

**Supporting Statement for Forms SSA-637 and SSA-639**  
**Site Review Questionnaire for Volume and Fee-for-Service Payees, and Beneficiary**  
**Interview Form**  
**20 CFR 404.2035, 404.2065, 416.665, 416.701, and 416.708**  
**OMB No. 0960-0633**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

*Section 205(j)(1)(A) and section 1631(a)(2) of the Social Security Act (the Act) provide for the payment of Social Security benefits and Supplemental Security Income (SSI) to a relative, another person, or an organization when the best interest of the beneficiary will be served. 20 CFR 404.2065 and 416.665 of the Code of Federal Regulations provide for representative payees to keep records on the use of benefit payments and to submit a written report accounting for these benefits. These regulations also specify that SSA may verify, in certain situations, how a representative payee used the funds. 20 CFR 404.2035, 416.701 and 416.708 discuss the responsibilities of representative payees.*

*In March 2004, Congress passed Public Law (P.L.) 108-203. Section 102(b) of P.L. 108-203, amended sections 205(j)(6)(A) and 1631(a)(2)(G)(i) of the Act to require SSA to conduct periodic on-site (site) reviews of representative payees who meet the criteria described in sections 205(j)(6)(A)(i), 205(j)(6)(A)(ii), 205(j)(6)(A)(iii), 1631(a)(2)(G)(i)(I), 1631(a)(2)(G)(i)(II), and 1631(a)(2)(G)(i)(III) of the Act. Both the SSA-637 and SSA-639 are used to help SSA verify that representative payees are complying with their responsibilities to keep records on their use of benefit payments (20 CFR 404.2065 and 416.665) and make required reports (20 CFR 404.2035, 416.701 and 416.708). The forms are also used to help SSA fulfill its responsibility to conduct periodic on-site (site) reviews of representative payees under sections 205(j)(6)(A) and 1631(a)(2)(G)(i) of the Act.*

**2. Description of Collection**

*Due to passage of P.L. 108-203, the Social Security Protection Act, in March 2004, SSA initiated triennial site reviews for organizations serving 50 or more beneficiaries and individuals serving 15 or more beneficiaries. The reviews include a face-to-face meeting with the payee (and appropriate staff), examination/verification of a sample of beneficiary records and supporting documentation, and usually include beneficiary (if competent adult) or custodian (if different from payee) interviews.*

*SSA audits representative payees regarding their compliance to the mandated regulations using the SSA-637, Site Review Questionnaire for Volume and Fee-for-Service Payees, and the SSA-639, Beneficiary Interview Form. The SSA-637 obtains information from the payee about how the organization operates and*

carries out its representative payee responsibilities, including how it manages beneficiary funds. The SSA-639 obtains information from the beneficiaries to help corroborate the payee's statements.

As part of the process, SSA employees interview all the respondents in person. Respondents do not have help and will not need information from someone else, unless the respondent is a beneficiary who is not capable of understanding the questions or communicating. In those cases, we ask someone who knows the beneficiary and is concerned with the beneficiary's welfare to help the beneficiary. Due to the sensitivity of the information, SSA employees always complete the forms based on the answers respondents give during the interview.

This collection is mandatory for representative payees and voluntary for beneficiaries. We will not permit representative payees who do not respond to continue serving as representative payees. The respondents are individuals, State and local governments, non-profit and for-profit organizations that serve as representative payees, and the beneficiaries they serve.

**3. Use of Information Technology to Collect the Information**

This is a paper information collection available as a PDF print-only form on the SSA Intranet. Only SSA employees complete the forms during the interviews with representative payees and beneficiaries during on-site reviews. Therefore, respondents never fill out or return these forms to SSA. Also, there are only 11,342 respondents complete these forms, which is below the GPEA cut-off of 50,000 for making a form available electronically.

**4. Why We Cannot Use Duplicate Information**

Some of the information collection (e.g, questions on direct deposit of benefits) may duplicate information contained in SSA's Representative Payee System (RPS). However, the agency needs to collect current information to ensure our records are accurate and up to date, to detect representative payee fraud, and to ensure representative payees are complying with their fiduciary and reporting responsibilities for beneficiaries. The RPS system may not have the most recent information.

**5. Minimizing Burden on Small Respondents**

This collection affects small businesses or other small entities. However, if we did not impose this burden, we would be unable to verify that a small business or other small entity serving as a representative payee is complying with the fiduciary and reporting responsibilities it has agreed to perform on behalf of beneficiaries. We minimized the burden by carefully reviewing the form and ensuring that we only ask small businesses/entities to complete relevant and necessary questions. In addition, for those representative payees subject to site reviews under *sections 205(j)(6)(A) and 1631(a)(2)(G)(i) of the Act*, the information collection is triennial (i.e., once every 3 years). For other representative payees, the collection is one-time. In this way, we only request the

information when necessary.

- 6. Consequence of Not Collecting Information or Collecting it Less Frequently**  
Congress shows continued interest in the site review program. SSA must provide Congress with both quarterly status reports and an annual report on our progress in increasing the oversight of organizational payees and improving the monitoring process, including the number of site reviews conducted, relevant findings, and corrective actions. Therefore, we cannot discontinue our collection of the information, or collect it less frequently, due to Congressional interest and SSA's responsibility to protect vulnerable beneficiaries. There are no technical or legal obstacles to 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**  
The 60-day advance Federal Register Notice published on December 8, 2009 at 74 FR 64801, and SSA has received no public comments. The second Notice published on March 4, 2010, at 75 FR 9992. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. There have been no outside consultations with members of the public.
- 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**  
We estimate that we will use the Site Review Questionnaire for Volume and Fee for Service Payees for an estimated 2,001 representative payees annually. This number equals approximately one-third of the payees who are subject to site reviews under *sections 205(j)(6)(A) and 1631(a)(2)(G)(i) of the Act*, a subset of other organizational and individual payees who we will review at random, and a subset of organizational payees who employ beneficiaries. We estimate it takes 2 hours to gather the information for the questionnaire, for a total annual burden of 4,002 hours.

After reviewing the beneficiaries' records, the review team contacts and interviews a sample of beneficiaries (or their custodians) to ensure the payee is

meeting their basic needs for food, housing, clothing, etc. The interview allows SSA to determine if the beneficiary has any unmet needs, is experiencing any problems with the payee, and to confirm receipt of any large or unusual purchases. We estimate SSA interviews 5 per each site review and 3 beneficiaries per each random review for a total of 9,341 beneficiaries annually. We estimate it takes 10 minutes for SSA to gather the information on the interview form, for a total annual burden of 1,557. The following chart shows the burden for each form:

Form Number	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Total Annual Burden (hours)
SSA-637	2,001	1	2 hours	4,002
SSA-639	9,341	1	10 minutes	1,557
<b>Totals</b>	<b>11,342</b>			<b>5,559</b>

The total burden for this ICR is 5,559 hours and we did not calculate a separate cost burden.

**13. Annual Cost to the Respondents (Other)**

This collection does not impose a known cost burden to the respondents.

**14. Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately \$221,171. This estimate is a projection of the costs for field office employees to collect the information.

**15. Program Changes or Adjustments to the Information Collection Request**

When we last cleared this IC in 2007, the burden was 4,784 hours. The increase in burden to 5,559 hours stems from a policy change attributed to Congressional interest and the SSA Commissioner’s decision in 2009 to conduct reviews of representative payees who also employ the beneficiaries they serve. The purpose of the additional reviews is to address concerns regarding potential exploitation of vulnerable employees due to the dual role of their representative payee and employer.

**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 usable 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.