

**Supporting Statement for Form SSA-3368  
Disability Report - Adult**

**20 CFR 404.1512 and 416.912**

**OMB No. 0960-0579**

**A. Justification**

1. **Authoring Laws and Regulations** - Adult applicants for Social Security Administration (SSA) disability benefits must provide medical, job history, and any other evidence required by SSA's Commissioner to prove that their impairment is disabling, as mandated by *Sections 223 (d)(5)(A) and 1631 (e)(1) of the Social Security Act*. Disability regulations in sections *20 CFR 404.1512 and 416.912 of the Code of Federal Regulations* state that adult disability applicants must furnish medical evidence and if asked, evidence of age, education and training, work experience, efforts to work, and any other evidence showing how their impairment(s) impacts their ability to work. *Sections 205(a) and 1631(d)(1) of the Act* give the Commissioner the authority to establish regulations and procedures governing the type of evidence needed to evaluate an alleged disability and methods of collecting this evidence. A vehicle is needed to collect this evidence, and paper form SSA-3368 and its electronic versions, Electronic Disability Collect System (EDCS)3368 , Internet (i)3368, and the i3368-PRO, are used for this purpose.
2. **How, by Whom and for What Purpose the Information is to be Used** - The information collected by form SSA-3368 and its electronic versions is used by State disability determination services (DDSs) to determine if an adult disability applicant's impairment(s) is severe and, if so, how the impairment(s) impacts the applicant's ability to work. This determination dictates whether the applicant will be found to be disabled.
3. **Use of Information Technology to Collect the Information** - Besides the paper form SSA-3368, the information required is also collected through three electronically-based modalities. The electronic modalities are designed to collect the same information as the paper form, but they may be formatted differently and may include certain enhancements (ex: instructions for claims representatives, help screens) to guide the interviewer or applicant through the application process.
  - **EDCS** – Adult disability applicants can call or go to an SSA field office to provide the information required by the collection. In this case, a claims representative interviews applicants and enters their answers on the EDCS 3368. Approximately 93.7% of respondents use this option.

- **Internet 3368 (i3368)** – The i3368 is an electronic version of the paper SSA-3368. The SSA-3368 can be accessed, completed, and submitted electronically by adult disability applicants or, if they wish, their representatives. The i3368 was designed to walk first-time users through this information collection. It contains numerous help screens and explanations about why we ask certain questions on the form. An estimated 3% of respondents use this option.
- **Internet 3368-Professionals, Representatives, and Organizations (i3368-PRO)** – Because the i3368 contains so many help and form screens, it is redundant and time-consuming for advocates of adult disability applicants, such as attorneys who specialize in SSA disability claims. Many professional, representative, and organizational users of the Disability Report-Adult had reported that, for this reason, they preferred to use the paper SSA-3368 instead of the i3368. To assist these advocacy professionals, we provide the i3368-PRO, which is a streamlined version of the i3368 designed for professionals, representatives, and organizations. This Internet disability report captures the same data as the SSA-3368 and i3368, but the total number of screens is reduced from 123 to 90, and the screens themselves are simplified. An estimated 3% of respondents use this option.

4. **Why Duplicate Information Cannot be Used** - 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. **How Burden on Small Respondents is Minimized** - This collection may impact small businesses if they are professional advocates or advocacy groups, but only in a positive manner: the i3368-PRO makes it easier for such individuals or groups to complete the Disability Report-Adult for their adult disability applicant clients. However, this collection does not have a significant economic impact on small businesses or other small entities.
6. **Consequences of Not Collecting Information or Collecting it Less Frequently** - If this information were not collected, individuals would be deprived of the right to present evidence pertaining to their claim, and statutory and regulatory requirements relating to due process would be violated. Therefore, it cannot be collected less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. **Special Circumstances that Need to be Explained** - There are no special circumstances that would cause this information to be conducted 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 was published on April 23, 2007, at 72 FR 20154, and SSA received no public comments. The 30-day advance Federal Register Notice is being published on June 13, 2007, at 72 FR 32697.

