

**SUPPORTING STATEMENT FOR FORM HA-4633**  
**CLAIMANT'S WORK BACKGROUND**  
**20 CFR 404.1565(b) and 20 CFR 416.965(b)**  
**OMB No. 0960-0300**

**A. Justification**

1. *Sections 205(a) and 1631(e) of the Social Security Act (the Act)* provide the Commissioner of Social Security with the authority to establish procedures for determining whether a claimant is entitled to disability benefits. An individual who applies for disability benefits under the *Act* may be asked by the Social Security Administration (SSA) to provide background information about work he or she has done in the past 15 years, as prescribed in *20 CFR, 404.1512(a), 404.1565(b), 416.912(a) and 416.965(b)* of the *Code of Federal Regulations*. Form HA-4633 facilitates the collection of a claimant's work background.
2. When a claimant requests a hearing before an Administrative Law Judge (ALJ) to establish his or her entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into statutory issues related to the disability. The ALJ uses the information collected on Form HA-4633 to: 1) identify the claimant's relevant work history; 2) decide if expert vocational testimony is required and, if so, have a vocational expert available to testify during the hearing; and 3) provide a reference for the ALJ to discuss the claimant's work history. The ALJ makes the completed HA-4633 part of the documentary evidence of record. (If SSA finds the claimant to be disabled without consideration of his or her work history, completion of the Form HA-4633 is not necessary (§§ 404.1520(a)(4) and 416.920(a)(4).)
3. The HA-4633 is completed by a select population of claimants, determined solely at the discretion of the ALJ based on the conditions of each individual claimant's hearing. Given the individualized nature of the evidence respondents will be submitting and the intermittent request for this information, SSA did not deem it appropriate to develop an electronic form under the aegis of the Government Paperwork Elimination Act plan.
4. The nature of the information SSA is collecting and the manner in which we are collecting it differs from work background collected at the initial and reconsideration adjudicative levels. SSA does not have another collection instrument that brings together the data on the HA-4633.
5. This collection has no impact on small businesses or other small entities.

6. SSA collects the information from an individual one time, and only if the ALJ hearing the case decides it is necessary. If SSA did not collect this information, a claimant might not present evidence pertinent to his or her claim for disability benefits.

As defined in the Act, the HA-4633 collects the minimum information necessary for an ALJ to assess an individual's work history thus creating a legal impediment to reducing the overall burden requirement on the public. Since SSA collects the information only when this situation arises, the agency cannot collect it less frequently. No technical obstacles exist that would prevent burden reduction.

7. There are no special circumstances that would cause SSA to collect this information in a manner inconsistent with 5 CFR 1320.5.
8. SSA published the 60-day advance *Federal Register Notice* on September 17, 2008, at 73 FR 53919, and SSA has received no public comments. We published the 30-day *Federal Register Notice* on December 2, 2008 at 73 FR 73378. If we receive any public comments in response to the 30-day Notice, we will forward them to OMB. The *Federal Register Notices* indicate this is a request for extension of OMB's approval. However, subsequent to publication, we updated the Privacy Act notice and are submitting this ICR as a revision.

There have been no outside consultations with members of the public.

9. SSA provides no payment or gifts to the respondents.
10. SSA protects and holds confidential the information from this form 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. This information collection does not contain any questions of a sensitive nature.
12. Approximately 151,000 respondents will use Form HA-4633 annually. The estimated average response time is 15 minutes, for a total of 37,350 burden hours. The total burden represents burden hours, and SSA did not calculate a separate cost burden.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$1,162,700. This estimate is a projection of printing and distribution expenditures for the form and the cost of collecting the information.

15. The annual reporting burden in item 12 above has changed since the last OMB Notice of Action. SSA revised the information based on 2007 hearing figures. It reflects an increase in hearing workloads and not a change in the form or collection of information.
16. SSA will not publish the results of the information collected.
17. OMB exempted SSA from publishing the expiration date for OMB approval on its 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). 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). OMB granted this exemption so that SSA would not have to stop using otherwise useable editions of forms with outdated expiration dates. In addition, SSA avoids Government waste because we do not have to destroy and reprint stocks of forms.
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**

SSA does not use statistical methods for this collection.