

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁵

Jonathan G. Katz,
Secretary.

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BILLING CODE 8010-01-P

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. The information collection packages that may be included in this notice are for new information collections, approval of existing information collections, revisions to OMB-approved information collections, and extensions (no change) of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer. The information can be mailed and/or faxed to the individuals at the addresses and fax numbers listed below: (OMB), Office of Management and Budget, Attn: Desk Officer for SSA. Fax: 202-395-6974.

(SSA), Social Security Administration, DCFAM, Attn: Reports Clearance Officer, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235. Fax: 410-965-6400.

I. The information collections listed below are pending at SSA and will be submitted to OMB within 60 days from the date of this notice. Therefore, your comments should be submitted to SSA within 60 days from the date of this publication. You can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at 410-965-0454 or by writing to the address listed above.

1. *20 Day Letter to Representative-Claimant's Benefits Withheld—20 CFR 404.1720, 404.1725, 404.1730(b), 404.1730(c)(2)(i) and (ii), 416.1520, 416.1525, 416.1530(b)—0960-NEW.* In a favorable decision where there are past-due benefits, SSA withholds a portion of those benefits for potential direct payment to a representative. 20 CFR 404.1730(c)(2)(i) requires a representative to make a timely request for fee approval if the representative wishes to receive direct payment. As a courtesy, SSA sends this letter to a representative before releasing withheld funds to the claimant. Respondents are representatives who wish to receive direct payment.

Type of Request: Collection in Use Without OMB Number.

Number of Respondents: 1,000.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 83 hours.

2. *Recommendation for Fee Greater Than \$7000—Referral to Regional Chief Administrative Law Judge—20 CFR 404.1720, 404.1725, 404.1730(b), 404.1730(c)(2)(i) and (ii), 416.1520, 416.1525, 416.1530(b)—0960-NEW.* This letter refers an ALJ's recommendation on a fee petition to a Regional Chief Administrative Law Judge (RCALJ) with a courtesy copy to the representative. The RCALJ, who is an SSA employee, will subsequently inform the representative of the approved fee. Respondents are representatives with fee petitions greater than \$7000.

Type of Request: Collection in Use Without OMB Number.

Number of Respondents: 1,000.

Frequency of Response: 1.

Average Burden Per Response: 1 minute.

Estimated Annual Burden: 17 hours.

3. *Request for DDS Assistance in Obtaining Consultative Examination—20 CFR 404.1512, 404.1513(a), (b) and (e), 404.1514, 404.1517, 404.1546, 416.912, 416.913(a), (b) and (e), 416.917, 416.946—0960-NEW.* SSA requires that consultative examinations be scheduled through the state DDSs. When an ALJ believes a CE is required, this form is used to transmit the request, and a courtesy status letter is sent to the claimant. Respondents are claimants requesting DDS assistance in obtaining consultative examinations.

Type of Request: Collection in Use Without OMB Number.

Number of Respondents: 102,000.

Frequency of Response: 1.

Average Burden Per Response: 35 minutes.

Estimated Annual Burden: 59,500 hours.

4. *Request for Evidence from Doctor or Hospital—20 CFR 404.1512, 404.1513(a), (b), and (e), 404.1514, 416.912, 416.913(a), (b) and (e), 416.914—0960-NEW.* Claimants are required to provide medical evidence of their impairment(s) in pursuing a disability claim. SSA uses these forms to request medical evidence from sources (doctors and hospitals) where the claimant has been treated, seen or otherwise evaluated. Respondents are doctors and hospitals where the claimant has been evaluated.

Type of Request: Collection in Use Without OMB Number.

Number of Respondents: 20,000.

Frequency of Response: 20.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 100,000 hours.

5. *Request for School Records—20 CFR part 416, subpart I, 416.906, 416.913, 416.946, 404, subpart P, Appendix 1—0960-NEW.* School records are pertinent evidence in a childhood claim for disability benefits. ALJs use this for to request that evidence. This letter will be used to request school records from the school(s) which the claimant has attended for evidence relative to the claimant's impairments or ability to do age-appropriate activities. Respondents are the school(s) which the claimant has attended.

Type of Request: Collection in Use Without OMB Number.

Number of Respondents: 10,000.

Frequency of Response: 6.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 30,000 hours.

