

**Federal Reserve**

---

Friday  
November 29, 1996

---

**Part XLI**

**Social Security  
Administration**

---

Semiannual Regulatory Agenda

**SOCIAL SECURITY ADMINISTRATION (SSA)****SOCIAL SECURITY ADMINISTRATION****Office of the Commissioner****20 CFR Ch. III****Semiannual Unified Regulatory Agenda**

**AGENCY:** Social Security Administration.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** Executive Order 12866 entitled "Regulatory Planning and Review," issued September 30, 1993, and the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) require each Federal agency to publish semiannually a brief description of all regulatory actions then under development or review, expected to be under development or review for the next 12 months, or completed since the previous publication of the agenda. Our last agenda of regulations was published on May 13, 1996.

**FOR FURTHER INFORMATION CONTACT:** For further information about a specific regulatory action, contact the person identified as the agency contact for that action. Comments or inquiries of a general nature should be directed to Martin J. Sussman, Acting Regulations Officer, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235; telephone (410) 965-1767.

**SUPPLEMENTARY INFORMATION:** For this edition of the Social Security Administration's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the Federal Register. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

The Social Security Administration (SSA) has responsibility for the old-age, survivors, and disability insurance programs under title II of the Social Security Act (the Act) and the supplemental security income program under title XVI of the Act. We are not a regulatory agency. For the most part, SSA's regulations do not impose burdens on the private sector or on State, local, or tribal governments. Our regulations document the rules under which we make eligibility determinations and set forth both the responsibilities of the Agency towards

the public and beneficiary's rights and responsibilities under the programs we administer.

Our regulatory efforts can be placed into one of the following three categories: 1) legislative implementation; 2) program improvements to provide better service to SSA customers; and 3) improvements or clarifications to fulfill commitments made as part of the President's Regulatory Reinvention Initiative.

We continue to seek legislative improvements for the programs we administer. However, because of the complexity of our programs, statutory language is rarely detailed enough to govern the actions of agency adjudicative decisionmakers. Supporting regulations are often required. In some instances, the Congress directs SSA to issue implementing regulations. For other legislative provisions, SSA regulations provide program information to applicants for benefits, current beneficiaries, and their legal counsels.

Providing world-class service to our customers is a principal objective of the Social Security Administration. Our regulatory program supports this overarching Agency goal. One area in which we are working hard to deliver high quality service is our disability determination process. Several of our agenda items support improvements to disability program administration. Also, some regulatory items support SSA's Disability Redesign Plan. The Disability Redesign aims to streamline our disability determination process and provide better service to applicants for disability benefits.

SSA's regulatory program supports the President's Reinventing Government (REGO II) initiative to create a Federal Government that works better and costs less. We list three regulations which would carry out REGO II initiatives.

Cycling Payment of Social Security Benefits for future beneficiaries is designed to pay social security benefits on several payment dates each month instead of making all the payments on the same date, as is our current practice. The current use of one payment date creates a workload spike each month for SSA, for other Federal agencies, and for financial institutions and other businesses that participate in or depend on issuance of social security benefits. Spreading the issuance of payments

throughout the month and reducing workload spikes for SSA and others will result in better service to our customers. We expect that our customers will have better access to SSA personnel and services in our field facilities and through use of our national 1-800 teleservice network. Current beneficiaries can expect to continue to receive their benefit payments on the third of each month. The additional payment dates will be assigned to new beneficiaries as their benefit awards are processed.

Our second entry related to a Reinventing Government initiative is Enumeration of Aliens With the Immigration and Naturalization Service (INS). The goal of this process is to coordinate services to customers who, under current procedures, must deal with multiple Federal agencies to establish their status as alien residents of the United States. The proposed regulatory authority would support a pilot project with INS whereby it would transmit data to SSA electronically so that SSA can issue social security numbers to certain resident aliens.

Our third entry related to a Reinventing Government initiative is the Elimination of Mandatory Earnings Reports. These regulations, proposed in the spirit of improved service to the public, concern beneficiaries who are under age 70 and who work and earn more than the applicable exempt amount. Currently, these beneficiaries are required to report their earnings to SSA within 3 months and 15 days following the close of their tax year (usually April 15). Under these proposed rules, beneficiaries, in most instances, will not have to file a report. Instead, we will consider the W-2 report filed by the employer with SSA or the self-employment income tax return filed by the beneficiary with the Internal Revenue Service to be the report of earnings. We will use the information (wages and net earnings from self-employment) contained in those reports to adjust benefits under the earnings test.

Consistent with the President's Regulatory Reinvention Initiative, we are working diligently to improve our program benefit regulations and to develop partnerships with large segments of the community of stakeholders interested in Social Security programs. Our aim is to clarify or improve over 50 percent of the Code

## SSA

of Federal Regulations pages for which we are responsible. The remainder of our Unified Agenda items are such improvements and clarifications.

The October 1996 regulatory agenda for the Social Security Administration follows.

Martin J. Sussman,  
*Acting SSA Regulations Officer.*

## Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4194	Standards of Conduct for Claimant Representatives (431P) .....	0960-AD73
4195	Prevention of Adverse Effects on Eligibility and Benefit Amount When Spouse or Parent Absent Due to Active Military Service (462P) .....	0960-AD86
4196	SSI Eligibility for Students Temporarily Abroad (505P) .....	0960-AE01
4197	Determinations and Administrative Review Process—Applicability of Administrative Res Judicata (526P) .....	0960-AE11
4198	Misuse of Symbols, Emblems, or Names in Reference to the Social Security Administration (530P) .....	0960-AE15
4199	Permit Department of State and Immigration and Naturalization Service To Collect Information Needed To Assign Social Security Numbers to Aliens (569P) ( <b>Reg Plan Seq. No. 149</b> ) .....	0960-AE36
4200	Assessment of Residual Functional Capacity (599P) ( <b>Reg Plan Seq. No. 150</b> ) .....	0960-AE42
4201	Elimination of Mandatory Annual Earnings Reports (592P) ( <b>Reg Plan Seq. No. 151</b> ) .....	0960-AE44
4202	Supplemental Standards for Ethical Conduct for Employees of the Social Security Administration (601P) .....	0960-AE48
4203	Determining Disability and Blindness; Eliminating the Lower Substantial Gainful Activity Earnings Guideline Amounts (603P) .....	0960-AE49
4204	Quality Review of Administrative Law Judges' Decisions ( <b>Reg Plan Seq. No. 152</b> ) .....	0960-AE53
4205	Implementing Modifications to Prehearing Procedures and Decisions by Adjudication Officers (616P) ( <b>Reg Plan Seq. No. 153</b> ) .....	0960-AE55
4206	Weight of Disability Determination Services' Medical Psychological Consultant's Opinions ( <b>Reg Plan Seq. No. 154</b> ) .....	0960-AE56
4207	Testing Elimination of the Fourth Step in the Disability Claim Process (Request for Appeals Council Review) (621P) .....	0960-AE58

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4208	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Musculoskeletal System (143F) .....	0960-AB01
4209	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs, Determining Disability and Blindness; Substantial Gainful Activity Guides (147F) .....	0960-AB73
4210	Reliable Information Which Is Currently Available for Determining Benefit Amounts in the Supplemental Security Income Program (382F) .....	0960-AD65
4211	Fees for Federal Administration of State Supplementary Payments in the SSI Program; Interest Charging on State Supplementary Payment Funds (376F) .....	0960-AD75
4212	Technical Changes to Title XVI (466F) .....	0960-AD89
4213	Definition of United States Resident; Evidence of Citizenship (515F) .....	0960-AE05
4214	Old-Age, Survivors, and Disability Insurance Benefits; Replacing Social Security Number Cards (543F) .....	0960-AE18
4215	Freedom of Information and Availability of Information Regulations for Independent SSA (546F) .....	0960-AE24
4216	Requirements for Awards and Subawards to Institutions of Higher Education; Certain Grants and Agreements with States, Local, and Indian Tribal Governments (547F) .....	0960-AE25
4217	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (554F) .....	0960-AE27
4218	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and Indian Tribal Governments (555F) .....	0960-AE28
4219	Restrictions on Lobbying in Connection With the Award of Grants, Contracts, and Cooperative Agreements (556F) .....	0960-AE29
4220	Cycling Payment of Social Security Benefits (558F) ( <b>Reg Plan Seq. No. 155</b> ) .....	0960-AE31
4221	Hearing Procedures for Civil Monetary Penalty Cases (579F) .....	0960-AE41
4222	Amended 20 CFR, Parts 400-499; Employees' Benefits (595F) .....	0960-AE45
4223	Implementation of the Equal Access to Justice Act in Agency Proceedings (596F) .....	0960-AE46
4224	Administrative (613F) .....	0960-AE51
4225	Indemnification of SSA Employees (614F) .....	0960-AE52

