

Supporting Statement for Form SSA-263-U2
Waiver of Supplemental Security Income Payment Continuation
20 CFR 416.1400-416.1422
OMB No. 0960-0783

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1631(a)(7) of the *Social Security Act (Act)* allows Supplemental Security Income (SSI) recipients to continue receiving SSI payments at the same rate after we notify them we will suspend, terminate, or reduce their payments, provided they file a timely appeal. When recipients appeal the cessation within ten (10) days, they can continue to receive the same payment amount until SSA decides the appeal (reconsideration). If they decide they no longer want to continue to receive SSI payment continuation during the appeal, they can file a waiver of their payment continuation. 20 CFR 416.1400-416.1422 of the *Code of Federal Regulations* sets forth the policies for implementing the pertinent sections of the *Act*.

2. Description of Collection

If SSI recipients decide they no longer want to continue receiving SSI payment continuation during their appeal, they can voluntarily file a waiver of payment continuation by completing Form SSA-263-U2, Waiver of Supplemental Security Income Payment Continuation. SSA collects the information on Form SSA-263-U2 to determine whether SSI recipients meet the provisions listed above, regarding waiver of SSI payment continuation, and as verification that they no longer want their payments to continue during this time. Recipients must use Form SSA-263-U2 when they are awaiting determinations on their appeals and wish to inform SSA of their decision to stop payment continuation. The respondents are SSI recipients who wish to discontinue receiving SSI payments while awaiting a determination on their appeal.

3. Use of Information Technology to Collect the Information

SSA did not create an electronic version of Form SSA-263-U2 under the agency's Government Paperwork Elimination Act (GPEA) plan because less than 50,000 respondents complete the form. This is less than the GPEA cut-off of 50,000.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it precludes 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 SSA did not collect information on the SSA-263-U2, SSI recipients would have no mechanism to inform SSA of their desire to discontinue receiving SSI payments, possibly causing overpayments on their records and violating the regulations cited above. Because we 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**
SSA published the 60-day advance Federal Register Notice on March 24, 2016 at 81 FR 15774, and we did not receive any public comments in response to this notice. We published the 30-day Notice on June 6, 2016 at 81 FR 36373. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the 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 3,000 respondents take 5 minutes each to complete Form SSA-263-U2 each year. Accordingly, the burden is 250 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 \$9,240. 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 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.