6. *20 CFR part 429, subpart 100, Filing Claims Under the Federal Tort Claims Act—20 CFR 429.101-429.110—0960-0667.* SSA uses the information provided to investigate and determine whether to make an award, compromise, or settlement under the Federal Tort Claims Act (FTCA). The information is only used by those Agency employees who need the information in the scope of their official duties. The respondents are individuals/entities making a claim under the FTCA.

Type of Request: Extension of an OMB-approved information collection.

¹⁵ 17 CFR 200.30-3(a)(12).

Section	Annual number of responses	Frequency of response	Average burden per response (minutes)	Estimated annual burden hours
429.102; 429.103	1	1	1	1
429.104(a)	30	1	5	2.5
429.104(b)	25	1	5	2
429.104(c)	2	1	5	.16
429.106(b)	10	1	10	1.6

Total Estimated Annual Burden: 7 hours

II. The information collections listed below have been submitted to OMB for clearance. Your comments on the information collections would be most useful if received by OMB and SSA within 30 days from the date of this publication. You can obtain a copy of the OMB clearance packages by calling the SSA Reports Clearance Officer at 410-965-0454, or by writing to the address listed above.

1. Application for Mother's or Father's Insurance Benefits—20 CFR 404.339-404.342, 20 CFR 404.601-404.603—0960-0003. SSA collects the information on the SSA-5-F6 to entitle an individual to his/her mother's and father's insurance benefits. The respondents are individuals applying for entitlement to their mothers' or fathers' benefits.

Type of Request: Revision of an OMB-approved information collection.

Number of Respondents: 50,000.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 12,500 hours.

2. Missing and Discrepant Wage Reports Letter and Questionnaire—26 CFR 31.6051-2—0960-0432. Each year employers report the wage amounts they paid their employees to IRS for tax

purposes, and, separately, to SSA for retirement and disability coverage purposes. These amounts should be the same; however, each year many employer wage reports received by SSA are less than those reported to IRS. Through Forms SSA-L93, 95, and 97, SSA attempts to reconcile the amounts to ensure employees receive full credit. The respondents are employers who reported less wage amounts to SSA than they did to IRS.

Type of Request: Extension of an OMB-approved information collection.

Number of Respondents: 359,999.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 180,000 hours.

3. Marital Relationship Questionnaire—20 CFR 416.1826—0960-0460. Form SSA-4178 provides a nationally uniform vehicle for collection of information to determine for Supplemental Security Income (SSI) purposes whether unrelated individuals of the opposite sex who live together are holding themselves out to the public as husband and wife. The information is necessary to determine whether correct payment is being made to SSI couples and individuals. The respondents are applicants for, and recipients of, SSI benefits.

Type of Request: Extension of an OMB-approved information collection.

Number of Respondents: 5,100.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 425 hours.

4. Information Collection

Requirements for Title VIII of the Social Security Act—20 CFR 408.202(d), 408.210, 408.230(a), 408.232(a), 408.320, 408.305, 408.310, 408.315, 408.340, 408.345, 408.351(d) and (f), 408.355(a), 408.360(a), 408.404(c), 408.410, 408.412, 408.420(a) and (b), 408.430, 408.432, 408.435(a) and (b), 408.437(b), (c) and (d)—0960-0658.

Section 251 of the "Foster Care Independence Act of 1999" added Title VIII to the Social Security Act (Special Benefits for Certain World War II Veterans). Title VIII allows, under certain circumstances, the payment of a monthly benefit by the Commissioner of Social Security to a qualified World War II veteran who resides outside the United States. The accompanying regulations set out the requirements an individual must meet in order to qualify for and become entitled to Special Veterans Benefits (SVB). The respondents are individuals who are applying for benefits under Title VIII of the Social Security Act.

Section number	Number of respondents	Frequency of response	Average burden per response (hrs.)	Estimated annual hour burden
§ 408.202(d); § 408.210; § 408.230(a); § 408.305; §§ 408.310-.315	1	1	1	1
§ 408.232(a)	5	1	.25	1.25
§ 408.320	5	1	.25	1.25
§ 408.340	5	1	.25	1.25
§ 408.345	2	1	.25	.50
§ 408.351(d) & (f)	2	1	.50	1
§ 408.355(a)	5	1	.25	1.25
§ 408.360(a)	2	1	.25	.50
§ 408.404(c)	20	1	.25	5
§§ 408.410-412	20	1	.25	5
§ 408.420(a), (b)	230	1	.25	58
§§ 408.430 & .432	215	1	.50	108
§ 408.435(a), (b),(c)	230	1	.25	58
§ 408.437(b), (c),(d)	20	1	.50	10

Total Estimated Annual Burden: 252 hours.

