

**Information Collection Request (ICR)**

*Title:* Application for Spouse Annuity Under the Railroad Retirement Act.

*OMB Control Number:* 3220-0042.

*Form(s) submitted:* AA-3, Application for Spouse/Divorced Spouse Annuity, AA-3cert, Application Summary and Certification.

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

*Affected public:* Individuals or households.

*Obligation to Respond:* Required to obtain or retain benefits.

*Abstract:* The Railroad Retirement Act provides for the payment of annuities to spouses of railroad retirement annuitants who meet the requirements under the Act. The application obtains information supporting the claim for benefits based on being a spouse of an annuitant. The information is used for determining entitlement to and amount of the annuity applied for.

*Changes Proposed:* The RRB proposes to add new items to Form(s) AA-3cert and AA-3 to further document an applicant's most recent nonrailroad work. The items ask for the applicant's most recent job title and whether their employer is a seasonal employer. Non-burden impacting changes are proposed to the certification statements of Form(s) AA-3cert and AA-3 that are intended to provide additional specificity regarding post-application events that require an applicant to contact the RRB. Other non-burden impacting, editorial (clarification) and formatting changes to Form AA-3cert and Form AA-3 are also proposed.

The burden estimate for this ICR is unchanged as follows:

*Estimated annual number of respondents:* 8,500.

*Total annual responses:* 8,500.

*Total annual reporting hours:* 4,297.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

*Comments:* Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@rrb.gov) and to the OMB Desk Officer for the RRB, Karen Matsuoka at [kmatsuoka@omb.eop.gov](mailto:kmatsuoka@omb.eop.gov), fax (202) 395-6974.

**Charles Mierzwa,**

*RRB Clearance Officer.*

[FR Doc. E6-18961 Filed 11-8-06; 8:45 am]

**BILLING CODE 7905-01-P**

**RAILROAD RETIREMENT BOARD****Agency Forms Submitted for OMB Review, Request for Comments**

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request an extension of the following collection of information: 3220-0193, Job Information Report, consisting of RRB Form(s) G-251a, Employer Job Information (job description) and G-251b, Employer Job Information (general). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collection of information to determine (1) The practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (71 FR 44054 and 44055 on August 3, 2006) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

**Information Collection Request (ICR)**

*Title:* Job Information Report.

*OMB Number:* 3220-0193.

*Form(s) submitted:* G-251a, Employer Job Information (position description). G-251b, Employer Job Information (general).

*Type of request:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Obligation to respond:* Voluntary.

*Abstract:* The collection obtains information used by the Railroad Retirement Board (RRB) to assist in determining whether a railroad employee is disabled from his or her regular occupation. It provides, under certain conditions, railroad employers with the opportunity to provide information to the RRB regarding the employee applicant's job duties.

*The proposed estimated annual burden for this collection is unchanged as follows:*

*Estimated annual number of respondents:* 430.

*Total annual responses:* 430.

*Total annual reporting hours:* 144.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

*Comments:* Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@rrb.gov) and to the OMB Desk Officer for the RRB, Karen Matsuoka at [kmatsuoka@omb.eop.gov](mailto:kmatsuoka@omb.eop.gov), Fax (202) 395-6974.

**Charles Mierzwa,**

*RRB Clearance Officer.*

[FR Doc. E6-18962 Filed 11-8-06; 8:45 am]

**BILLING CODE 7905-01-P**

**RAILROAD RETIREMENT BOARD****2007 Railroad Experience Rating Proclamations, Monthly Compensation Base and Other Determinations**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 8(c)(2) and section 12(r)(3) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(2) and 45 U.S.C. 362(r)(3), respectively), the Board gives notice of the following:

1. The balance to the credit of the Railroad Unemployment Insurance (RUI) Account, as of June 30, 2006, is \$114,826,602.43;
2. The September 30, 2006, balance of any new loans to the RUI Account, including accrued interest, is zero;
3. The system compensation base is \$3,338,677,272.65 as of June 30, 2006;
4. The cumulative system unallocated charge balance is (\$279,893,399.81) as of June 30, 2006;
5. The pooled credit ratio for calendar year 2007 is zero;
6. The pooled charged ratio for calendar year 2007 is zero;
7. The surcharge rate for calendar year 2007 is 1.5 percent;
8. The monthly compensation base under section 1(i) of the Act is \$1,230 for months in calendar year 2007;
9. The amount described in section 1(k) of the Act as "2.5 times the monthly compensation base" is \$3,075 for base year (calendar year) 2007;
10. The amount described in section 2(c) of the Act as "an amount that bears

the same ratio to \$775 as the monthly compensation base for that year as computed under section 1(i) of this Act bears to \$600" is \$1,589 for months in calendar year 2007;

11. The amount described in section 3 of the Act as "2.5 times the monthly compensation base" is \$3,075 for base year (calendar year) 2007;

12. The amount described in section 4(a-2)(i)(A) of the Act as "2.5 times the monthly compensation base" is \$3,075 with respect to disqualifications ending in calendar year 2007;

13. The maximum daily benefit rate under section 2(a)(3) of the Act is \$59 with respect to days of unemployment and days of sickness in registration periods beginning after June 30, 2007.

**DATES:** The balance in notice (1) and the determinations made in notices (3) through (7) are based on data as of June 30, 2006. The balance in notice (2) is based on data as of September 30, 2006. The determinations made in notices (5) through (7) apply to the calculation, under section 8(a)(1)(C) of the Act, of employer contribution rates for 2007. The determinations made in notices (8) through (12) are effective January 1, 2007. The determination made in notice (13) is effective for registration periods beginning after June 30, 2007.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092.

**FOR FURTHER INFORMATION CONTACT:** Marla L. Huddleston, Bureau of the Actuary, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611-2092, telephone (312) 751-4779.

**SUPPLEMENTARY INFORMATION:** The RRB is required by section 8(c)(1) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(1)) as amended by Public Law 100-647, to proclaim by October 15 of each year certain system-wide factors used in calculating experience-based employer contribution rates for the following year. The RRB is further required by section 8(c)(2) of the Act (45 U.S.C. 358(c)(2)) to publish the amounts so determined and proclaimed. The RRB is required by section 12(r)(3) of the Act (45 U.S.C. 362(r)(3)) to publish by December 11, 2006, the computation of the calendar year 2007 monthly compensation base (section 1(i) of the Act) and amounts described in sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act which are related to changes in the monthly compensation base. Also, the RRB is required to publish, by June 11, 2007, the maximum daily benefit rate under section 2(a)(3) of the Act for days of unemployment and days of sickness in registration periods beginning after June 30, 2007.

### Surcharge Rate

A surcharge is added in the calculation of each employer's contribution rate, subject to the applicable maximum rate, for a calendar year whenever the balance to the credit of the RUI Account on the preceding June 30 is less than the greater of \$100 million or the amount that bears the same ratio to \$100 million as the system compensation base for that June 30 bears to the system compensation base as of June 30, 1991. If the RUI Account balance is less than \$100 million (as indexed), but at least \$50 million (as indexed), the surcharge will be 1.5 percent. If the RUI Account balance is less than \$50 million (as indexed), but greater than zero, the surcharge will be 2.5 percent. The maximum surcharge of 3.5 percent applies if the RUI Account balance is less than zero.

The system compensation base as of June 30, 1991 was \$2,763,287,237.04. The system compensation base for June 30, 2006 was \$3,338,677,272.65. The ratio of \$3,338,677,272.65 to \$2,763,287,237.04 is 1.20822665. Multiplying 1.20822665 by \$100 million yields \$120,822,665. Multiplying \$50 million by 1.20822665 produces \$60,411,333. The Account balance on June 30, 2006, was \$114,826,602.43. Accordingly, the surcharge rate for calendar year 2007 is 1.5 percent.