## SSA

## Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
4226	Childhood Disability ( <b>Reg Plan Seq. No. 156</b> ) .....	0960-AE57

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4227	Old-Age, Survivors, and Disability Insurance Program; Medical Criteria for Evaluating Mental Disorders for Adults (222F) .....	0960-AC74
4228	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Representative Payee Reforms (295F) .....	0960-AD22
4229	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Fees for Representation of Claimants (296P) .....	0960-AD23
4230	Code of Conduct for Administrative Law Judges and Administrative Appeals Judges of the Social Security Administration (341P) .....	0960-AD54
4231	Election of Benefits Based on Age by Disabled Widow, Widower, and Surviving Divorced Spouse Beneficiaries (343P) .....	0960-AD56
4232	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Hemic and Lymphatic System, and Malignant Neoplastic Diseases (399P) .....	0960-AD67
4233	Reliable Information Which Is Currently Available for Determining Benefit Amounts in the Supplemental Security Income Program (NEWMAN) (434P) .....	0960-AD77
4234	Revised Medical Criteria for Determination of Disability, Endocrine System and Obesity and Related Criteria (436P) .....	0960-AD78
4235	Valuation of Certain In-Kind Support and Maintenance (ISM) Where There Is a Cost-of-Living Adjustment in SSI Benefits (454F) .....	0960-AD82
4236	Benefits for Spouses, Divorced Spouses, and Children (455P) .....	0960-AD83
4237	Temporary Increase in Sponsorship Period for Aliens Under the SSI Program (457P) .....	0960-AD84
4238	Federal Old-Age, Survivors, and Disability Insurance and Supplemental Security Income, Acceptable Medical Sources (469P) .....	0960-AD91
4239	Old-Age, Survivors, and Disability Insurance Program; Contributions for Support (475P) .....	0960-AD92
4240	Computation of SSI Benefits for the First Three Months of Payment (476P) .....	0960-AD93
4241	Definition of "Largest Benefit Amount" for Purposes of Determining the Earnings Record on Which a Person Who Is Simultaneously Entitled to Child's Insurance Benefits (481P) .....	0960-AD95
4242	Federal OASDI and SSI for the Aged, Blind, and Disabled; Benefit Reforms for Individuals Disabled Based on Drug Addiction or Alcoholism (496F) .....	0960-AD96
4243	Federal OASDI and SSI for the Aged, Blind, and Disabled; Representative Payment Provisions for Individuals Disabled Based on Drug Addiction or Alcoholism (507P) .....	0960-AD98
4244	Repeal of Facility of Payment Provision (508F) .....	0960-AE02
4245	Guaranteed Family Maximums (510F) .....	0960-AE03
4246	Supplemental Security Income for the Aged, Blind, and Disabled; Income and Resources, Deeming of Parental Income and Resources When Children Are Hospitalized (522P) .....	0960-AE08
4247	Old-Age, Survivors, and Disability Insurance; Overpayment Debt Collection Procedures (523P) .....	0960-AE09
4248	OASDI; Nonpayment of Benefits to Incarcerated Individuals and Individuals Confined in Criminal Cases, Pursuant to Conviction or by Court Order Based on Findings of Insanity (531P) .....	0960-AE16
4249	Supplemental Security Income; Plans for Achieving Self-Support (506P) .....	0960-AE17
4250	Status of Legally Adopted Child (557P) .....	0960-AE30
4251	Reduction of Disability Benefits—Workers' Compensation/Public Disability Benefits (567P) .....	0960-AE35
4252	Elimination of Rounding Distortion in the Calculation of the Contribution and Benefit Base and Earnings Test Exempt Amounts (512F) .....	0960-AE40
4253	Deeming of Income from an Ineligible Spouse to an Eligible Individual and an Eligible Child (606P) .....	0960-AE50
4254	Payments for Vocational Rehabilitation Services (615P) .....	0960-AE54

**SSA**

**Completed Actions**

Sequence Number	Title	Regulation Identifier Number
4255	Supplemental Security Income for the Aged, Blind, and Disabled; Payment for VR Services Furnished Individuals During Certain Months of Nonpayment of SSI Benefits (315F)	0960-AD39
4256	Statement of Earnings and Benefit Estimate (415F)	0960-AD74
4257	Supplemental Security Income for the Aged, Blind, or Disabled; Evidence of Lawful Admission for Permanent Residence in the United States (468F)	0960-AD90
4258	Waiver of Recovery of Overpayments; Notice of Appeal and Waiver Rights and Right to a Pre-Recoupment Oral Hearing Before Denial of Waiver (491F)	0960-AD99
4259	Coverage Provisions of Social Security Independence and Program Improvements Act of 1994 and of the Domestic Employment Reform Act of 1994 (503F)	0960-AE00
4260	SSA Acquisition Regulations (527F)	0960-AE12
4261	Lump Sum Death Payment and Living in the Same Household (548F)	0960-AE20
4262	When You Are a Full-Time Elementary or Secondary School Student (552F)	0960-AE21
4263	Income Exclusions in the SSI Program (502F)	0960-AE22
4264	Authority To Impose Civil Money Penalties (532F)	0960-AE23
4265	Privacy and Disclosure of Official Records and Information (566F)	0960-AE34
4266	Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Musculoskeletal System Listings (590F)	0960-AE43

**SOCIAL SECURITY ADMINISTRATION (SSA)**

**Proposed Rule Stage**

**4194. STANDARDS OF CONDUCT FOR CLAIMANT REPRESENTATIVES (431P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405(a); 42 USC 406; 42 USC 902(a)(5); 42 USC 1383(d)(1); 42 USC 1383(d)(2)

**CFR Citation:** 20 CFR 404.1700ff; 20 CFR 416.1500ff

**Legal Deadline:** None

**Abstract:** We proposed to amend our regulations to establish standards of conduct and responsibility for persons serving as representatives of claimants seeking a right or benefit under titles II or XVI of the Social Security Act. These regulations are part of SSA's Disability Redesign.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Division of Regulations

and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AD73

**4195. PREVENTION OF ADVERSE EFFECTS ON ELIGIBILITY AND BENEFIT AMOUNT WHEN SPOUSE OR PARENT ABSENT DUE TO ACTIVE MILITARY SERVICE (462P)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 103-66, sec 13733; 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 416.1167

**Legal Deadline:** None

**Abstract:** These proposed regulations reflect the provisions of section 13733 of Pub. L. 103-66 which allows us to consider, absent evidence to the contrary, an ineligible parent or spouse who is absent from a deeming household due solely to an active duty military assignment, to be living in the same household as the eligible individual for deeming purposes. This will prevent possible adverse SSI effects which could otherwise result when a military deemor is absent from the household.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Daniel T. Bridgewater, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-3298

**RIN:** 0960-AD86

**4196. SSI ELIGIBILITY FOR STUDENTS TEMPORARILY ABROAD (505P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1383

**CFR Citation:** 20 CFR 416.202; 20 CFR 416.270 (New)

**Legal Deadline:** None

**Abstract:** These regulatory changes are required by section 204 of P.L. 103-296, the Social Security Independence and

## SSA

## Proposed Rule Stage

Program Improvements Act of 1994. This provision allows individuals who leave the United States temporarily as part of an educational program that is not available in the United States, that is designed for gainful employment, and that is sponsored by a school, college, or university in the United States, to continue receiving SSI benefits for up to 1 year if they were eligible for SSI benefits for the month they left the country.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

**RIN:** 0960-AE01

**4197. DETERMINATIONS AND ADMINISTRATIVE REVIEW PROCESS—APPLICABILITY OF ADMINISTRATIVE RES JUDICATA (526P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405(a) to 405(b); 42 USC 405(d) to 405(h); 42 USC 421(d); 42 USC 902(a)(5); 42 USC 1383; 42 USC 1383b

