

**Supporting Statement for Form SSA-788**  
**Statement of Care and Responsibility for Beneficiary**  
**20 CFR 404.2020, 404.2025, 408.620, 408.625, 416.620, and 416.625**  
**OMB No. 0960-0109**

**A. Justification**

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

Sections 205(j), 807 and 1631(a)(2) of the *Social Security Act*, and 20 CFR 404.2020, 408.620 and 416.620 of the *Code of Federal Regulations (Code)* specifically state that the Social Security Administration (SSA) can appoint a representative payee on behalf of a beneficiary. We determine that a beneficiary should not receive their own benefits when they are incapable of managing them. We are responsible for finding, and appointing, the best-qualified payee, who is available and willing to serve. Evidence of an applicant's qualifications to serve as a payee is necessary to ensure payment to the proper representative. 20 CFR 404.2025, 408.625 and 416.625 of the *Code* require a potential representative payee to submit convincing evidence (obtained from the beneficiary's custodian) of the applicant's suitability to serve, if the payee applicant does not have custody of the beneficiary.

**2. Description of Collection**

SSA uses the information from Form SSA-788 to verify payee applicants' statements of concern, and to identify other potential payees. SSA is concerned with selecting the most qualified representative payee who will use Social Security benefits in the beneficiary's best interest. SSA considers factors such as the payee applicant's capacity to perform payee duties; awareness of the beneficiary's situation and needs; demonstration of past and current concern for the beneficiary's well-being, etc. If the payee applicant does not have custody of the beneficiary, SSA obtains information from the custodian for evaluation against information the applicant provides. Respondents are individuals who have custody of the beneficiary in cases where someone else filed to be the beneficiary's representative payee.

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

The SSA-788 is available as a printable and fillable PDF on our website. SSA did not create an electronic version of Form SSA-788 under the agency's Government Paperwork Elimination Act (GPEA) plan, due to the high risk of payment error, we only conduct this collection through personal interviews.

**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 we did not use Form SSA-788, we would be unable to verify the evidence the applicants provide to become a representative payee, or to fully evaluate the degree of their concerns for the beneficiary. As a result, SSA may be unable to appoint a suitable representative payee. Because we collect this 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 to be 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 May 9, 2018, at 83 FR 21328, and we received no public comments. The 30-day FRN published on July 26, 2018 at 83 FR 35526. If we receive any comments in response to this Notice, we will forward them to OMB.

**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-788	130,000	1	10	21,667

The total burden for this ICR is **21,667** hours. We based these figures on current management information data information. 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 \$400,400. This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; and (2) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time.

**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.