

**Supporting Statement for
Representative Payment Regulation
20 CFR 404.2011, 404.2025, 416.611 & 416.625
OMB No. 0960-0679**

A. Justification

1. *Sections 205 (j)(1)(D), and (3)(A); Sections 702(a)(5); 1631(a)(2)(B)(viii) and (C)(1); and Section 807 of the Social Security Act (the Act), along with 20 CFR 404.2011, 404.2025, 416.611 and 416.625 of the Code of Federal Regulations, and Section 251(a), Subsection 807 of Public Law 106-169, provide that benefits can be certified to a representative payee (a relative, another person or an organization interested in or concerned about the welfare of the beneficiary), when the Social Security Administration (SSA) determines that it is not in a beneficiary's best interest to receive benefits directly. Regulations 20 CFR 404.2011 and 416.611 allow beneficiaries to dispute SSA's finding of substantial harm. Regulations 20 CFR 404.2025 and 416.625 provide a process to follow up with the representative payee to verify payee performance.*
2. SSA uses information provided by the beneficiary to reevaluate the finding of substantial harm. SSA may ask about a continuing relationship, continuing responsibility for the beneficiary, and how payments were used anytime after the selection of a payee.
3. The information is not collected through forms. The information could be provided to SSA during a phone conversation or when we recontact a representative payee for allegations of misuse, or during our expanded monitoring program site visits.
4. The nature of the information being requested and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection does not have a significant impact on a substantial number of small businesses or other small entities.
6. While there are very few instances where our finding of substantial harm is disputed, were this information not collected, the payees would not be given the right to dispute it. Also, we would be putting the beneficiary at risk if we did not monitor the payee. Therefore, the information could not be collected less frequently. There are no technical or other legal obstacles which prevent burden reduction.

7. There are no special circumstances that would cause this information collection to be conducted in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on May 26, 2006 at 71 FR 30464, and SSA has received no public comments. The second Notice was published on July 31, 2006, at 71 FR 43270. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information requested is protected and held confidential in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974) and OMB Circular No. A-130.
11. The information collection does not contain any questions of a sensitive nature.
12. The following estimated burden is reflected as burden hours, and no separate cost burden has been calculated.

CFR Section	Number of Respondents	Frequency of Response	Average Burden Per Response	Estimated Annual Burden Hours
404.2011(a) (1) 416.611(a) (1)	250	1	15 Minutes	63
404.2025 416.625	3,000	1	6 Minutes	300
Totals	3,250			363

13. There is no known cost burden to respondents.
14. The annual cost to the Federal Government is approximately \$50,733. This estimate is a projection of the costs for processing the information. Substantial harm is estimated to be ½ hour for the Claims Representative (CR) at \$31.23 (including benefits) an hour (\$15.61 per ½ hour) for 250 responses which comes to \$3,903. The second estimate, providing a process to follow-up with RPs to verify performance is estimated as an average of ½ hour for the CR to collect and process the information at \$31.23 (including benefits) an hour (\$15.61 per ½ hour) for 3,000 responses = \$46, 830.
15. The reduction in annual burden hours for this collection is the result of the regulation citations that were cleared previously under this OMB number are now cleared under the various OMB approved ICRs for the forms to

which they pertain. The burden for those regulations is accounted for in the clearance packages for those forms.

16. The results of the information collection will not be published.
17. SSA is not requesting an exemption to display the OMB expiration date.
18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.