Supporting Statement for
Representative Payment Policies Regulation
20 CFR 404.2011, 404.2025, 416.611 & 416.625
OMB No. 0960-0679

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections *205(j)(1)(D)* and *(3)(A); 702(a)(5); 1631(a)(2)(B)(viii)* and *(C)(1);* and *807* of the *Social Security Act*, and Section *251(a),* Subsection *807* of *Public Law 106-169*, provide that the Social Security Administration (SSA) issue Title II benefits, or Title XVI payments, directly to a representative payee (i.e., a relative; another person; or an organization interested in, or concerned about, the welfare of the recipient) when we determine it is not in a recipient's best interest to receive benefits or payments directly. This Information Collection is for the *Code of Federal Regulations* citations mandating these provisions.

2. Description of Collection

Per *20 CFR 404.2011* and *416.611* of the *Code of Federal Regulations,* if SSA determines it may cause substantial harm for Title II or Title XVI recipients to receive their payments directly, recipients may dispute that decision. To do so, recipients provide SSA with information the agency uses to re-evaluate its determination. In addition, our regulations state that after SSA selects a representative payee to receive benefits on a recipient's behalf, the payees provide SSA with information on their continuing relationship and responsibility for the recipients, and explain how they use the recipients' payments. Sections *20 CFR 404.2025* and *416.625* of the *Code of Federal Regulations* provide a process to follow up with the representative payee to verify payee performance. The respondents are Title II and Title XVI recipients, and their representative payees.

3. Use of Information Technology to Collect the Information

SSA does not collect the information through forms or any other standardized information collection; therefore, we cannot create an electronic version for these regulatory requirements under the Government Paperwork Elimination Act. SSA obtains the information during face-to-face interviews; telephone conversations with the recipient when we re-contact the representative payee for allegations of misuse; or during an expanded monitoring program site visit.

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

There are very few instances where a Title II or Title XVI recipient disputes our finding of substantial harm. However, if we did not collect this information, we would be unable to afford the recipient their right to dispute our finding. Further, on occasion, we may need to re-contact a representative payee after selection to ensure the recipient is not at risk. 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

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

The following chart shows the estimates for each set of regulations (each set contains one citation from our Title II and one from our Title XVI regulations):

CFR Citation	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
404.2011(a)(1); 416.611(a)(1)	250	1	15	63
404.2025; 416.625	3,000	1	6	300
Totals	**3,250**			**363**

The total burden for this ICR is **363 hours**. We based these figures on current management information data. 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 $50,733. This estimate accounts for costs from the following areas: 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 in 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

SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

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.