

**Supporting Statement For
Certification of Prisoner Identity Information
20 CFR 422.107
OMB No. 0960-0688**

A. Justification

1. *Section 205(c)(2)(B) of the Social Security Act (the Act)*, as amended, authorizes the assignment of Social Security numbers (SSNs). SSA regulations at *20 CFR 422.107* of the *Code of Federal Regulations* specify that an applicant must provide documentary evidence of identity when applying for an original or replacement Social Security card. *Section 702* of the *Act* states that “The Commissioner may prescribe such rules and regulations as the Commissioner determines necessary or appropriate to carry out the functions of the Administration.”
2. SSA collects information needed to assign an SSN and issue an original, duplicate or corrected SSN card. The SSN is used by SSA to keep an accurate record of an individual’s earnings and accurately pay benefits under the Social Security program. Inmates of Federal, State, or local prisons, either public or private, may need an SSN card as verification of their SSN for school or work programs or as proof of employment eligibility upon release from prison. SSA offices can enter into agreements with local prison officials regarding the issuance of replacement SSN cards for prisoners. These agreements are done for the convenience of the Social Security office and the prison and outline specific procedures to ensure quality and security of the SSN process. Form SS-5s (0960-0066) for replacement SSN cards from U.S.-born individuals are the only requests processed for inmates. All other applications must be processed following normal application and evidence procedures. The inmates complete and sign Form SS-5, Application for a Social Security Card, and the prison official certifies the inmate's identity based on the inmate's official record. All aliases and other SSNs are shown on the certification. This certification will be typed on prison/Department of Corrections letterhead using SSA’s suggested format for providing this information and will accompany the inmate’s completed application for processing.
3. As stated in the Supporting Statement for the SS-5 (0960-0066), the paper forms are not scheduled to be implemented in a format which can be electronically completed by the public due to the high risk of fraud and identity theft which can occur with electronically transmitted information of this kind. Also, in the case of these inmates, they may not have access to any potential electronic format due to their confinement.
4. The nature of the information being collected and the manner in which it is collected preclude duplication.
5. This information collection does not involve small businesses or other small entities.

6. The information collection must take place based upon the needs of the applicant. If SSA did not collect the data needed to identify the applicant, a replacement SSN card could not be issued. SSNs are necessary for accurate wage postings. Requiring the incarcerated individual to appear in the office presents burdens to the individual, the prison and SSA. Evidence of identity is required to obtain a replacement SSN card. Therefore, the information cannot be collected less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on January 17, 2007 at 72 FR 2081, and SSA has received no public comments. The second Notice was published on March 23, 2007, at 72 FR 13851. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information provided on this form is protected and held confidential 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. The information collection does not contain any questions of a sensitive nature.
12. Approximately 1,000 respondents will need to complete an estimated 200 responses for a total of 200,000 Certifications of Prison Records per year. The estimated average response time is 3 minutes for a total of 10,000 burden hours. No separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The cost to the Federal Government is negligible as the document is prepared by the prison and submitted with the SS-5, Application for Social Security Card (OMB No. 0960-0066).
15. There are no changes in the public reporting burden.
16. The results of the information collection will not be published for statistical use.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB clearance. SSA does not periodically revise and reprint its public-use forms, (e.g., on an annual basis). This

exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, government waste has been avoided because stocks of forms will not have to be destroyed and reprinted. SSA is not requesting an exception to the certification requirements. Please note, however, that statistical survey methodology is not used for this information collection.

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B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.