

Supporting Statement
Request for Accommodation in Communication Method
Form SSA-9000-F6
45 CFR 85.51
OMB No. 0960-0777

A. Justification

1. Introduction/Authoring Laws and Regulations

In *American Council of the Blind, et al v. Michael Astrue and Social Security Administration*, the U.S. District Court for the Northern District of California ordered the Social Security Administration (SSA) to give blind or visually impaired Social Security applicants, beneficiaries, recipients, and representative payees the opportunity to elect one of five alternative formats to receive notices about program benefits. SSA expanded the options and now offers seven alternative notice options. SSA developed Form SSA-9000, Request for Accommodation, to gather information from blind or visually impaired individuals about why they require a particular accommodation, other than the accommodations already offered, to communicate effectively with SSA.

Section 504 of the *Rehabilitation Act of 1973 (Section 504)* states that no otherwise qualified disabled individual shall, solely because of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by any Executive agency. This law is codified in 29 USC 794 (2010) of the *United States Code*. Under Section 504 of the *Rehabilitation Act of 1973*, individuals with disabilities have the right to request an accommodation of their choice. Section 504 requires SSA to take appropriate steps to ensure effective communication and meaningful access for these individuals, and to furnish appropriate auxiliary aids or services where necessary to afford individuals with disabilities equal opportunities to participate in and enjoy the benefits of a program or activity conducted by the agency. An individual with a disability can request an accommodation to communicate effectively with the agency or to gain meaningful access to programs and services.

2. Description of Collection

As described earlier, SSA developed the Form SSA-9000 process for blind and visually impaired Social Security applicants, beneficiaries, recipients, and representative payees. SSA uses the electronic versions of Form SSA-9000 to determine, based on applicable law and regulation, whether to grant an individual's request for an accommodation based on their blindness or other visual impairment. SSA collects this information electronically through either an in-person interview or a telephone interview during which the SSA employee keys in the information on Intranet screens. The respondents are Social Security applicants, beneficiaries, recipients, and representative payees who are blind or visually impaired and who ask SSA to send notices and other communications in one of our seven alternate formats, or by another specialized method.

3. Use of Information Technology to Collect the Information

Respondents can request special notice options or accommodations through an in-person or telephone interview. SSA collects and records the information using the iAccommodate or iSNO (SSA-9000 Special Notices Options screens) Intranet applications. We estimate 100% of the applicants use the electronic method. While we retain a paper form in case SSA's systems are down, we rarely use it.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect 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. Consequences of Not Conducting Information or Collecting it Less Frequently

The previously discussed court order requires SSA to collect requested alternative notice format information from blind or visually impaired individuals who will not have meaningful communication with SSA unless their benefits notices are in a format other than the alternatives SSA currently offers. Without this information collection, SSA has no adequate means of determining whether to grant an individual's request for an additional or alternative notice format. Since we only collect the information when an individual wishes to request an alternative notice format, we cannot collect it less frequently.

Further, under Section 504 of the *Rehabilitation Act of 1973*, individuals with disabilities have the right to request an accommodation of their choice. Section 504 requires SSA to take appropriate steps to ensure effective communication and meaningful access for these individuals, and to furnish appropriate auxiliary aids or services where necessary to afford individuals with disabilities equal opportunities to participate in and enjoy the benefits of a program or activity conducted by the agency. Without the ability to effectively collect and track accommodation requests, we may delay or prevent an individual from having meaningful access to programs or services.

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

SSA published the 60-day advance Federal Register Notice published on July 18, 2016, at 81 FR 46752, and we received no public comments. SSA published the second Notice on October 3, 2016 at 81 FR 68088. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public on the revision of this form

9. Payment or Gifts to the 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 Questions of a Sensitive Nature

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

12. Estimates of Public Reporting Burden

We estimate 5,000 requests for accommodations (standard and non-standard, or alternative notices) annually, which we collect during a face-to-face or telephone interview. We estimate it takes 20 minutes to collect the information requested by the iAccommodate or iSNO (SSA-9000 electronic form) Intranet applications for a total burden of 1,667 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 on the respondents.

14. Cost to the Federal Government

The annual cost to the Federal Government for this collection is approximately \$60,000. This estimate is a projection of the costs for processing the information collection.

15. Changes to the Public Reporting Burden

We decreased the public reporting burden based on actual usage for fiscal year 2015. In addition, we combined the ICs for the two electronic versions (iSNO and iAccommodate) as they have the same respondent base and take the same amount of time to complete. Therefore, we show this as a program change to the information collection, even though we are not truly changing our current practice.

In addition, in September of 2015, SSA enhanced the iAccommodate intranet application, removing the “One-Time” checkbox, adding the functionality to record each every instance of the provision of accommodation with a “Provided” checkbox. The iAccommodate automated application tracks accommodation requests (including standard Special Notice Options); retains accommodation information for future contacts from individuals; provide SSA an electronic means of maintaining and processing non-standard accommodation requests; streamlined by interfacing with other SSA systems; and provides SSA robust Management Information (MI). See Addendum for further information.

16. Publication of the Results of the Information Collection

SSA will not publish the results of the information collection.

17. Displaying the OMB Expiration Date

SSA is not requesting an exception to the requirement to display the OMB approval expiration date. We began using the iSNO intranet application (SSA-9000 electronic form) in December of 2010. We implemented the iAccommodate intranet application in July of 2014. We currently have no plans to alter, or stop using, either of these applications.

18. OMB Certification Requirements

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 will not use statistical methods for this information collection.