

**Addendum for Form SSA-1560-U4**  
**Petition to Obtain Approval of a Fee for Representing a Claimant Before the Social Security Administration**  
**20 CFR 404.1720 and 404.1725; 20 CFR 416.1520 and 416.1525**

**OMB No. 0960-0104**

***Terms of Clearance***

***SSA should review whether this form should be included in their next review of forms for electronic implementation prior to resubmission for OMB approval***

SSA prioritized those collections, which have a larger volume of respondents for electronic conversion. Due to the low volume of respondents and the agency's limited resources, SSA did not implement an electronic version of this form. However, we are in the process of constructing a fillable version of this form.

**Revision to the Collection Instrument**

***Change 1:*** In the page titled "Instructions for Using this Petition", we are updating the second paragraph language.

***Current Language:***

The only exceptions are if the fee is for services rendered (1) when a nonprofit organization or government agency pays the fee and any expenses out of funds which a government entity provided or administered and the claimant incurs no liability, directly or indirectly, for the cost of such services and expenses; (2) in an official capacity such as that of legal guardian, committee, or similar court-appointed office and the court has approved the fee in question; or (3) in representing the claimant before a court of law. A representative who has rendered services in a claim before both SSA and a court of law may seek a fee from either or both, but generally neither tribunal has the authority to set a fee for services rendered before the other [42 U.S.C. 406(a) and (b)].

***New Language:***

The only exceptions are 1) when a third party entity, (i.e. a business, firm, or government agency) will pay the fee and any expenses from its own funds and the claimant and any auxiliary beneficiaries incur no liability, directly or indirectly, for the cost(s); (2) when a court has awarded a fee for services provided in connection with proceedings before us to a legal guardian, committee, or similar court-appointed office; or (3) when representational services were provided before the court. A representative who has provided services in a claim before both the Social Security Administration and a court of law may seek a fee from either or both, but neither tribunal has the authority to set a fee for the other [42 U.S.C. 406(a) and (b)].

**Justification 1:** We are updating this language to reflect changes resulting from the Authorization of Representative Fees Regulation (74 FR 48381), which became effective 10/23/2009. This regulation allows representatives, in certain instances, to charge and receive a fee from third-party entities without requiring SSA's authorization of the fee. Our previous rule exempted representatives who charged and received a fee from a nonprofit organization or government agency, in certain situations, from having to get their fees authorized by SSA. The updated language replaces the words "nonprofit organization" and "government agency" with "third party entity" and clarifies the language.

**Change 2:** We are changing the word "change" to "charge" in the page titled "Instructions for Using this Petition" under "Disagreement" section, we are correcting the word "change" to "charge".

**Current Language:**

SSA notifies both the representative and the claimant of the amount which it authorizes the representative to charge. If either or both disagree, SSA will further review the fee authorization when the claimant or representative sends a letter, explaining the reason(s) for disagreement, to the appropriate office within 30 days after the date of the notice of authorization to charge and receive a fee.

**New Language:**

SSA notifies both the representative and the claimant of the amount which it authorizes the representative to charge. If either or both disagree, SSA will further review the fee authorization when the claimant or representative sends a letter, explaining the reason(s) for disagreement, to the appropriate office within 30 days after the date of the notice of authorization to charge and receive a fee.

**Justification 2:** We are correcting a typographical error.

**Minor Revisions to the Collection Instrument**

SSA is making the following revisions:

We are revising the PRA statement to reflect our current boilerplate language. The current language, which dates back to the last reprint of the form, is now outdated.

SSA's Office of the General Counsel is conducting a systematic review of SSA's Privacy Act Statements on agency forms. As a result, SSA is updating the Privacy Act Statement on the first page of the form.