

collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. The information collection packages that may be included in this notice are for new 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 on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer.

(OMB), Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974.  
(SSA), Social Security Administration, DCFAM, Attn: Reports Clearance Officer, Fax: 410-965-6400, E-mail: [OPLM.RCO@ssa.gov](mailto:OPLM.RCO@ssa.gov).

The information collections listed below have been submitted to OMB for clearance. In order for your comments to be considered, you must send them by December 17, 2004. You can obtain a copy of the OMB clearance package by calling the SSA Reports Clearance Officer at 410-965-0454, or by writing to the e-mail address listed above.

#### 1. Application for Help With Medicare Prescription Drug Plan Costs—0960-NEW

SSA published a notice in the **Federal Register** on September 30 (69 FR 58578) informing the public that OMB is reviewing form SSA-1020, the Application for Help with Medicare Prescription Drug Plan Costs. At the time this notice was published, SSA received public comments and withheld submission of the forms in order to evaluate these comments. As a result, SSA has revised form SSA-1020, submitted it to OMB for its review, and is republishing the Notice below. Comments must be received within 30 days of publication of this Notice in order to be considered.

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Pub. L. 108-173; MMA) establishes a new Medicare Part D program for voluntary prescription drug coverage for premium, deductible and cost-sharing subsidies for certain low-income individuals. The MMA stipulates that subsidies must be

available for individuals who are eligible for the program and who meet eligibility criteria for help with premium, deductible, and/or co-payment costs. Form SSA-1020, the Application for Help with Medicare Prescription Drug Plan Costs, collects information about an applicant's resources and is used by SSA to determine eligibility for this assistance. The respondents are individuals who are eligible for enrollment in the new program and are requesting assistance with the related costs.

**Note:** Since publishing the 60-day **Federal Register** Notice (69 FR 45879), SSA has decided to conduct a pilot test of form SSA-1020 in March 2005. This test is intended to assist SSA in: (1) Determining how eligible individuals will respond to its Part D Subsidy application outreach (scheduled to begin in June 2005) and (2) testing its systems processing of the SSA-1020 application. SSA will use the information to make actual subsidy eligibility determinations. The Agency will conduct the test with approximately 2,000 beneficiaries potentially eligible for Part D cost-sharing subsidies by providing them with copies of form SSA-1020.

*Type of Request:* New information collection.

*Number of Respondents:* 5,000,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 35 minutes.

*Estimated Annual Burden:* 2,916,667 hours.

#### 2. Appeal of Determination for Help With Medicare Prescription Drug Plan Costs—0960-NEW

SSA published a notice in the **Federal Register** on September 30 (69 FR 58578) informing the public that OMB is reviewing form SSA-1021, Appeal of Determination for Help with Medicare Prescription Drug Plan Costs. At the time this notice was published, SSA received public comments and withheld submission of the form in order to evaluate the comments. As a result, SSA has revised form SSA-1021, submitted it to OMB for its review, and is republishing the Notice below. Comments must be received within 30 days of publication of this Notice in order to be considered.

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Pub. L. 108-173; MMA) establishes a new Medicare Part D program for voluntary prescription drug coverage for premium, deductible, and cost-sharing subsidies for certain low-income individuals. The MMA stipulates that subsidies must be available for individuals who are eligible for the program and who meet eligibility criteria for help with

premium, deductible, and/or co-payment costs. Form SSA-1021, the Appeal of Determination for Help with Medicare Prescription Drug Plan Costs, was developed to obtain information from individuals who appeal SSA's decisions regarding eligibility or continuing eligibility for a Medicare Part D subsidy. The respondents are applicants who are appealing SSA's eligibility or continuing eligibility decisions.

*Type of Request:* New information collection.

*Number of Respondents:* 75,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 10 minutes.

*Estimated Annual Burden:* 12,500 hours.

Dated: November 12, 2004.

**Elizabeth A. Davidson,**  
*Reports Clearance Officer, Social Security Administration.*

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**BILLING CODE 4191-02-P**

#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

##### North American Free Trade Agreement; Invitation for Applications for Inclusion on the Chapter 19 Roster

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Invitation for applications.

