

**SOCIAL SECURITY ADMINISTRATION**

**Agency Information Collection Activities: Proposed Request and Comment Request**

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions to and extensions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated

collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers. (OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974, Email address: *OIRA\_Submission@omb.eop.gov*.

(SSA), Social Security Administration, DCRDP, Attn: Reports Clearance Director, 107 Altmeyer Building, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-966-2830, Email address: *OR.Reports.Clearance@ssa.gov*.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must

receive them no later than January 28, 2013. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. Application for Widow's or Widower's Insurance Benefits—20 CFR 404.335-404.338, & 404.603-0960-0004. Since SSA needs information to make a formal determination for entitlement to widow(er)'s benefits, we use Form SSA-10-BK to determine whether an applicant meets the statutory and regulatory conditions for entitlement to widow(er)'s title II benefits. SSA employees interview individuals applying for benefits either face-to-face or via telephone and enter the information on the paper form or into the Modernized Claims System (MCS). The respondents are applicants for widow(er)'s benefits.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-10-BK—paper version .....	5,000	1	15	1,250
SSA-10-BK—MCS version .....	449,000	1	14	104,767
Total .....	454,000	.....	.....	106,017

2. Statement for Determining Continuing Eligibility Supplemental Security Income Payment—20 CFR 416.204-0960-0145. SSA uses Form SSA-8202-BK to conduct low and middle error profile telephone or face-to-face redetermination interviews with

Supplemental Security Income (SSI) recipients and representative payees (RP). The information SSA collects during the interview is necessary to determine whether SSI recipients met and continue to meet all statutory and regulatory requirements for SSI

eligibility and whether they received, and are still receiving, the correct payment amount.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-8202-BK .....	6,633	1	21	2,322
Modernized SSI Claims System .....	71,444	1	20	23,815
Total .....	78,077	.....	.....	26,137

3. Notice Regarding Substitution of Party Upon Death of Claimant—Reconsideration of Disability Cessation—20 CFR 404.917-404.921 and 416.1407-416.1421-0960-0351. When a claimant dies before we make a determination on that person's request for reconsideration of a disability

cessation, SSA seeks a qualified substitute party to pursue the appeal. If SSA locates a qualified substitute party, the agency uses Form SSA-770 to collect information about whether to pursue or withdraw the reconsideration request. We use this information as the basis for the decision to continue or

discontinue with the appeals process. Respondents are substitute applicants who are pursuing a reconsideration request for a deceased claimant.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-770 .....	1,200	1	5	100

II. SSA submitted the information collections below to OMB for clearance. Your comments regarding the information collections would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than December 31, 2012. Individuals can obtain copies of the OMB clearance

packages by writing to *OR.Reports.Clearance@ssa.gov*.  
 1. Reporting Changes that Affect Your Social Security Payment—20 CFR 404.301–305, 404.310–311, 404.330–.333, 404.335–.341, 404.350–.352, and 404.468–0960–0073. When Social Security beneficiaries experience a change that could affect their payments, they must report these changes to SSA. Title II beneficiaries in this category use Form SSA–1425 to report the relevant

information to SSA; the agency then determines if the respondents continue to be entitled to benefits, and if so, the proper amount of these benefits. The respondents are Social Security beneficiaries receiving title II SSA retirement, disability, or survivor’s auxiliary benefits who need to report an event that could affect their payments.  
*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–1425 .....	70,000	1	5	5,833

2. State Supplementation Provisions: Agreement; Payments—20 CFR 416.2095–416.2098, 416.2099–0960–0240. Section 1618 of the Social Security Act (Act) contains pass-along provisions of the Social Security amendments. These provisions require states that supplement Federal SSI

payments to pass along Federal cost-of-living increases to individuals who are eligible for state supplemental payments. If a state fails to keep payments at the required level, it becomes ineligible for Medicaid reimbursement under title XIX of the Act. SSA uses the information to

determine a state’s eligibility for Medicaid reimbursement. Respondents are state agencies administering supplemental programs.  
*Type of Request:* Extension of an OMB-approved information collection.

