

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

**A. Justification**

**1. Introduction/Authorizing Laws and Regulations**

*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* authorizes the Commissioner to establish rules and regulations for the agency.

**2. Description of Collection**

SSA collects information needed to assign an SSN and issue an original, duplicate, or corrected SSN card. SSA uses the SSN 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 (third party contracted by local, state, or federal government agency), 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.

All applicants must show SSA proof of their identity before we issue a replacement SSN card. SSA offices enter into a formal, written agreement (Memorandum of Understanding) with prison officials to help prisoners to secure a replacement SSN card. We enter into these agreements for the convenience of the Social Security office and the prison and we specify procedures within the agreement to ensure the integrity of the process. The respondents prison officials who certify the identity of prisoners applying for replacement Social Security cards.

Inmates complete and sign Form SS-5 (OMB No. 0960-0066), Application for a Social Security Card, and a prison official certifies the inmate's identity using information found in the inmate's official file. The prison official copies the certification template provided by SSA onto prison/Department of Corrections letterhead, enters the appropriate information for each prisoner, and forwards it to the appropriate SSA field office along with the completed Form SS-5.

SSA accepts the prison official's statement as proof of the inmate's identity and sends the prisoner a replacement SSN card. Prisoners who are not in a facility covered by an

agreement must show us other documents to prove their identity, such as those required from the general public, to receive an SSN replacement card.

**3. Use of Information Technology to Collect the Information**

SSA did not create an electronic version of this collection under the agency's Government Paperwork Elimination Act (GPEA) plan because only 25,000 respondents submit this certification. This is less than the GPEA cut-off of 50,000.

**4. Why We Cannot Use Duplicate Information**

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

**5. Minimizing Burden on Small Respondents**

This collection does not affect small businesses or other small entities.

**6. Consequence of Not Collecting Information or Collecting it Less Frequently**

If we did not collect the information to prove the applicant's identity from the prison official, the prisoner would have to show us other original documents to prove his or her identity. This could create a hardship for prisoners who do not typically have current, unexpired documents that we require as proof of identity. Forcing the prisoner to wait until released from prison before obtaining proper proof of identity places an additional burden on the individual and the SSA field office. Evidence of identity is always required to obtain a replacement SSN card. Therefore, we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.

**7. Special Circumstances**

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

**8. Solicitation of Public Comment and Other Consultations with the Public**

SSA published the 60-day advanced Federal Register Notice on December 08, 2009 at 74 FR 64801, and we received no public comments. The second Notice published on March 04, 2010 at 75 FR 9992. If we receive comments in response to the 30-day Notice, we will forward them to OMB.

We did not consult with the public in the revision of this information collection.

**9. Payment or Gifts to Respondents**

SSA does not provide payments or gifts to the respondents.

**10. Assurances of Confidentiality**

SSA protects and holds confidential the information it collects 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. Justification for Sensitive Questions**

The information collection does not contain any questions of a sensitive nature.

**12. Estimates of Public Reporting Burden**

Approximately 1,000 respondents take 3 minutes each to complete certification statements on behalf of approximately 200 prisoners per prison each year. Accordingly, the burden is 10,000 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

**13. Annual Cost to the Respondents (Other)**

This collection does not impose a known cost burden on the respondents.

**14. Annual Cost To Federal Government**

The estimated cost to the Federal Government to collect the information is negligible since the document is prepared by the prison and submitted with the SS-5, Application for Social Security Card (OMB No. 0960-0066).

**15. Program Changes or Adjustments to the Information Collection Request**

There are no changes in the public reporting burden.

**16. Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

**17. Displaying the OMB Approval Expiration Date**

OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.

**18. Exceptions to Certification Statement**

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.