

**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 (CFR), and Section 251(a), Subsection 807 of Public Law 106-169, provide that the Social Security Administration (SSA) can certify benefits directly to a representative payee (a relative, another person or an organization interested in or concerned about the welfare of the beneficiary), when we determine 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 re-evaluate the finding of substantial harm. SSA may ask the representative payee about their continuing relationship and responsibility for their beneficiary, and how the payee used beneficiary's payments.
3. Not all of the information is collected through forms. SSA may obtain the information during a phone conversation with the beneficiary, when we recontact a representative payee for allegations of misuse, or during an expanded monitoring program site visit.
4. The nature of the information SSA is requesting and the manner in which we are collecting it preclude duplication. Although there are other collection instruments covered under the CFR sections cited above (SSA-637 and SSA-639 {OMB Number 0960-0633} and SSA-11-BK {OMB Number 0960-0014}), these collection instruments do not collect information similar to that collected here.
5. This collection has no impact on small businesses or other small entities.
6. There are very few instances where a beneficiary disputes our finding of substantial harm. However, if we did not collect this information, we would be unable to afford the beneficiary their right to dispute our finding. Further, recontact with a representative payee after selection may be necessary to ensure the beneficiary is not at risk. Therefore, we cannot collect the information less frequently. There are no technical or other legal obstacles which prevent burden reduction.

7. There are no special circumstances that would cause SSA to collect this information in a manner inconsistent with 5 CFR 1320.5.
8. SSA published the 60-day advance Federal Register Notice on May 20, 2009 at 74 FR 23764, and SSA has received no public comments. We published the second Notice on July 27, 2009 at 74 FR 37081. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information we are requesting 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 reflects burden hours, and we did not calculate a separate cost burden.

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 collecting and processing 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 clearance. 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.