

**Addendum to the Supporting Statement for Form SSA-1693  
Fee Agreement for Representation before the Social Security Administration  
OMB No. 0960-0810**

**Revisions to the Collection Instrument**

We are making the following minor revisions to the collection instrument for the SSA-1693:

- **Change #1:** We are making minor revisions to the instructions on pages one and two of this form for clarification purposes and to use plain language. These revisions include the addition of an explanation of the word “us” on the form, as well as an updates to the paragraphs under the sections entitled “Requesting a fee for representational services”; “What you have to pay”; “Two-tiered fee agreements”; “Trust and escrow accounts”; “Withholding of funds and direct payment to your representative.”

**Justification #1:** We are making these revisions to clarify the language for the respondents, and as a response to the public comments we received on this information collection.

- **Change #2:** We are making minor revisions to the instructional language at the top of page three, “General Information,” for clarification purposes.

**Justification #2:** We are making these revisions for clarification purposes and to include plain language, in addition, we updated this language in response to the public comments we received on this information collection.

- **Change #3:** We have updated the Standard Fee Agreement section on page four to better explain the past due fees and maximum amounts.

**Justification #3:** We have made these updates to clarify this form the claimant. In addition, we are making these revisions based on the public comments we received on this information collection.

- **Change #4:** We updated the Two-Tiered Fee Agreement and Escrow/Trust Accounts or Third-Party Payments sections to show these are optional, and to better explain these sections of the form.

**Justification #4:** We made these revisions for clarification purposes and based on the public comments we received on this information collection.

These minor revisions to the form will not require any changes to the burden information for this information collection. SSA will make these revisions to the form upon OMB’s approval.

**Terms of Clearance**

OMB placed the following Terms of Clearance on this Information Collection when they last approved it on 6/25/21:

Within four months of the approval of this ICR, the agency will set up a listening session between SSA, OMB, and at least one stakeholder organization representing appointed representative to receive their feedback on the e1693 and e1696, to include challenges in using the system and suggested process, IT, verbiage, or policy improvements designed to increase the use or reduce the burden of using of the electronic forms.

**SSA Response:** We have been working on setting up a listening session between SSA, OMB, and at least one advocacy organization representing appointed representatives. We hope to have that session set up as soon as possible, and during that meeting we will discuss the advocacy groups' feedback on the e1693 (0960-0810) and e1696 (0960-0527), including their challenges in using the system, and any suggestions they have for IT, verbiage, or policy improvements designed to increase the use or reduce the burden of using these electronic forms.

### **Public Comments on the Information Collection**

#### **60-Day Comment Period Federal Register Notice (FRN):**

The 60-day Comment Period began on August 20, 2021 and ended on October 19, 2021 at 1:59pm. We received one set of public comments on the 60-day comment period FRN. The following contains a summary of those comments and SSA's responses:

- **Comment #1:** The commenters agreed with the revisions SSA made to the form to clarify language throughout so that its contents are more clearly communicated and easier to understand, consistent with the language requirements of the Plain Writing Act of 2010. The commenters specifically support the additions identifying when the claimant must pay the representative the authorized fee directly, and the section which more thoroughly explains that policies permit the representative to charge and collect an authorized fee from the claimant but prohibit direct payment of fees.

**SSA Response #1:** We appreciate the comment and helpful feedback on these changes. Clarity and plain language on our forms are things we always endeavor to improve.

- **Comment #2:** The commenters also appreciated the clarifications SSA made to the Two-Tiered Fee Agreement and Escrow/Trust Accounts or Third-Party Payments sections, making them optional and only used when applicable, and SSA's expanded explanations about these fee concepts and arrangements to assist claimants' understanding.

**SSA Response #2:** These sections were always optional, but we are pleased this is clearer on the new version and welcome the reassuring feedback.

- **Comment #3:** The commenters mentioned that, while the General Information section states that claimant's dependents, spouse, or auxiliary beneficiaries who do not have their own representation will also be liable for a fee if approved for benefits, they believe that this is a

significant contractual obligation that SSA should add to the Standard Fee Agreement section. They strongly suggest that SSA add language regarding the liability of any auxiliary beneficiaries for the authorized fee to the Standard Fee Agreement section, which currently indicates that only the claimant is responsible for paying the representative and that SSA will only use the claimant's past due benefits to calculate and/or pay the representative's fee, with no mention of auxiliary beneficiaries' past-due benefits. The commenters suggested the following updated language for this section: "...a fee that does not exceed the lesser of 25 percent of past-due benefits due to me or my dependents, spouse, and/or auxiliary beneficiaries."

**SSA Response #3:** We appreciate the comment and are adopting it. We will revise accordingly.