

**Justification for Non-Substantive Changes for Form e1693**  
**Fee Agreement for Representation before the Social Security Administration**  
**20 CFR 404.1717, 404.1720, 404.1730, 416.1517, 416.1520, and 416.1530.**  
**OMB No. 0960-0810**

## **Background**

The *Social Security Act (Act)* generally requires any person who represents a claimant before the agency and wants to receive a fee for services to obtain the Social Security Administration's (SSA) authorization of the fee. Appointed representatives may use Form SSA-1693 for their request of a fee. Sections 206(a) and 1631(d) of the *Act* give SSA the legal authority for requesting the information on the SSA-1693. In addition, we created an online fillable and submittable form, the e1693, which utilizes *Adobe Sign* technology for electronic signature (eSignature). This form is similar to the current, fillable Form SSA-1693; however, respondents will be able to access it from our website and submit it online using the *Adobe Sign* web application.

Under normal circumstances, the claimant and the representative complete and sign the form and then submit it to SSA via various methods such as mail; analog fax; eFax; uploading it to iAppeals, Appointed Representative Services (ARS) and Electronic Records Express (ERE) portals, which allow for this electronic submission; or in-person submission to an SSA employee in a field office or hearing office.

Due to ongoing COVID-19 health risks and national requirements, claimants and potential appointed representatives meet less often in person to complete the form. Additionally, the backlogs and closures of the field and hearing offices inhibit the expeditious processing of the information, slowing down SSA's processing of the paper form. While we still accept, and will continue to accept, paper forms, to address these limitations, we created an online fillable and submittable form, the e1693, which utilizes *Adobe Sign* technology to accept and process an eSignature, as a short-term solution to these issues.

Appointed representatives will initiate a submission on our [www.ssa.gov/representation](http://www.ssa.gov/representation) website, provide valid email addresses for the claimant and other prospective representatives (the respondents) who will sign the fee agreement, and create a password (to protect the respondents' privacy). The appointed representative will then share the password with all respondents, who will electronically complete, sign, and submit the form online using the *Adobe Sign* web application. The respondents will receive a web link via email; the link will be active for ten calendar days from the date the appointed representative initiates the submission by entering all respondents' email addresses. Any time a respondent clicks on the web link in the email to complete the form, it begins a web session within the application, which will time-out after 60 minutes of inactivity. If not all respondents have completed, signed, and submitted the form within the ten calendar days, the appointed representative will have to initiate a new submission.

With this new modality, respondents will be able to enter their responses into fields in the e1693, sequentially completing their respective sections, then electronically signing and submitting the form. The appointed representative will complete all fields marked with a red asterisk, including

the claimant's first and last name. The claimant will input his or her SSN and other personal information, then electronically sign and date the online form. Any additional representative(s) will only sign and date the form. Each respondent will receive an email from [adobesign@adobesign.com](mailto:adobesign@adobesign.com) with a secure link and instructions for how to access, complete, sign, and submit the form. Respondents will use the password established by the appointed representative to gain access to the portal through the email link, and to save a copy of the completed form for their records.

When all respondents have completed their parts, signed, and submitted the form, *Adobe Sign* will electronically transmit an image of the completed form to SSA's WorkTrack system for queueing and processing.

Respondents will not need to purchase, install, or download any software, nor will they have to pay any subscription or licensing fees. The use of the *Adobe Sign* web application will not present any added burden.

The agency will not alter how it processes the form: SSA technicians will continue to key-in the information into our systems (i.e., Modernized Claim System (Title II) or the SSI Claim System (Title XVI)). The technician will forward the digital copy of the completed form to the claim's electronic folder.

We expect to implement the new e1693 on **July 31, 2021**. Therefore, we are asking for OMB's timely approval of this IT Modernization Change Request to ensure we can implement this modality by the scheduled date.

### **Justification for Non-Substantive Changes to the Collection**

We are making the following interim changes to the information collection:

- **Change #1:** The form's landing page (first two screens) contains basic instructions for submission, information about the notifications through the *Adobe Sign* emails, the form's Privacy Act statement (PAS), and information about controls (e.g., time limits for the session and for the form) to protect the respondents' privacy. This informs the appointed representative about required steps and the Privacy Act. The third screen requires the appointed representative to enter and confirm the email addresses for all respondents; it also requires the representative to establish and confirm a password. This ensures accuracy of email addresses, protects the respondents' privacy, and prevents unnecessary delays. The following screen presents the email the appointed representative will receive from [adobesign@adobesign.com](mailto:adobesign@adobesign.com) with a password-protected web link to complete the form. Multiple representatives often sign the fee agreement. The claimant and any additional representative(s) listed will receive an email from *Adobe Sign* with a secure link to complete the form electronically after the appointed representative completes, signs, and submits the online form.

