

**Supporting Statement For
Private Printing and Modification of Prescribed Applications and Other Forms
20 CFR 422.527
OMB No. 0960-0663**

A. Justification

1. Introduction/Authoring Laws and Regulation

The current regulation at *20 CFR 422.527* of the *Code of Federal Regulations* requires a person, institution, or organization (third party requesting entities) to obtain approval from the Social Security Administration (SSA) prior to reproducing, duplicating, or privately printing any application or other form prescribed by the agency. We require such approval whether or not the requesting entity intended to charge a fee for SSA's application(s) or other form(s). Section *1140(a)(2)(A)* of the *Social Security Act (Act)* prohibits requesting entities from charging a fee to reproduce, reprint, or distribute any SSA application, form, or publication unless they obtain the authorization of the Commissioner of Social Security in accordance with such regulations as the Commissioner may prescribe. (*42 USC 1320b-10(a)(2)(A)* of the *United States Code*).

This rule implements section *1140(a)(2)(A)* of the *Act* by adding SSA's publications to the pre-authorization requirement identified in *20 CFR 422.527* and by establishing that requesting entities only require SSA's authorization when they intend to charge a fee. The rule also prescribes the procedures requesting entities who intend to charge a fee must follow to obtain SSA's written authorization prior to reproducing, reprinting, and/or distributing SSA's applications, forms, or publications.

2. Description of Collection

SSA collects information as required by this current rule to ensure that requests comply with the law and regulations. We also use the information to process requests from a person, institution, or organization that wants to reproduce, duplicate, or privately print any SSA application or other form prescribed by SSA. To obtain SSA's approval, the requesting entities must make their requests in writing, providing the required information set forth in the regulation. Third party entities submit these requests voluntarily on an as needed basis. SSA employees review their requests and provide approval via email or mail to the third party requesting entities.

To receive approval, a third party organization must first submit the following information to SSA on company letterhead:

1. The title and form number to be reproduced,
2. A summary of how they will use the reproduced form,
3. The services that they offer the customer, if they charge a fee,
4. The requesting organization's name and corporate address,
5. The requesting individual's name and address,

6. The requesting individual's area code and telephone number,
7. A reproduction of the form for SSA to review,
8. A description of how the organization intends to provide only the most up-to-date edition of SSA forms.

The respondents are third party companies that provide their request via email or mail on their company letterhead.

3. Use of Information Technology to Collect the Information

Since SSA no longer supplies an application for this request, we explain the written requirements for this regulation on our website, www.ssa.gov/online/thirdpartyforms.html (see addendum). SSA accepts submissions via email, and many third party companies submit their request via email rather than mail.

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 significantly affect small businesses or other small entities.

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

Since obtaining SSA approval for reproducing, duplicating, or privately printing any application or other form prescribed by the agency is mandated by law, we need to collect this information to allow respondents to reproduce SSA forms. If we did not collect the information, the respondent would not legally be able to reproduce SSA forms or charge a fee. Because we only collect the information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles that prevent 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

The 60-day advance Federal Register Notice published on August 12, 2010 at 75 FR 49013, and SSA received no public comments. The second Notice published on November 17, 2010 at 75 FR 70339. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. SSA did not consult members of the public in the development or maintenance 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. 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. Justification for Sensitive Questions

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

12. Estimates of Public Reporting Burden

Approximately 10 respondents submit an average of 15 responses each for a total of 150 requests per year. Each request takes about 8 minutes to complete, for an annual burden of 20 hours. This figure represents burden hours, and we 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 \$928. This estimate is a projection of the costs for printing and distributing the forms, and reviewing the information the third parties provide.

15. Program Changes or Adjustments to the Information Collection Request

The burden decrease is due to receiving fewer requests within the last three years.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

SSA is not requesting an exception to the requirements to display an expiration date.

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