

Supporting Statement for Form SSA-545
Plan to Achieve Self-Support (PASS)
20 CFR 416.110(e), 416.1180-416.1182, & 416.1225-416.1227
OMB No. 0960-0559

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 1612(b)(4)(A), 1612(b)(4)(B) and 1613(a)(4) of the *Social Security Act* (the *Act*) authorize the Commissioner of Social Security to exclude such income or resources determined necessary to fulfill Plans to Achieve Self-Support (PASS)(es) approved by the Commissioner. The PASS provision encourages individuals to use available income and/or resources (such as business equipment, education or specialized training) to pay for those goods and services they would need to enter (or reenter) the workforce and become self-supporting. Regulations specifying the requirements for such plans are contained in 20 *CFR*, 416.1180-416.1182 and 416.1225-416.1227 of the *Code of Federal Regulations*. Section 1631(e) of the *Act* permits SSA to collect the information.

2. Introduction/Authoring Laws and Regulations

The Supplemental Security Income (SSI) program encourages recipients to return to work. One of the program objectives is to provide incentives and opportunities that help recipients. The PASS provision allows individuals to use available income or resources (such as business equipment, education, or specialized training) to enter (or re-enter) the workforce and become self-supporting. In turn, SSA does not count the income or resources recipients use to fund a PASS when determining an individual's SSI eligibility or payment amount. An SSI recipient who wants to use available income and resources to obtain education or training to become self-supporting completes Form SSA-545. SSA uses the information from the SSA-545 to evaluate the recipient's plan for achieving self-support, and to determine eligibility under the provisions of the SSI program. The respondents are SSI recipients who are blind or disabled and want to develop a plan to work.

3. Use of Information Technology to Collect the Information

Form SSA-545 is available as a print-only PDF on SSA's website, and on SSA's intranet. If the recipient is not able to access the form from SSA's website, we mail them the form to complete. SSA did not create an electronic version of form SSA-545 under the agency's Government Paperwork Elimination Act (GPEA) plan because only 7,000 respondents complete the form. This is less than the GPEA cut-off of 50,000.

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 we did not use Form SSA-545, we would not have the information necessary to determine whether an individual's PASS is feasible and whether the expenditures under the PASS are necessary and reasonably priced. Because we only collect this information once, 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 June 15, 2011, at 76 FR 35067, and we received no public comments. The 30-day FRN published on August 29, 2011 at 76 FR 53703. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the maintenance of this form

Note: The first Federal Register Notice lists this ICR as an extension; however, as we are revising the Privacy Act Statement, SSA is now listing this ICR as a revision.

9. **Payment or Gifts to Respondents**

SSA provides no payment 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**

We need certain information of a personal nature, which may have a bearing on the feasibility of the PASS, in order to determine whether to approve a PASS. For example, information is needed about the person's disability and how the PASS will help with overcoming any resulting limitations, which might otherwise hinder employment (e.g., through the purchase of adaptive equipment or specialized training). Similarly, information pertaining to the individual's educational and vocational background is critical for the SSA evaluator to determine the feasibility of the plan and the need for the proposed expenditures. SSA will keep the information secure and only necessary personnel will review it.

12. **Estimates of Public Reporting Burden**

Approximately 7,000 respondents take 120 minutes each to complete form SSA-545 each year. Accordingly, the burden is 14,000 hours. This figure represents burden

hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents (Other)**

There is no known cost burden to the respondents.

14. **Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately \$232,610. This estimate is a projection of the costs for printing, distributing the collection instrument, and for collecting 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 collected.

17. **Displaying the OMB Approval Expiration Date**

OMB has granted SSA an exemption from the requirement that the expiration date for printing the 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). This exemption was granted so that SSA could continue to use otherwise useable editions of forms. In addition, we save money by not destroying stocks of forms because an outdated OMB expiration dates.

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.