

**Supporting Statement for Form SSA-L4163**  
**Agency/Employer Government Pension Offset Questionnaire**  
**20 CFR 404.408(a)**  
**OMB No. 0960-0470**

**A. Justification**

1. *Sections 202(b), (c), (e), (f) and (g) of the Social Security Act and section 20 CFR 404.408(a) of the Code of Federal Regulations* mandate that if an individual is concurrently receiving spousal or surviving spousal benefits and a Government pension (based on the individual's own earnings while in the Federal or State Government service), the individual may have the amount of his or her Social Security benefits reduced by the Government pension amount. This is known as the Government Pension Offset (GPO). The sections cited above discuss the regulations pertaining to this law. Additionally, *20 CFR 404.408(a)* discusses the exceptions to this rule. When an individual does not have the information necessary to accurately compute the GPO, and when the pension-paying government agency has not provided the individual with this data, an information collection tool is needed by the Social Security Administration (SSA) to determine if the GPO applies and if so, what the amount of the GPO should be. The SSA-L4163 is used for this purpose.
2. The basic Social Security application forms contain a lead question that asks whether an individual is qualified or will qualify to receive a Government pension. If the answer is "yes," the individual is asked to provide pension eligibility information. If the individual is unable to provide the information and is experiencing difficulty obtaining the information from the pension-paying government agency, SSA will request direct assistance from the agency by using the SSA-L4163. Information collected by this letter is used to provide data about receipt of the Government pension. This information is then used to determine whether the individual's Social Security benefit will be reduced, by how much and the effective date, or to determine whether an exception to the GPO applies. Respondents are Federal and State Government agencies which have information needed by SSA to determine if the GPO applies and the amount of offset.
3. Form SSA-L4163 is not currently scheduled for electronic implementation due to the agency's limited resources and its low volume of usage. Also, since this is an agency-initiated collection that is only used on occasion when necessary, it is on the low priority list for electronic conversion.
4. The nature of the information being collected 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 impact small businesses or other small entities.
6. If the SSA-L4163 were not used, SSA would be unable to determine the GPO for individuals whose pension-paying agencies did not provide them with the necessary requested information. This could result in an overpayment or underpayment of Social Security benefits to the individual, since the GPO could not be correctly computed. Since this letter is only used when this situation occurs, the information cannot be collected less frequently. There are no technical or legal obstacles that 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 9, 2007 at 72 FR 26443, and SSA has received no public comments. The second Notice was published on August 7, 2007 at 72 FR 44211. 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 on this form 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. This information collection does not contain any questions of a sensitive nature.
12. Form SSA-L4163 is used by approximately 1,000 respondents annually. The estimated average response time is 3 minutes, for a total of 50 burden hours. The total burden is reflected as burden hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$231,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes in the public reporting burden.
16. The results of the information collected will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of

public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms, (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.

18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.9(b)(3).

**B. Collections of Information Employing Statistical Methods**

Statistical methods are not used for this information collection.