

	Percent
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere ...	2.900

The number assigned to this disaster for physical damage is 360806. For economic injury the number is 9ZO200.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: August 6, 2004.

Jane M. Pease,

Acting Associate Administrator for Disaster Assistance.

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SOCIAL SECURITY ADMINISTRATION

Notice of Solicitation of Public Comments on Prerequisites for Participation in a Demonstration Project Extending Fee Withholding Procedures to Non-Attorney Representatives

AGENCY: Social Security Administration (SSA).

ACTION: Notice.

SUMMARY: Section 303 of the Social Security Protection Act of 2004 (SSPA) requires the Commissioner of Social Security (the Commissioner) to develop and implement a 5-year nationwide demonstration project that will extend to certain non-attorney representatives of claimants under titles II and XVI of the Social Security Act (the Act) the option to have approved representatives' fees withheld and paid directly from a beneficiary's past-due benefits. Currently, this option is available only to representatives who are attorneys. Non-attorney representatives who wish to participate in the demonstration project must meet the prerequisites specified in section 303 of the SSPA, and any additional prerequisites that the Commissioner may prescribe. One of the statutory prerequisites is that the individual must pass an examination, written and administered by the Commissioner, which tests knowledge of the relevant provisions of the Act and the most recent developments in agency and court decisions affecting titles II and XVI of the Act. We are seeking public comments regarding the general topics that should be included in the examination. In addition, we invite your comments on the particular issues described below related to the other statutory prerequisites. Finally, we invite comments on whether individuals who wish to participate in

the demonstration project should be required to meet additional prerequisites not specified in section 303 and, if so, what those additional prerequisites might be.

DATES: To be sure that we consider your comments, we must receive them by September 15, 2004.

ADDRESSES: Comments should be sent to William Storey, Acting Director, Office of Policy, Planning and Evaluation, by: e-mail to William.Storey@ssa.gov; telefax to (703) 605-8261; or mail to the Office of Hearings and Appeals, Suite 1608, 5107 Leesburg Pike, Falls Church, VA 22041-3255.

FOR FURTHER INFORMATION CONTACT: William Storey, Suite 1608, 5107 Leesburg Pike, Falls Church, VA 22041-3255, (703) 605-8260.

SUPPLEMENTARY INFORMATION: We are developing an examination that will be administered to non-attorney representatives who wish to participate in the direct fee payment demonstration project authorized by section 303 of the SSPA, Public Law 108-203, enacted March 2, 2004. Section 303 specifies that the examination is to test knowledge of the relevant provisions of the Act and the most recent developments in agency and court decisions affecting titles II and XVI of the Act.

We have compiled a list of general topics upon which the examination questions might focus. That list is included as an Appendix. We request comments on whether the specific topics listed should be tested in the examination, and on whether there are additional topics that we should include.

To help us determine if a topic should be tested in the examination, we have established a rating system for assigning a rank to each topic. We ask that commenters use the rating system when commenting on both the potential topics listed in the Appendix and any additional topics that may be suggested. The rating system is based on a scale from 1 to 5, where 5 indicates that the topic is critical and must be considered in developing the qualifying examination. The criteria for the rankings are as follows:

- 5 = Critical (cannot do the job without knowing this)
- 4 = Very Important (difficulty doing the job well without knowing this)
- 3 = Moderately Important (helpful in doing the job well)
- 2 = Slightly Important (occasionally helpful in doing the job well)
- 1 = Not Important (not needed to do the job)
- X = Cannot Rank (unable to determine

the relative importance)

In addition to passing the examination, non-attorneys who wish to participate in the demonstration project are required by section 303 to meet the following prerequisites:

- The representative has been awarded a bachelor's degree from an accredited institution of higher education, or has been determined by the Commissioner to have equivalent qualifications derived from training and work experience;

- The representative has secured professional liability insurance, or equivalent insurance, which the Commissioner has determined to be adequate to protect claimants in the event of malpractice by the representative;

- The representative has undergone a criminal background check to ensure the representative's fitness to practice before the Commissioner; and

- The representative demonstrates ongoing completion of qualified courses of continuing education, including education regarding ethics and professional conduct, which are designed to enhance professional knowledge in matters related to entitlement to, or eligibility for, benefits based on disability under titles II and XVI of the Act.

We invite comments on any issues related to:

- The quality and extent of training or work experience that should be considered equivalent to a bachelor's degree;

- The amount of liability insurance that should be considered adequate to protect claimants; and

- The extent and types of continuing education courses that should be required.

We will consider the comments we receive as we develop the demonstration project under section 303 of the SSPA.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security-Disability Insurance; 96.002, Social Security-Retirement Insurance; 96.004, Social Security-Survivors Insurance; and 96.006, Supplemental Security Income)

Dated: August 11, 2004.

Fritz Streckewald,

Assistant Deputy Commissioner for Program Policy for Disability and Income Security Programs.

