

"Statutory Provisions: 8 U.S.C. 1328; 18 U.S.C. 2421, 2422, 2423(a).

"Application Notes:

"1. The enhancement for physical force, or coercion, anticipates no bodily injury. If bodily injury results, an upward departure may be warranted. See Chapter Five, Part K (Departures).

"2. Coercion, as defined in this guideline, would apply, for example, where the ability of the victim to appraise or control conduct was substantially impaired by drugs or alcohol. In the case of an adult victim, rather than a victim less than eighteen years of age, this characteristic generally will not apply where the alcohol or drug was voluntarily taken.

"3. For the purposes of § 3B1.1 (Aggravating Role), a victim, as defined in this guideline, is considered a participant only if that victim assisted in the promoting of prostitution or prohibited sexual conduct in respect to others.

"4. For the purposes of Chapter Three, Part D (Multiple Counts), each person transported, persuaded, induced, enticed, or coerced to engage in prostitution or prohibited sexual conduct is to be treated as a separate victim. Consequently, multiple counts involving more than one victim are not to be grouped together under § 3D1.2 (Groups of Closely Related Counts). Special instruction (c)(1) directs that if the relevant conduct of an offense of conviction includes the promoting of prostitution or prohibited sexual conduct in respect to more than one person, whether specifically cited in the count of conviction or not, each such person shall be treated as if contained in a separate count of conviction.

"5. Subsection (b)(3) is intended to have broad application and includes offenses involving a victim less than eighteen years of age entrusted to the defendant, whether temporarily or permanently. For example, teachers, day care providers, baby-sitters, or other temporary caretakers are among those who would be subject to this enhancement. In determining whether to apply this adjustment, the court should look to the actual relationship that existed between the defendant and the victim and not simply to the legal status of the defendant-victim relationship.

"6. If the adjustment in subsection (b)(3) applies, do not apply § 3B1.3 (Abuse of Position of Trust or Use of Special Skill).

"7. The cross reference in subsection (c)(1) is to be construed broadly to include all instances where the offense involved employing, using, persuading, inducing, enticing, coercing,

transporting, permitting, or offering or seeking by notice or advertisement, a person less than eighteen years of age to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct.

"8. The cross reference at subsection (c)(3) addresses the unusual case in which the offense did not involve promoting prostitution and neither subsection (c)(1) nor (c)(2) is applicable. In such case, the guideline for the underlying prohibited sexual conduct is to be used, e.g., § 2A3.2 (Criminal Sexual Abuse of a Minor (Statutory Rape) or Attempt to Commit Such Acts) or § 2A3.4 (Abusive Sexual Contact or Attempt to Commit Abusive Sexual Contact). If there is no offense guideline for the underlying prohibited sexual conduct, § 2X5.1 (Other Offenses) is to be used."

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SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Request

Normally on Fridays, the Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with Public Law 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on March 1, 1996, the information collections listed below have been proposed or will require extension of the current OMB approvals. (Call the SSA Reports Clearance Officer on (410) 965-4142 for a copy of the form(s) or package(s), or write to her at the address listed below the information collections.)

1. Annual Earnings Operations Direct Mail Followup—0960-0369. The information collected on forms SSA-L9778, SSA-L9779, SSA-L9780 and SSA-L9781 will be used to determine if the recipients have underestimated their earnings for the current year. This will allow benefits to be withheld if necessary, and will thereby avoid many overpayments. The affected public is beneficiaries who are likely to underestimate their earnings.

Number of Respondents: 400,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 66,667 hours.

2. Medical Report on Adult or Child With Allegation of Human

Immunodeficiency Virus (HIV) Infection—0960-0503. The information on forms SSA-4814 and SSA-4815 is used by the Social Security Administration to determine if an individual claiming to have HIV infection meets the requirements for presumptive disability benefits.

	SSA-4814	SSA-4815
Number of Respondents:	25,000	7,500.
Frequency of Response:	1	1.
Average Burden Per Response:	10 minutes	10 minutes.
Estimated Annual Burden:	4,167 hours	1,250 hours.

Written comments and recommendations regarding these information collections should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Charlotte S. Whitenight, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on 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.

The information collection listed below, which was published in the Federal Register on December 29, 1995, has been submitted to OMB.

Coverage of Employees of State and Local Governments, F-20-404M. The information collected in accordance with this regulation is obtained from State governments (or interstate instrumentalities) desiring to obtain Social Security coverage for their employees. The respondents are State governments.

Number of Respondents: 52.

Frequency of Response: 6.

