agreement period starting on or after July 10, 2023.<sup>7</sup> Fees are calculated based on forecasted systems and operational expenses, agency oversight, overhead, and Certified Public Accountant audit contract costs.

Section 215(h)(1)(B) of the Banking Bill requires that the Commissioner shall “periodically adjust” the price paid by users to ensure that amounts collected are sufficient to fully offset the costs of administering the eCBSV system. 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, when a PE begins a new 365-day agreement period, and via notice in the **Federal Register**. PE renewals will be governed by the tier in effect at the time of renewal.

**Michelle King,**

*Deputy Commissioner, Office of Budget, Finance, and Management, Social Security Administration.*

[FR Doc. 2023–09753 Filed 5–8–23; 8:45 am]

**BILLING CODE 4191–02–P**

<sup>5</sup> 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

**DEPARTMENT OF STATE**

**[Public Notice: 12067]**

**Privacy Act of 1974; System of Records**

**AGENCY:** Department of State.

**ACTION:** Notice of a modified system of records.

**SUMMARY:** The information contained within Foreign Service Institute (FSI) or the “Institute”) systems is used to provide the Institute’s student information and training delivery management services to support the staff and students, and to facilitate billing services.

**DATES:** In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records notice is effective upon publication, except for routine uses (a) and (b) that are subject to a 30-day period during which interested persons may submit comments to the Department. Please submit any comments by June 8, 2023.

**ADDRESSES:** Questions can be submitted by mail, email, or by calling Eric F. Stein, the Senior Agency Official for Privacy, on (202) 485–2051. If mail, please write to: U.S. Department of State; Office of Global Information Systems, A/GIS; Room 4534, 2201 C St. NW,

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).

<sup>6</sup> At the time we completed our evaluation in November 2022, we projected 20 participating PEs

Washington, DC 20520. If email, please address the email to the Senior Agency Official for Privacy, Eric F. Stein, at *Privacy@state.gov*. Please write “Foreign Service Institute Records, State–14” on the envelope or the subject line of your email.

**FOR FURTHER INFORMATION CONTACT:** Eric F. Stein, Senior Agency Official for Privacy; U.S. Department of State; Office of Global Information Services, A/GIS; Room 4534, 2201 C St. NW, Washington, DC 20520 or by calling (202) 485–2051.

**SUPPLEMENTARY INFORMATION:** This notice is being modified to reflect updated training delivery management services, the Department’s move to cloud storage, new OMB guidance, access by contractors, and updated contact information. Specifically, the modified system of records notice includes substantive revisions and additions to the following sections: Summary, Dates, Supplementary Information, System Location, Purpose(s) of the Systems, Categories of Records in the Systems, Record Source Categories, Policies and Practices for Storage of Records, Policies and Practices for Retention and Disposal of Records, Policies and Practices for Retrieval of Records, Safeguards, Record

for FY 2023, and the new tiers were based on these projected 20 PEs. As more PEs join, we will capture them in our future evaluations, and adjust the tiers at that time, if necessary.

<sup>7</sup> As of April 25, 2022, SSA no longer charged a separate administrative fee in addition to the tier-based subscription fee.