

AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**Gulfstream Aerospace Corporation:** Docket No. FAA-2005-23249; Directorate Identifier 2005-NM-219-AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by January 23, 2006.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Gulfstream Model GV-SP series airplanes, certificated in any category; serial numbers 5044-5063 inclusive.

#### Unsafe Condition

(d) This AD results from a report that an airplane temporarily lost normal braking function during landing rollout on a pre-delivery flight. We are issuing this AD to prevent loss of normal braking function, which could result in a runway overrun that could cause injury to flightcrew or passengers or damage to the airplane.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Inspection and Replacement If Necessary

(f) Within 90 days after the effective date of this AD, inspect the anti-skid control unit (ACU) in the right electronics equipment rack to determine the serial number (S/N), in accordance with the Accomplishment Instructions of Gulfstream G500 Customer Bulletin 17, dated August 12, 2005 (for Model GV-SP (G500) series airplanes); or Gulfstream G550 Customer Bulletin 17, dated August 12, 2005 (for Model GV-SP (G550) series airplanes); as applicable. If the S/N of the ACU is in the affected range of S/N 355-400 inclusive: Replace the ACU with a new ACU having a S/N outside the affected range

or with a serviceable ACU having a reidentified S/N, in accordance with the applicable customer bulletin.

**Note 1:** The Accomplishment Instructions of the Gulfstream customer bulletins instruct operators to contact Gulfstream if technical assistance is required. However, any deviation from the instructions provided in the applicable customer bulletin must be approved as an alternative method of compliance under paragraph (h) of this AD.

#### No Reporting Requirement

(g) Although the customer bulletins referenced in this AD specify to submit certain information to the manufacturer, this AD does not include that requirement.

#### AMOCs

(h)(1) The Manager, Atlanta Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

Issued in Renton, Washington, on December 2, 2005.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 05-23832 Filed 12-8-05; 8:45 am]

**BILLING CODE 4910-13-P**

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## RAILROAD RETIREMENT BOARD

### 20 CFR Parts 260 and 320

**RIN 3220-AB59**

#### Requests for Reconsideration and Appeals Within the Board

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board (Board) proposes to amend its regulations to include video teleconferencing as an option for hearings of appeals under the Railroad Retirement Act and Railroad Unemployment Insurance Act. The Board's hearings officers will determine if a hearing should be scheduled using this option, rather than a telephone conference call hearing or an in person hearing.

**DATES:** Submit comments on or before February 7, 2006.

**ADDRESSES:** Address any comments concerning this proposed rule to Beatrice Ezerski, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

#### FOR FURTHER INFORMATION CONTACT:

Marguerite P. Dadabo, Assistant General Counsel, (312) 751-4945, TTD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Part 260 of the Board's regulations deals generally with administrative review of denials of claims or requests for waiver of recovery of overpayments under the Railroad Retirement Act (RRA). Part 320 deals with the same matters under the Railroad Unemployment Insurance Act (RUIA). The Board proposes to amend these parts to state that, at the discretion of the hearings officer, hearings held during the appeal process may be conducted in person, by telephone conference call, or by video teleconferencing. Previously, the regulations only allowed for hearings to be held in person or by telephone conference call.

Specifically, the Board proposes to amend §§ 260.5(i) and 320.22 to state that a proposed hearing may be held in person, by telephone conference call, or by video teleconferencing. These sections also state that if an individual objects to having a hearing by video teleconferencing, the hearings officer will find the individual had good cause for objecting to the time or place of the hearing and will reschedule the individual for either a telephone or an in person hearing for the appeal. The regulation also amends sections 260.5(l) and 320.25 to state that the hearings officer determines whether a hearing is scheduled for a telephone conference call, video teleconferencing, or in person.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no changes to the information collections associated with parts 260 and 320.

#### List of Subjects

*20 CFR Part 260*

Administrative practice and procedure, Claims, Railroad retirement, Reporting and recordkeeping requirements.

*20 CFR Part 320*

Administrative practice and procedure, Claims, Railroad unemployment insurance, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Railroad Retirement Board proposes to amend title 20, chapter II, subchapter B, part 260, and

subchapter C, part 320 of the Code of Federal Regulations as follows:

**PART 260—REQUESTS FOR RECONSIDERATION AND APPEALS WITHIN THE BOARD**

1. The authority citation for part 260 continues to read as follows:

**Authority:** 45 U.S.C. 231f; 45 U.S.C. 231g; 45 U.S.C. 355.

2. Revise paragraphs (i)(1), (i)(3) and (l) of § 260.5 to read as follows:

**§ 260.5 Appeal from a reconsideration decision.**

\* \* \* \* \*  
(i) *Conduct of an oral hearing.* (1) In any case in which an oral hearing is to be held, the hearings officer shall schedule a time and place for the conduct of the hearing. At the discretion of the hearings officer, any hearing required under this part may be held in person, by telephone conference call, or by video teleconferencing as described in § 260.5(l). The hearing shall not be open to the public. The hearings officer shall promptly notify by mail the party or parties to the proceeding as to the time and place for the hearing. The notice shall include a statement of the specific issues involved in the case. The hearings officer shall make every effort to hold the hearing within 150 days after the date the appeal is filed.

