

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, with evidence requirements the Commissioner of Social Security established. 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, collect 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.

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 an 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-BK 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 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. **Consequence of Not Collecting Information or Collecting it Less Frequently**
 If we did not use Form SSA-3380-BK we would be unable 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. Because we collect 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 June 8, 2018, at 83 FR 26732, and we received no public comments. The 30-day FRN published on August 6, 2018 at 83 FR 38441. 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**

Collection Method	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-3380-BK	709,700	1	61	721,528

The total burden for this ICR is **721,528** hours. We based these figures on current management information data. 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. **Annual Cost To Federal Government**
 The annual cost to the Federal Government is approximately \$1,508,783. This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; and (2) SSA employee (e.g., field office, 800 number, DDS

staff) information collection and processing time.

15. **Program Changes or Adjustments to the Information Collection Request**
When we last cleared this collection in 2016, the burden was 79,300 hours. However, we are currently reporting a burden of 721,528 hours. This change stems from an increase in the number of responses from 78,000 to 709,700. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change.
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.