

Supporting Statement for Form SSA-3881-BK
Questionnaire for Children Claiming SSI Benefits
20 CFR 416.912(a)
OMB No. 0960-0499

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1614 and Section 1631(e)(1) of the *Social Security Act (Act)* gives the agency the authority to collect the information we need to determine the validity of an applicant's claim for Supplemental Security Income (SSI) payments. *Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, gives the definitions and eligibility rules for disabled children. Section 20 CFR 416.912(a) of the *Code of Federal Regulations* states that an applicant must furnish medical and other evidence, which SSA can use to reach conclusions about a child's medical condition.

2. Description of Collection

When initially applying for SSI, the parent or caregiver fills out the SSA-3820 (Disability Report – Child, OMB Control No. 0960-0577) as well as Forms SSA-3375-BK through SSA-3379-BK (OMB Control No. 0960-0542), as relevant to the child's age. This information collection, the SSA-3881-BK (OMB Control No. 0960-0499), contains a set of supplemental questions used specifically in the context of appealing an SSI childhood disability decision, or during a continuing disability review (CDR). SSA does not use this information collection during the initial application. The questions in this information collection provide sources for SSA to contact for any additional information needed for adjudication of a claim. SSA asks for this information to have a full picture of a child's functioning, and uses it only to add to the information we collect using Form SSA-3820 (0960-0577).

Parents or legal guardians seeking to obtain or retain SSI eligibility for their children in the above-described circumstances, use Form SSA-3881-BK to provide SSA with the addresses of non-medical sources such as schools, counselors, agencies, organizations, or therapists who have information about a child's function. SSA asks respondents to complete this form as a routine aspect of the appeal or CDR process. The adjudicative team (a disability examiner and a medical or psychological consultant) of the State disability determination services (DDS) office collects the information to help determine a child's claim or continuing eligibility for SSI. The respondents are the parents, guardians, and other caretakers of applicants who appeal SSI childhood disability decisions, or of recipients undergoing a continuing disability review.

3. Use of Information Technology to Collect the Information

Respondents can respond to this collection via an in-person, oral interview; via a phone-based, oral interview; or via written completion of the paper SSA-3881.

This information collection does not currently allow for electronic submission or electronic disclosure as described in the Government Paperwork Elimination Act plan. SSA created an Intranet version of Form SSA-3881-BK through our internal Electronic Disability Collect System (EDCS). When respondents complete these forms in an interview setting in a field office or via telephone, DDS personnel enter the information provided by the respondents through EDCS. Based on our data, we estimate approximately 35% of respondents under this OMB number submit their information that way. For the other 65%, respondents fill out the forms at home, and bring them into their local field offices. Field office personnel then log this information in EDCS.

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 any other collection instrument to collect 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-3881-BK, we would have no means of ensuring that: (1) our initial denials of child applicants for SSI were correct; or (2) our determinations for continuing eligibility for child SSI payments are accurate. Because we collect this 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 24, 2020, at 85 FR 37996, and we received no public comments. The 30-day FRN published on August 28, 2020, at 85 FR 53428. 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 payment 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

Please see the burden chart below:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-3881-BK (Paper Version)	81,250	1	30	40,625	\$25.72*	24**	\$1,880,775***
SSA-3881-BK (Intranet Version)	43,750	1	30	21,875	\$25.72*		\$562,625***
Totals	125,000			62,500			\$2,443,400***

* We based this figure on average U.S. worker’s hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

*** 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.**

In addition, OMB’s Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA’s current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
81,250	1	30	40,625	\$1,044,875

****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total opportunity cost estimates in the paragraph below.

The total burden for this ICR is **62,500** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$3,488,275**. SSA does not charge respondents to complete our applications.

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 annual cost to the Federal Government is approximately \$1,566,195. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$275
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$1,562,500
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,420
Total		\$1,566,195

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once,

and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2017, the burden was 65,000 hours. However, we are currently reporting a burden of 62,500 hours. This change stems a decrease in the number of responses from 130,000 to 125,000. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change. These figures represent current Management Information data.

16. Plans for Publication Information Collection Results

SSA will not publish the results of this 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.