

Supporting Statement for Upload Documents (eSubmit)
20 CFR 404.704; 404.1512, 416.200, 416.912, and 422.505
OMB No. 0960-NEW

A. Justification

1. Introduction/Authoring Laws and Regulations

The Social Security Administration (SSA) is introducing Upload Documents (eSubmit), a new way individuals can submit evidence and forms to SSA online. In the digital age, individuals expect to complete transactions online, including submitting documents and forms to government agencies. The agency already offers several service-specific options for individuals to submit forms and other documents online (e.g., iClaim, OMB #0960-0618; iAppeals, OMB #0960-0269 & 0960-0622; Electronic Records Express, OMB #0960-0753; etc.). While these available options are useful, the agency intends to use Upload Documents (eSubmit) to expand the options for first-party individuals to submit information to SSA online to complete business with the agency and support claims for benefits.

From March 17, 2020, through April 7, 2022, because of the Coronavirus (COVID-19) public health emergency, SSA encouraged the public to use our online and automated telephone services while we offered limited in-person services in field offices. While we were able to complete forms with the public through our personal interview process via telephone or video conference, we still needed to request the submission of evidence and some paper forms for which we have no other process. The need to submit these forms to SSA via mail poses a significant burden on the members of the public doing business with us. In addition, the increased volume of documents sent to our field offices overwhelmed SSA, who had limited staff on site to process the mail at that time. We estimate that our field offices receive roughly 55 million pieces of mail each year, which equates to the agency spending 2,196 work years opening and scanning mail. It takes approximately five minutes for employees to open and scan each paper mail submission from the public, which then limits the time the field office staff has to review and process those submissions or work directly with the public. To lessen the burden on the public, as well as on the front-line employees and managers; allow staff more time to work with the public and process the information we receive; and to modernize form submission and document intake, we are creating a new service called Upload Documents (eSubmit).

SSA regulations set out some requirements for evidence and forms needed to conduct agency business. As per the following sections of the *Code of Federal Regulations*, including, but not limited to 20 CFR 404.704, 404.1512, 416.200, 416.912, and 422.505, we request evidence and information from the public. In addition, Executive Order (EO) 14058, Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government, requires SSA to develop a mobile-accessible, online process so that any individual applying for or receiving services from SSA can upload forms, documentation, evidence, or correspondence associated with their transaction without the

need for service-specific tools or traveling to a field office. To comply with EO 14058, SSA created Upload Documents (eSubmit), which will allow respondents to upload and submit forms, documentation, and evidence to SSA electronically through the Internet or a mobile application. Note that some regulations (such as *20 CFR 404.707*), and policies require an individual to submit original evidence for eligibility or entitlement purposes; SSA will not be able to accept submissions through Upload Documents (eSubmit) for those types of documents.

Finally, Upload Documents (eSubmit) aligns with SSA's Agency Strategic Plan (ASP) Goal to deliver services effectively and improve service delivery. The ASP recommends a strategy of "increasing the use of online services." By redirecting individuals from mailing paper documents to our offices, to using an electronic upload tool like eSubmit, the agency both expands the electronic service delivery channels available to individuals and encourages the use of online services, saving valuable employee time which staff can then use to help the public.

2. Description of Collection

As per the requirements of EO 14058, respondents may use Upload Documents (eSubmit), a secure upload portal, to submit documents to SSA. We will roll out the new application in several phases to ensure the success of Upload Documents (eSubmit). The first phase will allow respondents to provide select documents (evidence that does not need to be certified or which the agency does not require to be an original, also known collectively as "non original documentation," and first-party forms that do not require a signature) to SSA electronically. Individuals must provide this information themselves since they must authenticate with their information.

We expect Upload Documents (eSubmit) to serve individuals including Title II, Title XVI, and Title XVIII beneficiaries, as well as individuals who do not currently receive any benefits from SSA. Since our initial release will only allow for first-party individuals to use Upload Documents (eSubmit), we will not allow third parties, including representative payees, to submit documents on behalf of others at this time. During this initial release for Upload Documents (eSubmit), we will contact the respondent, via telephone or face-to-face interview with SSA, for a business matter (e.g., filing a claim, performing a redetermination, or updating their personal information). During the interaction, the SSA technician will inform the individual verbally that SSA requires additional information to support their request and will offer the opportunity to provide the information electronically via the Upload Documents (eSubmit) application. After the respondent grants consent to SSA, we will generate a one-time email containing a link to Upload Documents (eSubmit) with instructions on how to access Upload Documents (eSubmit). The system will only make the electronic submission process available within 30 days from the date of the email. Concurrently, the technician will print a paper notice containing more details about the request, including any applicable due process deadline for submission, and will send it through postal mail to the respondent. Once the respondent clicks on the link to Upload Documents (eSubmit), they will authenticate using electronic access (OMB # 0960-0789), ID.me, or Login.gov, and be presented with required language concerning the applicable Terms of Service, the

