

Justification for Non-Substantive Changes for Upload Documents (eSubmit)

20 CFR 404.704; 404.1512, 416.200, 416.912, and 422.505

OMB No. 0960-0830

Background

The Social Security Administration (SSA) uses the Upload Documents (eSubmit) Portal to allow first party individuals to electronically submit evidence and first-party forms that do not require a signature, in addition to simple webform modalities of many of SSA's current public use forms for respondents to complete and submit electronically to SSA. We expect to continue to expand this capability as we continue to develop the Portal for electronic submission of more forms and evidence.

As part of this expansion, and in an effort to continue to expand options for individuals who sign and submit documents to SSA, we are adding a new, Commercial Product Alternative Signature (CPAS) process as an additional means for individuals to sign the following eight currently approved agency forms prior to sending them to SSA:

OMB Number	Form Number	Form Title
0960-0059	SSA-821-BK; SSA-821-APP	Work Activity Report – Employee
0960-0229	SSA-8000-BK; iSSI (Internet modality)	Application for Supplemental Security Income (SSI)
0960-0444	SSA-8001-BK; iSSI (Internet modality)	Application for Supplemental Security Income (Deferred or Abbreviated)
0960-0527*	SSA-1696; SSA-1696-APP	Appointment of Representative
0960-0598	SSA-820-BK; SSA-821-APP	Work Activity Report (Self-Employment)
0960-0618	SSA-16; iClaim (Internet modality)	Application for Disability Insurance Benefits
0960-0623	SSA-827; i827 (Internet modality)	Authorization to Disclose Information to the Social Security Administration
0960-0810*	SSA-1693; SSA-1693-APP	Fee Agreement for Representation before the Social Security Administration

* While Forms SSA-1696 and SSA-1693 are not, currently, available through the Upload Documents (eSubmit) Portal, we offer an electronically signable and submittable PDF version through the Adobe Sign process. However, we hope to expand the Upload Documents Portal to include them in the future.

Under the CPAS process, individuals who use a commercial signature product to submit signed forms will ensure that the product is capable of generating an audit trail maintaining the following information in a digital certificate: (1) confirmation that the document was signed using a commercial product; (2) signature details (i.e., name of person who signed the document, date/time document was signed); (3) email and IP address associated with each signature; (4) whether the document was changed after signature; and (5) an identifier that connects the audit trail to the signed document to which it applies. SSA then requires the individual to maintain the digital certificate for a minimum of three years from the date they submitted the form and to produce the digital

certificate if the agency requests it. Once the individual uses the CPAS process SSA allows them to submit the electronically signed forms using any method currently accepted for wet-signed forms (e.g., by mail, in person, or via a secured electronic transfer, like Upload Documents or Electronic Records Express, OMB #0960-0753).

While the CPAS process does not allow for the same electronic completion and submission which SSA provides through Upload Documents, the agency is offering this new option due to the complaint which the National Federation of the Blind (NFB) and four individuals who are blind filed in May of 2020 to the U.S. District Court for the District of Columbia, *National Federation of the Blind, et al. v. Martin J. O'Malley*, Case No. 20-cv-1160 (NFB litigation). NFB's complaint alleged that the Agency's "wet-ink" (i.e., on paper instead of electronic) signature requirements for certain agency documents deprive applicants who are blind of the opportunity to submit their documents independently and privately in violation of the Rehabilitation Act, 29 U.S.C. 794(a). Per the litigation terms, we are submitting this request to include the new CPAS process under 0960-0830 prior to December 19, 2024.

Revision to the Information Collection

- **Change #1:** SSA is including the new Commercial Product Alternative Signature (CPAS) process as an additional means for individuals to sign the following eight forms prior to sending them to SSA: SSA-821-BK (0960-0059); SSA-8000-BK (0960-0229), SSA-8001-BK (0960-0444), SSA-1696 (0960-0527), SSA-820-BK (0960-0598), SSA-16 (0960-0618), SSA-827 (0960-0623), and SSA-1693 (0960-0810).

Justification #1: The new CPAS process allows an individual to sign these eight forms using a commercial signing product which is capable of generating an audit trail maintaining the following information in a digital certificate: (1) confirmation that the document was signed using a commercial product; (2) signature details (i.e., name of person who signed the document, date/time document was signed); (3) email and IP address associated with each signature; (4) whether the document was changed after signature; and (5) identifier that connects the audit trail to the signed document to which it applies. SSA then requires the individual to maintain the digital certificate for a minimum of three years, and to produce the digital certificate if the agency requests it. Once the individual uses the CPAS process SSA allows them to submit the electronically signed forms using any method currently accepted for wet-signed forms (e.g., by mail, in person, or via a secured electronic transfer, like Upload Documents or Electronic Records Express, OMB #0960-0753).

SSA will implement the new CPAS process upon OMB's approval. Since this process does not significantly change the wet-signature process on the paper forms, we do not expect the addition of the CPAS process to affect the public reporting burden. In addition, since the current burdens for each of these forms are covered under their individual OMB approvals, we are not including the burden information for these forms here.