**CFR Citation:** 20 CFR 404.903; 20 CFR 404.950; 20 CFR 404.957; 20 CFR 416.1403; 20 CFR 416.1450; 20 CFR 416.1457

**Legal Deadline:** None

**Abstract:** This regulation implements section 5107 of Pub. L. 101-508 which provides that SSA may not deny a new application on the basis that the claimant did not timely appeal an earlier determination, if the claimant relied upon incorrect, incomplete or misleading information provided by SSA in deciding not to appeal. In addition, the regulation explains in more detail our res judicata policy.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

**RIN:** 0960-AE11

**4198. MISUSE OF SYMBOLS, EMBLEMS, OR NAMES IN REFERENCE TO THE SOCIAL SECURITY ADMINISTRATION (530P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-296, sec 312

**CFR Citation:** 20 CFR 422.527

**Legal Deadline:** None

**Abstract:** This regulation will implement section 312 of P.L. 103-296 which expands prohibitions on the use of certain letters and symbols and also the reproduction for a fee of forms and publications of SSA and HHS.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sandy Bond, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

**RIN:** 0960-AE15

**4199. PERMIT DEPARTMENT OF STATE AND IMMIGRATION AND NATURALIZATION SERVICE TO COLLECT INFORMATION NEEDED TO ASSIGN SOCIAL SECURITY NUMBERS TO ALIENS (569P)**

**Regulatory Plan:** This entry is Seq. No. 149 in Part II of this issue of the Federal Register.

**RIN:** 0960-AE36

**4200. ● ASSESSMENT OF RESIDUAL FUNCTIONAL CAPACITY (599P)**

**Regulatory Plan:** This entry is Seq. No. 150 in Part II of this issue of the Federal Register.

**RIN:** 0960-AE42

**4201. ● ELIMINATION OF MANDATORY ANNUAL EARNINGS REPORTS (592P)**

**Regulatory Plan:** This entry is Seq. No. 151 in Part II of this issue of the Federal Register.

**RIN:** 0960-AE44

**4202. ● SUPPLEMENTAL STANDARDS FOR ETHICAL CONDUCT FOR EMPLOYEES OF THE SOCIAL SECURITY ADMINISTRATION (601P)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC App. (Ethics in Government Act of 1978)

**CFR Citation:** 5 CFR ch LXXXI (New)

**Legal Deadline:** None

**Abstract:** The Social Security Administration (SSA), with the concurrence of the Office of Government Ethics (OGE), proposes to issue regulations for officers and employees of SSA that supplement the OGE Standards of Ethical Conduct for Employees of the Executive Branch, which became effective February 3, 1993. The proposed rule specifies procedural and substantive requirements that are necessary to address ethical issues unique to SSA. There were no alternatives considered for these proposed rules. The proposed changes addressed have already been implemented. Any costs or savings will be insignificant.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

**RIN:** 0960-AE48

## SSA

## Proposed Rule Stage

**4203. • DETERMINING DISABILITY AND BLINDNESS; ELIMINATING THE LOWER SUBSTANTIAL GAINFUL ACTIVITY EARNINGS GUIDELINE AMOUNTS (603P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 423(d)(4); 42 USC 1382c (a)(3)(D)**CFR Citation:** 20 CFR 404.1574; 20 CFR 416.974**Legal Deadline:** None**Abstract:** These proposed rules would eliminate the lower substantial gainful activity earnings guideline amounts to simplify the evaluation of work activity in claims for disability benefits under titles II and XVI of the Social Security Act. This reflects a recommendation of the Disability Reengineering Project Proposal published in the Federal Register on April 15, 1994 (59 FR 18188).**Timetable:**

Action	Date	FR Cite
NPRM	03/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758**RIN:** 0960-AE49**4204. • QUALITY REVIEW OF ADMINISTRATIVE LAW JUDGES' DECISIONS****Regulatory Plan:** This entry is Seq. No. 152 in Part II of this issue of the Federal Register.**RIN:** 0960-AE53**4205. • IMPLEMENTING MODIFICATIONS TO PREHEARING PROCEDURES AND DECISIONS BY ADJUDICATION OFFICERS (616P)****Regulatory Plan:** This entry is Seq. No. 153 in Part II of this issue of the Federal Register.**RIN:** 0960-AE55**4206. • WEIGHT OF DISABILITY DETERMINATION SERVICES' MEDICAL PSYCHOLOGICAL CONSULTANT'S OPINIONS****Regulatory Plan:** This entry is Seq. No. 154 in Part II of this issue of the Federal Register.**RIN:** 0960-AE56**4207. • TESTING ELIMINATION OF THE FOURTH STEP IN THE DISABILITY CLAIM PROCESS (REQUEST FOR APPEALS COUNCIL REVIEW) (621P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 31 USC 3720A; 42 USC 401(j); 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to 405(h); 42 USC 421(d); 42 USC 425; 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.967; 20 CFR 416.1467**Legal Deadline:** None**Abstract:** These proposed regulations will authorize testing of that aspect of our published Plan for a New Disability Claim Process dealing with elimination of the fourth and final step in the existing process -- the step at which individuals who are dissatisfied with an ALJ's decision may request review by the Appeals Council (59 FR September 19, 1994, 47887, 47917-47918). The redesign plan calls for eliminating this step, which is currently a prerequisite to an individual's establishing a right to file a civil action, and for making judicial review the next level of appeal following the ALJ step. Under the redesign plan, the Appeals Council will function in a quality assurance role in disability cases, reviewing cases under its existing authority to review cases on its own motion, and will also evaluate cases in which civil actions are filed to determine, in conjunction with agency counsel, if the ALJ's decision should be defended. The proposed rules will authorize testing of these changes in the Appeals Council's role and in the disability claim process.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243**RIN:** 0960-AE58

## SOCIAL SECURITY ADMINISTRATION (SSA)

## Final Rule Stage

**4208. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MUSCULOSKELETAL SYSTEM (143F)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 42 USC 902(a)(5); 42 USC 405; 42 USC 1383**CFR Citation:** 20 CFR 404.1500, app 1**Legal Deadline:** None**Abstract:** Sections 1.00 and 101.00 of appendix 1 to the disability regulations at 20 CFR 404.1501 through 404.1599

describe those musculoskeletal impairments which are considered severe enough to prevent a person from doing any gainful activity or age-appropriate activities. Comprehensive revisions to these sections are proposed to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine. The SSI program incorporates by

## SSA

## Final Rule Stage

reference and uses the same medical criteria as the old-age, survivors, and disability insurance program.

**Timetable:**

Action	Date	FR Cite
NPRM	12/21/93	58 FR 67574
NPRM Comment Period End	02/22/94	
Final Action	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AB01

**4209. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS, DETERMINING DISABILITY AND BLINDNESS; SUBSTANTIAL GAINFUL ACTIVITY GUIDES (147F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 98-460, sec 10; PL 99-643; PL 100-203; PL 101-508

**CFR Citation:** 20 CFR 404; 20 CFR 416

**Legal Deadline:** None

**Abstract:** These final regulations will clarify how the Social Security Administration evaluates a person's work activity to determine whether work is substantial gainful activity and whether an individual is entitled to a trial work period. These regulations also reflect statutory changes with respect to the trial work period and the re-entitlement period.

**Timetable:**

Action	Date	FR Cite
NPRM	03/06/95	60 FR 12166
NPRM Comment Period End	05/15/95	
Final Action	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security

Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AB73

**4210. RELIABLE INFORMATION WHICH IS CURRENTLY AVAILABLE FOR DETERMINING BENEFIT AMOUNTS IN THE SUPPLEMENTAL SECURITY INCOME PROGRAM (382F)**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1382(a) to 1382(c); 42 USC 1382(e); 42 USC 1382a; 42 USC 1382f; 42 USC 1383

**CFR Citation:** 20 CFR 416.420

**Legal Deadline:** NPRM, Judicial, March 16, 1993.

**Abstract:** Pursuant to the Court order in Gould, et al. v. Sullivan, No. C2-87-964 (S.D. Ohio, October 2, 1992), we proposed a rule for determining benefits in the SSI program. Under section 1611(c)(4)(A) of the Social Security Act, if the Secretary determines that reliable information is currently available concerning the income and other circumstances of an individual for a month, the Secretary may use that information to determine an individual's SSI benefit amount for that month. This discretionary method of determining SSI benefit amounts is an exception to the use of information from a prior month, known as retrospective monthly accounting (RMA), as provided in section 1611(c)(1) of the Act. The proposed rule explained that the Secretary has determined that no information exists which is reliable and currently available to use in computing SSI benefit amounts pursuant to section 1611(c)(4).