State reporting method	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
Total Expenditures .....	7	4	60	28
Maintenance of Payment Levels .....	24	1	60	24
Total .....	31	.....	.....	52

3. Substitution of Party Upon Death of Claimant—20 CFR 404.957(c)(4) and 416.1457(c)(4)—0960–0288. An administrative law judge (ALJ) may dismiss a request for a hearing on a pending claim of a deceased individual for Social Security benefits or SSI payments. Individuals who believe they may be adversely affected by the

dismissal may ask to be a substitute party for the deceased claimant by completing Form HA–539. The ALJs and the hearing office support staff use this information to (1) maintain a written record of the request; (2) establish the relationship of the requester to the deceased claimant; (3) determine the substituted individual’s

wishes regarding an oral hearing or decision on the record; and (4) admit the data into the claimant’s official record as an exhibit. The respondents are individuals requesting to be a substitute party for a deceased claimant.  
*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
HA–539 .....	4,000	1	5	333

4. Continuation of SSI Benefits for the Temporarily Institutionalized—Certification of Period and Need to Maintain Home—20 CFR 416.212(b)(1)—0960–0516. When SSI recipients (1) enter a public institution or (2) enter a private medical treatment facility with Medicaid paying more than 50 percent of expenses, SSA must reduce recipients’ SSI payments to a

nominal sum. However, if this institutionalization is temporary (defined as a maximum of three months), SSA may waive the reduction. Before SSA can waive the SSI payment reduction, the agency must receive the following documentation: (1) A physician’s certification stating the SSI recipient will only be institutionalized for a maximum of three

months and (2) certification from the recipient, the recipient’s family, or friends confirming SSI payments are needed to maintain the living arrangements to which the individual will return post-institutionalization. The respondents are SSI recipients, their family or friends, and doctors.  
*Type of Request:* Extension of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden hours)
Certifications from physicians and other respondents .....	60,000	1	5	5,000

5. Privacy and Disclosure of Official Records and Information; Availability of Information and Records to the Public—20 CFR 401.40(b)&(c), 401.55(b), 401.100(a), 402.130, 402.185—0960–0566. SSA established methods for the public to: (1) Access their SSA records; (2) allow SSA to disclose records; (3)

correct or amend their SSA records; (4) consent to release of their records; (5) request records under the Freedom of Information Act (FOIA); and (6) request SSA waive or reduce fees normally charged for release of FOIA. SSA often collects the necessary information for these requests through a written letter,

with the exception of the consent for release of records, for which there is Form SSA–3288. The respondents are individuals requesting access to, correction of, or disclosure of SSA records.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden hours)
Access to Records .....	10,000	1	11	1,833
Designating a Representative for Disclosure of Records .....	3,000	1	120	6,000
Amendment of Records .....	100	1	10	17
Consent of Release of Records .....	3,000,000	1	3	150,000
FOIA Requests for Records .....	15,000	1	5	1,250
Waiver/Reduction of Fees .....	400	1	5	33
<b>Total .....</b>	<b>3,028,500</b>	<b>.....</b>	<b>.....</b>	<b>159,133</b>

6. Representative Payee Report of Benefits and Dedicated Account—20 CFR 416.546, 416.635, 416.640, 416.665—0960–0576. SSA requires representative payees (RPs) to submit a written report accounting for the use of money paid to Social Security

beneficiaries or SSI recipients, and to establish and maintain a dedicated account for these payments. SSA uses Form SSA–6233 to ensure the RPs are use the benefits for the beneficiary’s or recipient’s current maintenance and personal needs, and the expenditures of

funds from the dedicated account are in compliance with the law. Respondents are RPs for SSI recipients and Social Security beneficiaries.

*Type of Request:* Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden hours)
SSA–6233 .....	30,000	1	20	10,000

7. Application for Circuit Court Law—20 CFR 404.985 & 416.1458—0960–0581. Persons claiming an acquiescence ruling (AR) would change SSA’s prior determination or decision must submit a written readjudication request with specific information. SSA reviews the information in the requests to determine

if the issues stated in the AR pertain to the claimant’s case, and if the claimant is entitled to readjudication. If readjudication is appropriate, SSA considers the issues the AR covers. Any new determination or decision is subject to administrative or judicial review as specified in the regulations.

Respondents are claimants for Social Security benefits and SSI payments who request readjudication. This information collection request is for the information claimants must provide to request readjudication.

*Type of Request:* Extension of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden hours)
AR-based Readjudication Requests .....	10,000	1	17	2,833

Dated: November 26, 2012.

**Faye Lipsky,**

*Reports Clearance Director, Social Security Administration.*

[FR Doc. 2012-28891 Filed 11-28-12; 8:45 am]

**BILLING CODE 4191-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway and Bridge in the Cities of Cincinnati, Ohio, and Covington, Kentucky

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; correction.

**SUMMARY:** This notice corrects an error in the FHWA notice published on November 2, 2012, at 77 FR 66215. That notice provided an incorrect reference to a statute of limitations timeframe, and an incorrect date.

