

SOCIAL SECURITY ADMINISTRATION (SSA)

I. Statement of Regulatory Priorities

We administer the Retirement, Survivors, and Disability Insurance programs under title II of the Social Security Act (Act), the Supplemental Security Income (SSI) program under title XVI of the Act, and the Special Veterans Benefits program under title VIII of the Act. As directed by Congress, we also assist in administering portions of the Medicare program under title XVIII of the Act. Our regulations codify the requirements for eligibility and entitlement to benefits and our procedures for administering these programs. Generally, our regulations do not impose burdens on State or local governments, except for the States' Disability Determination Services. However, our regulations can occasionally impose burdens on select parts of the private sector when evaluating a claimant's initial or continued eligibility. We fully fund the Disability Determination Services in advance or via reimbursement for necessary costs in making disability determinations.

As the Agency develops our regulations, we seek to increase participation and engagement of members of the public affected by our regulations, including in the development of our regulatory priorities. In our Regulatory Plan we detail engagement efforts that have helped to inform our priorities to date. We seek to hear from all members of the public, including those who have not typically participated in the regulatory process.

The entries in our regulatory plan represent issues of major importance to the Agency. Through our regulatory plan, we intend to:

- A. Simplify our procedures for demonstrating eligibility for waiver of recovery of overpayment debt, revise our default rate of withholding when recovering overpayment debt, and conduct a broad review of our overpayment recovery policies (RIN 0960-AI76);
- B. Revise SSI dedicated account rules so that permissible impairment-related expenses include current maintenance, such as costs incurred in obtaining food, shelter, clothing, medical care, and personal comfort items (RIN 0960-AI92);
- C. Implement the Commissioner's access to and use of wage and employment information held by

payroll data providers to help administer the title II Social Security Disability Insurance (SSDI) and SSI programs and prevent improper payments (RIN 0960-AH88).

II. Regulations in the Proposed Rule Stage

Our proposed regulations would codify simplifications to procedures for demonstrating eligibility for waiver of recovery overpayment debt; make conforming revisions to align with subregulatory changes that went into effect in March 2024 to explain our default rate of withholding; and review our overpayment policies to reduce burden on our customers, including those in underserved, vulnerable, or marginalized communities. This proposal reflects feedback we received from advocacy groups representing claimants and beneficiaries by correspondences, meetings, and listening sessions conducted under the authority of Executive Order (E.O.) 12866. Advocacy partner feedback was critical in our pursuing new overpayment policies. For example, as a part of our commitments to DOJ's Legal Aid Interagency Roundtable initiative, we hosted a listening session with legal aid organizations in the summer of 2023 wherein stakeholders identified numerous challenges associated with navigating overpayment recovery processes (RIN 0960-AI76).

Additionally, our proposed regulations would revise our SSI dedicated account rules so that permissible impairment-related expenses include current maintenance, such as costs incurred in obtaining food, shelter, clothing, medical care, and personal comfort items. This proposal would simplify our policies and reduce burdens on SSI recipients' families and SSA staff. The development of this proposal was informed by the Executive Order 12866 meetings and correspondences with advocacy groups representing claimants and beneficiaries. For example, during a Social Security Advisory Board-hosted roundtable, multiple stakeholders identified the complexity of the rules associated with using funds from dedicated accounts as hindering their ability to support disabled children (RIN 0960-AI92).

III. Regulations in the Final Rule Stage

Our regulation will prescribe procedures for implementing the access to and use of the information held by payroll data providers. We expect this final rule will support proper use of information

exchanges with payroll data providers. Such exchanges will help us administer our programs more efficiently and prevent improper payments under titles II and XVI of the Act, which can otherwise occur when we do not receive timely and accurate wage and employment information (RIN 0960-AH88).