

SUPPORTING STATEMENT
for the Paperwork Reduction Act Information Collection Submission for
Rule 19d-2

A. Justification

1. Necessity of Information Collection

Rule 19d-2 under the Securities Exchange Act of 1934 (the “Act”) prescribes the form and content of applications to the Commission by persons desiring stays of final disciplinary sanctions and summary action of self-regulatory organizations (“SROs”) for which the Commission is the appropriate regulatory agency. Under the rule, persons desiring stays of final disciplinary sanctions and summary actions of SROs are required to file applications pursuant to Rule 19d-2 because sanctions imposed by SROs become effective upon the dates set by the SRO unless a stay is ordered by the Commission. Rule 19d-2 was adopted on July 8, 1977, pursuant to authority granted the Commission in Sections 6, 11A, 15, 15A, 17, 17A, 19 and 23 of the Act, 15 U.S.C. 78f, 78k-1, 78o, 78o-3, 78q, 78q-1, 78s and 78w.

2. Purpose and Use of the Information Collection

The Commission uses the information provided in the application filed pursuant to Rule 19d-2 to exercise its jurisdictional review of stays of final disciplinary sanctions and summary action of SROs.

3. Consideration Given to Information Technology

Submission of a written application for stays is the least burdensome and most effective means of giving the Commission notice of the applicant's intent. No improved information technology is generally available to applicants.

4. Duplication

Not applicable; there is no duplication of information.

5. Effect on Small Entities

Not applicable. Submission of a written application for stays is the least burdensome means of giving notice generally available to small businesses or other small entities.

6. Consequences of Less Frequent Collection

The filing of an application is discretionary for the applicants; therefore a less frequent collection is not available to the Commission.

7. Inconsistencies with Guidelines in 5 CFR 1320.5(d)(2)

This collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Consultations Outside the Agency

In that this application is directed solely to the Commission and no other entities compile pertinent data on the applicants, no other agencies, state or local governments, or other organizations were consulted by the Commission on this matter.

9. Payment or Gifts

Not applicable.

10. Confidentiality

No assurance of confidentiality is provided to applicants.

11. Sensitive Questions

The collection does not impose the burden of any questions of a sensitive nature. The information collection does not collect any Personally Identifiable Information (PII).

12. Estimate of Respondent Burden

Based upon past submissions, it is estimated that approximately three respondents will utilize this application procedure annually. It is estimated that it will take approximately three hours to comply with Rule 19d-2 for each submission, with a total burden of nine hours.

Based on the most recent available information, the Commission staff estimates that the cost to respondents of complying with the requirements of Rule 19d-2 is \$990 per response. The staff computed such cost as follows:

2 hour of attorney time @ \$400/hour	= \$800
1 hour of paralegal time @ \$190/hour	= \$190
Total	= \$990

Therefore, the Commission staff estimates that the total annual reporting cost per respondent is \$990, for a total annual related cost to all respondents of \$2,970.

13. Estimates of Total Annualized Cost Burden

Not applicable; (a) it is not anticipated that respondents will have to incur any capital and start up cost to comply with the rule; (b) it is not anticipated that the respondents will have to incur any additional operational or maintenance cost (other than provided for in item no. 12) to comply

with the rule.

14. Cost to Federal Government

From past experience, it is estimated that the operational costs of reviewing and processing applications filed pursuant to Rule 19d-2 amounted to approximately \$450. This amount is based on our computation of the value of staff time devoted to those activities and the related overhead valued at 35% of the staff time and is based on the GSA, Guide to Estimating Reporting Costs (1973).

15. Changes in Burden

The Commission staff's estimate of the total burden on respondents decreased from 45 hours to the current nine hours due to a decrease in the number respondents to reflect the decrease in the number of actual responses received from 15 to the current number of 3. At the same time, the Commission's staff's estimates of the costs for submitting the response to comply with Rule 19d-2 were updated to provide for more accurate estimates of the cost of outside professionals.

16. Information Collections Planned for Statistical Purposes

The information received is not collected for statistical use.

17. Approval to Omit the OMB Expiration Date

The Commission is not seeking approval to omit the OMB expiration date

18. Exceptions to Certification

Not applicable.

B. Collection of Information Employing Statistical Methods

Not applicable.