

**Supporting Statement for SSA-632-BK
Request for Waiver of Overpayment
Recovery or Change in Repayment Notice
20 CFR 404.502 – 404.513, 20 CFR 404.515,
CFR 404.520-404.521, 20 CFR 416.550– 416.570,
20CFR 416.572, 20 CFR 416.581, and 20 CFR422.310**

OMB No. 0960-0037

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 204, 1631(b) and 1879 of the Social Security Act (Act) require the Social Security Administration (SSA) to recover overpayments of Federal Retirement, Survivors, Disability Insurance, Health Insurance Benefits, or Supplemental Security Income (SSI) payments made to a recipient, unless the agency can waive recovery of the overpayment. SSA may waive recovery of an overpayment only if: (1) the person is not at fault in causing the overpayment; and (2) recovery would deprive that person of income necessary to meet their ordinary living expenses or would otherwise be unfair. The policies for implementing the pertinent sections of the Act are set forth in 20 CFR 404.502-404.513, 404.515, 404.520-404.521, and 20 CFR 416.550-416.570, 416.572, 416.581, and 422.310 of the Code of Federal Regulations.

2. Description of Collection

When we pay our Social Security beneficiaries and SSI recipients an accidental overpayment, they must repay the amount of the overpayment. These beneficiaries and recipients can use Form SSA-632-BK to take one of three actions: (1) Request an exemption from repaying, as recovery of the payment would cause financial hardship; (2) inform SSA they want to repay the overpayment at a monthly rate over a period longer than 36 months; and (3) request a different rate of recovery. In the latter two cases, the respondents must also provide financial information to SSA to help the agency determine how much the overpaid person can afford to repay each month. Respondents are overpaid beneficiaries or SSI recipients who are requesting a waiver of recovery of an overpayment or a lesser rate of withholding.

3. Use of Information Technology to Collect the Information

Form SSA-632-BK is available as a PDF on SSA's website where Social Security beneficiaries or SSI recipients can print the form online and mail it to SSA, or they can return the completed form to their local office.

Respondents can also complete the form via an in-office interview where an SSA employee records the information either on paper or by using the fillable PDF via

on SSA's intranet. The SSA employee prints the form for the beneficiary's or recipient's signature. SSA's policies state that a request for waiver must be in writing and must be signed by the recipient or beneficiary (or representative payee, legal counsel, or other appointed representative).

In addition, SSA's New York Regional Office has developed a local intranet application (NY Debt Management Release 2) for Title II overpayments in which the field offices can complete Form SSA-632-BK via fillable PDF. Local field offices can access this intranet application during an interview with the beneficiary or recipient and complete the SSA-632-BK. Alternatively, the local field office can complete part of the form through data entry, then print and mail the form to the beneficiary or recipient to complete and return to SSA. At this time the local intranet application is not a national application; therefore, it is not used nationwide.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner in which we are collecting it preclude 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 use Form SSA-632-BK, this would preclude the waiver; thereby recovering the overpayment incorrectly. 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

SSA published the 60-day advance Federal Register Notice on March 21, 2014, at 79 FR 15782, and we received no public comments. We published the 30-day FRN on May 29, 2014 at 79 FR 30922. 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 we collect 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 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)
Waiver of Overpayment (Completes Whole Paper Form)	400,000	1	120	800,000
Change in Repayment (Completes Partial Paper Form)	100,000	1	45	75,000
Regional Application (New York Debt Management)	44,000	1	120	88,000
Internet Instructions	500,000	1	5	41,667
Totals	1,044,000			1,004,667

The total burden for this information collection request is 1,004,667 hours. This figure represents burden hours, and 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 \$3,639,472. This estimate is a projection of the costs for printing and distributing the collection instrument and for processing the information.

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 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.