Supporting Statement for Form SSA-263
Waiver of Supplemental Security Income (SSI) Payment Continuation
20 CFR 416.1336(b)
OMB No. 0960-0783

A. Justification

1. Introduction/Authoring Laws and Regulations

Under the *14th Amendment* of the *United States Constitution* and *20 CFR 416.1336*, we must provide Supplemental Security Income (SSI) recipients advance written notice, Notice of Planned Action (NOPA), of any adverse action that we plan to take to reduce, suspend, or terminate an SSI payment. SSA may implement an adverse action due to a change in an SSI recipient's living arrangement, income, or resources - non-medical issues - that causes a suspension, reduction, or termination of the recipient's SSI payment(s). In addition, SSI recipients have the right to payment continuation at the first level of appeal (reconsideration level), and the option to waive the right to payment continuation. Payment continuation is the receipt of an unreduced SSI payment before we take an adverse action to reduce, suspend, or terminate the SSI payment, and continues until we make a determination at the first appeal level.

SSI recipients can avoid the possibility of an overpayment by waiving payment continuation during the appeal. To do so, an SSI recipient must waive receipt of payment continuation in writing and, thereby, complete and submit Form SSA-263, Waiver of Supplemental Security Income Payment Continuation, to SSA.

20 CFR 416.1336(d) gives us the authorization to collect the information requested on the SSA-263 to process a waiver of payment continuation and ensure that the SSI recipient making the request knows their rights concerning payment continuation and waiver of payment continuation.

2. Description of Collection

Before we take an adverse action to reduce, suspend, or terminate an SSI recipient's payment, we issue a NOPA. We intend for the SSI recipient to receive the NOPA five days after the date we stamp on the NOPA. The NOPA explains:

- the right to appeal;
- the right to payment continuation until a decision is made on the appeal;
- the requirement to file the appeal to receive payment continuation;
- the possibility of SSI payments made under the payment continuation provision becoming an overpayment if we issue an unfavorable appeal determination for the appeal; and,
- and the right to waive receipt of payment continuation.

If we generate a NOPA between the 1st and 15th of the month, we can usually adjust the next month's SSI payment to prevent an overpayment, unless the recipient appeals and receives payment continuation, which may result in an overpayment if the appeal is unsuccessful. If we generate a NOPA after the 15th, we often cannot adjust the next month's payment in time, so recipients who appeal and receive payment continuation are more likely to incur an overpayment if SSA denies their appeal; recipients can avoid this by waiving payment continuation using the SSA-263.

The NOPA SSA sends to the recipient explains the waiver process and instructs respondents on how to access Form SSA-263 to request a waiver. Form SSA-263 collects the following information and acknowledgements from an SSI recipient:

- the respondent's name;
- social security number;
- acknowledgement that SSA may reduce, suspend, or terminate their SSI payment;
- acknowledgement of the right to payment continuation;
- acknowledgement of the right to request and receive payment continuation at any time before we make a determination on the appeal;
- acknowledgement that we have explained the rights; and,
- acknowledgement that the SSI recipient understands the rights concerning the waiver and receipt of payment continuation.

SSI recipients may print the form from SSA's website or contact a field office to request the form. We use the SSA-263 to provide a way for SSI recipients to communicate that they do not wish to receive payment continuation. Waiver of payment continuation is voluntary, so SSI recipients complete the SSA-263 at their own discretion if they do not wish to receive payment continuation after receiving a NOPA from SSA to reduce, suspend, or terminate their SSI payments. SSI recipients complete the SSA-263 on their own or with assistance from a field office technician. SSA uses the information collected on the SSA-263 to process a waiver of payment continuation.

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

Psychological Cost:

- **Requirement for Program:** The SSA-263 asks individuals to acknowledge that SSA proposed to reduce, suspend, or terminate their SSI payments, and that they understand their rights to appeal and their rights to request a waiver of the continuation of payments pending an appeal request.

- **Psychological Cost:** Respondents might feel stress or anxiety to learn that SSA proposed to reduce, suspend, or terminate their SSI payments. In addition, making the decision to waive payments pending an initial appeal request may be a stressful decision for many respondents. This may cause some respondents to take longer to complete the form, or postpone or stop form completion.

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 full completion of this collection for SSI recipients to communicate their decision not to receive payment continuation. Therefore, we have taken this potential psychological cost into account when calculating our burden in #12 below.

The respondents are recipients of SSI payments who wish to discontinue receipt of payment while awaiting a determination on their appeal.

3. Use of Information Technology to Collect the Information

The SSA-263 is available as a printable fillable PDF on SSA's website. This collection has a public-facing fillable and submittable version which the respondent can submit using SSA's Upload Documents Portal (OMB No. 0960-0830). Upload Documents allows the respondent to complete the fillable PDF and submit the information through the Upload Documents Portal. SSI recipients may complete and submit the form on their own, or with the assistance of a field office technician via phone or in-office interviews. Field office technicians complete and add the SSA-263 to the SSI recipients' record.

