

decline review or affirm, increase, reduce, or reverse the penalty determined by the ALJ. 20 C.F.R. § 498.221(h).

The Board has considered each of the contentions made by NTU in the brief accompanying its January 11, 2007 notice of appeal and examined the record. Applying the appropriate standard of review, the Board finds no basis to disturb the ALJ's factual findings or legal conclusions on any issue. Consequently, the Board issues this recommended decision to decline review of the ALJ's December 14, 2006 decision.

This recommended decision becomes the final decision of the Commissioner 60 days after the date on which it is served on the parties and the Commissioner, unless the Commissioner reverses or modifies the recommended decision within that 60-day period. 20 C.F.R. § 498.222(a). If the Commissioner does not reverse or modify the recommended decision, the Board will serve a copy of the Commissioner's final decision on the parties. If the Commissioner reverses or modifies the recommended decision, the Commissioner shall serve NTU with a copy of his final decision.

Appeal Rights

NTU may appeal the final decision of the Commissioner by filing a petition for judicial review in the appropriate United States Court of Appeals. See Act §§ 1140(c)(1), 1128A(e). The petition for judicial review must be filed within 60 days after NTU is served with a copy of the Commissioner's final decision. 20 C.F.R. § 498.222(c)(1). If a petition for judicial review is filed, a copy of the filed petition must be sent by certified mail, return receipt requested, to the Social Security Administration's General Counsel at the following address:

Social Security Administration
Office of General Counsel
Altmeyer Building
6401 Security Boulevard, Room 635
Baltimore, MD 21235.

See 20 C.F.R. § 498.222(c)(2).

_____/s/
Judith A. Ballard

_____/s/
Leslie A. Sussan

_____/s/
Donald F. Garrett
Presiding Board Member