**SUMMARY:** Chapter 19 of the North American Free Trade Agreement ("NAFTA") provides for the establishment of a roster of individuals to serve on binational panels convened to review final determinations in antidumping or countervailing duty ("AD/CVD") proceedings and amendments to AD/CVD statutes of a NAFTA Party. The United States annually renews its selections for the Chapter 19 roster. Applications are invited from eligible individuals wishing to be included on the roster for the period April 1, 2005 through March 31, 2006.

**DATES:** Applications should be received no later than December 10, 2004.

**ADDRESSES:** Comments should be submitted (i) electronically, to [FR0501@ustr.eop.gov](mailto:FR0501@ustr.eop.gov), Attn: "Chapter 19 Roster Applications" in the subject line, or (ii) by fax to Sandy McKinzy at 202-395-3640.

**FOR FURTHER INFORMATION CONTACT:**  
Jeffrey G. Weiss, Assistant General Counsel, Office of the United States Trade Representative, (202) 395-4498.

**SUPPLEMENTARY INFORMATION:**

## **Binational Panel Reviews Under NAFTA Chapter 19**

Article 1904 of the NAFTA provides that a party involved in an AD/CVD proceeding may obtain review by a binational panel of a final AD/CVD determination of one NAFTA Party with respect to the products of another NAFTA Party. Binational panels decide whether such AD/CVD determinations are in accordance with the domestic laws of the importing NAFTA Party, and must use the standard of review that would have been applied by a domestic court of the importing NAFTA Party. A panel may uphold the AD/CVD determination, or may remand it to the national administering authority for action not inconsistent with the panel's decision. Panel decisions may be reviewed in specific circumstances by a three-member extraordinary challenge committee, selected from a separate roster composed of fifteen current or former judges.

Article 1903 of the NAFTA provides that a NAFTA Party may refer an amendment to the AD/CVD statutes of another NAFTA Party to a binational panel for a declaratory opinion as to whether the amendment is inconsistent with the General Agreement on Tariffs and Trade ("GATT"), the GATT Antidumping or Subsidies Codes, successor agreements, or the object and purpose of the NAFTA with regard to the establishment of fair and predictable conditions for the liberalization of trade. If the panel finds that the amendment is inconsistent, the two NAFTA Parties shall consult and seek to achieve a mutually satisfactory solution.

## **Chapter 19 Roster and Composition of Binational Panels**

Annex 1901.2 of the NAFTA provides for the maintenance of a roster of at least 75 individuals for service on Chapter 19 binational panels, with each NAFTA Party selecting at least 25 individuals. A separate five-person panel is formed for each review of a final AD/CVD determination or statutory amendment. To form a panel, the two NAFTA Parties involved each appoint two panelists, normally by drawing upon individuals from the roster. If the Parties cannot agree upon the fifth panelist, one of the Parties, decided by lot, selects the fifth panelist from the roster. The majority of individuals on each panel must consist of lawyers in good standing, and the chair of the panel must be a lawyer.

Upon each request for establishment of a panel, roster members from the two involved NAFTA Parties will be requested to complete a disclosure form, which will be used to identify possible

conflicts of interest or appearances thereof. The disclosure form requests information regarding financial interests and affiliations, including information regarding the identity of clients of the roster member and, if applicable, clients of the roster member's firm.

## **Criteria for Eligibility for Inclusion on Chapter 19 Roster**

Section 402 of the NAFTA Implementation Act (Pub. L. 103-182, as amended (19 U.S.C. 3432)) ("Section 402") provides that selections by the United States of individuals for inclusion on the Chapter 19 roster are to be based on the eligibility criteria set out in Annex 1901.2 of the NAFTA, and without regard to political affiliation. Annex 1901.2 provides that Chapter 19 roster members must be citizens of a NAFTA Party, must be of good character and of high standing and repute, and are to be chosen strictly on the basis of their objectivity, reliability, sound judgment, and general familiarity with international trade law. Aside from judges, roster members may not be affiliated with any of the three NAFTA Parties. Section 402 also provides that, to the fullest extent practicable, judges and former judges who meet the eligibility requirements should be selected.