Effective July 25, 2026, SSA also implemented a new conversational tone dynamic pathing version of the SSA-263 through Upload Documents. The new approach presents questions on the form in a more easily understood, conversational style, making them accessible to all respondents regardless of their education or reading proficiency. In addition, as we use dynamic pathing for this process, the respondents only answer necessary questions based on their previous responses (e.g., if a respondent answers an initial question stating that they are not married, the conversational tone dynamic pathing will not ask any subsequent questions related to marriage). Once the respondents complete the conversational tone questionnaire, the Upload Documents system places their answers within the fillable PDF version of the form and presents the completed PDF version of the form for the respondents' review and approval prior to eSignature (as needed) and submission through Upload Documents. This differs from the current dynamic pathing on the agencies full Internet applications, as Upload Document only ever presents the summary of the responses within a completed PDF version of the form, rather than through a summary screen.

Note: Since we just implemented the new conversational tone dynamic pathing model, and it differs from our current dynamic pathing model (on our established Internet applications), we do not, yet, have management information (MI) data regarding burden times for the new modality. We will submit a subsequent Change Request to OMB to show the updated burden for the conversational tone dynamic pathing version after we have a year of MI data to use. We anticipate submitting a Change Request in July 2027 showing the updated data.

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 collect information on the form SSA-263, SSI recipients would have no mechanism to inform us of their wish to waive their payment continuation during the reconsideration level of appeal. Failure to collect this information could possibly cause overpayments on SSI recipients' records and violate 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 26, 2026, at 91 FR 30774, and we received no public comments. The 30-day FRN published on July 31, 2026, at 91 FR 48475. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the development revision of this form.

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**
Please see the burden chart below:

Method of Completion	**Number of Respondents**	**Frequency of Response**	**Average Burden Per Response (minutes)**	**Estimated Total Annual Burden (hours)**	**Average Theoretical Cost Amount (dollars)***	**Average Wait Time in Field Office or Teleservice Centers (minutes)****	**Total Annual Opportunity Cost (dollars) *****
SSA-263 (Including Upload	1,662	1	15	416	$ 14.27 *	13**	$11,075***

Documents submissions[+])							

[+] Note: As stated in #3 above, we do not currently have MI data which shows the burden for the new conversational tone dynamic pathing in Upload Documents. Therefore, we will submit a subsequent Change Request a year from now in 2027 to update the burden once we have MI data to support the burden information for the new modality.

* We based this figure on the average disability payments based on SSA's current FY 2026 data (Effect of COLA on Average Social Security Benefits).

**We based this figure on the average combined FY 2026 wait times for field offices (average wait time of 20 minutes) and for teleservice centers (average speed of answer of 5 minutes), based on SSA's current management information data. This figure reflects data from our systems and the data posted on our public facing website (Social Security performance | SSA) on the date we drafted this document. As the figures fluctuate, the wait times may be different on the website than they appear here. While we have included wait time for all respondents using the paper form, we note that respondents are not required to complete the form in person and those who mail or drop off a completed form do not experience any wait time.

*** 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 (OIRA) 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)****
166	1	30	83	$1,184****

****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, nor do we have any data which shows that the average respondent drives 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.

We did not include a separate Learning Cost for this information collection, as we include the Learning Cost in the burdens listed in the chart above.

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 **15** minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **416** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **$12,259**. 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 on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately **$8,838**. 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	$123
Distribution, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	$0*
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	$4,865
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	$0*
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating,	$3,850

	maintenance	
Quantifiable IT Costs	Any additional IT costs	$0*
Total		**$8,838**

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

SSA is unable to break down the costs to the Federal government further than we already have. It is difficult for us to break down the cost for processing a single form, as field office staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. Also, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. However, we have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining these information collections.

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2023, the burden was 919 hours. However, we are currently reporting a burden of 416 hours. This change stems from a decrease in the number of responses from 3,676 to 1,662. The reduction is primarily due to improved data accuracy resulting from including this form in Upload Documents, which enables us to better track and report responses. Additionally, the agency now requires employees to use an internal tool, the Dallas Appeals Application, for non-medical post-eligibility SSI reconsideration requests. This tool also captures SSI payment continuation unless the recipient requests a waiver. Since we last cleared this IC in 2023, we have also revised the NOPA to provide additional clarifications regarding SSI payment continuation. These combined efforts have resulted in more accurate reporting and a decrease in the number of responses. Although the number of responses changed, SSA did not take any actions specifically intended to reduce responses. These figures represent current Management Information data.

*Note: The total burden reflected in ROCIS is **1,607**, while the burden cited in #12 of the Supporting Statement is **416**. This discrepancy is because the ROCIS burden reflects the following components: field office waiting time + telephone call pick up times + a rough estimate of a 30-minute, one-way, drive burden. In contrast, the chart in #12 above 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

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.