**Timetable:**

Action	Date	FR Cite
NPRM	03/16/93	58 FR 14191
NPRM Comment Period End	05/17/93	
Final Action	02/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

**RIN:** 0960-AD65

**4211. FEES FOR FEDERAL ADMINISTRATION OF STATE SUPPLEMENTARY PAYMENTS IN THE SSI PROGRAM; INTEREST CHARGING ON STATE SUPPLEMENTARY PAYMENT FUNDS (376F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 1302; 42 USC 1382(e); 42 USC 1383; PL 93-66, sec 212; PL 101-453; PL 102-589

**CFR Citation:** 20 CFR 416.2010; 20 CFR 416.2090

**Legal Deadline:** None

**Abstract:** Section 13731 of Pub. L. 103-66 (the Omnibus Budget Reconciliation Act of 1993) enacted August 10, 1993, requires the Commissioner to assess each State an administration fee for processing the State's mandatory and optional supplementary payments. The fee will be charged for all State supplementary payments issued on or after October 1, 1993. Also, the Commissioner may charge a State an additional services fee if, at the request of the State, the Commissioner provides services beyond the level customarily provided in the administration of such payments. The Cash Management Improvement Act, Pub. L. 101-453 as amended by Pub. L. 102-589, sets forth rules regarding the transfer of funds from States to SSA for use in making supplementary payments and authorizes the imposition of an interest liability on either the States or SSA under certain circumstances. These proposed rules will reflect these statutory provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	04/18/96	61 FR 18529
NPRM Comment Period End	06/26/96	
Final Action	11/00/96	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235

## SSA

## Final Rule Stage

Phone: 410 965-1762

RIN: 0960-AD75

#### 4212. TECHNICAL CHANGES TO TITLE XVI (466F)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1382; 42 USC 1382a; 42 USC 1382b; 42 USC 1382j

**CFR Citation:** 20 CFR 416.1236; 20 CFR 416 app

**Legal Deadline:** None

**Abstract:** We are amending the supplemental security income regulations by making technical changes to update the appendix at the end of subpart K which lists exclusions from income in statutes other than the Social Security Act and to update the lists of statutory exclusions from resources contained in subpart L.

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cassandra A. Bond, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

RIN: 0960-AD89

#### 4213. DEFINITION OF UNITED STATES RESIDENT; EVIDENCE OF CITIZENSHIP (515F)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 902(a)(5); 42 USC 1381a; 42 USC 1382; 42 USC 1382(f); 42 USC 1382c(f); 42 USC 1382j; 42 USC 1383

**CFR Citation:** 20 CFR 416.1180; 20 CFR 416.1603; 20 CFR 416.1610

**Legal Deadline:** None

**Abstract:** These final regulations define more precisely the concept of "living within the geographical limits of the United States." The others will state the requirements for religious records as proof of U.S. citizenship. We will amend section 416.1180, because there is an obvious error in the wording.

**Timetable:**

Action	Date	FR Cite
NPRM	04/22/96	61 FR 17609
NPRM Comment	06/21/96	
Period End		
Final Action	04/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

RIN: 0960-AE05

#### 4214. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS; REPLACING SOCIAL SECURITY NUMBER CARDS (543F)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405

**CFR Citation:** 20 CFR 422.103

**Legal Deadline:** None

**Abstract:** These final rules will support our pilot test for replacing social security number cards when we receive a request by telephone. We will test replacing the card based on information furnished by telephone, without requiring additional documentation.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/22/95	60 FR 32444
Interim Final Rule	08/21/95	
Comment Period		
End		
Final Action	09/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Daniel T. Bridgewater, Legal Assistant, Social Security Administration, Division of

Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-3298

RIN: 0960-AE18

#### 4215. FREEDOM OF INFORMATION AND AVAILABILITY OF INFORMATION REGULATIONS FOR INDEPENDENT SSA (546F)

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405; 42 USC 902(a)(5); 42 USC 1306; 5 USC 552; 5 USC 552(a); 8 USC 1360; 18 USC 1905; 26 USC 6103; 31 USC 9701; 30 USC 923(b)

**CFR Citation:** 20 CFR 402.5 to 402.205

**Legal Deadline:** None

**Abstract:** These regulations adopt the DHHS Freedom of Information Regulations and the SSA availability of information and records to the public regulations into a new 20 CFR part 402.

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

RIN: 0960-AE24

#### 4216. REQUIREMENTS FOR AWARDS AND SUBAWARDS TO INSTITUTIONS OF HIGHER EDUCATION; CERTAIN GRANTS AND AGREEMENTS WITH STATES, LOCAL, AND INDIAN TRIBAL GOVERNMENTS (547F)

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 31 USC 7505; 41 USC 403(11)

**CFR Citation:** 20 CFR 435.000

**Legal Deadline:** None

**Abstract:** This final regulation migrates the HHS grants regulation at 45 CFR part 74 into a new SSA regulation at 20 CFR 435 now that SSA is an independent agency.

## SSA

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AE25

**4217. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS) (554F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 41 USC 403(11); 41 USC 701 et seq

**CFR Citation:** 20 CFR 436.000

**Legal Deadline:** None

**Abstract:** This final regulation migrates the HHS grants regulation at 45 CFR part 76 into a new SSA regulation at 20 CFR part 436 now that SSA is an independent agency.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AE27

**4218. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS AND INDIAN TRIBAL GOVERNMENTS (555F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 41 USC 403(ii)

**CFR Citation:** 20 CFR 437.000

**Legal Deadline:** None

**Abstract:** This final regulation migrates the HHS grants regulation at 45 CFR

part 92 into a new SSA regulation at 20 CFR part 437 now that SSA is an independent agency.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AE28

**4219. RESTRICTIONS ON LOBBYING IN CONNECTION WITH THE AWARD OF GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS (556F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 31 USC 1352

**CFR Citation:** 20 CFR 438.000

**Legal Deadline:** None

**Abstract:** This final regulation migrates the HHS grants regulation at 45 CFR part 93 into a new SSA regulation at 20 CFR part 438 now that SSA is an independent agency.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AE29

**4220. CYCLING PAYMENT OF SOCIAL SECURITY BENEFITS (558F)**

**Regulatory Plan:** This entry is Seq. No. 155 in Part II of this issue of the Federal Register.

**RIN:** 0960-AE31

**4221. HEARING PROCEDURES FOR CIVIL MONETARY PENALTY CASES (579F)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 405(a); 42 USC 405(b); 42 USC 1320a-8; 42 USC 1320b-10; 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 498.200 to 498.223

**Legal Deadline:** None

**Abstract:** These final regulations add new rules that establish hearing procedures for the Social Security Administration's civil monetary penalty cases. These rules implement the provisions of section 1129 and section 1140 of the Social Security Act which require an opportunity to be heard on the record before a determination, to impose penalties or assessments, or to recommend an exclusion of a physician or medical provider from the Medicare program, becomes final.

**Timetable:**

Action	Date	FR Cite
NPRM	07/31/96	61 FR 39921
NPRM Comment Period End	09/30/96	
Final Action	07/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

**RIN:** 0960-AE41

**4222. • AMENDED 20 CFR, PARTS 400-499; EMPLOYEES' BENEFITS (595F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 400 to 499

**Legal Deadline:** None

**Abstract:** These final rules amend our regulations to revise references to the Department of Health and Human Services and the Department of Health, Education, and Welfare and to the Secretary to read the Social Security Administration and the Commissioner, respectively. Parts 401 and 422 subpart E are not addressed in this regulation because they are covered by another regulation.

