

APPENDIX B.—OPTION CONTRACTS PERMITTED TO BE OFFERED OR SOLD IN THE U.S. PURSUANT TO § 30.3(a)

Exchange	Type of contract	FR date and citation
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Singapore International Monetary Exchange Limited.	Option Contracts on the Nikkei 300 Stock Index Futures Contract.	199____; ____ FR ____
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Issued in Washington, D.C. on January 16, 1996.
 Jean A. Webb,
Secretary to the Commission.
 [FR Doc. 96-754 Filed 1-22-96; 8:45 am]
 BILLING CODE 6351-01-M

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 416

[Regulations No. 16]

RIN 0960-AD36

Supplemental Security Income for the Aged, Blind, and Disabled; Income and Resources; Victims' Compensation Payments and Relocation Assistance Exclusions

AGENCY: Social Security Administration.

ACTION: Final rules.

SUMMARY: These final rules exclude from income and resources under the supplemental security income (SSI) program, payments received by an individual (or spouse) from a fund established by a State to aid victims of crime and certain relocation assistance received from a State or local government.

EFFECTIVE DATE: These rules will become effective February 22, 1996.

FOR FURTHER INFORMATION CONTACT: Harry J. Short, Legal Assistant, 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-6243.

SUPPLEMENTARY INFORMATION: Section 1612(b) of the Social Security Act (the Act), as amended by sections 5031 and 5035 of Pub. L. 101-508, effective May 1, 1991, excludes from income under the SSI program payments received by an individual (or spouse) from a fund established by a State to aid victims of crime, and relocation assistance provided by a State or local government which is comparable to assistance provided under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Sections 5031 and 5035 also amended section 1613(a) of the Act to exclude these payments and assistance from

resources for a period of 9 months beginning with the month following the month in which they are received. However, with respect to victims' compensation payments under section 5031, the resource exclusion applies to the extent that the payments were made as compensation for expenses incurred or losses suffered as a result of a crime. In addition, section 5031 amended section 1631(a) of the Act to provide that benefits under title XVI shall not be denied to any individual solely by reason of the refusal of the individual to accept an amount offered as compensation for a crime of which the individual was a victim. Section 13732 of Public Law 103-66 (the Omnibus Budget Reconciliation Act of 1993) amended section 5035 of Pub. L. 101-508 by making permanent the exclusion of relocation assistance which originally was set to expire on April 30, 1994.

These final regulations amend §§ 416.210(b), 416.1124, and 416.1210 and create new §§ 416.1229 and 416.1239 to reflect these statutory changes. These final regulations also amend § 416.1161 to apply these same income exclusions when victims' compensation payments and State and local government relocation assistance are received by the ineligible spouse or ineligible parent of an eligible individual or child in order that the deeming rules not reduce the SSI payment of, or render ineligible, the individual or child. The amendments to § 416.1210 result in the application of the resource exclusions to these deemors. Not to apply the exclusions in such cases could thwart the Congressional intent underlying sections 5031 and 5035 that State victims' compensation payments and relocation assistance not be treated as income and resources and thus not adversely affect SSI eligibility. For this same reason, the resource exclusions also apply to victims' compensation payments and relocation assistance received by an alien's sponsor whose resources are deemed to an eligible alien. Under section 1621(b)(1) of the Act, income exclusions are not applicable in determining the amount of a sponsor's income that will be deemed

to an alien. Therefore, the income exclusions for victims' compensation payments and relocation assistance do not apply to such payments received by a sponsor whose income is deemed to an alien. Section 416.1204 is updated to reflect the inclusion of the resource exclusion for victims' compensation payments and relocation assistance as well as the other resource exclusions applicable to the resources of a sponsor.

These rules were published in a Notice of Proposed Rulemaking on August 26, 1994 (59 FR 44093). A 60-day comment period was provided. We did not receive any public comments. We are, therefore, adopting as final the rules essentially as proposed.

Regulatory Procedures

Executive Order 12866

We have consulted with the Office of Management and Budget and determined that these rules do not meet the criteria for a significant regulatory action under Executive Order 12866.

Regulatory Flexibility Act

We certify that these rules will not have a significant economic impact on a substantial number of small entities since these rules affect only individuals. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act

These regulations will impose no additional reporting and recordkeeping requirements subject to Office of Management and Budget clearance.

(Catalog of Federal Domestic Assistance: Program No. 96.006-Supplemental Security Income.)

List of Subjects in 20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI), Reporting and Recordkeeping Requirements.

Approved: December 20, 1995.
 Shirley S. Chater,
Commissioner of Social Security.

