

Regulatory Flexibility Act, as amended, is not required.

#### *Paperwork Reduction Act*

This rule does not create any new, or affect any existing, collections, and therefore, does not require OMB approval under the Paperwork Reduction Act.

(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)

#### List of Subjects

##### *20 CFR Part 404*

Administrative practice and procedure; Blind; Disability benefits; Old-Age, Survivors, and Disability Insurance; Reporting and recordkeeping requirements; Social Security.

##### *20 CFR Part 416*

Administrative practice and procedure; Aged, Blind, Disability benefits, Public assistance programs; Reporting and recordkeeping requirements; Supplemental Security Income (SSI).

Dated: October 2, 2009.

**Michael J. Astrue,**

*Commissioner of Social Security.*

For the reasons set out in the preamble, we propose to amend subpart U of part 404 and subpart F of part 416 of chapter III of title 20 Code of Federal Regulations as set forth below:

#### **PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950— )**

##### **Subpart U—[Amended]**

1. The authority citation for subpart U of part 404 is revised to read as follows:

**Authority:** Secs. 205(a), (j), and (k), and 702(a)(5) of the Social Security Act (42 U.S.C. 405(a), (j), and (k), and 902(a)(5)).

2. Amend § 404.2060 by revising the first sentence to read as follows:

##### **§ 404.2060 Transfer of accumulated benefit payments.**

A representative payee who has conserved or invested benefit payments shall transfer these funds and the interest earned from the invested funds to either a successor payee, to the beneficiary, or to us, as we will specify.  
\* \* \*

#### **PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED**

##### **Subpart F—[Amended]**

3. The authority citation for subpart F of part 416 is revised to read as follows:

**Authority:** Secs. 702(a)(5), 1631(a)(2) and (d)(1) of the Social Security Act (42 U.S.C. 902(a)(5) and 1383(a)(2) and (d)(1)).

4. Amend § 416.660 by revising the first sentence to read as follows:

##### **§ 416.660 Transfer of accumulated benefit payments.**

A representative payee who has conserved or invested benefit payments shall transfer these funds, and the interest earned from the invested funds, to either a successor payee, to the beneficiary, or to us, as we will specify.  
\* \* \*

[FR Doc. E9-24648 Filed 10-13-09; 8:45 am]

**BILLING CODE 4191-02-P**

#### **DEPARTMENT OF THE TREASURY**

##### **Internal Revenue Service**

##### **26 CFR Part 301**

**[REG-116614-08]**

**RIN 1545-BH90**

##### **Disregarded Entities and Excise Taxes; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document contains corrections to a notice of proposed rulemaking by cross-reference to temporary regulations (REG-116614-08) that was published in the **Federal Register** on Monday, September 14, 2009, clarifying that a single-owner eligible entity that is disregarded as an entity separate from its owner for any purpose, but regarded as a separate entity for certain excise tax purposes, is treated as a corporation for tax administration purposes related to those excise taxes.

**FOR FURTHER INFORMATION CONTACT:** Michael H. Beker, (202) 622-3070 (not a toll-free number).

##### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The correction notice that is the subject of this document is under section 7701 of the Internal Revenue Code.

##### **Need for Correction**

As published on Monday, September 14, 2009 (74 FR 46957), the notice of proposed rulemaking by cross-reference to temporary regulations (REG-116614-08) contains errors that may prove to be misleading and are in need of clarification.

##### **Correction of Publication**

Accordingly, the publication of the notice of proposed rulemaking by cross-reference to temporary regulations (REG-116614-08), which was the subject of FR Doc. E9-21986, is corrected as follows:

1. On page 46958, column 2, instructional paragraph 2, item number 4, the language “4. Revising paragraphs (e)(2), (e)(5) and (e)(6).” is corrected to read “4. Revising paragraph (e)(2).”

2. On page 46958, column 2, new item number 5 is added to read “5. Adding two sentences at the end of paragraph (e)(5).”

3. On page 46958, column 2, instructional paragraph 2, new item number 6 is added to read “6. Adding one sentence at the end of paragraph (e)(6).”

##### **§ 301.7701-2 [Corrected]**

4. On page 46958, column 2, in § 301.7701-2, paragraph (e)(5), first line, the language “[The text of this proposed]” is corrected to read “\* \* \* [The text of this proposed]”.

5. On page 46958, column 2, in § 301.7701-2, paragraph (e)(6), first line, the language “[The text of this proposed]” is corrected to read “\* \* \* [The text of this proposed]”.

**Diane O. Williams,**

*Federal Register Liaison, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. E9-24655 Filed 10-13-09; 8:45 am]

**BILLING CODE 4830-01-P**

#### **DEPARTMENT OF LABOR**

##### **Mine Safety and Health Administration**

##### **30 CFR Parts 70, 71 and 90**

**RIN 1219-AB48**

##### **Respirable Coal Mine Dust; Continuous Personal Dust Monitor (CPDM)**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Request for information.

**SUMMARY:** This document requests information related to the use of the