**SSA**

**Final Rule Stage**

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Suzanne DiMarino, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1769

**RIN:** 0960-AE45

**4223. • IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN AGENCY PROCEEDINGS (596F)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 902(a)(5); 5 USC 504(c)(1)

**CFR Citation:** 20 CFR 426.101ff

**Legal Deadline:** None

**Abstract:** These final rules adopt as Social Security Administration rules the Department of Health and Human Services' practices and procedures contained in 45 CFR Part 13, Implementation of the Equal Access to Justice Act in Agency Proceedings.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Suzanne DiMarino, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1769

**RIN:** 0960-AE46

**4224. • ADMINISTRATIVE (613F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 429.100ff

**Legal Deadline:** None

**Abstract:** These final rules adopt as Social Security Administration rules the Department of Health and Human Services' practices and procedures contained in 45 CFR Part 35.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Suzanne DiMarino, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1769

**RIN:** 0960-AE51

**4225. • INDEMNIFICATION OF SSA EMPLOYEES (614F)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 430.101

**Legal Deadline:** None

**Abstract:** These final rules adopt as Social Security Administration rules the Department of Health and Human Services' policy contained in 45 CFR part 36. These regulations permit, but do not require, the Agency to indemnify all employees for a judgement, verdict or monetary award resulting from conduct within the scope of his or her employment.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Suzanne DiMarino, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1769

**RIN:** 0960-AE52

**4226. • CHILDHOOD DISABILITY**

**Regulatory Plan:** This entry is Seq. No. 156 in Part II of this issue of the Federal Register.

**RIN:** 0960-AE57

**SOCIAL SECURITY ADMINISTRATION (SSA)**

**Long-Term Actions**

**4227. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; MEDICAL CRITERIA FOR EVALUATING MENTAL DISORDERS FOR ADULTS (222F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405; 42 USC 1382c

**CFR Citation:** 20 CFR 404.1500, app 1; 20 CFR 404.1520a; 20 CFR 404.1528; 20 CFR 416.920a; 20 CFR 416.928

**Legal Deadline:** None

**Abstract:** These amendments revise the medical evaluation criteria for mental disorders for the Social Security and Supplemental Security Income disability programs. The revisions will reflect advances in medical treatment and in methods of evaluating certain mental impairments and will provide up-to-date medical criteria for use in the evaluation of disability claims based on mental disorders.

**Timetable:**

Action	Date	FR Cite
NPRM	07/18/91	56 FR 33130

Action	Date	FR Cite
NPRM Comment Period End	09/18/91	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AC74

## SSA

## Long-Term Actions

**4228. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; REPRESENTATIVE PAYEE REFORMS (295F)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** PL 101-508, sec 5105**CFR Citation:** 20 CFR 404.902; 20 CFR 404.2001; 20 CFR 404.2011; 20 CFR 404.2022; 20 CFR 404.2024; 20 CFR 404.2025; 20 CFR 404.2030; 20 CFR 404.2041; 20 CFR 404.2050; 20 CFR 416.601; 20 CFR 416.611; 20 CFR 416.622; 20 CFR 416.624; 20 CFR 416.625; 20 CFR 416.630; ...**Legal Deadline:** None**Abstract:** Effective stewardship at SSA programs requires mechanisms to assure that benefits are used to meet the needs of beneficiaries who are not able to manage their own benefits due to legal incompetence or medical infirmity. Congress determined that improvements to the representative payment procedures were needed to assure program integrity as part of P.L. 101-508. Any costs associated with these regulations are reflected in the President's budget as part of legislative in implementation. They are required to further our program integrity efforts.**Timetable:**

Action	Date	FR Cite
NPRM	03/15/94	59 FR 11949
NPRM Comment Period End	05/16/94	
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713**RIN:** 0960-AD22**4229. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; FEES FOR REPRESENTATION OF CLAIMANTS (296P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** PL 101-508, Sec 5106**CFR Citation:** 20 CFR 404.1703; 20 CFR 404.1713; 20 CFR 404.1720; 20 CFR 404.1715 to 404.1717; 20 CFR 404.1725; 20 CFR 416.1503; 20 CFR 416.1513; 20 CFR 416.1520; 20 CFR 416.1515 to 416.1517; 20 CFR 416.1525**Legal Deadline:** None**Abstract:** We propose to amend the regulations to reflect section 5106(a) of Pub. L. 101-508 which modifies the manner in which past-due benefits are calculated and the process by which SSA approves fees charged by persons representing claimants before the Agency.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Lawrence V. Dudar, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1759**RIN:** 0960-AD23**4230. CODE OF CONDUCT FOR ADMINISTRATIVE LAW JUDGES AND ADMINISTRATIVE APPEALS JUDGES OF THE SOCIAL SECURITY ADMINISTRATION (341P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** EO 12674 as modified by EO 12731;; 42 USC 405**CFR Citation:** 20 CFR 422.215**Legal Deadline:** None**Abstract:** These regulations would establish a Code of Conduct for OHA Administrative Law Judges and Administrative Appeals Judges.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Sandy Bond, Legal Assistant, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794**RIN:** 0960-AD54**4231. ELECTION OF BENEFITS BASED ON AGE BY DISABLED WIDOW, WIDOWER, AND SURVIVING DIVORCED SPOUSE BENEFICIARIES (343P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 405**CFR Citation:** 20 CFR 404.335; 20 CFR 404.336; 20 CFR 404.337**Legal Deadline:** None**Abstract:** We propose to amend our regulations to permit the election of benefits based on age by widows, widowers and surviving divorced spouses (hereinafter, collectively widows) who are at least age 60 and who are already entitled to widow's benefits based on disability. This proposal would allow the widow to choose which of the two types of widow's benefits is more advantageous. The estimated increase in benefit payments is less than \$500,000 per year for fiscal years 1992-1995.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Cassandra A. Bond, Legal Assistant, Division of Regulations and Rulings, Social Security

SSA

Long-Term Actions

Administration, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

RIN: 0960-AD56

**4232. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; HEMIC AND LYMPHATIC SYSTEM, AND MALIGNANT NEOPLASTIC DISEASES (399P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1383; 42 USC 405

**CFR Citation:** 20 CFR 404.1500, app 1

**Legal Deadline:** None

**Abstract:** Sections 7.00 and 107.00 (hemic and lymphatic system), and 13.00 and 113.00 (malignant neoplastic diseases) of appendix 1 to Subpart P of Part 404 of the Disability Regulations (404.1501 through 404.1599) describe those impairments which are considered severe enough to prevent a person from engaging in any gainful activity, or in the case of a child under age 18, age-appropriate activities. We are proposing revisions to these sections to ensure that the medical evaluation criteria are up-to-date and consistent with the latest advances in medical knowledge and treatment. The Supplemental Security Income program incorporates and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

RIN: 0960-AD67

**4233. RELIABLE INFORMATION WHICH IS CURRENTLY AVAILABLE FOR DETERMINING BENEFIT AMOUNTS IN THE SUPPLEMENTAL SECURITY INCOME PROGRAM (NEWMAN) (434P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1382(a) to 1382(c); 42 USC 1383

**CFR Citation:** 20 CFR 416.420

**Legal Deadline:** None

**Abstract:** The Social Security Act (the Act) provides that if the Commissioner of Social Security (the Commissioner) determines that reliable information is currently available concerning the income of an individual, the Commissioner may use that information to determine an individual's current month's supplemental security income (SSI) benefit amount. This method of determining SSI benefit amounts is an exception to the use of income from a prior month, known as retrospective monthly accounting (RMA). The Commissioner has determined that no reliable information exists which is currently available for determining SSI benefit amounts for a current month using any method other than RMA. These rules are applicable only in California pursuant to a court order issued in Newman v. Shalala.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

RIN: 0960-AD77

**4234. REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY, ENDOCRINE SYSTEM AND OBESITY AND RELATED CRITERIA (436P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405; 42 USC 1302; 42 USC 1383

**CFR Citation:** 20 CFR 404.1500, app 1

**Legal Deadline:** None

**Abstract:** Sections 9.00 and 109.00 of appendix 1 to subpart P of part 404 of the Disability Regulations (404.1501 through 404.1599) describe those impairments which are considered severe enough to prevent a person from engaging in any gainful activity, or in the case of a child under age 18, age-appropriate activities. We are proposing to revise the criteria in these sections to reflect advances in medical knowledge, treatment, and methods of evaluating endocrine impairments. The Supplemental Security Income program incorporates and uses the same medical criteria as the Old-Age, Survivors and Disability Insurance program.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. Augustine, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 966-5121

RIN: 0960-AD78

**4235. VALUATION OF CERTAIN IN-KIND SUPPORT AND MAINTENANCE (ISM) WHERE THERE IS A COST-OF-LIVING ADJUSTMENT IN SSI BENEFITS (454F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-66, sec 13735

**CFR Citation:** 20 CFR 416.420; 20 CFR 416.1130(a)

**Legal Deadline:** None

**Abstract:** This final regulation will reflect the amendment to section 1611(c) of the Act, effective January 1,

## SSA

## Long-Term Actions

1995, that the current Federal benefit rate be used in determining the value of certain in-kind support and maintenance for the first 2 months in which a cost-of-living adjustment in SSI benefits applies.

