

SUPPORTING STATEMENT FOR BLOOD DONOR LOCATOR SERVICE (BDLS)
20 CFR 401.200
OMB No. 0960-0501

A. Justification

1. Introduction/Authoring Laws and Regulations

42 USC 1320b-11 of the United States Code and Section 1141(a) of the Social Security Act require the Commissioner of the Social Security Administration (SSA) to establish and direct a Blood Donor Locator Service (BDLS). These regulations also require participating State agencies to provide the BDLS with specific information on blood donors who have tested positive for Human Immunodeficiency Virus (HIV). SSA has codified these laws under 20 CFR 401.200 of the Code of Federal Regulations.

2. Description of Collection

This regulation stipulates that when blood donor facilities identify blood donations as Human Immunodeficiency Virus (HIV)-positive, the overseeing State agency must provide the names and Social Security Numbers of the affected donors to SSA's Blood Donor Locator Service. SSA uses this information to furnish the State agencies with the blood donors' address information to notify the blood donors. Respondents are State agencies acting on behalf of blood donor facilities.

3. Use of Information Technology to Collect the Information

The BDLS is a service mandated by government regulation, and is not an actual information collection form, therefore; it is not subject to the agency's Government Paperwork Elimination Act (GPEA) plan.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. Minimizing Burden on Small Respondents

This collection does not affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

If SSA did not collect this information, we would not be complying with the law. SSA collects this information on an as needed basis, therefore; we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.

7. Special Circumstances

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

8. **Solicitation of Public Comment and Other Consultations with the Public**
SSA published the 60-day advance Federal Register Notice published on September 02, 2009, at 74 FR 45508, and we received no public comments. The second Notice published on _____ November 17, 2009, at 74 FR 59336. SSA did not consult members of the public in the development of this form.
9. **Payment or Gifts to Respondents**
SSA does not provide payments or gifts to the respondents.
10. **Assurances of Confidentiality**
SSA protects and holds confidential the information it collects in accordance with 42 U.S.C. 306, 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. **Justification for Sensitive Questions**
The information required by this regulation is sensitive. The law and regulations require strict confidentiality during all phases of processing and the immediate destruction of all records related to the BDLS requests after use by both SSA and requesters.
12. **Estimates of Public Reporting Burden**
Approximately 10 participating State agencies request BDLS at an average of 5 per year. The estimated average response time is 15 minutes, for a total of 13 burden hours. The total burden represents burden hours, and SSA did not calculate a separate cost burden.
13. **Annual Cost to the Respondents (Other)**
This collection does not impose a known cost burden to the respondents.
14. **Annual Cost To Federal Government**
The annual cost to the Federal Government is approximately \$2,000.00. This estimate is a projection of the costs for collecting and processing the information.
15. **Program Changes or Adjustments to the Information Collection Request**
There are no changes in the public reporting burden.
16. **Plans for Publication Information collection Results**
SSA will not publish the results of the information collection.
17. **Displaying the OMB Approval Expiration Date**
OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.

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. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.