

Ruling 82-52,¹ which explains how SSA applies the 12-month statutory duration requirement when a claimant returns to work within 12 months of the alleged disability onset date,² was inconsistent with the meaning of those sections of the Act.

On December 18, 2000, the United States Court of Appeals for the Fourth Circuit issued a decision in *Walton v. Apfel*, 235 F.3d 184 (4th Cir. 2000), joining these four other circuits by holding, among other things, that the claimant who returned to work within 12 months of the alleged date of disability onset and prior to adjudication of his claim was entitled to disability benefits and a 9-month trial work period under the clear language of the governing statute.

On March 27, 2002, the United States Supreme Court reversed the Fourth Circuit's decision, and held that SSA's trial work period regulation and its interpretation of the 12-month duration requirement was lawful under the Act. *Barnhart v. Walton*, ___ U.S. ___, 122 S. Ct. 1265 (2002). The Court stated that "the Agency's regulation seems a reasonable, hence permissible, interpretation of the statute. * * * The statute's complexity, the vast number of claims it engenders, and the consequent need for agency expertise and administrative experience lead us to read the statute as delegating to the Agency considerable authority to fill in, through interpretation, matters of detail related to its administration. The interpretation at issue here is such a matter. The statute's language is ambiguous. And the Agency's interpretation is reasonable. We conclude that the Agency's regulation is lawful." *Id.* at 1273-1274 (citation omitted).

Because, in *Walton*, the Supreme Court also overruled the circuit court holdings in *McDonald, Walker, Newton*, and *Salamalekis* by upholding SSA's regulations clarifying and explaining the policy interpretation that was the subject of the holdings in those cases, we are rescinding ARs 88-3(7), 92-6(10), 98-1(8) and 00-5(6).

(Catalog of Federal Domestic Assistance, Program Nos. 96.001 Social Security—Disability Insurance; 96.002 Social Security—Retirement Insurance;

¹ Social Security Ruling (SSR) 91-7c superseded SSR 82-52, but only to the extent that SSR 82-52 discussed former procedures used to determine disability in children. The issue in these ARs did not relate to those former procedures and the cited policy statement in SSR 82-52 remained in effect.

² Final rules clarifying and providing a more detailed explanation and justification for the longstanding policy in SSR 82-52 became effective on August 10, 2000 (65 FR 42772).

96.004 Social Security—Survivors Insurance; 96.006—Supplemental Security Income.)

Dated: June 4, 2002.

Jo Anne B. Barnhart,
Commissioner of Social Security.

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DEPARTMENT OF STATE

[Public Notice 4046]

Culturally Significant Object Imported for Exhibition Determinations:
"Genesis: Ideas of Origin in African Sculpture"

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, I hereby determine that the objects to be included in the exhibition "Genesis: Ideas of Origin in African Sculpture," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owners. I also determine that the exhibition or display of the exhibit objects at The Metropolitan Museum of Art, New York, NY from on or about November 18, 2002 to on or about April 13, 2003, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, Department of State, (telephone: 202/619-6981). The address is Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: June 3, 2002.

Patricia S. Harrison,

Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. 02-14531 Filed 6-7-02; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 4045]

Culturally Significant Object Imported for Exhibition Determinations:
"Glimpses of the Silk Road: Central Asia in the First Millennium A.D."

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to

Dated: June 3, 2002.

Patricia S. Harrison,

Assistant Secretary for Educational and Cultural Affairs, Department of State.

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