

Supporting Statement for Form SSA-612
Report of New Information in Disability Cases
(20 CFR 404.408, 404.460, 404.468 and 404.1588)
OMB # 0960-0071

A. **Justification**

1. The authority for collecting the information requested on Form SSA-612, Report of New Information in Disability Cases, is contained in *Sections 205(a) and 205(b) (1), Title II of the Social Security Act (the Act)*, which provides that the Commissioner of Social Security may establish rules and regulations regarding evidence necessary to establish the right to monthly Social Security benefit payments to disabled individuals. *Section 202(t) of the Act and 20 CFR 404.460 of the Code of Federal Regulations* provide for non-payment of benefits to aliens outside of the United States for more than 30 days. *Section 202(x)(1) of the Act and 20 CFR 404.468* provide that SSA will suspend benefit payment to a person confined to a penal institution for conviction of a felony. *Section 224 of the Act* provides that SSA will reduce the disability benefit payment if the number holder receives workers compensation or another public disability benefit. *20 CFR 404.408* provides for an adjustment in the benefit amount based on such a reduction. *Section 225 of the Act* provides that if information shows that an individual may no longer be disabled, the Commissioner may suspend the payments of disability benefits until it is determined if the individual's disability has ceased. The procedures and policies for implementing *Section 225 of the Act* are set forth in *20 CFR 404.1588*. This section requires that the beneficiary notify SSA of an improvement in condition, work activity or an increase in the amount of work activity or earnings.
2. SSA must ensure that benefits paid to beneficiaries are correct. Therefore, it is essential that beneficiaries notify SSA of any information that may affect their continuing entitlement to disability benefits. SSA furnishes beneficiaries a Form SSA-612 to facilitate and encourage timely reporting of such events. The form is completed and returned to SSA only in the event of a change in the beneficiary's circumstances. When recipients report changes on the form, SSA updates its records, investigates any reported work activity or improvement in the beneficiary's condition and makes necessary payment changes. Timely reporting using the SSA-612 helps to avoid overpayments.
3. Information technology, which would reduce the burden, is not available. When recipients telephone in to report any changes on the form, SSA enters the information in its Modernized Claims System (MCS), using multiple post entitlement screens. SSA does not track the number of reports collected through MCS; therefore, we cannot provide a percentage

for electronic collection of information. SSA has not scheduled this form for electronic submission due to low volume usage and higher priority forms taking precedence.

4. The nature of the information SSA is collecting and the manner in which we are collecting it 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 an impact on any small businesses or other small entities.
6. Beneficiaries must provide notification of any change in their circumstances by submitting the Form SSA-612. If SSA did not collect this information, we could not ensure correct benefit payments. The changes in a beneficiary's circumstances may cause SSA to adjust a payment, or suspend entitlement to disability benefits altogether. If these events occur and SSA collects this information less frequently, overpayments may occur. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause SSA to collect this information in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice published on December 02, 2008, at 73 FR 73377, and SSA received no public comments. The second Notice published on, February 17, 2009, at 74 FR 7509. There have been no outside consultations with members of the public. *The first Federal Register Notice shows incorrect burden information for the SSA-612. We have corrected for this in the second Notice, in #12 below and on ROCIS. The first Federal Register Notice lists this ICR as an extension: however, as we are revising the Privacy Act Statement, SSA is not listing this ICR as a revision.*
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 27,000 respondents use form SSA-612 annually. The estimated average response time is 5 minutes, for a total of 2,250 burden hours. The total burden represents burden, and SSA did not calculate a separate cost burden.

13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$41,580. 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. SSA will not publish the results of the information collection.
17. OMB exempted SSA from publishing the expiration date for OMB approval on its 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). OMB granted this exemption so that SSA would not have to stop using otherwise useable editions of forms with outdated expiration dates. In addition, we avoid government waste because we do not have to destroy and reprint stocks of forms.
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 information collection.