### Monthly Compensation Base

For years after 1988, section 1(i) of the Act contains a formula for determining the monthly compensation base. Under the prescribed formula, the monthly compensation base increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The monthly compensation base for months in calendar year 2007 shall be equal to the greater of (a) \$600 or (b)  $600 [1 + \{(A - 37,800)/56,700\}]$ , where A equals the amount of the applicable base with respect to tier 1 taxes for 2007 under section 3231(e)(2) of the Internal Revenue Code of 1986. Section 1(i) further provides that if the amount so determined is not a multiple of \$5, it shall be rounded to the nearest multiple of \$5.

The calendar year 2007 tier 1 tax base is \$97,500. Subtracting \$37,800 from \$97,500 produces \$59,700. Dividing \$59,700 by \$56,700 yields a ratio of 1.05291005. Adding one gives 2.05291005. Multiplying \$600 by the amount 2.05291005 produces the amount of \$1,231.75, which must then be rounded to \$1,230. Accordingly, the monthly compensation base is

determined to be \$1,230 for months in calendar year 2007.

### Amounts Related to Changes in Monthly Compensation Base

For years after 1988, sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act contain formulas for determining amounts related to the monthly compensation base.

Under section 1(k), remuneration earned from employment covered under the Act cannot be considered subsidiary remuneration if the employee's base year compensation is less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 2007 monthly compensation base of \$1,230 produces \$3,075. Accordingly, the amount determined under section 1(k) is \$3,075 for calendar year 2007.

Under section 2(c), the maximum amount of normal benefits paid for days of unemployment within a benefit year and the maximum amount of normal benefits paid for days of sickness within a benefit year shall not exceed an employee's compensation in the base year. In determining an employee's base year compensation, any money remuneration in a month not in excess of an amount that bears the same ratio to \$775 as the monthly compensation base for that year bears to \$600 shall be taken into account.

The calendar year 2007 monthly compensation base is \$1,230. The ratio of \$1,230 to \$600 is 2.05000000. Multiplying 2.05000000 by \$775 produces \$1,589. Accordingly, the amount determined under section 2(c) is \$1,589 for months in calendar year 2007.

Under section 3, an employee shall be a "qualified employee" if his/her base year compensation is not less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 2007 monthly compensation base of \$1,230 produces \$3,075. Accordingly, the amount determined under section 3 is \$3,075 for calendar year 2007.

Under section 4(a-2)(i)(A), an employee who leaves work voluntarily without good cause is disqualified from receiving unemployment benefits until he has been paid compensation of not less than 2.5 times the monthly compensation base for months in the calendar year in which the disqualification ends. Multiplying 2.5 by the calendar year 2007 monthly compensation base of \$1,230 produces \$3,075. Accordingly, the amount determined under section 4(a-2)(i)(A) is \$3,075 for calendar year 2007.

### Maximum Daily Benefit Rate

Section 2(a)(3) contains a formula for determining the maximum daily benefit rate for registration periods beginning after June 30, 1989, and after each June 30 thereafter. Legislation enacted on October 9, 1996, revised the formula for indexing maximum daily benefit rates. Under the prescribed formula, the maximum daily benefit rate increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The maximum daily benefit rate for registration periods beginning after June 30, 2007, shall be equal to 5 percent of the monthly compensation base for the base year immediately preceding the beginning of the benefit year. Section 2(a)(3) further provides that if the amount so computed is not a multiple of \$1, it shall be rounded down to the nearest multiple of \$1.

The calendar year 2006 monthly compensation base is \$1,195. Multiplying \$1,195 by 0.05 yields \$59.75, which must then be rounded down to \$59. Accordingly, the maximum daily benefit rate for days of unemployment and days of sickness beginning in registration periods after June 30, 2007, is determined to be \$59.

Dated: November 2, 2006.