For the reasons set out in the preamble, part 416 of chapter III of title 20 of the Code of Federal Regulations is amended as follows:

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart B—[Amended]

1. The authority citation for subpart B of part 416 is revised to read as follows:

Authority: Secs. 702(a)(5), 1110(b), 1602, 1611, 1614, 1615(c), 1619(a), 1631, and 1634 of the Social Security Act (42 U.S.C. 902(a)(5), 1310(b), 1381a, 1382, 1382c, 1382d(c), 1382h(a), 1383, and 1383c); secs. 211 and 212, Pub. L. 93-66, 87 Stat. 154 and 155 (42 U.S.C. 1382 note); sec. 502(a), Pub. L. 94-241, 90 Stat. 268 (48 U.S.C. 1681 note); sec. 2, Pub. L. 99-643, 100 Stat. 3574 (42 U.S.C. 1382h note).

2. Section 416.210 is amended by revising paragraph (b) to read as follows:

§ 416.210 You do not apply for other benefits.

* * * * *

(b) *What "other benefits" includes.* "Other benefits" includes any payments for which you can apply that are available to you on an ongoing or one-time basis of a type that includes annuities, pensions, retirement benefits, or disability benefits. For example, "other benefits" includes veterans' compensation and pensions, workers' compensation payments, Social Security insurance benefits and unemployment insurance benefits. "Other benefits" for which you are required to apply do not include payments that you may be eligible to receive from a fund established by a State to aid victims of crime. (See § 416.1124(c)(17).)

* * * * *

Subpart K—[Amended]

3. The authority citation for Subpart K of Part 416 is revised to read as follows:

Authority: Secs. 702(a)(5), 1602, 1611, 1612, 1613, 1614(f), 1621, and 1631 of the Social Security Act (42 U.S.C. 902(a)(5), 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j, and 1383); sec. 211, Pub. L. 93-66, 87 Stat. 154 (42 U.S.C. 1382 note).

4. Section 416.1124 is amended by replacing the periods after paragraphs (c)(9) and (c)(16) with semicolons, by removing "and" from the end of (c)(15), and by adding new paragraphs (c)(17) and (c)(18) to read as follows:

§ 416.1124 Unearned income we do not count.

* * * * *

(c) * * *

(17) Payments received by you from a fund established by a State to aid victims of crime; and

(18) Relocation assistance provided you by a State or local government that is comparable to assistance provided under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 that is subject to the treatment required by section 216 of that Act.

5. Section 416.1161 is amended by replacing the period after paragraph (a)(20) with a semicolon, and by adding new paragraphs (a)(21) and (a)(22) to read as follows:

§ 416.1161 Income of an ineligible spouse, ineligible parent, and essential person for deeming purposes.

* * * * *

(a) * * *

(21) Payments from a fund established by a State to aid victims of crime (see § 416.1124(c)(17)); and

(22) Relocation assistance, as described in § 416.1124(c)(18).

Subpart L—[Amended]

6. The authority citation for subpart L of part 416 is revised to read as follows:

Authority: Secs. 702(a)(5), 1602, 1611, 1612, 1613, 1614(f), 1621, and 1631 of the Social Security Act (42 U.S.C. 902(a)(5), 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j, and 1383); sec. 211, Pub. L. 93-66, 87 Stat. 154 (42 U.S.C. 1382 note).

7. Section 416.1204 is amended by revising paragraph (a) to read as follows:

§ 416.1204 Deeming of resources of the sponsor of an alien.

* * * * *

(a) *Exclusions from the sponsor's resources.* Before we deem a sponsor's resources to an alien, we exclude the same kinds of resources that are excluded from the resources of an individual eligible for SSI benefits. The applicable exclusions from resources are explained in § 416.1210 (paragraphs (a) through (i), (k), and (m) through (q)) through § 416.1239. For resources excluded by Federal statutes other than the Social Security Act, as applicable to the resources of sponsors deemed to aliens, see the appendix to subpart K of part 416. We next allocate for the sponsor or for the sponsor and spouse (if living together). (The amount of the allocation is the applicable resource limit described in § 416.1205 for an eligible individual and an individual and spouse.)

* * * * *

8. Section 416.1210 is amended by removing "and" from the end of paragraph (n), by replacing the period at the end of paragraph (o) with a semicolon, and by adding new paragraphs (p) and (q) to read as follows:

§ 416.1210 Exclusions from resources; general.

* * * * *

(p) Payments received as compensation for expenses incurred or losses suffered as a result of a crime as provided in § 416.1229; and

(q) Relocation assistance from a State or local government as provided in § 416.1239.

9. A new § 416.1229 is added to read as follows:

§ 416.1229 Exclusion of payments received as compensation for expenses incurred or losses suffered as a result of a crime.

(a) In determining the resources of an individual (and spouse, if any), any amount received from a fund established by a State to aid victims of crime is excluded from resources for a period of 9 months beginning with the month following the month of receipt.

(b) To be excluded from resources under this section, the individual (or spouse) must demonstrate that any amount received was compensation for expenses incurred or losses suffered as the result of a crime.

10. A new § 416.1239 is added to read as follows:

§ 416.1239 Exclusion of State or local relocation assistance payments.

In determining the resources of an individual (or spouse, if any), relocation assistance provided by a State or local government (as described in § 416.1124(c)(18)) is excluded from resources for a period of 9 months beginning with the month following the month of receipt.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 95F-0169]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.