

Supporting Statement for Form SSA-6233
Representative Payee Report of Benefits and Dedicated Account
20 CFR 416.546, 416.635, 416.640, 416.665
OMB No. 0960-0576

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1631(a) of the Social Security Act as well as 20 CFR 416.546 and 416.640 of the Code of Federal Regulations provide that representative payees establish and maintain in a financial institution a separate (i.e., “dedicated”) account when a blind/disabled child under age 18 is eligible for certain past-due Supplemental Security Income (SSI) monthly payments on or after August 23, 1996. Certain subsequent past-due benefits and underpayments may also be deposited into the dedicated account at the option of the payee. The use of funds from the account is restricted to specific purchases. Representative payees with dedicated accounts must report annually on the activity of funds in the account to ensure deposits and expenditures comply with the law. This reporting requirement remains in effect until the account is depleted, or until eligibility for benefits terminates.

Representative payees required to establish and maintain dedicated accounts on behalf of SSI beneficiaries are required under existing regulations *20 CFR 416.635 and 416.665* to submit an annual accounting on the use of benefits to ensure the beneficiary’s current maintenance and personal needs are being met. SSA uses form SSA-6233, Representative Payee Report of Benefits and Dedicated Account, to collect this information as well in order to reduce the burden on the representative payees who would otherwise need to complete two monitoring reports. The nature of payees can vary from individuals, State or local government agencies, businesses, non-profit organizations, or even farms.

SSA uses the information on form SSA-6233 to collect information from anyone who is a representative payee for a beneficiary, and who is required by law to establish a dedicated account.

2. Description of Collection

SSA requires representative payees (RPs) to submit a written report accounting for the use of money paid to Social Security and/ or Supplemental Security Income (SSI) recipients, and to establish and maintain a dedicated account for these payments. SSA uses Form SSA-6233 to ensure that the RPs are using the benefits received for the recipient’s current maintenance and personal needs, and the expenditures of funds from the dedicated account are in compliance with the law. This collection is mandatory of representative payees by law and court order. Respondents are representative payees for SSI recipients.

3. Use of Information Technology to Collect the Information

Presently, SSA lacks the capability to collect this information electronically. That is, there is neither a fully functional, interactive version of the SSA-6233 for representative payees to use when responding to reporting requests, nor a means for SSA to electronically receive, process and review electronic responses, if they existed. Recently, however, the Office of Systems received funding to begin an extensive redesign of the payee accounting process. SSA expects the redesign to take several years to complete, a portion of it *will* address online representative payee reporting.

At this time, Systems is working on other priorities within the project and there is no projected timeframe for the implementation of electronic, online payee reporting. When the Office of Systems in this redesign, addresses online reporting, it is expected that the payee report forms, which have a higher volume use – the SSA-623, SSA-6230, and SSA-6234 –, will be the first forms to be made available online. An electronic version is not available, due to higher volume forms taking precedence

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. Minimizing Burden on Small Respondents

This collection does affect small businesses or other small entities. However, if we did not impose the burden we would be unable to obtain annual representative payee reporting from those small businesses or entities, which serve as payees for Social Security recipients. The collection of information could have an impact on small businesses serving as representative payees. However, we have minimized the burden by incorporating YES and NO responses where feasible.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

Through the SSA-6233 monitoring process, any unauthorized expenditures made knowingly by the payee constitutes “misapplication” of funds and are recoverable from the payee on a dollar-for-dollar basis. The statute requires the collection of information annually; therefore, not collecting the information is against the law. In addition, since SSA collects this information annually, we cannot collect it less frequently. There are no technical or legal obstacles that prevent burden reduction.

7. Special Circumstances

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

8. Solicitation of Public Comment and Other Consultations with the Public

SSA published the 60-day advance Federal Register Notice published on September 02, 2009, at 74 FR 44508, and we received no public comments. The second Notice

published on November 17, 2009, at 74 FR 59336. SSA did not consult members of the public in the development of this form.

9. **Payment or Gifts to Respondents**
SSA does not provide payments or gifts to the respondents.
10. **Assurances of Confidentiality**
SSA protects and holds confidential the information it collects 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. **Justification for Sensitive Questions**
The information collection does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden**
Approximately 30,000 respondents take 20 minutes to complete form SSA-6233 each year. Accordingly, the burden is 10,000 hours. This figure represents burden hours, and we did not calculate a separate cost burden.
13. **Annual Cost to the Respondents (Other)**
There is no known cost burden to respondents.
14. **Annual Cost to Federal Government**
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, for collecting the information,
15. **Program Changes or Adjustments to the Information Collection Request**
There are no changes in the public reporting burden.
16. **Plans for Publication Information Collection Results**
SSA will not publish the results of the information collection.
17. **Displaying the OMB Approval Expiration Date**
OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.
18. **Exceptions to Certification Statement**
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.