

Supporting Statement for Function Report – Adult Third Party
20 CFR 404.1512 and 20 CFR 416.912
Form SSA-3380-BK
OMB No. 0960-0635

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a), 223(d)(5)(A), 1631(d)(1), and 1631(e)(1) of the *Social Security Act (Act)* require claimants for Social Security disability benefits to provide medical and other evidence of their disability, based on evidence requirements established by the Commissioner of Social Security. These sections of the *Act* also grant the Social Security Administration (SSA) the authority to establish procedures for collecting and verifying this evidence. 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* require claimants to provide the following information: evidence of age, education and training, work experience, daily activities, efforts to work, and any other evidence demonstrating how their impairment affects their ability to work.

2. Description of Collection

Individuals receiving or applying for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) provide SSA with medical evidence and other proof SSA requires to prove their disability. SSA, and Disability Determination Services (DDS) on our behalf, collects this information using Form SSA-3380-BK. We use the information to document how claimant's disabilities affect their ability to function, and to determine eligibility for SSI and SSDI claims. The respondents are third parties familiar with the functional limitations (or lack thereof) of claimants who apply for SSI and SSDI benefits. We no longer separate individual and private sector respondents.

3. Use of Information Technology to Collect the Information

Form SSA-3380 is available as a fillable PDF on SSA's website, which the respondent completes, prints, and mails to the DDS or brings to a SSA field office. The DDS also mails the form to the respondent to complete and mail back. SSA has not yet created an electronic version of form SSA-3380 under the agency's Government Paperwork Elimination Act (GPEA) plan due to competing priorities.

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 collect this information, it would be impossible to determine whether claimants are disabled or beneficiaries are still disabled, and SSA would not be able to discharge its mandate to pay benefits to those who are disabled. Since the form is completed only once for an initial application and on an occasional basis if a beneficiary is selected for a continuing disability review or appeals our decision, the information cannot be collected 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 May 27, 2015, at 80 FR 30316, and we received no public comments. The 30-day FRN published on July 29, 2015 at 80 FR 45265. If we receive any comments in response to this Notice, we will forward them to OMB.

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-130130.

11. Justification for Sensitive Questions
 The information collection does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-3380-BK	780,000	1	61	793,000

The total burden for this ICR is 793,000. The total 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 on the respondents.

14. Annual Cost To Federal Government
 The annual cost to the Federal Government is approximately \$1,580,203. 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**
The reduction in estimated burden hours stems primarily from improved accuracy of management information used to track form usage. The decrease in burden hours for private sector respondents and increase of burden hours for individual respondents is because we are no longer separating the private and individual respondent burden hours.
- 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.