

**SUPPORTING STATEMENT FOR FORM SSA-8060-U3
AGREEMENT TO SELL PROPERTY**

20 CFR 416.1240, 416.1242, 416.1244, and 416.1245

OMB No. 0960-0127

A. Justification

1. Section 1613(b) of the *Social Security Act* and sections 20 CFR 416.1240, 416.1242, and 416.1244-.1245 of the *Code of Federal Regulations* dictate that when applicants for Security Income (SSI) payments meet all other eligibility requirements, but they own non-liquid resources in excess of the statutory limit, these applicants may receive conditional SSI payments if they agree to dispose of the excess resources and repay any overpayments with the proceeds of the sale. SSI applicants need a form to document the resources they plan to sell, and SSA uses Form SSA-8060, the Agreement to Sell Property, for this purpose.
2. SSA uses Form SSA-8060-U3 to document an agreement between SSA and SSI applicants who are otherwise eligible for SSI payments except for their ownership of non-liquid resources in excess of the statutory limit. In this agreement, the applicants list and describe the excess resources they plan to sell within a proscribed period. If SSA accepts this agreement, it will give the applicants conditional benefit payments, with the understanding that applicants will 1) notify SSA when they sell the excess resources and 2) pay back possible overpayments from the proceeds of the resources' sale.
3. Because of the relatively low number of respondents, SSA has not created an electronic version of this form under the Government Paperwork Elimination Act plan.
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 affect small businesses or other small entities.
6. SSA would be unable to give conditional SSI payments to otherwise eligible and potentially needy applicants if we did not collect this information. Because the information SSA collects the information only once, it cannot collect the information less frequently.

There are no technical or legal obstacles to burden reduction.

7. SSA is compliant with 5 CFR 1320.5.

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8. SSA published the 60-day advance Federal Register Notice on January 7, 2008 at 73 FR 1253. The public did not submit any comments in response to this Notice. We published the 30-day Federal Register Notice on February 29, 2008, at 73 FR 11185. If we receive any comments in response to the 30-day Notice, we will forward them to OMB.

SSA has not consulted with the public about this form.
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. Approximately 20,000 respondents use Form SSA-8060 annually. The average response time is 10 minutes, for a total of 3,333 burden hours. We have not calculated a separate cost burden since the total burden is only hours.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$30,800. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are changes in the public reporting burden.
16. SSA will not publish the results of this information collection.
17. OMB has granted SSA an exemption from the requirement to print the expiration date on its public use forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB clearance. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). OMB granted this exemption so that otherwise useable editions of forms are not wasted, 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 1320.8(b)(3).

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

SSA does not use statistical methods for this collection.