

Supporting Statement for Form SSA-L106-F3 and SSA-L706-F3
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. Introduction/Authorizing Laws and Regulations

The Social Security Administration (SSA) collects this information by authority of sections 205(a) and 1631 of the *Social Security Act (Act)*, which gives the Commissioner of SSA the authority to make rules, regulations, and establish procedures providing for the collection and furnishing of necessary evidence. Under 20 CFR 404.716 and 20 CFR 416.802 of the *Code of Federal Regulations*, a claimant must submit a public or religious record of birth established before the age of five, if one is available. SSA may ask for other evidence of age if the claimant cannot obtain this evidence. 20 CFR 404.704 of the *Code of Federal Regulations* places the responsibility on the individual for obtaining and providing such evidence to prove eligibility to receive, or the right to continue receiving, Social Security benefits or Supplemental Security Income (SSI) payments. Social Security number (SSN) applicants must submit convincing documentary evidence of age, identity, and citizenship to SSA as stated at 20 CFR 422.107 of the *Code of Federal Regulations*. SSA recognizes that some individuals may need assistance in obtaining proof of their age.

2. Description of Collection

SSA uses existing records from OMB-approved forms (primarily from data collected on the SSA-1, SSA-2, and SSA-16, OMB # 0960-0618) to prepare Form SSA-L106 and SSA-L706 for individuals who need help in obtaining evidence of their age in connection with claims for Social Security benefits and SSI payments, and, on occasion, for SSN card applications. SSA uses the SSA-L106 to determine the existence of primary evidence of age for SSN applicants. SSA also uses both letters to verify with the issuing entity, when necessary, the authenticity of the record submitted by the SSN applicant or claimant. The collection is voluntary, but the evidence is necessary to obtain a Social Security benefit, SSI payment, or an SSN. We collect this information one time from the respondents who are custodians of school and birth records (e.g., State and local agencies and schools). Form SSA-L106 and SSA-L706 are available in paper form only. An SSA employee completes the form on behalf of the claimant using existing data from our records, asks the claimant or beneficiary to sign the document, and sends the request for record information. Both the SSA-L106 and SSA-L706 are agency-initiated letters requiring the claimant's signature and usually payment, often in the form of a check. The respondents are the beneficiaries and claimants who sign the letters; and the schools, State and local bureaus of vital statistics, and religious entities who submit the information regarding evidence of age for the beneficiary or claimant.

3. Use of Information Technology to Collect the Information

Both the SSA-L106 and SSA-L706 are available as fillable PDFs on our website. However, since these are agency-initiated forms, which SSA employees pre-fill with the data SSN holders provide during a personal interview covered under OMB # 0960-0618 (the information we collect under 0960-0618 does not cover the request for verification from the records custodian), and then send to respondents to complete, we cannot create Internet or electronic versions of these forms. In addition, since we are using these forms to obtain evidence of age, or verification of the evidence the claimant or beneficiary provided, we need to ensure authenticity. At this time, we do not have a means to ensure authenticity from these agencies via electronic means.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it precludes 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 Forms SSA-L106 and SSA-L706, SSA would not be able to verify the claimant's age or other claimant-submitted evidence, and therefore would be unable to provide requested services to the public. Because we only collect the information on an as-needed basis, 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

The 60-day advance Federal Register Notice published on June 4, 2019 at 84 FR 25891, and we received no public comments. SSA published the second Notice on August 13, 2019, at 84 FR 40121. 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 form.

9. Payment or Gifts to Respondents

When payment is required, the requester pays the custodians of school and birth records (e.g., State and local agencies and schools) in accordance with their fee schedules. SSA pays on behalf of a claimant in situations meeting the requirements of our operating instructions. The circumstances under which SSA will pay on behalf of the claimant vary depending on the title under which we pay the claims. The circumstances are:

SSA Payment Criteria for Title II or XVIII:

