

Supporting Statement for Beneficiary Recontact Report
Form SSA-1588-OCR-SM
20 CFR 404.703 and 404.705
OMB No. 0960-0502

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 202(g)(1) of the *Social Security Act* states that a surviving spouse of an individual who died and was fully or currently insured shall be entitled to mother's/father's benefits, as long as this spouse is not married and an entitled child of the deceased is in his/her care.

Section 20 CFR 404.703 of the *Code of Federal Regulations* authorizes the Commissioner of SSA to request information needed to decide whether entitlement to benefits continues. According to *20 CFR 404.705*, SSA may stop benefits if we do not receive the requested information for establishing continuing entitlement. We use Form SSA-1588-SM to collect the information needed to make this determination.

SSA mails Form SSA-1588-SM to widows and children age 17 and over in direct pay, at age 17, in their birth month in the anniversary month of their entitlement. The age 17 or older children only receive an initial request. Their benefits are not suspended or terminated for failure to return the form. However, if the widows do not return Form SSA-1588-SM to SSA, their benefits will be suspended or terminated.

2. Description of Collection

SSA must ensure that recipients of disability payments continue to be eligible for their payments. In the past, the SSA relied mainly on voluntary reports of marriage and other events that cause suspension and termination of benefits. Studies show that some beneficiaries report such events only when asked directly. This results in significant overpayments that often go without detection. Two such cases are: 1) when parents receiving disability benefits for their child marry; and 2) the removal of an entitled child from parents' care.

The purpose of the automated recontact program conducted via the SSA-1588-SM is to detect 1) unreported marriages of young children, age 17, who are in direct payment and 2) unreported marriages of children age 17 with representative payees.

SSA uses form SSA-1588-OCR-SM to ask mothers/fathers about their marital status and children in care to detect overpayments and avoid continuing payment to those are no longer entitled. The respondents are recipients of mother/father Social Security benefits.

Form SSA-1588-OCR-SM is a pre-filled form, meaning that SSA completes certain fields electronically before we send to the recipient. SSA sends Form SSA-1588-SM to widows, once a year for the first three years after entitlement, then six years after entitlement, and then nine years after entitlements. SSA employees then evaluate the information listed on the form for program compliance.

3. Use of Information Technology to Collect the Information

SSA did not create an electronic version of form SSA-1588-SM under the agency's Government Paperwork Elimination Act, because this is an agency-initiated form on which SSA has to pre-fill information before releasing these forms. Therefore, we are not able to implement this collection electronically at this time. When new technology becomes available which would allow SSA to pre-fill this information and send it to the beneficiaries, SSA will reevaluate the possibility of making this form available electronically.

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 not affect small businesses or other small entities.

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

If we did not use form SSA-1588-OCR-SM, we would not be able to confirm that representative payees are complying with their duties and responsibilities. Because we only collect the information once, we cannot collect it less frequently.

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 March 04, 2010, at 75 FR 9992, and we received no public comments. SSA published the second Notice on May 27, 2010, at 75 FR 29797. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public on the revision 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 133,400 respondents take 5 minutes each to complete form SSA-1588-OCR-SM each year. Accordingly, the burden is 11,117 hours. This figure represents burden 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 on the respondents.
- 14. Annual Cost To Federal Government**
The annual cost to the Federal Government is approximately \$250,490. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
- 15. Program Changes or Adjustments to the Information Collection Request**
There are no changes to 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).

SSA does not use statistical methods for this information collection.