

**Supporting Statement for Request to Decision Review Board
to Vacate the Administrative Law Judge Dismissal of
Hearing
Form SSA-525**

20 CFR 405.427

OMB No.

A. Justification

1. Regulations of the Social Security Administration (SSA) at *20 CFR 405.427* provide that the Decision Review Board (Board) may vacate an action by an Administrative Law Judge (ALJ) under *20 CFR 405.382* ordering dismissal of a hearing request. The claimant must request in writing that the dismissal be vacated. *Sections 205(a) and 1631(e) of the Social Security Act (the Act)*, as amended, provide authority for SSA to require submission of this information before it proceeds with the claim.
2. SSA collects this information, using form SSA-525, when a hearing on a claim for Social Security or Supplemental Security Income benefits is dismissed and the claimant requests that the dismissal be vacated. The information collected establishes a written record of the request, and it facilitates a decision by SSA on the merits of proceeding with a hearing on the appeal.

The Board uses this information to: (1) establish the continued involvement of the requester in his or her claim; (2) consider the requester's arguments for vacating the dismissal; and (3) vacate or decline to vacate the ALJ's dismissal order.
3. This form is not scheduled for electronic submission of information due to the low number of respondents. Furthermore, this form will be used in the Boston region only for cases determined under 20 CFR 405.
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 this information were not collected, individuals who may have good cause to qualify for a hearing may be denied the right to pursue the claim on the basis of the request for a hearing. Because this information is only collected under certain

circumstances, 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 April 23, 2007 at 72 FR 20154, and SSA has received no public comments. The second Notice was published on June 13, 2007 at 72 FR 32697. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information provided on this form 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. The information collection does not contain any questions of a sensitive nature.
12. Form SSA-525 will be used by approximately 30,000 respondents annually in the Boston region. The estimated response time is 10 minutes for a total of 5,000 burden 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.
14. The annual cost to the Federal Government is approximately \$29,940. This estimate is a projection of costs for electronic posting and maintenance of the collection instrument and for collecting the information.
15. This is a new form in response to a change in the SSA regulations.
16. The results of this 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). Please note, however, that statistical survey methodology is not used for this information collection.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.