**Timetable:**

Action	Date	FR Cite
NPRM	08/09/95	60 FR 40542
NPRM Comment Period End	10/10/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lawrence V. Dudar, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1759

**RIN:** 0960-AD82

#### 4236. BENEFITS FOR SPOUSES, DIVORCED SPOUSES, AND CHILDREN (455P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 402; 42 USC 403(a); 42 USC 403(b); 42 USC 405(a); 42 USC 416; 42 USC 423; 42 USC 428(a); 42 USC 428(b); 42 USC 428(c); 42 USC 428(d); 42 USC 428(e); 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 404.331; 20 CFR 404.332; 20 CFR 404.341; 20 CFR 404.357; 20 CFR 404.361; 20 CFR 404.366

**Legal Deadline:** None

**Abstract:** This regulation will make technical changes to several sections. Most of the changes correct problems with wording which occurred during the 1980 recodification.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations

and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

**RIN:** 0960-AD83

#### 4237. TEMPORARY INCREASE IN SPONSORSHIP PERIOD FOR ALIENS UNDER THE SSI PROGRAM (457P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-152, sec 7

**CFR Citation:** 20 CFR 416.1160; 20 CFR 416.1204

**Legal Deadline:** None

**Abstract:** Section 7 of Pub. L. 103-152 amended section 1621 of the Social Security Act to temporarily increase the sponsorship period for aliens under the SSI program from 3 years to 5 years following the alien's date of lawful admission to the U.S. The increase in the sponsorship period is effective January 1, 1994. Beginning October 1, 1996, the 3-year sponsorship period will be reinstated. We will amend our regulations to conform to the statutory changes. Any costs/savings are associated with the legislation and not with the regulations themselves.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

**RIN:** 0960-AD84

#### 4238. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME, ACCEPTABLE MEDICAL SOURCES (469P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 42 USC 902(a)(5); 42 USC 1383; 42 USC 405

**CFR Citation:** 20 CFR 404.1513; 20 CFR 416.913

**Legal Deadline:** None

**Abstract:** We propose to add speech and language pathologists to the list of acceptable medical sources in our current regulations. These sources will assist us in establishing the existence of speech and language impairments. We also propose to make other changes in our regulations to clarify what we mean by an acceptable medical source.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AD91

#### 4239. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; CONTRIBUTIONS FOR SUPPORT (475P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 402(d)(3); 42 USC 416(b)(3); 42 USC 405(a); 42 USC 1302

**CFR Citation:** 20 CFR 404.366

**Legal Deadline:** None

**Abstract:** To provide more uniformity in our decision making, we are proposing to amend our rules on the contributions for support that must be provided by the insured to certain categories of claimants for child's benefits.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

## SSA

## Long-Term Actions

**Government Levels Affected:** None

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

**RIN:** 0960-AD92

#### 4240. COMPUTATION OF SSI BENEFITS FOR THE FIRST THREE MONTHS OF PAYMENT (476P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1383

**CFR Citation:** 20 CFR 416.320

**Legal Deadline:** None

**Abstract:** SSI eligibility and payment are calculated by taking into account income received by the applicant/recipient. Two calculations must be made for each month. The first is the eligibility computation and is based on the current (payment) month's income. The second is the payment computation, which, under retrospective monthly accounting, is based (usually) on the income of a prior month called the budget month. Generally the budget month is 2 months prior to the payment month. The transitional computation for the first 3 months of SSI payment is an exception to the general rule described above. While the eligibility computation continues to apply to the current month's income, the budget month on which each of the first 3 months' payments are based is the first month of eligibility. This policy was intended to facilitate the transition into 2 month retrospective accounting cycle and to avoid penalizing the recipient for income received prior to initial SSI eligibility. However, the policy also has the effect of counting income which is only received in one month more than one time. In *Jones v. Shalala* the Ninth Circuit Court of Appeals ruled that SSA's transitional computation for the first 3 months of eligibility is not permissible because it will result in the triple counting of nonrecurring income received only in the first month of eligibility. The proposed policy

addresses the triple counting of nonrecurring income.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1762

**RIN:** 0960-AD93

#### 4241. DEFINITION OF "LARGEST BENEFIT AMOUNT" FOR PURPOSES OF DETERMINING THE EARNINGS RECORD ON WHICH A PERSON WHO IS SIMULTANEOUSLY ENTITLED TO CHILD'S INSURANCE BENEFITS (481P)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 402(d); 42 USC 402(k); 42 USC 902(a)(5); 42 USC 405(a)

**CFR Citation:** 20 CFR 404.304; 20 CFR 404.353b; 20 CFR 404.407d

**Legal Deadline:** None

**Abstract:** Section 202(k)(2)(A) of the Act (42 U.S.C. 402(k)(2)(A)) contains the statutory requirements for determining the earnings record on which SSA will pay a person, who is simultaneously entitled to child's insurance benefits on the earnings records of more than one worker. Generally, the child's benefits will be paid on the earnings record that yields the highest primary insurance amount (PIA). However, under certain circumstances, the child's benefits will be paid on the earnings record that yields a lower PIA if that record produces the "largest benefit" to which the child could be entitled under section 202(d) without the application of the reduction under the "family maximum" provisions. In implementing section 202(k)(2)(A), SSA has determined the "largest benefit" under section 202(k)(2)(A) by comparing the original benefit amount

(i.e., 50 percent of the PIA of a living worker and 75 percent of the PIA of a deceased worker) calculated on the dependent and/or survivor claim of the child on the earnings record of each worker without applying any reductions or deductions. The United States District Court for the Northern District of Alabama in *Agee v. Sullivan* rejected this interpretation and held that SSA must compare the amounts payable to the child under each earnings record after considering all applicable deductions and reductions other than the reduction under the family maximum provisions. Legal support for both interpretations can be found in the statutory language and legislative history of section 202(k)(2)(A). We have found current regulations implementing section 202(k)(2)(A) to be ambiguous. We propose to amend these regulations to reflect the longstanding SSA interpretation, rather than the interpretation adopted by the district court in the *Agee* decision.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713

**RIN:** 0960-AD95

#### 4242. FEDERAL OASDI AND SSI FOR THE AGED, BLIND, AND DISABLED; BENEFIT REFORMS FOR INDIVIDUALS DISABLED BASED ON DRUG ADDICTION OR ALCOHOLISM (496F)

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 902(a)(5); 42 USC 1383; 42 USC 405

**CFR Citation:** 20 CFR 404.315; 20 CFR 404.316; 20 CFR 404.321; 20 CFR 404.332; 20 CFR 404.335; 20 CFR 404.337; 20 CFR 404.350; 20 CFR 404.352; 20 CFR 404.402; 20 CFR

## SSA

## Long-Term Actions

404.470; 20 CFR 404.480; 20 CFR 404.902; 20 CFR 404.1535; 20 CFR 404.1536; 20 CFR 404.1537; ...

**Legal Deadline:** Final, Statutory, February 11, 1995.  
Section 201 of Public Law 103-296.

**Abstract:** The Social Security Independence and Program Improvements Act of 1994 (Public Law 103-296) contains provisions affecting the payment of benefits under titles II and XVI of the Social Security Act to individuals whose drug addiction or alcoholism is a contributing factor material to the determination of disability. These final rules implement certain provisions related to limitations on benefit payments and the nonpayment and termination of benefits to these individuals.

