

**Supporting Statement for
Letter to Custodian of School Records
Letter to Custodian of Birth Records
20 CFR, 404.704, 404.716, 416.802 and 422.107
OMB No. 0960-0693**

A. Justification

1. *Section 205 (a) of the Social Security Act* gives the Commissioner of the Social Security Administration (SSA) broad authority to make rules and regulations and to establish procedures that provide for the taking and furnishing of necessary evidence. *20 CFR 404.716* and *20 CFR 416.802* of the Code of Federal Regulations state that a claimant must submit a public or religious record of birth established before the age of five, if one is available, and that SSA will ask for other evidence of age if the claimant cannot obtain this evidence. *20 CFR 404.704* assigns to the individual the responsibility of obtaining and providing to SSA evidence necessary to prove eligibility to receive, or the right to continue to receive, benefits; however, SSA recognizes that some individuals need assistance in obtaining proof of their age. *20 CFR 422.107* provides that Social Security number (SSN) applicants must submit convincing documentary evidence of age, identity, and citizenship to the Commissioner of Social Security.
2. SSA uses the information collected on the SSA-L106 (Letter to Custodian of School Records) and the SSA-L706 (Letter to Custodian of Birth Records) to establish the claimant's age for benefit purposes. When a claimant does not already have in his/her possession either a public or religious record of birth established before age five, SSA asks the claimant to obtain it if there is an indication that it exists. This evidence of age is generally available from State bureaus of vital statistics or religious organizations. When a claimant needs help in obtaining a birth certificate, SSA completes an SSA-L706, the form used to request a birth record, for the claimant's signature. If a birth record does not exist, this form also asks for the custodian's statement of this fact. If the evidence of birth does not exist, SSA asks the claimant for other convincing evidence of age. This convincing evidence could be an insurance policy, a school record, or other documentary evidence. When a claimant needs help in obtaining a school record as evidence of age, an SSA employee completes a letter to the custodian of the record for the claimant's signature. The SSA-L106 is the form used to request and receive the claimant's school record information. Because they are used for the same purpose we are including them both in this information collection submittal. The respondents are schools, state and local bureaus of vital statistics, and religious entities.
3. Both the SSA-L106 and the SSA-L706 are Agency initiated letters which require a wet signature and usually payment, often in the form of a check. These considerations exclude the ability to send and receive letters electronically from start to finish, and there would be no functionality in making them available electronically because a paper version would still be needed for every usage of the letter.

4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection does not have a significant impact on a substantial number of small businesses or other entities.
6. If this information were not collected, SSA would not be able to verify the claimant's age and therefore would not be able to grant benefits. Because this is only collected on an as needed basis, it cannot be collected more 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 that is not consistent with 5 CFR 1320.8 (d).
8. The 60-day advance Federal Register Notice was published on August 20, 2007 at 72 FR 46529, and SSA received no public comments. The 30-day advance Federal Register Notice was published on November 27, 2007 at 72 FR 66216, and SSA received no public comments. There have been no outside consultations with members of the public.
9. When payment is required, the requester pays the schools, in accordance with their fee schedules, from which he or she requests school record information. SSA pays on behalf of a claimant in situations meeting the requirements of the agency's operating instructions.
10. The information requested 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. The estimated burden hour total is shown in the following chart. No separate cost burden has been calculated. The charts below represent two separate forms; SSA-L106 and SSA-L706 and indicate the burden per form.

SSA-L106:

Type of Respondents	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Total Annual Burden (hours)
Private Sector	1,800	1	10	300
State/Local/Tribal Government	1,800	1	10	300
Totals	3,600			600

SSA-L706

Type of Respondents	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Total Annual Burden (hours)
Private Sector	1,800	1	10	300
State/Local/Tribal Government	1,800	1	10	300
Totals	3,600			600

The total burden is reflected as burden hours.

13. There is no known cost burden to the respondents.
14. The annual cost to the Federal government is approximately \$22,176. This estimate is a projection of costs for printing and distributing the forms and for collecting the information.
15. There is no change in the public reporting burden.

The burden changes shown in ROCIS are due to the addition of three ICs which was necessary in order to show the burden per type of respondent (Private Sector and State/Local/Tribal Government) per form. Before ROCIS we did not have the ability to split the burden amongst these two types of respondents and, therefore, only reported one burden. Now that we have the ability to show the burden in this way, we have done so in ROCIS.

16. The results of the information collection will not be published.
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 approval. 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.

18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR1320.8 (b) (3).

B. Collections of Information Employing Statistical Methods

Statistical methods are not used for this information collection.