

**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 (Act)* authorizes the assignment of Social Security numbers (SSN). Social Security Administration (SSA) regulations at 20 CFR 422.107 of the *Code of Federal Regulations* specify 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 of SSA to establish rules and regulations appropriate to carry out the functions of the administration.

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.

Before SSA can issue a replacement Social Security card, applicants must show SSA proof of their identity. People who are in prison for an extended period typically do not have current identity documents. Therefore, under formal written agreement with the correctional institution, SSA allows prison officials to verify the identity of certain incarcerated U.S. citizens who need 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. Information prison officials provide comes from the official prison files, sent on correctional facility letterhead; there is no standardized form used for this information collection. SSA uses this information to establish the applicant's identity in the replacement Social Security card process. The respondents are prison officials who certify the identity of prisoners applying for replacement Social Security cards.

3. Use of Information Technology to Collect the Information

SSA did not create an electronic version of the Certification of Prisoner Identity Information under the agency's Government Paperwork Elimination Act plan due to the nature of the information collection.

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, prisoners would have to show SSA other original documents to prove their identity. This could create a hardship for prisoners who do not typically have the current documents we require as proof of identity. 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 advance Federal Register Notice on September 24, 2012 at 77 FR 58903, and we received no public comments. We published the second Notice on December 7, 2012, at 77 FR 73122. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the maintenance of this form.

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

Prison officials from 1,100 prisons take 3 minutes each to complete certification statements on behalf of approximately 200 prisoners per prison each year. Accordingly,

the burden is 11,000 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

The burden has increased due to an increase in the number of prisons participating in the identity certification process, from 1,000 to 1,100; an increase of approximately 20,000 responses or 1,000 burden hours.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

SSA is not requesting an exception to the requirement to display an expiration date.

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.