

**Supporting Statement for Methods for Conducting Personal Conferences
When Waiver of Recovery of a Title II or Title XVI Overpayment Cannot Be Approved
20 CFR 404.506, 416.557, and 422.310
OMB No. 0960-0769**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 20 *CFR* 404.506, 416.557, and 422.310 require the Social Security Administration (SSA) to recover Federal Retirement, Survivors, Disability Insurance (RSDI), Health Insurance (Medicare), or Supplemental Security Income (SSI). If SSA cannot approve the individual's waiver request after the initial review, SSA must offer respondents an opportunity to review their file and present their case at a personal conference with an SSA independent decision maker. The independent decision maker is a neutral field office employee who independently reviews the case and conducts the personal conference. A technician who participated in the initial waiver review cannot be the personal conference decision maker. SSA conducts personal conferences face-to-face in the field office, by telephone, or by video teleconference.

2. Description of Collection

Prior to the personal conference or at the time of the conference, SSA provides the opportunity for respondents to review their files which include information about their overpayment and waiver. The respondents are overpaid individuals or their representative payees who requested a waiver when a field office technician was unable to approve their waiver at the initial waiver review. SSA technicians send a letter to respondents informing them that they cannot approve their waiver request at the initial review and inform them of the right to have a personal conference. The notice informs respondents that they can provide additional documents to support their waiver request. Respondents are given a choice to conduct a personal conference. They can choose to have a one-time conference via face-to-face in the field office, by telephone, or by video call.

Respondents may submit a personal statement, provide new or updated information, or documentation related to their case during the personal conference. For instance, they may present the SSA-795, Statement of Claimant or Other Person (OMB Control No. 0960-0045); or the SSA-632, Request for Waiver of Overpayment Recovery (OMB Control No. 0960-0037). The personal conference is voluntary; however, if respondents do not attend the conference, SSA makes a final waiver determination based on the available information in their record. When SSA makes the final determination on the waiver request, SSA adjusts the respondent's benefit payment amount if SSA denies the waiver. If this occurs, respondents must pay back their overpayment. However, if SSA approves the waiver, respondents will not repay their overpayment, and their benefit or payment amount will not change, if they are currently receiving benefits or payments. An independent decision maker conducts the personal conference any time they are

unable to approve a waiver request at the initial review.

We identified the following psychological costs based on the requirements for this information collection:

- **Psychological Cost #1:**
 - **Requirement for the Program:** This collection asks individuals to provide some personal information about themselves so SSA can determine whether they are eligible for waiver of their overpayment.

 - **Psychological Cost:** The respondent may perceive these questions as unduly invasive, and these factors can lead to individuals choosing to delay or abandon completing this collection.

- **Psychological Cost #2:**
 - **Requirement for the Program:** This collection asks individuals to supply any evidence to SSA which supports their claim for waiver of their overpayment.

 - **Psychological Cost:** The respondent might perceive that the agency distrusts them. Because of this, some may find the entire process stressful to the point that it may take them longer to compile supporting documentation, or they may postpone it, or stop entirely.

We understand these psychological costs may cause respondents to delay their completion of the information collection or cause them to abandon the information collection entirely. However, we require completion of this collection to schedule a personal conference interview to review the respondents' overpayment. Therefore, we have taken these potential psychological costs into account when calculating our burden in #12 below.

The respondents are individuals who currently receive or previously received RSDI, Medicare, or SSI and who requested a waiver after SSA notified them of an overpayment. Because SSA was unable to approve their initial waiver request, they may request a personal conference with SSA.

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

As SSA uses a personal conference to collect the information, we did not create an electronic version of the personal conference under the agency's Government Paperwork Elimination Act (GPEA) plan because the personal conference is a personal interview or meeting for which we have no set information collection. Additionally, the documents that individuals present during conferences may vary. Under SSA's policy, field office employees document the results of the waiver determination on the internal Form SSA-635, Waiver Determination. They also use the Debt Management System (Title II) or Consolidated Claims Experience (Title XVI) to document the waiver determination. We use internal processes to document the personal conference, if the individual chooses to have one, which results in waiver determination.

Note: While we mentioned two forms above which respondents may submit to update the evidence in their record, we do not account for the burden for those forms here, as we already show the burden information for them under their own OMB approvals, and we do not want to double-count the burden for those collections.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the way 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

Individuals who do not provide the information required to prove they are without fault for their overpayments, will not meet SSA's requirements for waiver of recovery of an overpayment. In addition, those individuals who do not meet the waiver of recovery requirements will be unable to pursue further levels of administrative appeal and will have to accept SSA's previous determination made on their claims. Therefore, we need to conduct this information collection. Since we only 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 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 February 26, 2026, at 91 FR 9671, and we received no public comments. The 30-day FRN published on April 24, 2026, at 91 FR 22195. If we receive any comments in response to this Notice, we will forward them to OMB.

This is a correction notice. SSA inadvertently published the incorrect burden information for this collection at 91 FR 22195, on April 24, 2026. We are correcting this error here.

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

As stated in #2 above, we need some information or need to ask questions which some respondents may perceive as sensitive in nature to assess their request to waive their

overpayment. These questions may include why they feel they are not at fault for causing the overpayment or why they do not have ability to repay the overpayment. As such, this information collection may have psychological costs pertaining to collection of personal questions (which we also discussed in #2 above). However, we must ask these questions to determine whether the respondent meets the statutory and regulatory conditions for a waiver of their overpayment.

