

**Supporting Statement for Form HA-4633**  
**Claimant's Work Background**  
**20 CFR 404.1512(a); 404.1520(a)(4); 404.1565(b)**  
**and 20 CFR 416.912(a); 416.920(a)(4); 416.965(b)**  
**OMB No. 0960-0300**

**A. Justification**

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

Sections 205(a), 702, 1631 (e)(1)(A) and (B) and 1869(b)(1)(C) of the *Social Security Act (Act)* provide the Commissioner of Social Security the authority to establish procedures for determining whether a claimant is entitled to disability benefits. The Social Security Administration (SSA) may ask individuals who apply for disability benefits under the *Act* to provide background information about work they performed in the past 15 years, as prescribed in 20 CFR 404.1512(a), 404.1565(b), 416.912(a), and 416.965(b) of the *Code of Federal Regulations*. Form HA-4633 facilitates the collection of a claimant's work background. If SSA finds claimants to be disabled without consideration of their work history, the administrative law judge (ALJ) does not require completion of the Form HA-4633, as per 20 CFR 404.1520(a)(4) and 416.920(a)(4).

**2. Description of Collection**

When a claimant requests a hearing before an ALJ to establish an entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into statutory issues related to the disability. The ALJ uses the information collected from the claimants on Form HA-4633 to: (1) identify the claimant's relevant work history; (2) decide if expert vocational testimony is required and, if so, have a vocational expert available to testify during the hearing; and (3) provide a reference for the ALJ to discuss the claimant's work history. The ALJ makes the completed HA-4633 part of the documentary evidence of record. The respondents are claimants for disability benefits under Title II or Title XVI who request a hearing before an ALJ after SSA denied their application for disability payments, or their representatives.

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

A select population of claimants complete the HA-4633, determined solely at the discretion of the ALJ, and based on the conditions of each individual claimant's hearing. SSA provides a fillable PDF version of the HA-4633 on our website that claimants can download and print.

For claimants who appoint a representative, SSA allows the claimant's representative to submit the completed form electronically through the Electronic Records Express (ERE) initiative (OMB No. 0960-0753). Appointment of a representative occurs in about 72% of claimant cases. Electronic submission of Form HA-4633 is not available to claimants who do not appoint a representative. Given the individualized nature of the evidence respondents submit and the intermittent request for this information, SSA did not deem it appropriate to develop an electronic form under the aegis of the Government Paperwork

Elimination Act plan.

**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**

SSA collects the information from an individual one time, and only if the ALJ hearing the case decides, it is necessary. If SSA did not collect this information, claimants might not present evidence pertinent to their claims for disability payments. As defined in the *Act*, the HA-4633 collects the minimum information necessary for an ALJ to assess an individual's work history, thus creating a legal impediment to reducing the overall burden requirement on the public. Since SSA collects the information only when this situation arises, the agency 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 24, 2020, at 85 FR 37996, and we received no public comments. The 30-day FRN published on August 20, 2020 at 85 FR 51536. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.

**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-130.

**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)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
HA-4633 - PDF/paper version	53,200	1	15	13,300	\$10.73*	24**	\$371,043***
Electronic Records Express Submissions	136,800	1	15	34,200	\$25.72*	0	\$879,624***
<b>Totals</b>	<b>190,000</b>			<b>47,500</b>			<b>\$1,250,667***</b>

Note: The above chart breaks down the type of submissions (paper and ERE submissions) for ease of viewing the 72% of respondents who submit via ERE; however, since there is no burden difference for submission type, we did not create separate ICs in ROCIS, opting instead to indicate the 72% in the box provided for Percentage of Respondents Reporting Electronically.

\* We based these figures on average DI hourly wages based on SSA's current FY 2020 SSI data (<https://www.ssa.gov/legislation/2020%20Fact%20Sheet.pdf>); and on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data ([https://www.bls.gov/oes/current/oes\\_stru.htm](https://www.bls.gov/oes/current/oes_stru.htm)).

\*\* We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

\*\* This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

In addition, OMB's Office of Information and Regulatory Affairs (OIRA) is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA's current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97 mile driving distance

for one-way travel. We depict this on the chart below:

<b>Total Number of Respondents Who Visit a Field Office</b>	<b>Frequency of Response</b>	<b>Average One-Way Travel Time to a Field Office (minutes)</b>	<b>Estimated Total Travel Time to a Field Office (hours)</b>	<b>Total Annual Opportunity Cost for Travel Time (dollars)****</b>
53,200	1	30	26,600	\$285,418****

\*\*\*\*We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a)(4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total time and opportunity cost estimates in the paragraph below.

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that 15 minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this collection instrument is **47,500** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$1,536,085**. SSA does not charge respondents to complete our applications.

**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 \$383,460. This estimate accounts for costs from the following areas:

<b>Description of Cost Factor</b>	<b>Methodology for Estimating Cost</b>	<b>Cost in Dollars</b>
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$200,000
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$180,610
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$2,850
<b>Total</b>		<b>\$383,460</b>

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

#### **15. Program Changes or Adjustments to the Information Collection Request**

When we last cleared this IC in 2017, the burden was 50,000 hours. However, we are currently reporting a burden of 47,500 hours. This change stems a decrease in the number of responses from 200,000 to 190,000. 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. These figures represent current Management Information data.

#### **16. Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

#### **17. Displaying the OMB Approval Expiration Date**

For the paper Form SSA-4633, we will not publish 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.

For the Internet version of Form SSA-4633 housed under ERE (OMB No. 0960-0753), SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

**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.