## **Procedures for Selection of Chapter 19 Roster Members**

Section 402 establishes procedures for the selection by the Office of the United States Trade Representative ("USTR") of the individuals chosen by the United States for inclusion on the Chapter 19 roster. The roster is renewed annually, and applies during the one-year period beginning April 1 of each calendar year.

Under Section 402, an interagency committee chaired by USTR prepares a preliminary list of candidates eligible for inclusion on the Chapter 19 Roster. After consultation with the Senate Committee on Finance and the House Committee on Ways and Means, USTR selects the final list of individuals chosen by the United States for inclusion on the Chapter 19 roster.

## **Remuneration**

Roster members selected for service on a Chapter 19 binational panel will be remunerated at the rate of 800 Canadian dollars per day.

## **Applications**

Eligible individuals who wish to be included on the Chapter 19 roster for the period April 1, 2005 through March 31, 2006 are invited to submit applications. Persons submitting applications may either send one copy

by fax to Sandy McKinzy at 202-395-3640, or transmit a copy electronically to [FR0501@ustr.eop.gov](mailto:FR0501@ustr.eop.gov), with "Chapter 19 Roster Applications" in the subject line. USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Applications must be typewritten, and should be headed "Application for Inclusion on NAFTA Chapter 19 Roster." Applications should include the following information, and each section of the application should be numbered as indicated:

1. Name of the applicant.
2. Business address, telephone number, fax number, and e-mail address.
3. Citizenship(s).
4. Current employment, including title, description of responsibility, and name and address of employer.
5. Relevant education and professional training.
6. Spanish language fluency, written and spoken.
7. Post-education employment history, including the dates and addresses of each prior position and a summary of responsibilities.
8. Relevant professional affiliations and certifications, including, if any, current bar memberships in good standing.
9. A list and copies of publications, testimony, and speeches, if any, concerning AD/CVD law. Judges or former judges should list relevant judicial decisions. Only one copy of publications, testimony, speeches, and decisions need be submitted.
10. Summary of any current and past employment by, or consulting or other work for, the Governments of the United States, Canada, or Mexico.
11. The names and nationalities of all foreign principals for whom the applicant is currently or has previously been registered pursuant to the Foreign Agents Registration Act, 22 U.S.C. 611 *et seq.*, and the dates of all registration periods.
12. List of proceedings brought under U.S., Canadian, or Mexican AD/CVD law regarding imports of U.S., Canadian, or Mexican products in which the applicant advised or represented (for example, as consultant or attorney) any U.S., Canadian, or Mexican party to

such proceeding and, for each such proceeding listed, the name and country of incorporation of such party.

13. A short statement of qualifications and availability for service on Chapter 19 panels, including information relevant to the applicant's familiarity with international trade law and willingness and ability to make time commitments necessary for service on panels.

14. On a separate page, the names, addresses, telephone and fax numbers of three individuals willing to provide information concerning the applicant's qualifications for service, including the applicant's character, reputation, reliability, judgment, and familiarity with international trade law.

#### **Current Roster Members and Prior Applicants**

Current members of the Chapter 19 roster who remain interested in inclusion on the Chapter 19 roster must submit updated applications. Individuals who have previously applied but have not been selected may reapply. If an applicant, including a current or former roster member, has previously submitted materials referred to in item 9, such materials need not be resubmitted.

#### **Public Disclosure**

Applications normally will be subject to public disclosure. An applicant who wishes to exempt information from public disclosure should follow the procedures set forth in 15 CFR 2003.6.

#### **False Statements**

Pursuant to section 402(c)(5) of the NAFTA Implementation Act, false statements by applicants regarding their personal or professional qualifications, or financial or other relevant interests that bear on the applicants' suitability for placement on the chapter 19 roster or for appointment to binational panels, are subject to criminal sanctions under 18 U.S.C. 1001.