Average Burden Per Response: 1 hour.

Estimated Annual Burden: 312 hours.

Written comments and recommendations regarding this information collections should be sent within 30 days of the date of this publication. Comments may be directed to OMB and SSA at the following addresses:

(OMB)
Office of Management and Budget,
OIRA
Attn: Laura Oliven

New Executive Office Building, Room
10230
Washington, D.C. 20503
(SSA)
Social Security Administration, DCFAM
Attn: Charlotte S. Whitenight
6401 Security Blvd, 1-A-21 Operations
Bldg.
Baltimore, MD 21235

Dated: March 6, 1996.

Charlotte Whitenight,
*Reports Clearance Officer, Social Security
Administration.*

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Agency Information Collection Activities: Proposed Collection Request

Normally on Fridays, the Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with Public Law 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on March 1, 1996, the information collections listed below have been proposed or will require extension of the current OMB approvals. (Call the SSA Reports Clearance Officer on (410) 965-4142 for a copy of the form(s) or package(s), or write to her at the address listed below the information collections.)

1. Application for Benefits Under a U.S. International Social Security Agreement—0960-0448. The information collected on form SSA-2490 is used by the Social Security Administration to determine a claimant's eligibility for U.S. Social Security benefits under the provisions of an international social security agreement. It is also used to take an application for benefits from a foreign country under an agreement. The respondents are individuals who are applying for benefits from either the United States and/or a foreign country with which the United States has an agreement. The United States currently has 17 such agreements.

Number of Respondents: 20,000.

Frequency of response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 10,000 hours.

2. Self-Employment-Corporate Officer Questionnaire—0960-0487. The information collected on form SSA-4184 is used by the Social Security Administration to develop a claimant's

earnings or corroborate his or her allegation of retirement when he or she is self-employed or a corporate officer. The affected public consists of claimants for benefits who provide the additional information to support their allegation concerning earnings or employment.

Number of Respondents: 50,000.

Frequency of Response: 1.

Average Burden Per Response: 20 minutes.

Estimated Annual Burden: 16,667 hours.

3. Statement Regarding the Inferred Death of an Individual by Reason of Continued and Unexplained Absence—0960-0002. The information collected on form SSA-723 is used to determine if the Social Security Administration may infer that a missing person is deceased. The respondents are individuals who know or are related to the missing person.

Number of Respondents: 3,000.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 1,500 hours.

4. Partnership Questionnaire—0960-0025. The form SSA-7104 is used to collect information which is needed to evaluate partnership relationships to determine which portion of the partnership income should be credited to each partner. The affected public consists of claimants for social security benefits who are involved in a partnership.

Number of Respondents: 12,350.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 6,175 hours.

Written comments and recommendations regarding these information collections should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Charlotte S. Whitenight, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on 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.

Dated: March 4, 1996.

Charlotte Whitenight,
*Reports Clearance Officer, Social Security
Administration.*

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DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 2357]

Extension of the Restriction on the Use of United States Passports for Travel To, In, or Through Iraq

On February 1, 1991, pursuant to the authority of 22 U.S.C. 211a and Executive Order 11295 (31 FR 10603), and in accordance with 22 CFR 51.73 (a)(2) and (a)(3), all United States passports, with certain exceptions, were declared invalid for travel to, in, or through Iraq unless specifically validated for such travel. The restriction was originally imposed because armed hostilities then were taking place in Iraq and Kuwait, and because there was an imminent danger to the safety of United States travelers to Iraq. American citizens then residing in Iraq and American professional reporters and journalists on assignment there were exempted from the restrictions on the ground that such exemptions were in the national interest. The restriction was extended for additional one-year periods on February 18, 1992, February 23, 1993, February 26, 1994, and March 3, 1995.

Although armed hostilities have ended, conditions in Iraq remain unsettled and hazardous. Regional conflicts continue in northern Iraq between Kurdish ethnic groups and Iraqi security forces. In southern Iraq, military repression of the Shia communities is severe, rendering conditions unsafe. Iraq's economy was severely damaged during the Gulf War and continues to be affected by the U.N. economic sanctions. Basic modern medical care and medicines may not be available to our citizens in case of emergency.

U.S. citizens and other foreigners working inside Kuwait near the Iraqi borders have been detained by Iraqi authorities in the past and sentenced to lengthy jail terms for illegal entry into the country. Although our interests are represented by the Embassy of Poland in Baghdad, its ability to obtain consular access to detained U.S. citizens and to perform emergency services is constrained by Iraqi unwillingness to cooperate.