**Timetable:**

Action	Date	FR Cite
Notice of Intent with Request for Comments	10/17/94	59 FR 52380
Interim Final Rule	02/10/95	60 FR 8140
Interim Final Rule Comment Period End	04/11/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AD96

**4243. FEDERAL OASDI AND SSI FOR THE AGED, BLIND, AND DISABLED; REPRESENTATIVE PAYMENT PROVISIONS FOR INDIVIDUALS DISABLED BASED ON DRUG ADDICTION OR ALCOHOLISM (507P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-296, sec 201; 42 USC 405; 42 USC 1302; 42 USC 1383

**CFR Citation:** 20 CFR 404.2001; 20 CFR 404.2010; 20 CFR 404.2021; 20 CFR 404.2040; 20 CFR 404.2040a; 20 CFR

404.2053; 20 CFR 416.621; 20 CFR 416.640; 20 CFR 416.640a; 20 CFR 416.655

**Legal Deadline:** None

**Abstract:** We propose to revise our regulations to extend the representative payee requirement, which now applies only to recipients of supplemental security income (SSI) benefit payments, to Social Security disability insurance (DI) beneficiaries whose drug addiction or alcoholism is material to a finding of disability.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** State

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AD98

**4244. REPEAL OF FACILITY OF PAYMENT PROVISION (508F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 403

**CFR Citation:** 20 CFR 404.402(b); 20 CFR 404.458

**Legal Deadline:** None

**Abstract:** This regulation will reflect section 309 of P.L. 103-296 which repeals the facility of payment provision under which Social Security benefits subject to the family maximum would not be redistributed in certain cases and provides that the reduction for the family maximum will be made prior to a temporary suspension for work when the non-working auxiliary resides in a separate household from the working auxiliary.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cassandra A. Bond, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

**RIN:** 0960-AE02

**4245. GUARANTEED FAMILY MAXIMUMS (510F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 403(a)

**CFR Citation:** 20 CFR 404.403

**Legal Deadline:** None

**Abstract:** This regulation will reflect effect section 310 of P.L. 103-296 which provides that the guaranteed primary insurance amount is to be used in establishing the maximum family benefit for workers who had previously been entitled to disability insurance benefits and became reentitled to retirement or disability benefits on or after December 1995.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cassandra A. Bond, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

**RIN:** 0960-AE03

**4246. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; INCOME AND RESOURCES, DEEMING OF PARENTAL INCOME AND RESOURCES WHEN CHILDREN ARE HOSPITALIZED (522P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

**SSA**

**Long-Term Actions**

duplication, or streamline requirements.

**Legal Authority:** 42 USC 1302; 42 USC 1382c(f)(2); 42 USC 1383(d)

**CFR Citation:** 20 CFR 416.1165; 20 CFR 416.1167; 20 CFR 416.1202

**Legal Deadline:** None

**Abstract:** Current SSI regulations reflect the concept that deeming (the process of considering another person's income to be your own) applies only in household situations. Currently, children in medical care facilities are not subject to parental deeming because they are not considered to be in the same household as their parents. While maintaining the concept of "household" for deeming purposes, these proposed rules will expand upon current policy from the household and, as a result, subject to parental deeming. This extends the current policy that is applicable to children away at school to children in medical care facilities. That is, a child who is born in or enters a medical care facility and who is subject to the control of a parent will be considered temporarily absent from the parental household. During this absence, deeming will apply.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lawrence V. Dudar, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1759

**RIN:** 0960-AE08

**4247. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE; OVERPAYMENT DEBT COLLECTION PROCEDURES (523P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-387

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** This regulation will implement section 5 of Pub. L. 103-387, the Social Security Domestic Employment Act of 1994 which authorizes SSA to use certain delinquent debt collection procedures available to other Federal agencies, but which were not available to SSA under the Debt Collection Act of 1982. The procedures include reporting delinquent debtors to credit agencies, contracting with private debt collection agencies, and recovering debts by administrative offset of other Federal payments to which the debtor may be entitled. The procedures may be applied only if the overpayment was paid to a person after he or she attained age 18, the debt is not recoverable by other means provided by the Social Security Act, and the debtor is no longer a beneficiary. Authority to use such debt collection procedures sunsets September 30, 1999.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. Augusting, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 966-5121

**RIN:** 0960-AE09

**4248. OASDI; NONPAYMENT OF BENEFITS TO INCARCERATED INDIVIDUALS AND INDIVIDUALS CONFINED IN CRIMINAL CASES, PURSUANT TO CONVICTION OR BY COURT ORDER BASED ON FINDINGS OF INSANITY (531P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 402(x); 42 USC 405; 42 USC 902

**CFR Citation:** 20 CFR 404.468

**Legal Deadline:** None

**Abstract:** The regulation will implement section 4 of P.L. 103-387 which modifies and expands the

current prisoner nonpayment provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cassandra A. Bond, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1794

**RIN:** 0960-AE16

**4249. SUPPLEMENTAL SECURITY INCOME; PLANS FOR ACHIEVING SELF-SUPPORT (506P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-296, sec 203; 42 USC 1383b(d)

**CFR Citation:** 20 CFR 416.1180; 20 CFR 416.1181; 20 CFR 416.1182; 20 CFR 416.1224; 20 CFR 416.1225; 20 CFR 416.1226

**Legal Deadline:** None

**Abstract:** These regulations revise our rules on plans to achieve self-support (PASS) to take into account the time period an individual will need for completion of his or her PASS and other factors determined to be appropriate.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Harry J. Short, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-6243

**RIN:** 0960-AE17

## SSA

## Long-Term Actions

**4250. STATUS OF LEGALLY ADOPTED CHILD (557P)****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 402; 42 USC 403(a); 42 USC 403(b); 42 USC 405(a); 42 USC 416; 42 USC 423; 42 USC 428(a) to 428(e); 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.354; 20 CFR 404.355; 20 CFR 404.365**Legal Deadline:** None**Abstract:** These proposed regulations will amend our present regulations to clarify that we determine the status of an adopted child by applying State adoption law, not the State law on inheritance.**Timetable:**

Action	Date	FR Cite
Final Action	11/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Lois Berg, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1713**RIN:** 0960-AE30**4251. REDUCTION OF DISABILITY BENEFITS—WORKERS' COMPENSATION/PUBLIC DISABILITY BENEFITS (567P)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 402 to 405; 42 USC 424a; 42 USC 902(a)(5)**CFR Citation:** 20 CFR 404.408**Legal Deadline:** None**Abstract:** We propose to revise our rules on reduction of Social Security benefits based on disability on account of receipt of workers' compensation and/or public disability benefits provided under Federal (other than

Social Security), State, or local laws or plans to clarify our existing policies. We also propose to adopt a uniform method of proration of workers' compensation and public disability benefit settlements. In addition, we propose to incorporate into our rules the policy interpretations established previously in relevant Social Security Rulings (SSRs), and we will update provisions that have not been changed since 1984.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Daniel T. Bridgewater, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-3298**RIN:** 0960-AE35**4252. ELIMINATION OF ROUNDING DISTORTION IN THE CALCULATION OF THE CONTRIBUTION AND BENEFIT BASE AND EARNINGS TEST EXEMPT AMOUNTS (512F)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 405; 42 USC 1302; 42 USC 1383**CFR Citation:** 20 CFR 404.211(c); 20 CFR 404.430(c); 20 CFR 404.1047 to 1048; 20 CFR 404, subpart C, app 1; 20 CFR 404.403(d); 20 CFR 404.408ff; 20 CFR 404.1048(c); 20 CFR 404.1918(b)**Legal Deadline:** None**Abstract:** Section 321(g) of Pub. L. 103-296 designates 1994 as the base year to be used in calculating increases in the OASDI contribution and benefit base and earnings test exempt amounts for all years after 1994. (Increases in these amounts will no longer be based on the rounded amounts applicable in the previous year, which can distort the base and exempt amounts over time.) The provision is effective for the contribution and benefit base beginning in 1995 and for earnings test exempt amounts for taxable years ending after 1994.**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Lawrence V. Dudar, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1759**RIN:** 0960-AE40**4253. • DEEMING OF INCOME FROM AN INELIGIBLE SPOUSE TO AN ELIGIBLE INDIVIDUAL AND AN ELIGIBLE CHILD (606P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 902(a)(5); 42 USC 1381a; 42 USC 1382; 42 USC 1382a; 42 USC 1382c(f); 42 USC 1383; 42 USC 1382b; 42 USC 1382j**CFR Citation:** 20 CFR 416.1160 (c)(3)(iii); 20 CFR 416.1165 (g)(1); 20 CFR 416.1166**Legal Deadline:** None**Abstract:** This rule would revise the method used under the SSI program to determine income for a child who lives with both parents where one parent is ineligible for SSI because of income deemed from an ineligible spouse. Instead of deeming any excess income from the ineligible spouse to the child, referred to as "pass-through deeming," we would deem income to the child using the method we use where neither parent files for SSI. Under current rules, "pass-through" deeming has had the unintended effect of deeming more income than would have been deemed if the regular rules for deeming from ineligible parents who do not file for SSI are used.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** Undetermined**Agency Contact:** Robert J. Augustine, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 966-5121**RIN:** 0960-AE50