#### **Paperwork Reduction Act**

This notice contains a collection of information provision subject to the Paperwork Reduction Act ("PRA") that has been approved by the Office of Management and Budget ("OMB"). Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB number. This notice's collection of information burden is only for those persons who

wish voluntarily to apply for nomination to the NAFTA chapter 19 roster. It is expected that the collection of information burden will be under 3 hours. This collection of information contains no annual reporting or record keeping burden. This collection of information was approved by OMB under OMB Control Number 0350-0009. Please send comments regarding the collection of information burden or any other aspect of the information collection to USTR at the above e-mail address or fax number.

#### **Privacy Act**

The following statements are made in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a). The authority for requesting information to be furnished is section 402 of the NAFTA Implementation Act. Provision of the information requested above is voluntary; however, failure to provide the information will preclude your consideration as a candidate for the NAFTA Chapter 19 roster. This information is maintained in a system of records entitled "Dispute Settlement Panelists Roster." Notice regarding this system of records was published in the **Federal Register** on November 30, 2001. The information provided is needed, and will be used by USTR, other federal government trade policy officials concerned with NAFTA dispute settlement, and officials of the other NAFTA Parties to select well-qualified individuals for inclusion on the chapter 19 roster and for service on chapter 19 binational panels.

**Daniel E. Brinza,**

*Assistant United States Trade Representative for Monitoring and Enforcement.*

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**BILLING CODE 3190-W5-P**

### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

#### **High Density Airports; Notice of Reagan National Airport Lottery Allocation Procedures**

**AGENCY:** Federal Aviation Administration.

**ACTION:** Notice of lottery and allocation procedures for slots at Washington Reagan National Airport.

**SUMMARY:** This notice announces a lottery to allocate a limited number of commuter slots at Washington's Reagan National Airport in accordance with Title 14 of the Code of Federal Regulations § 93.225, Lottery of available slots.

**DATE/LOCATION OF LOTTERY:** The lottery will be held in the Federal Aviation Administration, Conference Room 9 ABC, 800 Independence Avenue, SW., Washington, DC 20591 on December 3, 2004, beginning at 11:30 a.m. Carriers that wish to participate in the lottery must notify, in writing, the FAA Slot Administration Office, Attention: AGC-220, 800 Independence Avenue, SW., Washington, DC 20591, or by facsimile to (202) 267-7277. Notification must be received no later than 5 p.m. e.d.t. on November 18, 2004.

#### **FOR FURTHER INFORMATION CONTACT:**

Lorelei Peter, Operations and Air Traffic Law Branch, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone number (202) 267-3134.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The High Density Traffic Airports Rule, or "High Density Rule," 14 CFR part 93, subpart K, was promulgated in 1968 to reduce delays at five congested airports: John F. Kennedy International Airport (JFK), LaGuardia, O'Hare International Airport (O'Hare), Ronald Reagan Washington National Airport (Reagan National) and Newark International Airport (33 FR 17896; December 3, 1968). The regulation limits the number of instrument flight rule (IFR) operations at each airport, during certain hours of the day. It provides for the allocation to carriers of operational authority, in the form of a "slot" for each IFR takeoff or landing during a specific 30- or 60-minute period. The restrictions at Newark were lifted in the early 1970s. The restrictions at O'Hare were lifted in July 2002.

Slots during peak hours and not required for Essential Air Service are allocated by lottery. (See CFR 93.225.) the FAA will follow the lottery procedures of 14 CFR § 93.225 and certain special procedures described further in this notice will also apply.

A limited incumbent carrier is now defined as a carrier with fewer than 20 slots and slot exemptions. (49 U.S.C. 41714(h)(5)(A)) (The regulatory definition of a limited incumbent carrier was amended by the above statutory provision.) Also, section 426 of Vision 100—Century of Aviation Reauthorization Act amended the definition of commuter aircraft in 14 CFR 93.123(c)(2), as applied to aircraft operations at Washington's Reagan National Airport, to mean aircraft operations using aircraft having a