

**Supporting Statement for SSA-640  
Financial Disclosure for Civil Monetary Penalty (CMP) Debt  
20 CFR 498  
OMB No. 0960-0776**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 1129 of the *Social Security Act (Act)* governs the imposition of civil monetary penalties (CMP) and assessments on individuals for fraudulent conduct related to Social Security Administration (SSA)-administered programs. This section lists the methods SSA uses to collect the CMP, including benefit withholding and installment agreements. For SSA to determine a monthly repayment amount, the agency needs financial information from the CMP-imposed individual, which SSA captures using the SSA-640, Financial Disclosure for CMP Debt. The policies for implementing Section 1129 of the *Act* are in 20 CFR 498 of the *Code of Federal Regulations*.

**2. Description of Collection**

SSA uses Form SSA-640, Financial Disclosure for CMP Debt, to obtain the information necessary to determine a monthly installment repayment rate for individuals owing a CMP. The respondents are recipients of Social Security benefits, and nonentitled individuals who must repay a CMP to the agency and choose to do so using an installment plan.

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

SSA did not create an electronic version of Form SSA-640 under the agency's Government Paperwork Elimination Act (GPEA) plan because we estimate 10 respondents complete the form annually. 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 we did not use Form SSA-640, we would have no means of allowing imposed individuals to participate in an installment repayment agreement. Because we only collect the information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles to prevent 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 9, 2018, at 83 FR 21328, and we received no public comments. The 30-day FRN published on August 6, 2018 at 83 FR 38441. 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 revision of this form.

**9. Payments or Gifts to Respondents**

SSA does not provide payment 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**

This information collection requests personal financial information. Although an individual's response is voluntary, failure to provide all or part of the requested information could prevent SSA from making an accurate and timely decision regarding a fair and equitable monthly payment amount the individual must pay to satisfy the CMP. SSA keeps all information confidential.

**12. Estimates of Public Reporting Burden**

<b>Modality of Completion</b>	<b>Number of Responses</b>	<b>Frequency of Response</b>	<b>Average Burden per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>
SSA-640	10	1	120	20

The total burden for this ICR is 20 hours. We based these figures on current management information data. 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 the Federal Government**

The annual cost to the Federal Government is approximately \$210.90. 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 information collection in 2015, the burden was 800 hours. However, we are currently reporting a burden of 20 hours. This change stems from a previous overestimation of usage of the form. We based our new estimate on current data, which showed a significant decrease in respondents. We believe this new data is

more accurate. There is decrease in cost to the Federal Government, which stems from a decrease in respondents. 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 the 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.