**Justification #1:** We are including these items to ensure the respondents have all of the upfront information regarding *Adobe Sign* so they understand all of the steps required to use

the submittable PDF version of the form.

- **Change #2:** We made non-substantive language changes throughout the sections to improve clarity, tailor the instructions for the online submittable PDF process, and assist respondents in completing forms online. We will make corresponding changes to the paper version as appropriate. We removed the “Claimant’s Social Security Number” and “Representative’s RepID” boxes.

**Justification #2:** We made these changes to adjust the paper version to the online business process. Also, we made changes to better explain the functionality of certain optional sections (e.g., “two-tiered fee agreements” and “trust and escrow”) and instruct respondents as to when an optional section should be completed. We removed the identifiers/boxes to prevent duplicate collection of information. In the online process, the form is a joined single document (pages cannot be separated) and we collect this information on the front page.

- **Change #3:** We divided the e1693 fields into those to be completed by the appointed representative and those to be completed by the claimant. Each field that is completed by one respondent cannot be altered by any other respondent. Any additional representative(s) are only allowed to electronically sign, date, and submit the form.

**Justification #3:** To protect data integrity, we locked respective fields to ensure that data keyed-in by one respondent cannot be revised or amended by another.

- **Change #4:** We added language to let respondents know we will email them a link to download and save a copy of the completed form. We also added language to let claimants know that they do not have to sign the form unless they agree with its content. We added color for emphasis.

**Justification #4:** We made this change to remind respondents, particularly claimants, that they are not obligated to use/sign this form and their decision to sign or not sign the form will not affect the processing or adjudication of their claims before us. As the e1693 will not require any in-person interaction with agency staff, we needed to add this language to the electronic version of the form.

- **Change #5:** In the section, “what you have to pay,” we added the word “spouse” to clarify that the form applies to Title XVI claims where there are no auxiliary beneficiaries and the only other possible party is a spouse.

**Justification #5:** We made the change to clarify that the form applies to Title XVI claims where there are no auxiliary beneficiaries and the only other possible party is a spouse.

- **Change #6:** In section, “withholding of funds and direct payment to your representative,” we added a category that was missing and revised the last category.

**Justification #6:** We made the change to clarify that we will not withhold funds to pay a representative who was previously eligible for direct payment, but is disqualified when we

try to issue the direct payment. We revised the last category to better state that we cannot withhold funds for direct payment if the representative does not timely submit a fee agreement or let us know he or she will request a fee.

- **Change #7:** We revised the section “Signatures” to “Electronic Signatures” and revised the language to clarify that the online version can only allow up to five additional signatures for prospective representatives.

**Justification #7:** We made the change to tee-up the section to the form’s online functionality and to explain to the claimant that if he or she plans to appoint more than six (in total) representatives, then he or she cannot use this online form.

- **Change #8:** We made minor changes to the Privacy Act Statement.

**Justification #8:** We updated the Privacy Act Statement as per the routine updates from our Office of Privacy and Disclosure for the online use of this form.

- **Change #9:** We revised the “General Information” section.

**Justification #9:** We made these changes for clarity and readability.

- **Change #10:** We revised the language in the “Standard Fee Agreement” section.

**Justification #10:** We made these changes for clarity and readability, and to comply with the plain writing guidelines.

- **Change #11:** We revised the instructions under title “Two-tiered fee agreements” and added radio buttons.

**Justification #11:** We believe the added language and changes illustrate that the section is optional and better indicate up to which adjudicatory level the fee agreement will apply using radio buttons (users previously had to write-in the level). Because there is functionality to change but not remove a selection, we also added a “N/A” button if users mistakenly make a selection.

- **Change #12:** We revised the instructions in the “Escrow/Trust Accounts or Third-Party Payments.”

**Justification #12:** The changes better explain that the section is optional and improve readability.

- **Change #13:** We made changes to the section titled “Additional Signatures.”

**Justification #13:** We reduced the total number of eSignatures to seven to keep completion and submission of the form reasonably short, and meet the *Adobe Sign* platform’s functionality and limitations in number of emails that can be sent.

- **Change #14:** In the final email, we will replace “originating” representative with “appointed” representative.

**Justification #14:** For consistency, since we use “appointed” elsewhere, and to avoid confusion.

We intend to implement this submittable PDF version of the form on **July 31, 2021**, once OMB approves it.