By authority of the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. E6-18960 Filed 11-8-06; 8:45 am]

BILLING CODE 7905-01-P

### SECURITIES AND EXCHANGE COMMISSION

#### Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Rule 17a-5; SEC File No. 270-155; OMB Control No. 3235-0123.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Rule 17a-5 (17 CFR 240.17a-5) is the basic financial reporting rule for brokers and dealers.<sup>1</sup> The Rule requires the

filing of the Financial and Operational Combined Uniform Single Report ("FOCUS Report") on Form X-17A-5 (17 CFR 240.15c3-1e), which was the result of years of study and comments by representatives of the securities industry through advisory committees and through the normal rule proposal methods. The FOCUS Report was designed to eliminate the overlapping regulatory reports required by various self-regulatory organizations and the Commission and to reduce reporting burdens as much as possible. The Rule also requires the filing of an annual audited report of financial statements.

The FOCUS Report consists of: (1) Part I, which is a monthly report that must be filed by brokers or dealers that clear transactions or carry customer securities; (2) one of three alternative quarterly reports: Part II, which must be filed by brokers or dealers that clear transactions or carry customer securities; Part IIA, which must be filed by brokers or dealers that do not clear transactions or carry customer securities; and Part IIB, which must be filed by specialized broker-dealers registered with the Commission as OTC derivatives dealers;<sup>2</sup> (3) supplemental schedules, which must be filed annually; and (4) a facing page, which must be filed with the annual audited report of financial statements. Under the Rule, a broker or dealer that computes certain of its capital charges in accordance with Appendix E to Exchange Act Rule 15c3-1 (17 CFR 240.15c3-1e) must file additional monthly, quarterly, and annual reports with the Commission.

The variation in the size and complexity of brokers and dealers subject to Rule 17a-5 and the differences in the FOCUS Report forms that must be filed under the Rule make it difficult to calculate the cost of compliance. However, we estimate, on average, that each report will require approximately 12 hours. At year-end 2005, the Commission estimates that there were approximately 6,200 brokers or dealers, and that of those firms there were approximately 600 brokers or dealers that clear transactions or carry customer securities. In addition, approximately 400 firms filed annual reports. The Commission therefore estimates that approximately 600 firms filed monthly reports, approximately 5,600 firms filed quarterly reports, and approximately 400 firms filed annual

reports. In addition, approximately 6,200 firms filed annual audited reports. As a result, there were approximately 36,200 total annual responses ((600 × 12) + (5,600 × 4) + 400 + 6,200 = 36,200). This results in an estimated annual burden of 434,400 hours (36,200 annual responses × 12 hours = 434,400).

In addition, we estimate that approximately 11 brokers or dealers will elect to use Appendix E to Rule 15c3-1 to compute certain of their capital charges (as of June 2006, five brokers or dealers have elected to use Appendix E). We estimate that the average amount of time necessary to prepare and file the additional monthly reports that must be filed by these firms is about 4 hours per month, or approximately 48 hours per year; the average amount of time necessary to prepare and file the additional quarterly reports is about 8 hours per quarter, or approximately 32 hours per year; and the average amount of time necessary to prepare and file the additional supplemental reports with the annual audit required is approximately 40 hours per year. Consequently, we estimate that the total additional annual burden for these 11 brokers or dealers is approximately 1,320 hours ((48 + 32 + 40) × 11 = 1,320).

The Commission therefore estimates that the total annual burden under Rule 17a-5 is approximately 435,700 hours (434,400 + 1,320 = 435,720, rounded to 435,700).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Comments regarding the estimated burden hours should be directed to: (i) The Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov); and (ii) R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, c/o Shirley Martinson, 6432 General Green Way, Alexandria, VA 22312, or by e-mail to [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to the Office of Management and Budget within 30 days of this notice.

November 3, 2006.

**Nancy M. Morris,**  
*Secretary.*

[FR Doc. E6-18950 Filed 11-8-06; 8:45 am]

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<sup>1</sup> Rule 17a-5(c) requires a broker or dealer to furnish certain of its financial information to

customers and is subject to a separate PRA filing (OMB Control Number 3235-0199).

<sup>2</sup> Part IIB of Form X-17A-5 must be filed by OTC derivatives dealers under Exchange Act Rule 17a-12 and is subject to a separate PRA filing (OMB Control Number 3235-0498).