

**SUPPORTING STATEMENT FOR FORM SSA-3380-BK  
FUNCTION REPORT – ADULT THIRD PARTY  
20 CFR 404.1512 and 416.912  
OMB No. 0960-0635**

**A. Justification**

1. Sections 205(a), 223(d)(5)(A), 1631(d)(1), and 1631(e)(1) of the *Social Security Act (the Act)* require claimants for Social Security disability payments to provide medical and other evidence of their disability, with evidence requirements to be established by the Commissioner of the Social Security Administration (SSA). These sections of *the Act* also grant SSA the authority to establish procedures for collecting and verifying this evidence. Sections 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* require applicants for Social Security payments to provide the following information: evidence of age, education and training, work experience, daily activities, efforts to work, and any other evidence demonstrating how their ability to work is impacted by their impairment. Form SSA-3380-BK is designed to collect this evidentiary information.
2. Form SSA-3380-BK is used to collect the types of evidence cited above. This form is completed by a third party, i.e., someone who is familiar with the applicant, the applicant's impairment, and the limitations to the claimant's ability to function imposed by the impairment. The information on the SSA-3380-BK is used by the State Disability Determination Services (DDS) evaluators as one of the evidentiary sources used in the initial disability evaluation process. Respondents are third parties familiar with the functional limitations (or lack thereof) of claimants who apply for Social Security benefits and/or Supplemental Security Income (SSI) payments.
3. Form SSA-3373-BK has not currently been made available in an electronic format under the Agency's Government Paperwork Elimination Act plan because SSA has had to devote its limited resources to other, more urgent electronic projects, such as the new Medicare Part D online application. However, SSA plans to evaluate this form for electronic conversion within the next few years.
4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection does not have a significant impact on a substantial number of small businesses or other small entities.
6. If the information was not collected, the State DDSs would have no means of collecting evidentiary information about an applicant's impairment from a third party familiar with the applicant. This lack of information could prevent the DDSs from making an accurate disability determination. Since the information is only collected during the initial application process and when a reconsideration or hearing is needed, it cannot be

collected less frequently. There are no technical or legal obstacles that prevent burden reduction.

7. There are no special circumstances that would cause this information collection to be conducted in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on May 26, 2006 at 71 FR 30464, and SSA has received no public comments. The second Notice was published on July 31, 2006, at 71 FR 43270, and SSA has received no public comments. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information requested is protected and held confidential 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. Some of the questions on this form may be perceived as being of a sensitive nature since they reference the applicant's self-care abilities, social abilities, etc. However, this information is needed to make a disability determination, and it is viewed only by those involved in the determination process.
12. Approximately 1,000,000 respondents take 60 minutes to complete form SSA-3380-BK each year. Therefore, the total annual burden is 1,000,000 hours. The total burden is reflected as burden hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents except for the cost of return postage in Title II cases.
14. The annual cost to the Federal Government is approximately \$13,860,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. We have doubled the estimated burden hours due to the receipt of public comments over the past three years which stated that 30 minutes (our previous estimate of completion time) was not sufficient time to complete the form. We have received no public comments due to the publication of the Federal Register Notices listed in #8 above.
16. The results of the information collection will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government

waste has been avoided because stocks of forms will not have to be destroyed and reprinted.

18. 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**

Statistical methods are not used for this information collection.