Privacy Act Statement, identity proofing and authentication (as per the requirements of those authentication processes). Once the respondents arrive at the Upload Documents (eSubmit) dashboard, the system will present them with the description of the items SSA requested from them (examples of the documentation SSA may request includes forms or non-standardized evidence to support their request [e.g., pay stubs, bank statements, pension award letters, tax documents, child support payment history, etc.]). Each item SSA requests from the respondent will appear as a request card on their dashboard. To fulfill a request, the respondent will drag or browse from their device and upload the document to the Upload Documents (eSubmit) system. Once they finish uploading the documents, the system will alert the respondent if the attempted file upload does not meet the file criteria requirements. The respondent will correct any upload failures before submitting the documents to SSA. The respondent must select the Submit button to complete the action, and the system will present them with the confirmation page. The system will notify the technician through the Technician Experience Dashboard (TED) when the document is available for review and consideration.

The second release of Upload Documents (eSubmit) will include an electronic signature functionality allowing respondents to submit some forms requiring a signature. To ensure Upload Documents (eSubmit) will collect respondents' legally enforceable electronic signature, SSA developed an electronic signing process in consideration of the five requirements for a legally valid and binding electronic signature established by the General Services Administration, Federal Chief Information Officers Council guidance in *Use of Electronic Signatures in Federal Organization Transactions*:

- (1) Identification and Authentication of Signer – Relying upon Electronic Access (OMB #0960-0789) the individual will sign in using LOGIN.GOV, ID.me, or using an account with SSA created before September 18, 2021.
- (2) Electronic Form of Signature – SSA will use a check box as the electronic form of signature. Upload Documents (eSubmit) will require each form to be electronically signed if a signature is required.
- (3) Intent to Sign – We will display the following language next to the checkbox through which the respondent will apply their electronic signature:

I reviewed the document name(s) listed above and confirmed that I uploaded the document version(s) I intend to sign. By checking this box, I am certifying that I am the authenticated person named above and I am applying my electronic signature to the uploaded document(s) listed above. I agree that my electronic signature has the same meaning, legal effect, and validity as my handwritten signature.

The respondent will see the name of the form requested and the file name of the document they uploaded but will not be able to preview an image of their uploaded document. However, the following instructions will be displayed at the top of the Review and Submit screen:

Please review the information, including the date and document file name(s), to verify you have uploaded the correct document(s) before signing and submitting. You will not be able to preview your uploaded document(s) prior to submitting.

- (4) Signature Attached to or Associated with the Signed Electronic Record – selecting the checkbox will associate signature information with the database records and will affix that information to copies of the forms that users can download and to copies SSA uses for processing or archiving. They will associate the electronic signature with the uploaded document and send downstream for necessary action and storage in the appropriate repository.
- (5) Preservation of the integrity of the record – SSA will protect the integrity of the signed document, for instance, by logging and timestamping the actions the signer took. SSA will store the record in the official repository which is currently used to store the document.

The second release will introduce additional forms that we will accept as part of the Upload Documents (eSubmit) process. Some of the additional forms will be first-party single-signer forms that require a signature. Provided in the attached Addendum is a complete list of forms that we will include in the first and second releases of the Upload Documents (eSubmit). As noted in Question Prompt 12 below, the specific forms that respondents submit through Upload Documents (eSubmit) will retain their existing OMB Control Numbers, reflecting the fact that the Upload Document (eSubmit) PRA approval is for the system used to collect form submissions, but not the actual questions on the forms themselves. While we anticipate the use of Upload Documents (eSubmit) will reduce the overall burden associated with submitting forms, SSA will eventually document any burden reduction associated with improved submission in the specific forms' supporting statements.

We identified the following psychological costs based on the requirements for this information collection:

- **Psychological Cost:**
 - o **Requirement for the Program:** Upload Documents (eSubmit) is a service delivery option which allows respondents to electronically submit sensitive information when doing business with SSA. While some might consider this information sensitive, the information is already required and collected via traditional service channels (e.g., mail and in person delivery) and is intended to provide the agency with the necessary information to process the respondent's business need. Therefore, the psychological costs for these are already accounted for and considered.
 - o **Psychological Cost:** While some of the information collected during the interview may be perceived as unduly sensitive, Upload Documents (eSubmit) is merely an option for collecting necessary documents. An individual's privacy concerns

regarding such requests will already be addressed by SSA technicians as part of the service request, which is typically initiated at the request of the respondent.

