

**Supporting Statement for Electronic Records Express (ERE) Third Party  
OMB No. 0960-0767**

**A. Justification**

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

Electronic Records Express (ERE) allows us to provide online copies of documents and digital audio hearing recordings contained in disability claimants' files to the claimant's third party representative. Third party appointed representatives can obtain the same information from SSA as the disability claimant. The respondents are third party appointed representatives, and the information they supply allows us to provide them access to view and download all aspects of their clients' disability files online through ERE. We developed ERE as an electronic platform under the auspices of the E-Government Act of 2002 (Public Law 107-347) and the Government Paperwork Elimination Act (GPEA; Pub. L.105-277).

**2. Description of Collection**

ERE is an online system which enables medical providers and various third party representatives to download and submit disability claimant information electronically to SSA as part of the disability application process. To ensure only authorized people access ERE, SSA requires third parties to complete a unique registration process if they wish to use this system. This Information Collection Request (ICR) includes the process to request a download through the Appointed Representative suite of services screens; the burden for submitting evidence to SSA is part of the regular ERE application (OMB No. 0960-0753). The respondents are third party representatives of disability applicants who want to use ERE to electronically access clients' disability files online and submit information to SSA.

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

ERE is an Internet program originally developed by SSA under the aegis of, and in accordance with, the Government Paperwork Elimination Act plan. Based on our data, we estimate approximately 100% of respondents under this OMB number use the electronic version.

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

The nature of the information we collect and the manner in which we collect it preclude duplication. The ERE third-party application (OMB. 0960-0767) gives the appointed representatives access to the electronic folder, where they can upload into and download documents from the claimant's electronic folder. The regular ERE application (OMB. 0960-0753) is for medical providers, and other non-medical providers which allows them to submit evidence into the electronic folder; however they have no access to electronic folder.

**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 request the Social Security Number (SSN) from third party appointed representatives, we could not provide access to their clients' files. 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 November 27, 2020, at 85 FR 76142, and we received no public comments. The 30-day FRN published on January 28, 2021 at 86 FR 7446. 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 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**

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)**
ERE Third-Party	37,314	81	1	50,374	\$59.11*	\$2,977,607**

\* We based this figures on average Lawyer's hourly salary, as reported by Bureau of Labor Statistics data ([https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm)).

\*\* 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.**

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that 10 minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this collection instrument is **50,374** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$2,977,607**. 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 **\$1,385,846**. This estimate accounts for costs from the following areas:

<b>Description of Cost Factor</b>	<b>Methodology for Estimating Cost</b>	<b>Cost in Dollars*</b>
Designing and Printing the Form	Design Cost	\$375
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$17,471
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$1,368,000
Quantifiable IT Costs	Any additional IT costs	\$0
<b>Total</b>		<b>\$1,385,846</b>

\* We have inserted a \$0 amount for cost factors that do not apply to this collection.

SSA is unable to break down the costs to the Federal government further than we already have. 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. However, we have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining these information collections.

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

When we last cleared this IC in 2017, the burden was 55,362 hours. However, we are currently reporting a burden of 50,374 hours. This change stems a decrease in frequency of the responses from 319 to 81 (although we have had no change in the total number of respondents, just a change in how often they access the ERE as Third Party representative payees). 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 the information collection.

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

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

**1. 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.