

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

**A. Justification**

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

*Section 205(a)* of the *Social Security Act* (*Act*) gives the Commissioner of the Social Security Administration (SSA) the authority to make rules and regulations and establish procedures providing for the collection of evidence from individuals applying for Social Security benefits. *Sections 202(b)* and *202(c)* of the *Act* stipulate that every spouse of an individual entitled to Old Age and Survivors Disability Insurance (OASDI) benefits is entitled to a spousal benefit if the wife or husband, in addition to meeting the entitlement requirements, meets the relationship criteria in *Section 216(h)(1)(A)* and *(B)*. As provided in *20 CFR 404.725* of the *Code of Federal Regulations* on the evidence requirements of a ceremonial marriage, when the worker and spouse file claims separately, the SSA uses Form SSA-3, Marriage Certification, to record changes to the worker's marital history.

**2. Description of Collection**

SSA uses Form SSA-3 to determine if a spouse claimant has the necessary relationship to the Social Security number holder (i.e., the worker) to qualify for the worker's OASDI benefits. The respondents are applicants for spouse's OASDI benefits.

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

SSA did not create an electronic version of Form SSA-3 under the agency's Government Paperwork Elimination Act plan because higher volume forms take precedence. Form SSA-3 is currently available as a fillable PDF on SSA's website for respondents to download, complete, print, and submit to SSA for processing.

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

The nature of the information we collect and the manner in which we collect 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 use Form SSA-3, SSA would be unable to determine if spouse-claimants have the necessary relationship to the worker for spousal benefits, and if they meet our statutory obligation under section *216(h)(1)(A)* and *(B)* of the *Act*. 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**

The 60-day advance Federal Register Notice published on March 10, 2017, at 82 FR 13372, and we received no public comments. The 30-day FRN published on May 12, 2017 at 82 FR 22173. If we receive any comments in response to this Notice, we will forward them to OMB.

## **9. Payment or Gifts to Respondents**

SSA does not provide payments or gifts to the respondents.

## **10. Assurances of Confidentiality**

SSA protects and hold confidential the information we collect 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 62,342 respondents take 5 minutes to complete the SSA-3 annually, for 5,195 burden hours. The total burden for this ICR is 5,195 hours, and we did not calculate a separate cost burden.

## **13. Annual Cost to the Respondents**

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

## **14. Annual Cost to the Federal Government**

The annual cost to the Federal Government is approximately \$277,200. This is the cost for collecting and processing the information.

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

The decrease in burden is due to fewer respondents completing this form. In addition, we reevaluated our management information data, and found we had over-estimated our data in 2014, we are correcting that information now.

## **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.