



Federal Register

**Monday,
April 24, 2006**

Part XL

Railroad Retirement Board

Semiannual Regulatory Agenda

RAILROAD RETIREMENT BOARD (RRB)

RAILROAD RETIREMENT BOARD

20 CFR Ch. II

Semiannual Agenda of Regulations Under Development or Review

AGENCY: Railroad Retirement Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda contains lists of regulations that the Board is developing

or proposes to develop in the next 12 months and regulations that are scheduled to be reviewed in that period.

ADDRESSES: 844 North Rush Street, Chicago, Illinois 60611-2092.

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General Counsel, Office of General Counsel, Railroad Retirement Board, (312) 751-4945; fax (312) 751-7102; TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION:

Regulations that are routine in nature or which pertain solely to internal agency management have not been included in the agenda.

Dated: February 7, 2006.
By Authority of the Board.

Beatrice Ezerski,
Secretary to the Board.

Railroad Retirement Board—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3507	20 CFR Part 260 and 320 - Requests for Reconsideration and Appeals Within the Board	3220-AB59
3508	20 CFR Part 341 - Electronic Filing of Settlement and Final Judgment Notices by Railroad Employers; Correction	3220-AB60

Railroad Retirement Board—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3509	Reduction and Nonpayment of Annuities by Reason of Work	3220-AA61
3510	Determining Disability	3220-AB50
3511	Listing of Impairments—Appendix 1 to Part 220	3220-AB51
3512	Proposed Rule Amending 20 CFR Part 320, Electronic Filing of Reconsideration Requests by Railroad Employers	3220-AB58

Railroad Retirement Board (RRB)

Proposed Rule Stage

3507. • 20 CFR PART 260 AND 320 – REQUESTS FOR RECONSIDERATION AND APPEALS WITHIN THE BOARD

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 45 USC 231f; 45 USC 231g; 45 USC 355

CFR Citation: 20 CFR 260; 20 CFR 320

Legal Deadline: None

Abstract: The Railroad Retirement 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.

Timetable:

Action	Date	FR Cite
Proposed Rule	12/09/05	70 FR 73175
Comment Period End	02/07/06	
Proposed Rule	12/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, Office of General Counsel, 844 North Rush Street, Chicago, IL 60611-2092
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RIN: 3220-AB59

3508. • 20 CFR PART 341 – ELECTRONIC FILING OF SETTLEMENT AND FINAL JUDGMENT NOTICES BY RAILROAD EMPLOYERS; CORRECTION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 45 USC 362(o)

CFR Citation: 20 CFR 341

Legal Deadline: None

Abstract: The Railroad Retirement 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.

Timetable:

Action	Date	FR Cite
Proposed Rule	12/09/05	70 FR 73176
Comment Period End	02/07/06	
Proposed Rule	12/00/06	

RRB

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, Office of General Counsel, 844 North Rush Street, Chicago, IL 60611-2092Phone: 312 751-4945
TDD Phone: 312 751-4701
Fax: 312 751-7102**RIN:** 3220-AB60**Railroad Retirement Board (RRB)****Final Rule Stage****3509. REDUCTION AND NONPAYMENT OF ANNUITIES BY REASON OF WORK****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231f(b)(5)**CFR Citation:** 20 CFR 230**Legal Deadline:** None**Abstract:** The Railroad Retirement Board amends 20 CFR part 230 to explain how employment or self-employment after an annuity beginning date may cause a reduction in, or nonpayment of, the annuity. It also reflects the changes in law made by the enactment of Public Law 106-182, the Senior Citizens' Freedom to Work Act of 2000.**Timetable:**

Action	Date	FR Cite
NPRM	08/16/95	60 FR 42482
NPRM Comment Period End	09/25/95	60 FR 43999
Final Action	12/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, Office of General Counsel, 844 North Rush Street, Chicago, IL 60611-2092
Phone: 312 751-4945
TDD Phone: 312 751-4701
Fax: 312 751-7102**RIN:** 3220-AA61**3510. DETERMINING DISABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231a; 45 USC 231f**CFR Citation:** 20 CFR 220.143; 20 CFR 220.170**Legal Deadline:** None**Abstract:** The Railroad Retirement Board will amend 20 CFR sections

220.143 and 220.170 to index the amount of earnings used to determine if an individual is engaged in Substantial Gainful Activity (SGA) to any increase in the Social Security national average wage index, and to increase (from \$200 to \$530) the minimum amount of monthly earnings to count during a trial work period, and then to index that amount to the Social Security national average wage index.

Timetable:

Action	Date	FR Cite
NPRM	06/09/03	68 FR 34341
NPRM Comment Period End	08/08/03	
Final Action Effective	12/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, Office of General Counsel, 844 North Rush Street, Chicago, IL 60611-2092
Phone: 312 751-4945
TDD Phone: 312 751-4701
Fax: 312 751-7102**RIN:** 3220-AB50**3511. LISTING OF IMPAIRMENTS—APPENDIX 1 TO PART 220****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231a; 45 USC 231f**CFR Citation:** 20 CFR 220.110; 20 CFR 220, app 1**Legal Deadline:** None**Abstract:** The Railroad Retirement Board amends 20 CFR 220.110 and appendix 1—Listing of Impairments, to conform the medical criteria that apply to disability determinations to the medical criteria in the Social Security Administration's regulations (20 CFR 404, subpart P, appendix 1).**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, Office of General Counsel, 844 North Rush Street, Chicago, IL 60611-2092
Phone: 312 751-4945
TDD Phone: 312 751-4701
Fax: 312 751-7102**RIN:** 3220-AB51**3512. PROPOSED RULE AMENDING 20 CFR PART 320, ELECTRONIC FILING OF RECONSIDERATION REQUESTS BY RAILROAD EMPLOYERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 355; 45 USC 362(1)**CFR Citation:** 20 CFR 320**Legal Deadline:** None**Abstract:** The Railroad Retirement Board proposes to amend its regulations to include the option of electronic filing by railroad employers of requests for reconsideration of initial decisions under the Railroad Unemployment Insurance Act (RUIA).**Timetable:**

Action	Date	FR Cite
NPRM	07/25/05	70 FR 42517
NPRM Comment Period End	10/27/05	
Final Action	06/00/06	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad

RRB**Final Rule Stage**

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RIN: 3220-AB58

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