9. **Payment or Gifts to Respondents** - SSA provides no payment or gifts to the respondents.
10. **Assurances of Confidentiality** - 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.

All information obtained through the Internet version of this form is covered by SSA's Privacy Policy for Internet Services. Our Internet privacy policy is:

- The respondent does not need to give us personal information to visit our site.
- We collect personally identifiable information (name, SSN, DOB or e-mail) only if specifically and knowingly provided by the respondent.
- Personal identifying information the respondent provides will be used only in conjunction with services the respondent requests as described at the point of collection.
- We sometimes perform statistical analyses of user behavior in order to measure customer interest in the various areas of our site. We will disclose this information to third parties only in aggregate form.
- We do not give, sell, or transfer any personal information to a third party.

Additionally, SSA ensures the confidentiality of the respondent's personal information in several ways:

- All electronic requests are encrypted using the Secure Socket Layer (SSL) security protocol. SSL encryption prevents a third party from reading the transmitted data even if intercepted. This protocol is an industry standard, and is used by banks such as Wells Fargo and Bank of America for Internet banking.
- The respondent is given adequate warnings that the Internet is an open system, and there is no absolute guarantee that others will not intercept and decrypt the personal information he or she has entered. He or she is advised of alternative methods of providing personal information, i.e., visit to a field

office or a call to the 800 number to speak with a representative.

- Only upon verification of identity is the respondent allowed access to additional Internet applications that allow requests and changes to personal information from SSA records.

11. **Justification for Sensitive Questions** – The information collection does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden** – Listed below for FY 2006 is a breakdown of the burden hours associated with each collection method. Respondents for the first three collection formats are individuals; those for the last collection format are private sector.

| <b>Collection Method</b>  | <b>Number of Respondents</b> | <b>Frequency of Response</b> | <b>Average Burden per Responses (Hours)</b> | <b>Estimated Annual Burden Hours</b> |
|---|------------------------------|------------------------------|---|--------------------------------------|
| SSA-3368 (Paper Form).  | 9,364                        | 1                            | 1   | 9,364                                |
| Electronic Disability Collection System (EDCS)  | 3,138,920                    | 1                            | 1   | 3,138,920                            |
| i3368 (Internet) (Hour burden varies between 1½ hours and 3 hours based on information required). | 101,135                      | 1                            | 2 ½   | 252,837                              |
| i3368PRO  | 101,135                      | 1                            | 1 ½   | 151,702                              |
| <b>Totals</b>   | <b>3,350,554</b>             |                              |   | <b>3,552,823</b>                     |

The total burden is reflected as burden hours, and no separate cost burden has been calculated.

13. **Annual Cost to the Respondents (Other)** - There is no known cost burden to the respondents.
14. **Annual Cost to Federal Government** - The annual cost to the Federal government is

\$34,708,811. This estimate is a projection of the printing and distribution costs for the paper form and the cost of collecting the information. It also includes keying costs for the Electronic Disability Collect System.

15. **Program Changes or Adjustments to the Information Collection** - There is a 1,337,156 hour increase in the public reporting burden (from 2,215,617 hours to 3,552,823 hours) since the last Supporting Statement was submitted to OMB. The change is due to several factors. A major factor is that we have been able to compile more accurate data since we prepared the previous Supporting Statement. Other factors are increased use of the EDCS 3368, i3368 and i3368-PRO, and the additional time it takes respondents to use the i3368 and i3368-PRO over the time it takes for use of the EDCS 3368 and paper SSA-3368.
16. **Plans for Publication of Results of Information Collection** - The results of the information collection will not be published.
17. **Request not to Display OMB Expiration Date** - OMB has granted SSA an exception 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. **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. Collection of Information Employing Statistical Methodologies**

Statistical methods are not used for this information collection.