

- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rules easier to understand?

- Would more (but shorter) sections be better?

- Could we improve clarity by adding tables, lists, or diagrams?

- What else could we do to make the rules easier to understand?

Regulatory Procedures

Executive Order 12866

We have consulted with the Office of Management and Budget (OMB) and determined that these proposed rules meet the criteria for a significant regulatory action under Executive Order 12866, as amended by Executive Order 13258. Thus, they were reviewed by OMB. However, the estimated amounts of the savings or costs involved do not cross the threshold for an economically significant regulation as defined in Executive Order 12866, as amended by Executive Order 13258.

Executive Order 13132 (Federalism) and the Unfunded Mandates Reform Act of 1995

We have reviewed the proposed rules for compliance with Executive Order 13132 and the Unfunded Mandates Reform Act of 1995 (UMRA of 1995). We have determined that the proposed rules are not significant within the meaning of the UMRA of 1995 nor will they have any substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government within the meaning of Executive Order 13132.

The provision regarding restitution of misused benefit payments will not significantly impact the States. Even though the States would be responsible for the supplementary payments portion of the restitution, there should only be a small number of cases involved. There is a very small number of representative payees who are found to misuse benefit payments and of that number, misuse involving SSI payments is even smaller. The number of cases where "negligent failure" might potentially be involved

would be much smaller still. In addition, SSA will seek restitution of misused funds from the terminated representative payee and, if the restitution is obtained, the State will be reimbursed for any State supplementary payment involved.

Regulatory Flexibility Act

We certify that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis as provided in the Regulatory Flexibility Act, as amended, is not required.

Paperwork Reduction Act

These proposed rules contain reporting requirements as shown in the table below. Where the public reporting burden is accounted for in Information Collection Requests for the various forms that the public uses to submit the information to SSA, a 1-hour placeholder burden is being assigned to the specific reporting requirement(s) contained in these rules; we are seeking clearance of these burdens because they were not considered during the clearance of the forms.

CFR section	Number of respondents	Frequency of response	Average burden per response	Estimated annual burden hours
404.2011(a)(1)	250	1	15 Minutes	62.5
416.611(a)(1)			1 Hour	
404.2024(a)(2)			1 Hour	
408.624			1 Hour	
416.624(a)(2)	3,000	1	6 Minutes	300
404.2024(a)(8)			1 Hour	
408.624			1 Hour	
416.624(a)(8)			1 Hour	
404.2025	60	1	15 Minutes	15
408.625			1 Hour	
416.625	8	1	1 Hour	8
404.2040a(a)-(d)			1 Hour	
416.640a(a)-(d)	1	1	1 Hour	1
404.2040a(e)			1 Hour	
416.640a(e)	1	1	1 Hour	1
404.2065			1 Hour	
408.665	1	1	1 Hour	1
416.665			1 Hour	

An Information Collection Request has been submitted to OMB for clearance. We are soliciting comments on the burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize the burden on respondents, including the use of automated collection techniques or other forms of information technology. Comments should be submitted and/or faxed to OMB and the Social Security Administration at the following addresses/numbers:

Office of Management and Budget,
Attn: Desk Officer for SSA, New
Executive Office Building, Room 10230,
725 17th St., NW., Washington, DC
20530, Fax Number: 202-395-6974.

Social Security Administration, Attn:
SSA Reports Clearance Officer, Rm.
1338 Annex Building, 6401 Security
Boulevard, Baltimore, MD 21235-6401,
Fax Number: 410-965-6400.

Comments can be received for up to 60 days after publication of this notice and will be most useful if received by SSA within 30 days of publication. To

receive a copy of the OMB clearance package, you may call the SSA Reports Clearance Officer on 410-965-0454.

(Catalog of Federal Domestic Assistance Program Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income; 96-020, Special Benefits for Certain World War II Veterans)