

Supporting Statement for Form SSA-3
Marriage Certification
20 CFR 404.725
OMB No. 0960-0009

A. Justification

1. *Section 205(a) of the Social Security Act (the Act)* requires the Secretary to “regulate and provide for the nature and extent of the proofs and evidence and the methods of taking and furnishing the same in order to establish the right to benefits” under the *Act*. *Sections 202(b) and 202(c) of the Act* provide that every husband and wife of an individual entitled to old age or disability insurance benefits shall be entitled to a spouse benefit if such wife or husband, in addition to meeting the entitlement requirements, meets the relationship criteria in *Section 216(h)(1)(A) and (B)*. Evidence of a ceremonial marriage is set forth in *20 CFR 404.725 of the Code of Federal Regulations*.
2. Where the worker and spouse are filing separately, the Social Security Administration (SSA) uses Form SSA-3 to record any changes/additions to the worker’s marital history. Where the spouse and worker were ceremonially married, the worker’s statement on his/her marital history that he/she was ceremonially married to the claimant and the claimant’s statement that he/she was ceremonially married to the worker; generally constitute evidence of a ceremonial marriage in lieu of obtaining a marriage certificate.
3. The target completion date for electronic implementation of the form is currently unknown. We initially expected to add several types of applications/forms to our basic retirement application; however, first we need to convert from our legacy system to a newer, easier to use technology.
4. The nature of the information SSA is collecting 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 by Form SSA-3.
5. This collection has no impact on small businesses or other small entities.
6. If this information were not collected, SSA would be unable to determine if the spouse claimant has the necessary relationship to the worker and therefore, would not meet its statutory obligation under section 216(h)(1)(A) and (B) of the *Act*. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause SSA to collect this information in a manner that is not consistent with 5 CFR 1320.5.
8. SSA published the advance 60-day Federal Register Notice on August 22, 2008, at

73 FR 49730, and did not receive any public comments. SSA published the 30-day Federal Register Notice on October 27, 2008 at 73 FR 63762. If SSA receives any public comments in response to the 30-day Notice, we will forward them to OMB.

9. SSA provides no payment or gifts to the respondents.
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. 180,000 respondents use form SSA-3 annually. There are no respondents in private sector, State/local/tribal government, or Federal Government. The estimated response time is 5 minutes, for 15,000 burden hours. The total burden is shown in hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$277,200. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes in the public reporting burden.
16. SSA will not publish the results of the information collection.
17. OMB has granted SSA an exemption from the requirement to print the OMB expiration date 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 CFR 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.