

Supporting Statement for Agreement to Sell Property, SSA-8060-U3
20 CFR 416.1240 - 416.1245
OMB No. 0960-0127

A. Justification

1. Introduction/Authoring Laws and Regulations

Both 1613(b) of the *Social Security Act* and 20 CFR 416.1240-416.1245 of the *Code of Federal Regulations* allow the agency to pay benefits to applicants for Supplemental Security Income (SSI) and recipients of SSI who meet all of the requirements for payment but exceed the non-liquid resource limit. The agency makes payment on a conditional basis. The recipient of conditional benefits acknowledges the benefits are overpayments and due when the property sells. The applicant signs an agreement to sell the property within certain time limits. The Social Security Administration (SSA) documents this agreement using the Agreement to Sell Property, SSA-8060-U3.

2. Description of Collection

The agency records the intent of the applicants to sell property to qualify for conditional SSI payments. The applicants voluntarily list the property for disposition, agree to sell it within a prescribed period, and provide SSA a description of the property they want to sell. If the agency agrees to make conditional payments based on the agreement, we inform the applicants they must report when the property sells, and pay back the resulting overpayment. The applicants for conditional benefits need to bring SSA a description of the property they want to sell. The agency uses an electronic form that we print out for the applicant to sign. We then convert the paper form to an electronic document, and store it in the applicant's electronic folder. Agency field personnel complete the form and obtain the applicant's signature. Respondents are applicants for and recipients of SSI benefits who will be disposing of excess non-liquid resources.

3. Use of Information Technology to Collect the Information

As explained above in #2, SSA collects the information on Form SSA-8060-U3 through a personal interview with the applicant, after which we print the form for the applicant's signature, and then scan it back into the electronic folder. While we did not create an Internet version of this form, we do not require the public to print it or fill out any paper form.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect 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**
SSA cannot make conditional benefit payments to otherwise eligible and potentially needy applicants without the information collected from the respondent on this form SSA-8060-U3. Since we collect this information only when necessary, we cannot collect it less frequently. No technical or legal obstacles exist 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 November 12, 2010 at 75 FR 69516, and SSA received no public comments. The second Notice published on January 28, 2011 at 75 FR 5233. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. SSA did not consult members of the public in the development or maintenance 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 20,000 respondents take 10 minutes each to complete form SSA-8060-U3 each year. Accordingly, the burden is 3,333 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 cost burden on the respondents.
- 14. Annual Cost To Federal Government**
The annual cost to the Federal Government is approximately \$80,325. 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).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.