

**SUPPORTING STATEMENT FOR FORM SSA-769**  
**REQUEST FOR CHANGE IN TIME/PLACE FOR DISABILITY HEARING**  
**20 CFR 404.914(c)(2) and 416.1414(c)(2)**  
**OMB No. 0960-0348**

**A. Justification**

1. *Section 205(b)* of the *Social Security Act* requires the Social Security Administration (SSA) to provide an evidentiary hearing at the reconsideration level of appeal for claimants who have received an initial or revised determination that a disability did not exist or has ceased. In addition, *20 CFR Sections 404.914(c)(2)* and *416.1414(c)(2)* of the *Code of Federal Regulations* call for the claimant, upon finding himself for some reason unable to attend the disability hearing at the scheduled time or place, to request at the earliest possible date that the time or place of the hearing be changed.
2. Form SSA-769 is used by claimants under Titles II and XVI of the Act to request a change in time/place of a scheduled disability hearing. Disability Hearing Officers also use the form to determine if the request may be granted. If the request is granted, the form will be used to reschedule a hearing. Respondents are claimants who wish to request a change in the time and/or place of their hearing.
3. SSA's goal is to transform the disability determination process to an electronic process. However, due to limited resources and budgetary constraints, Agency resources must first be used to implement change where it will provide the greatest impact. This form (SSA-769) with its low number of respondents (7,483) will remain low on the priority list for change until other higher priority forms have been converted.
4. There are no other forms used by SSA that collect information similar to that collected on Form SSA-769, and there is no duplication of the information collected.
5. The collection of information does not involve small businesses or other small entities.
6. This information collection cannot be conducted less frequently. The form is only used when a claimant who has requested a reconsideration hearing and wants to change the time/place of the hearing. Were this information not collected, claimants would be deprived of the right to have a disability hearing at a time and place they can attend. 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 inconsistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on May 9, 2007 at 72 FR 26443, and SSA has received no public comments. The second Notice was published on August 7, 2007 at 72 FR 44211. There have been no outside consultations with members of the public.

9. There are no payments or gifts to 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. The total estimated number of claimants who will use Form SSA-769 is 7,483 annually. The estimated average response time is 8 minutes, for a total of 998 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 \$46,095.
15. There have been no program changes or adjustments to this form, and there is no change in the public reporting burden.
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 clearance. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise usable 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.

**B. Collections of Information Employing Statistical Methods**

Statistical methods are not used for this information collection.