



United States General Accounting Office
Washington, DC 20548

Office of the General Counsel

B-282995

June 28, 1999

The Honorable William V. Roth
Chairman
The Honorable Daniel Patrick Moynihan
Ranking Minority Member
Committee on Finance
United States Senate

The Honorable Bill Archer
Chairman
The Honorable Charles B. Rangel
Ranking Minority Member
Committee on Ways and Means
House of Representatives

Subject: Social Security Administration: Effective Date of Application for
Supplemental Security Income (SSI) Benefits

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by Social Security Administration (SSA), entitled "Effective Date of Application for Supplemental Security Income (SSI) Benefits" (RIN: 0960-AE71). We received the rule on June 10, 1999. It was published in the Federal Register as a final rule on June 15, 1999. 64 Fed. Reg. 31969.

The final rule implements section 204 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which changes the date a Social Security application is effective so that the earliest month for which benefits can be paid is the month following the month in which the application is filed. Previously, benefits were prorated for the month in which the application was filed. Also, the rule makes changes concerning emergency advance payments, interim assistance reimbursements, and in the definition of "eligible spouse."

Enclosed is our assessment of the SSA's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. Our review indicates that SSA complied with the applicable requirements.

If you have any questions about this report, please contact James W. Vickers, Assistant General Counsel, at (202) 512-8210. The official responsible for GAO evaluation work relating to the subject matter of the rule is Cindy Fagnoni, Director, Education, Workforce, and Income Security Issues. Ms. Fagnoni can be reached at (202) 512-7215.

Sincerely yours,

Robert P. Murphy
General Counsel

Enclosure

cc: Ms. Georgia E. Myers
Acting Regulations Officer
Social Security Administration

ANALYSIS UNDER 5 U.S.C. § 801(a)(1)(B)(i)-(iv) OF A MAJOR RULE
ISSUED BY THE
SOCIAL SECURITY ADMINISTRATION
ENTITLED
"EFFECTIVE DATE OF APPLICATION FOR
SUPPLEMENTAL SECURITY INCOME (SSI) BENEFITS"
(RIN: 0960-AE71)

(i) Cost-benefit analysis

Due to the final rule, it is estimated that Social Security program outlays will be reduced by \$785 million in the 6-year period covering fiscal years 1998 through 2003.

(ii) Agency actions relevant to the Regulatory Flexibility Act, 5 U.S.C. §§ 603-605, 607, and 609

The Commissioner of the SSA has certified that the final rule will not have a significant economic impact on a substantial number of small entities because the rule only affects individuals.

(iii) Agency actions relevant to sections 202-205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532-1535

The final rule does not impose any intergovernmental or private sector mandates, as defined in title II, under the Unfunded Mandates Reform Act of 1995.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 et seq.

The final rule was issued pursuant to the notice and comment provisions of 5 U.S.C. § 553. On August 10, 1998, SSA published a Notice of Proposed Rulemaking in the Federal Register. 63 Fed. Reg. 42601. No comments were received in response to the notice and the proposed rule is being published substantially unchanged as the final rule.

Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520

The final rule does not contain any information collections, which are subject to review by the Office of Management and Budget under the Paperwork Reduction Act.

Statutory authorization for the rule

The final rule is issued pursuant to the authority of and in implementation of sections 204(a), (b), and (c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193).

Executive Order No. 12866

The final rule was reviewed by the Office of Management and Budget as an “economically significant” regulatory action under the Order and found to comply with the Order’s requirements.