\* \* \* \* \*  
(3) The hearings officer shall rule on any objection timely filed by a party under paragraph (i) of this section and shall notify the party of his or her ruling thereon. The hearings officer may for good cause shown, or upon his or her own motion, reschedule the time and/or place of the hearing. If an individual objects to having a hearing by video teleconferencing, the hearings officer will find the individual's wish not to appear by video teleconferencing to be a good reason for changing the time or place of the scheduled hearing and will reschedule the hearing for a time or place where either a telephone conference call or an in person hearing will be held. The hearings officer may also limit or expand the issues to be resolved at the hearing.

\* \* \* \* \*  
(l) *Hearing by telephone or video teleconferencing.* As stated in paragraph (i)(1) of this section, at the discretion of the hearings officer, any hearing required under this part may be conducted in person, by telephone conference call, or by video teleconferencing. The hearings officer may determine the hearing should be conducted by telephone conference call or video teleconferencing if use of these

methods would be more efficient than conducting an in-person hearing and the hearings officer does not determine that there is a circumstance in the particular case preventing the use of these methodologies to conduct the hearing.

**PART 320—INITIAL DETERMINATIONS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND REVIEWS OF AND APPEALS FROM SUCH DETERMINATIONS**

3. The authority citation for part 320 continues to read as follows:

**Authority:** 45 U.S.C. 355 and 362(l).

4. Add a new first sentence to paragraph (a) and revise paragraph (c) of § 320.22 to read as follows:

**§ 320.22 Notice of hearing.**

(a) *Notification of parties.* At the discretion of the hearings officer, any hearing required under this part may be held in person, by telephone conference call, or by video teleconferencing as described in § 320.25(d). \* \* \*

(c) *Ruling on objection.* The hearings officer shall rule on any objection timely filed by a party under this section and shall notify the party of his or her ruling thereon. The hearings officer may for good cause shown, or upon his or her own motion, reschedule the time and/or place of the hearing. If an individual objects to having a hearing by video teleconferencing, the hearings officer will find the individual's wish not to appear by video teleconferencing to be a good reason for changing the time or place of the scheduled hearing and will reschedule the hearing for a time or place where a telephone conference call or an in person hearing will be held. The hearings officer also may limit or expand the issues to be resolved at the hearing.

\* \* \* \* \*  
5. Revise § 320.25(d) to read as follows:

**§ 320.25 Hearing of appeal.**

\* \* \* \* \*  
(d) *Hearing by telephone or video teleconferencing.* As stated in § 320.22(a), at the discretion of the hearings officer, any hearing required under this part may be conducted in person, by telephone conference call, or by video teleconferencing. The hearings officer may determine the hearing should be conducted by telephone conference call or video teleconferencing if use of these methods would be more efficient than conducting an in person hearing and the hearings officer does not determine that there is a circumstance in the particular

case preventing the use of these methodologies to conduct the hearing.

Dated: November 30, 2005.

By authority of the Board.

**Beatrice Ezerski,**  
*Secretary to the Board.*

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**RAILROAD RETIREMENT BOARD**

**20 CFR Part 341**

**RIN 3220-AB60**

**Electronic Filing of Settlement and Final Judgment Notices by Railroad Employers**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board (Board) proposes to amend its regulations to include the option of electronic notification by railroad employers of settlements and final judgments based on an injury for which sickness benefits have been paid under the Railroad Unemployment Insurance Act (RUIA). Part 341 currently requires that notifications of settlements and final judgments be submitted to the Board in writing. The proposed rule would allow these notifications to be made by railroad employers either in writing or by sending an electronic message, e.g. via e-mail.

**DATES:** Submit comments on or before February 7, 2006.

**ADDRESSES:** Address any comments concerning this proposed rule to Beatrice Ezerski, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

**FOR FURTHER INFORMATION CONTACT:** Marguerite P. Dadabo, Assistant General Counsel, (312) 751-4945, TTD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Part 341 of the Board's regulations deals with the notification of settlements and final judgments based on an injury for which sickness benefits have been paid under the Railroad Unemployment Insurance Act (RUIA). Currently, the regulations require all individuals or companies to make notifications of settlements and final judgments in writing to the Board. These revisions allow railroad employers to also notify the Board electronically in these instances, e.g. via e-mail.

Section 341.6(a) is proposed to be amended to allow railroad employers to notify the Board, in writing or