

by the Social Security Administration to determine student status of the children of coal miners or their widows or brothers of deceased coal miners eligible for black lung benefits.

Number of Respondents: 4,340

Frequency of Response: 1

Average Burden Per Response: 10 minutes

Estimated Annual Burden: 723 hours

10. Summary of Evidence—0960–0430. The information on form SSA–887 is used to provide a list of the medical/vocational reports pertaining to the claimant's disability. The list is used in and critical to the hearings process. The respondents are State and Disability Determination staff.

Number of Respondents: 22,024

Frequency of Response: 1

Average Burden Per Response: 15 minutes

Estimated Annual Burden: 5,506 hours

11. Request For Change In Time/Place of Disability Hearing—0960–0348. The information on form SSA–769 is used to provide claimants a structured format for exercising their right to request a change in the time or place of a scheduled disability hearing. The information will be used as a basis for granting or denying requests for changes and for rescheduling hearings. The affected public is comprised of claimants who wish to request a change in the time or place.

Number of Respondents: 7,483

Frequency of Response: 1

Average Burden Per Response: 8 minutes

Estimated Annual Burden: 998 hours

12. Time Report of Personnel Services for Disability Determination Services—0960–0408. The information on form SSA–4514 is used by the Social Security Administration (SSA) for budgeting and accounting for the funds used by State Agencies for personnel involved in making disability determinations for SSA. The affected public consists of State Agencies which make those determinations.

Number of Respondents: 54

Frequency of Response: Quarterly

Average Burden Per Response: 30 minutes

Estimated Annual Burden: 108 hours

13. Payment of Certain Travel Expenses—0960–0504. The information required by 20 CFR 404.999(d) and 20 CFR 416.1499 is used by the Social Security Administration to reimburse a claimant who has been required to travel over 75 miles to appear at a medical examination or disability hearing. The affected public is comprised of claimants required to

travel more than 75 miles in order to attend a medical examination or a disability hearing.

Number of Respondents: 50,000

Frequency of Response: 1

Average Burden Per Response: 10 minutes

Estimated Annual Burden: 8,333 hours

14. Request for Reconsideration—Disability Cessation—0960–0504. The information on form SSA–789 is used by the Social Security Administration to schedule hearings and to develop additional evidence for individuals who have received an initial or revised determination that their disability ceased, did not exist, or is no longer disabling. The respondents are disability beneficiaries who file a claim for reconsideration.

Number of Respondents: 15,015

Frequency of Response: 1

Average Burden Per Response: 12

Estimated Annual Burden: 3,003

OMB Desk Officer: Laura Oliven.

Written comments and recommendations regarding these information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: Office of Management and Budget, OIRA, New Executive Office Building, Room 10230, Washington, D.C. 20503.

Dated: July 7, 1995.

Charlotte Whitenight,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 95–17305 Filed 7–13–95; 8:45 am]

BILLING CODE 4190–29–P

Rescission of Social Security Acquiescence Rulings 86-6(3), 86-7(5), 86-8(6), 86-9(9), 86-10(10), 86-11(11) and 93-6(8)

AGENCY: Social Security Administration.

ACTION: Notice of rescission of Social Security Acquiescence Rulings 86-6(3)—*Aubrey v. Richardson*, 462 F.2d 782 (3d Cir. 1972); *Shelnutt v. Heckler*, 723 F.2d 1131 (3d Cir. 1983); 86-7(5)—*Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981); *Wages v. Schweiker*, 659 F.2d 59 (5th Cir. 1981); 86-8(6)—*Johnson v. Califano*, 607 F.2d 1178 (6th Cir. 1979); 86-9(9)—*Secretary of Health, Education and Welfare v. Meza*, 368 F.2d 389 (9th Cir. 1966); *Gardner v. Wilcox*, 370 F.2d 492 (9th Cir. 1966); 86-10(10)—*Edwards v. Califano*, 619 F.2d 865 (10th Cir. 1980); 86-11(11)—*Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981); and 93-6(8)—*Brewster on Behalf of Keller v. Sullivan*, 972 F.2d 898 (8th Cir. 1992).

SUMMARY: In accordance with 20 CFR 404.985(e) and 422.406(b)(2), the

Commissioner of Social Security gives notice of the rescission of Social Security Acquiescence Rulings 86-6(3), 86-7(5), 86-8(6), 86-9(9), 86-10(10), 86-11(11) and 93-6(8).

EFFECTIVE DATE: July 14, 1995.

FOR FURTHER INFORMATION CONTACT: Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1695.

SUPPLEMENTARY INFORMATION: A Social Security Acquiescence Ruling explains how we will apply a holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act or regulations when the Government has decided not to seek further review of the case or is unsuccessful on further review.

As provided by 20 CFR 404.985(e)(4), a Social Security Acquiescence Ruling may be rescinded as obsolete if we subsequently clarify, modify or revoke the regulation or ruling that was the subject of the circuit court holding for which the Acquiescence Ruling was issued.

On April 2, 1986, we issued Acquiescence Rulings 86-6(3), 86-7(5), 86-8(6), 86-9(9), 86-10(10) and 86-11(11) to reflect the respective holdings in *Aubrey v. Richardson*, 462 F.2d 782 (3d Cir. 1972); *Shelnutt v. Heckler*, 723 F.2d 1131 (3d Cir. 1983); *Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981); *Wages v. Schweiker*, 659 F.2d 59 (5th Cir. 1981); *Johnson v. Califano*, 607 F.2d 1178 (6th Cir. 1979); *Secretary of Health, Education and Welfare v. Meza*, 368 F.2d 389 (9th Cir. 1966); *Gardner v. Wilcox*, 370 F.2d 492 (9th Cir. 1966); *Edwards v. Califano*, 619 F.2d 865 (10th Cir. 1980); *Autrey v. Harris*, 639 F.2d 1233 (5th Cir. 1981). On August 16, 1993, we issued AR 93-6(8) to reflect the holding in *Brewster on Behalf of Keller v. Sullivan*, 972 F.2d 898 (8th Cir. 1992). These circuit court holdings provided that, under regulation 20 CFR 404.721(b), the presumption of death arises when a claimant shows that an individual has been absent from his or her residence and not heard from for seven years. Furthermore, the holdings provided that, once the claimant has made a showing establishing the presumption, the Social Security Administration (SSA)¹ has the burden of

¹ Under the Social Security Independence and Program Improvements Act of 1994, Pub. L. No. 103-296, effective March 31, 1995, the Social Security Administration (SSA) became an independent Agency in the Executive Branch of the United States Government and was provided ultimate responsibility for administering the Social