Dated: December 7, 2005.

Elizabeth A. Davidson,

Reports Clearance Officer, Social Security Administration.

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BILLING CODE 4191-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Cargo Restraint Strap Assemblies

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability and request for public comment.

SUMMARY: This notice announces the availability of, and requests comment on draft Technical Standard Order (TSO) C-172, Cargo Restraint Strap Assemblies. This draft TSO tells persons seeking a TSO authorization or letter of design approval what minimum performance standards (MPS) their Cargo Restraint Strap Assemblies must meet to be identified with the appropriate TSO marking.

DATES: Comments must be received on or before January 27, 2006.

ADDRESSES: Send all comments on this proposed TSO to: Federal Aviation Administration (FAA), Aircraft Certification Service, Aircraft Engineering Division, Technical Programs and Continued Airworthiness Branch (AIR-120), 800 Independence Avenue, SW., Washington, DC 20591. ATTN: Mr. Jan Risheim. Or, you may deliver comments to: Federal Aviation Administration, Room 815, 800 Independence Avenue, SW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Mr. Jan Risheim, AIR-120, Room 815, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. Telephone (425) 227-2209, fax (425) 227-1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

You are invited to comment on the proposed TSO by submitting written data, views, or arguments to the above address. Comments received may be examined, both before and after the closing date, in room 815 at the above address, weekdays except federal holidays, between 8:30 a.m. and 4:30 p.m. The Director, Aircraft Certification Service, will consider all comments received on or before the closing date before issuing the final TSO.

Background

Cargo restraint strap assemblies are generally used to restrain cargo loaded onto pallets for transport in the cargo hold of aircraft. Cargo restraint strap assemblies are available from commercial sources but generally do not carry an FAA design or production approval. This proposed TSO tells persons seeking a TSO authorization or letter of design approval what minimum performance standards their cargo restraint strap assemblies must first meet in order to obtain approval and be identified with the applicable TSO marking. The TSO marking provides evidence of an FAA design and production approval to the minimum performance standard identified in the proposed TSO.

How To Obtain Copies

You can view or download the draft TSO from its online location at: http://www.faa.gov/aircraft/draft_docs/. At this Web page, select "Technical Standard Orders." At the TSO page, select "Proposed TSOs." For a paper copy, contact the person listed in **FOR FURTHER INFORMATION CONTACT**. Note, SAE International documents are copyrighted and may not be reproduced without the written consent of SAE International. You may purchase copies of SAE International documents from: SAE International, 400 Commonwealth Drive, Warrendale, PA 15096-0001, or directly from their Web site: <http://www.sae.org/>.

Issued in Washington, DC, on December 5, 2005.

Susan J.M. Cabler,

Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-882 (Sub-No. 2X)]

Minnesota Commercial Railway Company—Discontinuance of Trackage Rights Exemption—in Washington County, MN

The Minnesota Commercial Railway Company (MNNR) has filed a verified notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Services* to discontinue trackage rights over a 0.99-mile line of railroad owned by BNSF Railway Company (BNSF) between milepost 11.81 and milepost 12.80, in Stillwater, Washington

County, MN.¹ This line traverses United States Postal Service Zip Code 55082.²

MNNR has certified that: (1) No local traffic has been handled to or from any customer for at least 2 years; (2) no overhead traffic has been handled on the line for at least 2 years and, the line is not capable of handling overhead traffic as it is stub-ended; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 12, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,³ and

¹ MNNR's trackage rights were the subject of an exemption in *Minnesota Commercial Railway, Inc.—Trackage Rights Exemption—Burlington Northern Railroad Company*, Finance Docket No. 31603 ICC served Feb. 26, 1990).

² BNSF received abandonment authority for the 0.99-mile line segment in *The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Washington County, MN*, STB Docket No. AB-6 (Sub-No. 413X) (STB served May 28, 2004). The May 28 notice stated that, if consummation has not been effected by BNSF's filing of a notice of consummation by May 28, 2005, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. Also, on April 22, 2005, BNSF filed a request to extend the consummation deadline until December 31, 2005, and by decision served May 10, 2005, that deadline was extended until December 31, 2005. In any event, BNSF may not consummate abandonment until MNNR receives authority to discontinue its trackage rights over the line.

³ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.