



Federal Register

**Monday,
December 13, 2004**

Part XLII

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: For this edition of the Railroad Retirement Board's regulatory agenda, no entries are

included for The Regulatory Plan, which appears in part II of this issue of the **Federal Register** for those agencies having entries.

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

Dated: September 17, 2004.

By Authority of the Board.

Beatrice Ezerski,
Secretary to the Board.

Railroad Retirement Board—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3658	Reduction and Nonpayment of Annuities by Reason of Work	3220-AA61
3659	Determining Disability	3220-AB50
3660	Employers' Contributions and Contribution Reports	3220-AB53

Railroad Retirement Board—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3661	Appendix 1 to Part 220—Listing of Impairments	3220-AB51
3662	Application for Annuity or Lump Sum	3220-AB55

Railroad Retirement Board—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3663	Creditable Railroad Compensation	3220-AB23

Railroad Retirement Board (RRB)

Final Rule Stage

3658. 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 revises 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	09/25/95	60 FR 43999
Period End		
Final Action	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AA61

3659. 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

RRB

Final Rule Stage

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	01/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB50

3660. EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 45 USC 345; 45 USC 362(l)

CFR Citation: 20 CFR 345.202 to 204

Legal Deadline: None

Abstract: The Railroad Retirement Board plans to amend sections 345.202 to 204 of 20 CFR part 345 to explain the effective date of consolidated employer records that result in the issuance of a joint contribution rate under the "experience rating"

provisions of section 8 of the Railroad Unemployment Insurance Act. The amendment will also incorporate a nomenclature change due to an agency reorganization.

Timetable:

Action	Date	FR Cite
NPRM	06/14/04	69 FR 32927
NPRM Comment Period End	08/13/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB53

Railroad Retirement Board (RRB)

Long-Term Actions

3661. APPENDIX 1 TO PART 220—LISTING OF IMPAIRMENTS

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 plans to amend 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	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB51

3662. APPLICATION FOR ANNUITY OR LUMP SUM

Priority: Other Significant

Legal Authority: 45 USC 231d; 45 USC 231f

CFR Citation: 20 CFR 217.5; 20 CFR 217.6; 20 CFR 217.15 to 217.18

Legal Deadline: None

Abstract: The Railroad Retirement Board plans to amend its regulations to permit the electronic filing of applications for annuity or lump sum

payment under the Railroad Retirement Act via the Internet in accordance with the provisions of the Government Paperwork Elimination Act when administratively feasible.

Timetable:

Action	Date	FR Cite
NPRM	12/18/02	67 FR 77448
NPRM Comment Period End	02/18/03	
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB55

Railroad Retirement Board (RRB)

Completed Actions

**3663. CREDITABLE RAILROAD
COMPENSATION**

Priority: Substantive, Nonsignificant

CFR Citation: 20 CFR 211.3

Completed:

Reason	Date	FR Cite
Withdrawn – No Further Activity Anticipated	09/16/04	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB23

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