**DATES:** This notice is effective November 29, 2012.

**FOR FURTHER INFORMATION CONTACT:** Noel F. Mehlo Jr., Environmental Program Manager, Federal Highway Administration, 200 North High Street, Room 328, Columbus, Ohio 43215, Telephone: (614) 280-6896; or Stefan Spinosa, PE, Ohio Department of Transportation (ODOT), 505 South State Route 741, Lebanon, Ohio 45036, Telephone: (513) 933-6639.

**SUPPLEMENTARY INFORMATION:** On November 2, 2012, at 77 FR 66215, the FHWA published a notice regarding actions taken by the FHWA, United States Army Corps of Engineers (USACE), and other Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project to improve Interstate 71 and Interstate 75, including interchanges and a new bridge over the Ohio River in the City of Cincinnati, Hamilton County, State of Ohio and the City of Covington, Kenton County, Commonwealth of Kentucky.

The original notice indicated that claims seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before May 1, 2013, which represents 180 days after publication in the **Federal Register**. However, the recently enacted "Moving Ahead for Progress in the 21st Century Act" (MAP-21) (Sec. 1308, Pub. L. 112-141, 126 STAT. 405), amended 23 U.S.C. 139(l)(1) as of October 1, 2012, to provide that any claim seeking judicial review of the Federal agency actions on a highway project is barred unless the

claim is filed 150 days after publication of a notice in the **Federal Register**. As such, any claim seeking judicial review of the above referenced highway project will be barred unless the claim is filed on or before April 1, 2013. Also, if the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such a claim, then that shorter time period still applies.

**Authority:** 23 U.S.C. 139(l); Sec. 1308, Pub. L. 112-141, 126 Stat. 405.

Issued on: November 21, 2012.

**Robert L. Griffith,**

*Assistant Division Administrator, Columbus, Ohio.*

[FR Doc. 2012-28912 Filed 11-28-12; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 26, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before December 31, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at

*OIRA\_Submission@OMB.EOP.GOV* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at *PRA@treasury.gov*.

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at *PRA@treasury.gov*, or the entire information collection request maybe found at *www.reginfo.gov*.

### Alcohol and Tobacco Tax and Trade Bureau (TTB)

**OMB Number:** 1513-0010.

**Type of Review:** Extension without change of a currently approved collection.

**Title:** Formula and Process for Wine.

**Form:** TTB F 5120.29.

**Abstract:** TTB F 5120.29 is used to determine the classification of wines for labeling and consumer protection. The form is used to describe the person filing, the type of product to be made, and the process by which the product is made. The form is also used to audit a product.

**Affected Public:** Private Sector: Businesses or other for-profits.

**Estimated Total Burden Hours:** 1,200.

**OMB Number:** 1513-0028.

**Type of Review:** Revision of a currently approved collection.

**Title:** Application for an Industrial Alcohol User Permit.

**Form:** TTB F 5150.22.

**Abstract:** TTB F 5150.22 is used to determine the eligibility of the applicant to engage in certain operations and the extent of the operations for the production and distribution of specially denatured spirits (alcohol/rum) and the use of tax-free alcohol under 27 CFR 22.41. This form identifies the location of the premises and establishes whether the premises will be in conformity with Federal laws and regulations.

**Affected Public:** Private Sector: Businesses or other for-profits.

**Estimated Total Burden Hours:** 419.

**OMB Number:** 1513-0047.

**Type of Review:** Extension without change of a currently approved collection.

**Title:** Distilled Spirits Records (TTB REC 5110/01) and Monthly Report of Production Operations.

**Form:** TTB F 5110.40.

**Abstract:** The information collected is used to account for proprietor's tax liability and adequacy of bond coverage, for protection of the revenue. The information also provides data to analyze trends in the industry, plan efficient allocation of field resources, and compile statistics for government economic analysis.

**Affected Public:** Private Sector: Businesses or other for-profits.

**Estimated Total Burden Hours:** 3,600.

**OMB Number:** 1513-0048.

**Type of Review:** Revision of a currently approved collection.

**Title:** Registration of Distilled Spirits Plants and Miscellaneous Requests and Notices and Distilled Spirits Plans.

**Form:** TTB F 5110.41.

**Abstract:** The information provided by the applicants assists TTB in determining eligibility and providing for registration. These eligibility requirements are for persons who wish to establish distilled spirits plant operations. In addition, both statutes and regulations allow variances from regulations, and the information collected enables TTB to determine whether a variance can be approved.