12. Estimates of Public Reporting Burden

The chart below shows our annual burden estimates for this information collection:

Method of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office or Field Office telephone call (minutes)**	Total Annual Opportunity Cost (dollars)***
Title II, Title XVI, Title XVIII Personal Conferences							
Title II, Personal Conference (in-office), 404.506: submittal of additional documents, additional mitigating financial information, and verifications for consideration at personal conferences	12,950	1	45	9,713	\$23.47*	22*	\$339,400***

<p>Title II, Personal Conference (telephone), 404.506: submittal of additional documents, additional mitigating financial information, and verifications for consideration at personal conferences</p>	12,950	1	45	9,713	\$23.47*	0	\$227,964***
<p>Title XVI, Personal Conference (in-office), 416.557: submittal of additional documents, additional mitigating financial information, and verifications at personal conferences.</p>	10,250	1	45	7,688	\$23.47*	22**	\$268,638***

Title XVI, Personal Conference (telephone), 416.557: submittal of additional documents, additional mitigating financial information, and verifications at personal conferences.	10,250	1	45	7,688	\$23.47*		\$180,437***
Title XVIII, Personal Conference, 422.310 (in office); submittal of additional documents, additional mitigating financial information, and verifications at personal conferences.	3	1	45	2	\$23.47*	22**	\$70***
Totals	46,403			34,804			\$1,016,509***

* We based this figure on the average DI payments based on SSA's current FY 2026 data ([Effect of COLA on Average Social Security Benefits](#)) and on the average U.S worker's hourly wages, as reported by Bureau of Labor Statistics data ([Occupational Employment and Wage Statistics](#)).

**We based this figure on the average FY 2026 wait times for field offices (22 minutes), based on SSA's current management information data. This figure reflects the data posted on our public facing website ([Social Security performance | SSA](#)) on the date we drafted this document. As the figures fluctuate daily, the wait times may be different on the website than they appear here. We continue to monitor our website and management information data on call back times to ensure we report updated figures when possible.

*** 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.**

In addition, OMB’s Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA’s current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
23,203	1	30	11,601	\$272,275****

****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a)(4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, however we have estimated that respondents drive to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total time and opportunity cost estimates in the paragraph below. Because SSA relies on estimated percentages of individuals who attend their conference through face-to-face meetings (as noted above), the chart above reflects the total number of respondents expected to travel to the field office.

We calculated the following Learning Cost time burden based on the estimated time and effort we expect respondents will take to learn about this program, its applicability to their circumstances, and to cover any additional research we believe respondents may need to take to understand how to comply with the program requirements (beyond asking SSA employees questions about the personal conference):

Total Number of Respondents	Frequency of Response	Estimate Learning Cost (minutes)	Estimated Total Annual Burden (hours)	Total Annual Learning Cost (dollars)****
46,403	1	10	7,734	\$181,517*****

**** We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total time and opportunity cost estimates in the paragraph below.

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that **45** minutes accurately shows the average burden per response for learning about the program; receiving notices as needed; reading and understanding instructions; gathering the data and documents needed; answering the questions and completing the information collection instrument; scheduling any necessary appointment or required phone call; consulting with any third parties (as needed); and waiting to speak with SSA employees (as needed). Based on our current management information data, the current burden information we provide is accurate. The total burden for this collection instrument is **34,804** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$1,016,509**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents

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 **\$1,723,287**. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing and Printing the Form	Design Cost + Printing Cost	\$0*
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0*
SSA Employee (field office staff) Information Collection and Processing Time	Number of respondents x processing time in minutes ÷ by 60 x hourly rate for SSA employee processing the waiver determination (GS-11).	\$1,716,447
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0*
Systems Development,	GS-9 employee x man hours for	

Updating, and Maintenance	development, updating, maintenance	\$6,840
Quantifiable IT Costs	Any additional IT costs	\$0*
Total		\$1,723,287

* We have inserted a \$0 amount for cost factors that do not apply to this collection.

SSA field office technicians are responsible for documenting the outcome of the personal conference meeting and processing the final waiver determination, which is saved in SSA's internal systems. Due to the specific knowledge and experience needed to conduct a personal conference, only GS-11 or higher technicians conduct them. We have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining this information collection.

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2023, the burden was 43,201 hours. However, we are currently reporting a total burden of 34,804 hours. This change stems from a decrease in the number of responses from 57,600 to 46,403, due to SSA approving more cases at the initial review stage or resolving them through a streamlined administrative waiver process, therefore, reducing the need for a proposed denial. As a result, fewer cases advance to the point where a personal conference is required.

* Note: The total burden reflected in ROCIS is **74,245** while the burden cited in #12 of the Supporting Statement is **34,804**. This discrepancy is because the ROCIS burden reflects the following components: field office waiting time + a rough estimate of a 30-minute, one-way, drive burden + learning costs. In contrast, the chart in #12 of the Supporting Statement reflects actual 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

The personal conferences for this information collection are meetings with respondents and SSA field office technicians. Since we are requesting approval of the personal conferences based on regulatory requirements, we cannot display an expiration date within our regulations.

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. Collection of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.