

	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.*

[FR Doc. 04-18697 Filed 8-13-04; 8:45 am]

BILLING CODE 8025-01-P

## 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](mailto: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

[FR Doc. 04-18743 Filed 8-13-04; 8:45 am]

**BILLING CODE 4191-02-P**

**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](mailto: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](mailto: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