

**Justification for Non-Substantive Changes for for Form SSA-3441
Disability Report-Appeal
20 CFR 404.1512, 416.912, 404.916(c), 416.1416(c), 422.140, 404.1713, 416.1513,
404.1740(b)(4), 416.1540(b)(4), and 20 CFR 405, Subpart C
OMB No. 0960-0144**

Background

As part of our initial disability determination appeals process, we require individuals to submit both an appeal form (either the HA-501/i501 Request for Hearing by Administrative Law Judge, OMB # 0960-0269; or the SSA-561/i561, Request for Reconsideration, OMB # 0960-0622) along with the paper SSA-3441 or the Internet i3441, which is part of the iAppeals application. The iAppeals application is available on the SSA.gov website, and the respondent can complete the appeal through the Internet. Respondents must complete the paper SSA-3441 or the Internet i3441 application when they wish to appeal their unfavorable disability determination.

To ensure that individuals understand the process and the requirement for filing an appeal for reconsideration, or request for a hearing through iAppeals, we provide Terms of Service and require individuals to acknowledge that they have read and understand the Terms of Service for using iAppeals to file an appeal.

Revision to the i3441 - Terms of Service (TOS) and Submit Tab:

- **Change #1:** We updated the TOS language by changing the passive voice to active voice and making the tense of the TOS read as present tense.

Justification #1: We updated the TOS language to active voice because active voice identifies who takes the action and is easier to understand. We changed the tense to present to ensure that users understand that the information provided in the TOS the concerns the issue they are currently appealing.

- **Change #2:** We added a web address for the links throughout the TOS.

Justification #2: We added the web address to provide users the option to copy and paste the web address into another page without the need to leave the TOS screen to read the information provided in the link.

- **Change #3:** We reformatted the following information in the TOS:
 - We moved “The Social Security Administration needs the following information to complete an appeal request:” section so it follows the introductory paragraph.
 - We moved the “I Acknowledge” section to make it the last section of the TOS.
 - We removed the “I understand that” section heading, and merged the

information from that section into the “I Acknowledge” section.

Justification #3: We reformatted the information in the TOS so that users will know up front what information they need to complete the electronic appeal request. We merged the information from the “I understand that” section into the “I Acknowledge” section so that users are aware that they are acknowledging when they can and cannot re-enter their electronic appeal.

- **Change #4:** We added the words “reconsideration” and “request for hearing by administrative law judge” to the first sentence of the introductory paragraph.

Justification #4: We added these words so that users will know up front the appeal levels they can request and file through iAppeals.

- **Change #5:** We deleted the second sentence of the introductory paragraph.

Justification #5: We deleted the sentence because we cover that information in “The Social Security Administration needs the following information to complete the appeal request:” section, which directly follows introductory paragraph.

- **Change #6:** We deleted the third sentence of the first paragraph and added the information to the “The Social Security Administration needs the following information to complete the appeal request:” section.

Justification #6: We added this information to “The Social Security Administration needs the following information to complete the appeal request:” section so that users who are not prepared to complete an electronic appeal will know that there are other ways to complete and file an appeal request.

- **Change #7:** We added a note that states third party users must agree to the TOS.

Justification #7: We added this note so that third party users know up front that they must agree to the TOS if they want to use iAppeals to complete and file an appeal request on a claimant’s behalf.

- **Change #8:** We added the words “Date on the Notice with the initial or reconsideration determination that you are appealing” to the first bullet under the “Claimant’s Information” heading in the “The Social Security Administration needs the following information to complete the appeal request:” section.

Justification #8: We added these words because the notices sent to claimants are labeled Notice of Initial Determination or Notice of Reconsideration Determination.

- **Change #9:** We deleted the words “valid email address from the bulleted list under the “Claimant’s Information” heading in the “The Social Security Administration needs the following information to complete the appeal request:” section.

Justification #9: We deleted this information because users do not need an email address in order to use iAppeals.

- **Change #10:** We added the words “Other Information, if applicable” to the “Medical Information” heading in the “The Social Security Administration needs the following information to complete the appeal request:” section.

Justification #10: We added these words to ensure that users know to add information about work, education, etc. that relates to and serve as evidence for the issue being appealed.

- **Change #11:** We deleted the “Submitting Evidence” section and added the information to the “I Acknowledge” section.

Justification #11: We added the submission of evidence information to the “I Acknowledge” section to ensure that users acknowledge the information concerning the submission of evidence.

- **Change #12:** We added an “Appeal Level” heading to the I Acknowledge Section.”

Justification #12: We added the appeal level section to emphasize the appeal levels available in iAppeals and the rules concerning the submission of evidence at each level of appeal.

- **Change #13:** We added language about the Submit button on the Submit tab in bullet 6 of the “I Acknowledge” section.

Justification #13: We added information about the Submit tab because it is a new tab and further alerts respondents of the need to take the action of selecting the Submit button in order to file their appeal requests with us.

- **Change #14:** We added the Submit tab.

Justification #14: We added the Submit tab to alert respondents that they will need to access it in order to select the Submit button to submit the appeal request.

The revisions to the TOS do not affect the burden for this information collection. We will implement these changes upon OMB approval.