

**Supporting Statement for Form SSA-1709**  
**Request for Workers' Compensation/Public Disability Benefit Information**  
**20 CFR 404.408(e)**  
**OMB No. 0960-0098**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 224 of the *Social Security Act* provides for an offset (reduction) of Social Security Disability Insurance benefits (SSDI) when disabled workers also receive Workers' Compensation (WC) or Public Disability benefits (PDB). 20 CFR 404.408(e) of the *Code of Federal Regulations* states "the individual(s) may be required...to furnish evidence as requested by the Administration" of the WC/PDB benefits they receive. If the disabled workers are unable to provide evidence verifying the amount of WC/PDB paid, the Social Security Administration (SSA) must obtain such information from the Federal, State, or local agency; self-insured public or private employer; or insurance carrier administering the WC/PDB.

**2. Description of Collection**

Claimants for Social Security disability payments who are also receiving WC/PDB must notify SSA about their WC/PDB, so the agency can reduce claimants. Social Security disability payments accordingly. If claimants provide necessary evidence, such as a copy of their award notice, benefit check, etc. that is sufficient verification. In cases where claimants cannot provide such evidence, SSA uses Form SSA-1709. The entity paying the WC/PDB benefits, its agent (such as insurance carrier), or an administrating public agency complete this form. The respondents are Federal, State, and local agencies, insurance carriers and public or private self-insured companies administering WC/PDB benefit s to disability claimants.

**3. Use of Information Technology to Collect the Information**

SSA did not create an electronic version of the SSA-1709 under the agency's Government Paperwork Elimination Act, as we require the disabled worker's wet signature, authorizing release of the WC/PDB information. However, the form is on SSA's website for disabled workers to print, sign, and mail to SSA. SSA then mails the form to the entity (insurance carrier, WC Board, etc.) for completion of all information about WC/PDB benefit payment. The entity then signs and dates the form and returns the form to SSA.

**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 collect similar data.

**5. Minimizing Burden on Small Respondents**

This collection does not significantly affect a substantial number of small businesses or other small entities.

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

SSA’s failure to collect the information could result in incorrect payments. In addition, since SSA collects this information on an as needed basis, 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**

The 60-day advance Federal Register Notice published on February 23, 2015, at 80 FR 9499, and we received no public comments. The 30-day FRN published on April 30, 2015 at FR 24307. If we receive any comments in response to this Notice, we will forward them to OMB.

*Note: The first Federal Register Notice lists this ICR as a revision; however, as we are not revising the Privacy Act Statement, SSA is now listing this ICR as an extension.*

**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**

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

**12. Estimates of Public Reporting Burden**

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Average Burden Per Response (minutes)</b>	<b>Total Estimated Annual Burden (hours)</b>
SSA-1709	120,000	1	15	30,000

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 on the respondents.

**14. Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately \$600,000. This estimate is a projection of the costs for printing and 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 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)*.

**A. Collections of Information Employing Statistical Methods**

SSA does not use statistical methods for this collection.