Appendix

Ethics and Professionalism

Conflict of interest
 Good character and reputation
 Grounds for disqualification/suspension
 Privacy Act and disclosure policy
 Ethical conduct

Hearings and Appeals Process

Appeal deadlines
 Good cause for late filing
 Reconsideration
 Request for hearing by an Administrative Law Judge
 Request for Appeals Council Review
 Representation of claimants
 Fee agreement process
 Fee petition process
 Fee authorization
 Witness cross-examination
 Interrogatories
 Vocational Expert testimony
 Medical Expert testimony
 Reopening and revision policy
 Substantial evidence standard
 Role in obtaining evidence
 Effect of multiple applications on appeals process

Medical and Vocational Issues

Definition of disability
 Sequential evaluation process (adults and children)
 Impairment severity
 Medical listings
 Listing equivalency
 Functional equivalence
 Assessment of residual functional capacity
 Past relevant work
 Medical evidence
 Medical source opinions
 Failure to cooperate
 Medical improvement review standard
 Symptoms and credibility
 Evaluation of pain
 Mental impairments
 Consultative examination
 Vocational factors
 Appendix 2 "grid" rules
 Exertional and nonexertional impairments
 Transferable skills

Disability Benefit Issues

Title II insured status
 Title II entitlement factors
 Waiting period
 Substantial gainful activity
 Trial work period
 Extended period of eligibility
 Unsuccessful work attempt
 Special employment considerations
 Impairment related work expenses
 Date of onset
 Disabled widow(er)'s benefits—entitlement factors
 Childhood disability benefits—entitlement factors
 End stage renal disease—entitlement factors
 Title XVI disabled individual eligibility
 Title XVI disabled child eligibility
 Title XVI blind individual eligibility
 Continuing disability reviews
 Ticket to work
 Work incentives
 Expedited reinstatement of benefits
 Plan for achieving self-support
 Terminal illness
 Amyotrophic lateral sclerosis (Lou Gehrig's disease)
 Drug addiction and alcoholism condition
 Presumptive disability
 Workers' compensation
 Public disability benefits

Non-Disability Benefit Issues

Title II insured status
 Title II retirement benefits—entitlement factors
 Title II auxiliary benefits (e.g., child, spouse)—entitlement factors
 Title II survivor benefits (e.g., child, widow, widower)—entitlement factors
 Title II dual entitlement
 Non-payment (suspension) events
 Termination events
 Primary insurance amount computations
 Primary insurance amount reduction factors
 Month of entitlement
 Overpayment waiver
 Totalization of benefits
 Earnings record discrepancies
 Administrative finality
 Res judicata
 Collateral estoppel
 Title XVI eligibility factors
 Title XVI living arrangements
 Title XVI in-kind support and maintenance
 Title XVI resources
 Title XVI earned and unearned income
 Title XVI redeterminations
 Title XVI deeming
 Title XVI offset provisions
 Goldberg-Kelly provisions
 State supplementation
 Interim assistance reimbursement
 Citizenship issues
 Cross program recovery
 Medicaid eligibility factors
 Medicare entitlement factors
 Special veterans benefits
 Railroad benefits
 Military service
 Windfall elimination provision
 Government pension offset
 Delayed retirement credits
 Protective filing

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DEPARTMENT OF STATE

[Public Notice: 4801]

60-Day Notice of Proposed Information Collection: DS-1504, Request for Customs Clearance of Merchandise, OMB Control Number 1405-0104

ACTION: Notice of request for public comments.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Request for Customs Clearance of Merchandise.
- *OMB Control Number:* 1405-0104.
- *Type of Request:* Extension of a currently approved collection.

- *Originating Office:* Bureau of Diplomatic Security, Office of Foreign Missions, Diplomatic Tax and Customs Program, DS/OFM/VTC/TC.
- *Form Number:* DS-1504.
- *Respondents:* Eligible foreign diplomatic or consular missions, certain foreign government organizations, and designated international organizations.
- *Estimated Number of Respondents:* Approximately 350.
- *Estimated Number of Responses:* Approximately 13,200.
- *Average Hours Per Response:* Fifteen minutes.
- *Total Estimated Burden:* 3,300 hours.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to obtain or retain a benefit.

DATES: The Department will accept comments from the public up to October 15, 2004.

You may submit comments by any of the following methods:

- E-mail: ofminfo@state.gov. You must include the DS form number, information collection title, and OMB control number in the subject line of your message.
- Mail (paper, disk, or CD-ROM submissions): Office of Foreign Missions, U.S. Department of State, 2201 C Street, NW., Washington, DC 20520.

FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Mr. Robert Kelley, DS/OFM/VTC/TC, 3507 International Place, NW., U.S. Department of State, Washington, DC 20008, who may be reached on (202) 895-3683, or by E-mail at kellejyr@state.gov.

SUPPLEMENTARY INFORMATION: We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper performance of our functions.
 - Evaluate the accuracy of our estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.
 - Enhance the quality, utility, and clarity of the information to be collected.
 - Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of technology.
- Abstract of proposed collection:* Exemption from customs duties is a privilege enjoyed by foreign diplomatic