**SSA**

**Long-Term Actions**

**4254. • PAYMENTS FOR VOCATIONAL REHABILITATION SERVICES (615P)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 405(a); 42 USC 422; 42 USC 902(a)(5); 42 USC 1382d; 42 USC 1383(d)(1); 42 USC 1383(e); 42 USC 1683b(a)

**CFR Citation:** 20 CFR 404.2111; 20 CFR 404.2117; 20 CFR 404.2121; 20 CFR

416.2211; 20 CFR 416.2217; 20 CFR 416.2221

**Legal Deadline:** None

**Abstract:** We are proposing to amend our regulations to minimize the reporting burden on providers of vocational rehabilitation (VR) services who serve Social Security beneficiaries and Supplemental Security Income recipients who are disabled or blind under our VR payment programs. These proposed changes to our regulations will: simplify the criteria for determining when VR services will be considered to have contributed to a continuous period of 9-months of substantial gainful activity (SGA) and

make other changes to reduce burdens on State agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. Augustine, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 966-5121

**RIN:** 0960-AE54

**SOCIAL SECURITY ADMINISTRATION (SSA)**

**Completed Actions**

**4255. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED; PAYMENT FOR VR SERVICES FURNISHED INDIVIDUALS DURING CERTAIN MONTHS OF NONPAYMENT OF SSI BENEFITS (315F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.2113; 20 CFR 404.2115; 20 CFR 404.2116; 20 CFR 416.2201; 20 CFR 416.2203; 20 CFR 416.2209; 20 CFR 416.2212; 20 CFR 416.2213; 20 CFR 416.2215; 20 CFR 416.2216; 20 CFR 416.2217

**Completed:**

Reason	Date	FR Cite
Final Action	06/19/96	61 FR 31022

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick  
Phone: 410 965-1758

**RIN:** 0960-AD39

duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.811; 20 CFR 404.812 (New); 20 CFR 422.125

**Completed:**

Reason	Date	FR Cite
Final Action	04/24/96	61 FR 18075

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jack Schanberger  
Phone: 410 965-8471

**RIN:** 0960-AD74

Phone: 410 965-1713

**RIN:** 0960-AD90

**4258. WAIVER OF RECOVERY OF OVERPAYMENTS; NOTICE OF APPEAL AND WAIVER RIGHTS AND RIGHT TO A PRE-RECOUPMENT ORAL HEARING BEFORE DENIAL OF WAIVER (491F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.502a; 20 CFR 404.506; 20 CFR 404.907; 20 CFR 404.930; 20 CFR 410.561; 20 CFR 410.561a; 20 CFR 410.623; 20 CFR 410.630

**Completed:**

Reason	Date	FR Cite
Final Action	10/31/96	61 FR 56126

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg  
Phone: 410 965-1713

**RIN:** 0960-AD99

**4256. STATEMENT OF EARNINGS AND BENEFIT ESTIMATE (415F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

**4257. SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, OR DISABLED; EVIDENCE OF LAWFUL RESIDENCE IN THE UNITED STATES (468F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 416.1615

**Completed:**

Reason	Date	FR Cite
Final Action	10/31/96	61 FR 56133

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg

## SSA

## Completed Actions

**4259. COVERAGE PROVISIONS OF SOCIAL SECURITY INDEPENDENCE AND PROGRAM IMPROVEMENTS ACT OF 1994 AND OF THE DOMESTIC EMPLOYMENT REFORM ACT OF 1994 (503F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.1004; 20 CFR 404.1012; 20 CFR 404.1018; 20 CFR 404.1018b; 20 CFR 404.1020; 20 CFR 404.1034; 20 CFR 404.1036; 20 CFR 404.1042; 20 CFR 404.1055; 20 CFR 404.1056; 20 CFR 404.1057; 20 CFR 404.1068; 20 CFR 404.1206; 20 CFR 404.1210; 20 CFR 404.1038 (New); ...

**Completed:**

Reason	Date	FR Cite
Final Action	07/24/96	61 FR 38363

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lois Berg  
Phone: 410 965-1713

**RIN:** 0960-AE00

**4260. SSA ACQUISITION REGULATIONS (527F)**

**Priority:** Info./Admin./Other

**CFR Citation:** 48 CFR ch 23

**Completed:**

Reason	Date	FR Cite
Final Action	09/27/96	61 FR 50737

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. Augustine  
Phone: 410 966-5121

**RIN:** 0960-AE12

**4261. LUMP SUM DEATH PAYMENT AND LIVING IN THE SAME HOUSEHOLD (548F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.2; 20 CFR 404.3; 20 CFR 404.347; 20 CFR 404.390;

20 CFR 404.392; 20 CFR 404.393; 20 CFR 404.394; 20 CFR 404.395; 20 CFR 404.612; 20 CFR 404.615; 20 CFR 404.765

**Completed:**

Reason	Date	FR Cite
Final Action	08/08/96	61 FR 41329

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Daniel T. Bridgewater  
Phone: 410 965-3298

**RIN:** 0960-AE20

**4262. WHEN YOU ARE A FULL-TIME ELEMENTARY OR SECONDARY SCHOOL STUDENT (552F)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 404.350; 20 CFR 404.351; 20 CFR 404.352; 20 CFR 404.353; 20 CFR 404.367; 20 CFR 404.369

**Completed:**

Reason	Date	FR Cite
Final Action	07/24/96	61 FR 38361

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Daniel T. Bridgewater  
Phone: 410 965-3298

**RIN:** 0960-AE21

**4263. INCOME EXCLUSIONS IN THE SSI PROGRAM (502F)**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 416.1124; 20 CFR 416.1161

**Completed:**

Reason	Date	FR Cite
Final Action	09/24/96	61 FR 49962

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner

Phone: 410 965-1762

**RIN:** 0960-AE22

**4264. AUTHORITY TO IMPOSE CIVIL MONEY PENALTIES (532F)**

**Priority:** Info./Admin./Other

**CFR Citation:** 20 CFR 498.100 to 498.104; 20 CFR 498.106; 20 CFR 498.108 to 498.110; 20 CFR 498.127 to 498.129; 20 CFR 498.132

**Completed:**

Reason	Date	FR Cite
Final Action	04/24/96	61 FR 18078

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner  
Phone: 410 965-1762

**RIN:** 0960-AE23

**4265. PRIVACY AND DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION (566F)**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 20 CFR 401.5 to 401.200

**Completed:**

Reason	Date	FR Cite
Regulation Merged With 0960-AE24	04/23/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Henry D. Lerner  
Phone: 410 965-1762

**RIN:** 0960-AE34

**4266. • FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE; DETERMINING DISABILITY AND BLINDNESS; EXTENSION OF EXPIRATION DATE FOR MUSCULOSKELETAL SYSTEM LISTINGS (590F)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 402; 42 USC 405(a); 42 USC 405(b); 42 USC 405(d) to (h); 42 USC 416(i); 42 USC 421(a); 42 USC 421(i); 42 USC 422(c); 42 USC 423; 42 USC 425; 42 USC 902(a)(5)

**CFR Citation:** 20 CFR 404.202; 20 CFR 404.205(a) to (b); 20 CFR 404.205(d) to

**SSA**

**Completed Actions**

(h); 20 CFR 404.216(i); 20 CFR 404.221(a); 20 CFR 404.221(i); 20 CFR 404.222(c); 20 CFR 404.223; 20 CFR 404.225; 20 CFR 404.702(a)(5)

**Legal Deadline:** None

**Abstract:** The Social Security Administration (SSA) issues listings of impairments to evaluate disability and blindness under the Social Security and supplemental security income (SSI) programs. This rule extends the expiration date for the musculoskeletal system listings. We have made no

revisions to the medical criteria in the listings; they remain the same as they now appear in the Code of Federal Regulations. This extension will ensure that we continue to have medical evaluation criteria in the listings to adjudicate claims for disability based on musculoskeletal system impairments at step three of our sequential evaluation process.

**Timetable:**

Action	Date	FR Cite
Final Action	06/04/96	61 FR 28046

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard M. Bresnick, Legal Assistant, Social Security Administration, Division of Regulations and Rulings, 6401 Security Boulevard, Baltimore, MD 21235  
Phone: 410 965-1758

**RIN:** 0960-AE43

[FR Doc. 96-27872 Filed 11-27-96; 8:45 am]

**BILLING CODE 4190-29-F**