

Supporting Statement for Form SSA-263
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 provided they file a timely appeal after we notify them that we will suspend, terminate, or reduce their payments. When recipients appeal the cessation within ten (10) days, they can continue to receive the same payment amount until the Social Security Administration (SSA) decides on the appeal (reconsideration). If recipients decide they no longer want to continue to receive SSI payment continuation during the appeal process, 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

SSI recipients who wish to discontinue their SSI payments while awaiting a determination on their appeal complete Form SSA-263, Waiver of Supplemental Security Income Payment Continuation, to inform SSA of this decision. SSA staff collect the information on Form SSA-263 to determine whether SSI recipients meet the provisions listed above, regarding waiver of SSI payment continuation, and as proof respondents no longer want their payments to continue. 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

The SSA-263 is only available in a fillable PDF format on SSA's Intranet for respondents to complete with the help of a field office representative (who can help them complete the form and then print it and scan it into their SSA record). SSA did not create an electronic version of Form SSA-263 under the agency's Government Paperwork Elimination Act (GPEA) plan because fewer 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 form SSA-263, 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

The 60-day advance Federal Register Notice published on May 22, 2019, at 84 FR 23623, and we received no public comments. The 30-day FRN published on August 1, 2019 at 84 FR 37704. 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

Approximately 3,000 respondents take 5 minutes each to complete Form SSA-263 annually for a total of 250 burden hours:

| Modality of Completion | Number of Respondents | Frequency of Response | Average Burden Per Response (minutes) | Estimated Total Annual Burden (hours) |
|-------------------------------|------------------------------|------------------------------|--|--|
| SSA-263 | 3,000 | 1 | 5 | 250 |

The total estimated annual burden for this collection is 250 hours. We based this figure on current management information data, and it represents burden hours. 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 \$5,525. 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 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.