

**Supporting Statement for Forms SSA-7161-OCR-SM and SSA-7162-OCR-SM**  
**Report to United States Social Security Administration by Person**  
**Receiving Benefits for a Child or for an Adult Unable to Handle Funds;**  
**Report to United States Social Security Administration**  
**OMB No. 0960-0049**

**A. Justification**

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

Section 203(c) of the *Social Security Act* (the *Act*) requires the Commissioner of the Social Security Administration (SSA) to make benefit deductions from the following categories: (1) Entitled individuals who engage in remunerative activity outside the United States in excess of 45 hours a month and (2) beneficiaries who fail to have in their care specified entitled child beneficiaries. Section 203(g) of the *Act* states the Commissioner may impose penalty deductions on benefits of individuals who fail to make timely reports of events which are cause for deductions. Section 205(a) of the *Act* empowers the Commissioner to make rules and regulations and determine an individual's continuing eligibility for benefits. The U.S. District Court for the Western District of Oklahoma ordered the Commissioner to obtain universal, mandatory annual accountings from all representative payees (*Jordan v. Heckler, Civ-79-994-W*). Sections 205(j) and 1631(e) (1) (A) establish the requirement for the agency to set up a monitoring system for representative payees.

**2. Description of Collection**

SSA uses the information Form SSA-7161-OCR-SM and SSA-7162-OCR-SM provide to: (1) Determine continuing entitlement to Social Security benefits; (2) correct benefit amounts for beneficiaries outside the United States, and (3) monitor the performance of representative payees outside the United States. The respondents are individuals living outside the United States who are receiving benefits on their own (or for someone else) under title II of the *Act*.

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

SSA did not create an electronic version of Form SSA-7161-OCR-SM and SSA-7162-OCR-SM under the agency's Government Paperwork Elimination Act because of the high risk of potential fraud and abuse of the system within the majority of the countries where these individuals reside,

**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-7161-OCR-SM and SSA-7162-OCR-SM, we could make improper payments or overpayments. Because we only collect the information on an as needed basis, 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 April 25, 2013, at 78 FR 24461, and we received no public comments. The 30-day FRN published on June 28, 2013 at FR 39054. If we receive any comments in response to this Notice, we will forward them to OMB.

We did not consult with the public in 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**

<b>Modality of completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>
SSA-7161-OCR-SM	43,000	1	15	10,750
SSA-7162-OCR-SM	364,000	1	5	30,333
<b>Totals</b>	<b>407,000</b>			<b>41,083</b>

The total burden for this ICR is 41,083 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents**  
This collection does not impose a known cost burden to the respondents.
14. **Annual Cost to the Federal Government**  
The annual cost to the Federal Government is approximately \$41,800. 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 Collecting Request**  
There has been an increase in burden hours. The increase stems from an increase in the beneficiary population.
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.