- a. To enable SSA to pay for evidence, the claimant must meet the following conditions: the claimant must have submitted one or more pieces of affirmative evidence supporting eligibility. It is not necessary that the file be free of discrepancy, only that all of the available evidence establishes a reasonable likelihood of eligibility:
Example: A surviving divorced wife who submits proof establishing a 10-year marriage to the number holder submitted affirmative evidence of eligibility even though SSA must obtain a divorce record as well.
- b. SSA needs additional evidence to assure a correct determination of eligibility; i.e., we must verify or corroborate the evidence in file to satisfy SSA's evidentiary and adjudicative requirements;
- c. The claimant is unable to submit additional verifying evidence; and,
- d. The purchase of the evidence is a more economical and reasonable way to obtain it (e.g., one may purchase the evidence by mail or obtain the evidence for free via a visit to the record source).

SSA Payment Criteria for Title XVI

SSA may purchase certified copies of documentary evidence for any eligibility requirement under Title XVI if both of the following conditions exist:

- a. We cannot expect the applicant cannot to obtain the evidence; and
- b. The applicant cannot obtain the evidence without payment of a fee, or if the purchase of the evidence is the most economical method of obtaining it.

SSA Payment Criteria for Concurrent Title II and XVI

The rules for purchasing evidence for Title XVI cases apply.

Lost Evidence

Sometimes a claimant or SSN applicant may allege that evidence provided to SSA was lost in the mail or lost in SSA's handling process. If there is an indication that SSA had the evidence, e.g., SSA took action based on the document received, then SSA would replace the document. In these instances, if we can only obtain duplicate evidence by paying a fee, SSA may pay for the evidence.

Enumeration

It is generally the responsibility of the SSN card applicant to submit the evidence required to establish eligibility for an SSN; however, SSA may purchase evidence for enumeration purposes in certain circumstances (e.g., SSA lost the evidence or the applicant reports not receiving the returned document in the mail).

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

Per our current management information data, approximately 1,774 respondents complete Forms SSA-L106 and SSA-L706 per year. The following chart shows the burden per type of respondent (Private Sector or State/Local/Tribal Government):

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
SSA-L106 - Private Sector	18	1	10	3	\$18.50*	\$56**
SSA-L106 - State/ Local/ Tribal Government	14	1	10	2	\$18.00*	\$36**
SSA-L106 - Beneficiaries and Claimants (Signature Only)	32	1	1	1	\$16.36*	\$16**
SSA-L706 - Private Sector	429	1	10	72	\$18.50*	\$1,332**
SSA-L706 - State/ Local/ Tribal Government	426	1	10	71	\$18.00*	\$1,278**
SSA-L706 - Beneficiaries and Claimants (Signature Only)	855	1	1	14	\$16.36*	\$229**
Totals	1,774			163		\$2,947**

* We based the figures for completing the form on average hourly wages for records management professionals in schools and in State agencies per Bureau of Labor Statistic's data. We based the figure for the signing beneficiaries and claimants on an average of both average Disability Insurance payments and average U.S. worker's hourly wages. We do not currently maintain data to show separate figures for disability and retirement recipients who need to use this form annually.

** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

The total burden for this ICR is **163** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$2,947**. SSA does not charge respondents to complete our applications.

13. Annual Cost to the Respondents (Other)

Other than as outlined in #9 above, this collection does not impose a known cost burden on the respondents.

14. Annual Cost to Federal Government

The annual cost to the Federal Government is approximately \$3,106. This estimate is a projection of the costs for (1) distributing the collection instrument; (2) SSA employee (e.g., field office) information collection and processing time.

15. Program Changes or Adjustments to the Information Collection Request

There is a significant decrease in the public reporting burden. This change stems from a decrease in the number of respondents using these forms. The figures reported in 2016 were an estimate based on old data. In this ICR, we were able to obtain more accurate information data for the number of respondents. There is no change to the burden time per response for the respondents who complete these forms. SSA did not take any actions to cause this change. In addition, we are increasing the burden by including the one-minute burden for the claimants and beneficiaries for whom we complete this form to sign these forms before we send them. While we have always asked the claimants or beneficiaries to sign these forms, we only recently realized that we were no longer showing this minor burden in our burden estimates. This is an oversight, which we are correcting 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.