

**Supporting Statement for Form SSA-3368**  
**Disability Report - Adult**  
**20 CFR 404.1512 and 416.912**  
**OMB No. 0960-0579**

**A. Justification**

1. 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 (the 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. Since SSA needs a vehicle to collect this evidence, we use the paper SSA-3368 and its electronic versions, Electronic Disability Collect System (EDCS) 3368, and the Internet i3368 for this purpose.
2. State disability determination services (DDSs) use the information collected by the SSA-3368 and its electronic versions to determine if an adult disability applicant's impairment(s) is severe and, if so, how the impairment(s) affects the applicant's ability to work. This determination dictates whether the DDSs and SSA will find the applicant to be disabled. The respondents are applicants for Title II benefits and/or Title XVI payments.
3. Besides the paper version of the SSA-3368, SSA also collects the information required through two 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.
  - **Electronic Disability Collect System (EDCS SSA-3368)** – Adult disability applicants can call or go to an SSA field office to provide the information required by the collection. In these cases, a claims representative interviews applicants and enters their answers on the EDCS SSA-3368. Approximately 86% of respondents use this option.
  - **Internet 3368 (i3368)** – The i3368 is a fully electronic version of the paper form. The SSA-3368 can be accessed, completed, and submitted electronically by adult disability applicants or, if they wish,

their representatives. SSA designed the i3368 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 11% of respondents use this option.

4. The nature of the information 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 SSA did not collect this information, we would deprive individuals of the right to present evidence pertaining to their claim and statutory and violate regulatory requirements relating to due process. Therefore, we cannot collect it less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause SSA to conduct this information collection in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice published on May 21, 2009, at 74 FR 23916, and SSA received no public comments. The second Notice published on July 27, 2009, at 74 FR 37081. 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.

SSA's Privacy Policy covers all information obtained through the Internet version of this form 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.
- SSA will use personal identifying information the respondent provides 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:

- SSA encrypts all electronic requests 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.
- SSA gives the respondent 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. SSA advises the respondent 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 does SSA allow the respondent access to additional Internet applications that allow requests and changes to personal information from SSA records.

11. The information collection does not contain any questions of a sensitive nature.

12. Separate hour burden estimates for each version of the SSA-3368. Listed below for FY 2008 is a breakdown of the burden hours associated with each collection method:

<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)	22,950	1	1	22,950
Electronic Disability Collection	2,238,826	1	1	2,238,826

System (EDCS)				
i3368 (Internet)	319,994	1	1 ½	479,991
i3368PRO (Internet professional users—rollout only)	10,264	1	1 ½	15,396
<b>Totals</b>	<b>2,592,034</b>			<b>2,757,163</b>

The total burden reflects as burden hours, and SSA calculated no separate cost burden.

13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$34,708,811. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information. It also includes keying costs for the Electronic Disability Collect System.
15. We realized upon obtaining the burden hour information for Fiscal Year 2008 that we used inaccurate figures in the last OMB clearance package for each version of the SSA-3368. Further information about this correction is available in the addendum. Additionally, we are discontinuing the i3368PRO upon full implementation of the revised information collection and the i3368 will absorb the former i3368PRO users. We will rollout the new i3368 over several weeks before completing the full implementation (see Addendum for more information).
16. SSA will not publish the results of the information collection.
17. OMB has granted SSA an exemption from the requirement to print the expiration date for OMB approval 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). OMB granted this exemption so that SSA would not need to take otherwise useable editions of forms out of circulation because the expiration date had been reached. In addition, SSA avoids Government waste because we will not need to destroy or 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 information collection.