

Supporting Statement for Form SSA-2032-BK
Request for Waiver of Special Veterans Benefits (SVB) Overpayment Recovery
Or Change in Repayment Rate
20 CFR 408.900–408.950
OMB Control No. 0960-0698

A. Justification

1. Introduction/Authoring Laws and Regulations

Title VIII of the Social Security Act (Act) provides for the payment of benefits to certain World War II veterans who reside outside the United States. Section 808 of the *Act* explains the recovery of overpayments under the Special Veterans Benefits (SVB) program. Section 210 of *Pub. L. 108-203 (H.R. 743)* expands the “Authority for Cross-Program Recovery of Benefit Overpayments.” Because SSA has the authority through these sections to recover the overpayment, or change a repayment rate, we use Form SSA-2032-BK, “Request for Waiver of Special Veterans Benefits Overpayment Recovery or Change in Repayment Rate.”

SSA set forth the policies for implementing the pertinent sections of the *Act* in 20 CFR 408.900 - 408.950 of the *Code of Federal Regulations*. 20 CFR 408.923(b) provides overpaid individuals with the opportunity to request a different rate of withholding from their SVB payments to recover an overpayment. 20 CFR 408.931(b) and 408.932(c), (d), and (e) provide overpaid individuals with an opportunity to request a different rate of withholding from their *Title II* benefits to recover an SVB overpayment. In addition, the individual may ask SSA to review the determination that an overpayment balance still exists and to waive collection of the balance. 20 CFR 408.941(b) and 408.942 require an overpaid individual who is subject to Federal income tax refund offset to either send SSA evidence that the overpayment is not past due, or legally enforceable, or request waiver of the overpayment.

2. Description of Collection

Title VIII of the Act requires SSA to pay a monthly benefit to qualified World War II veterans who reside outside the United States. When an SVB overpayment occurs, the beneficiary can request a waiver of recovery of the overpayment, or a change in the repayment rate, using Form SSA-2032-BK. Respondents are beneficiaries who have overpayments on their *Title VIII* record and wish to file a claim for waiver of recovery or change in repayment rate.

3. Use of Information Technology to Collect the Information

Form SSA-2032-BK is available as a print-only PDF on SSA’s website. Due to the low volume of respondents for this form, it is not a good candidate for electronic implementation. SSA anticipates that this form will be obsolete by the mid-2020s.

- 4. Why We Cannot Use Duplicate Information**
The nature of the information we collect and the manner in which we collect it preclude duplication. The SSA-632-BK (0960-0037) collects data similar to that collected here. However, the SSA-632-BK is more generic, whereas the design of the SSA-2032-BK is specific for *Title VIII* SVB overpayments, or change in repayment rate, for SVB beneficiaries. Additionally, Title II and Title XVI waiver applicants using the SSA-632-BK are required to provide authorization to Access to Financial Institutions, which is not a requirement on the SSA-2032-BK.
- 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-2032-BK, SVB beneficiaries would have no way to request a waiver of an overpayment, or a different rate of withholding to repay the overpayment. This would be a violation of regulations at *20 CFR 408.900 - 408.950*. Because we only collect the information as requested by the applicant, 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 September 16, 2019 at 84 FR 48694, and we received no public comments. SSA published the second Notice on December 3, 2019 at 84 FR 66262. If we receive comments in response to the 30-day 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

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
SSA-2032	134	1	120	268	\$7.67*	\$2,056**

* We based this figure on average SVB payments, as per SSA's data.

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

The total burden for this ICR is **268** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$2,056**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents (Other)

This collection does not impose a known cost burden to the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$8,040. 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

When we last cleared this IC in 2016, the burden was 900 hours. However, we are currently reporting a burden of 268 hours. This change stems from a decrease in the number of responses from 450 to 134. We will continue to see a decrease in the number of responses, due to the decrease in the SVB eligible population. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change.

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.