We understand these psychological costs may cause respondents to delay their completion of the information collection or cause them to abandon the information collection entirely. However, we require respondents to submit certain information to receive benefits. In addition, we created Upload Documents (eSubmit) as an alternative option for respondents to privately submit documentation to SSA. Respondents may also choose to submit their documentation through mail or in person delivery (as stated above). Therefore, we have taken this potential psychological cost into account when calculating our burden in #12 below.

Respondents are first-party individuals who choose to use the Internet to conduct business with us.

3. Use of Information Technology to Collect the Information

We collect this information electronically via the Internet through the Upload Documents (eSubmit) public facing portal, under the agency's Government Paperwork Elimination Act plan. We also collect this information through other processes (e.g., in-person, mailed, faxed, dropped off) for those who cannot, or choose not to, submit their evidence electronically. We expect the use of Upload Documents (eSubmit) to reduce the respondent's burden of submitting hard copies of evidentiary documents to the agency and reduce the agency's burden of handling/maintaining hard copies.

4. Why We Cannot Use Duplicate Information

SSA collects the information from these completed forms and delivered evidence elsewhere such as in-office or via mail, however, the agency is implementing Upload Documents (eSubmit) to allow for another method of collection for this information. Since respondents only need to submit the information to SSA once, through their preferred method of submission, Upload Documents (eSubmit) will not require respondents to submit duplicate information. Rather, individuals can upload completed forms and evidence directly to SSA through Upload Documents (eSubmit) after authenticating their identity. This process will eventually reduce the need for individuals to mail or deliver their documents to an office in the existing methods of collection. We plan to accomplish this work through a series of releases. Additional releases will reduce the burden of the existing collections. We will prepare change requests for the existing collections to adjust the burden as needed.

5. Minimizing Burden on Small Respondents

This collection does not significantly affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

Failure to collect this information may impact SSA's ability to determine if the applicant is eligible to receive or continue receiving benefits from SSA. We cannot collect the information less frequently as it is collected at the time of application and at the time of any potential change in eligibility. 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 1, 2023, at 88 FR 13004, and we received no public comments. SSA published the second Notice on May 18, 2023, at 88 FR 31838. 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.

We conducted focus group discussions and usability testing with members of the public, both beneficiaries and non-beneficiaries, and will continue to do so as we build upon and enhance this process. We included the results of this study in the attached addendum.

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

We request potentially sensitive evidence or ask questions of a sensitive nature in this information collection. This is to determine if a respondent applying for benefits is eligible under our programs or eligible to continue receiving benefits. In addition, we may ask the respondents for financial information. As we ask for this sensitive information, a respondent may feel stress or resistance to submitting their documentation through Upload Documents (eSubmit). We addressed this above in #2.

Before we ask for any information online, the respondents must read, and agree to our Terms of Service. The system also displays a Privacy Act Statement to the respondent before they provide information to SSA. The Terms of Service and Privacy Act Statement together explain what we will and will not do with the information; these also describe the responder's responsibilities; and explain our legal authority for collecting the information.

12. Estimates of Public Reporting Burden

As this is a new system, we estimated the information in the chart below based on current management information data on respondents who need to submit additional evidence to SSA. The burden documented for Upload Documents (eSubmit) reflects the time and effort involved with understanding, navigating, and submitting documents through the

online system; we capture the actual time associated with respondents completing the specific forms and documentation they submit through Upload Documents (eSubmit) under the OMB Control Numbers for each of those information collections. While we anticipate the use of Upload Documents (eSubmit) will reduce the overall burden associated with submitting forms, we will eventually document any burden reduction associated with improved submission processes in the specific forms' supporting statements.

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)*	Average Wait Time for Teleservice Center (minutes)**	Total Annual Opportunity Cost (dollars)**
Internet Version Release #1	904,569	1	7	105,533	\$28.01*	19**	\$10,979,357***
Internet Version Release #2	960,196	1	7	112,023	\$28.01*	19**	\$11,649,539***
Totals	1,864,765			217,556			\$22,628,896***

* We based this figure on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm#00-0000).

** We based this figure on average FY 2023 wait times for teleservice centers (approximately 19 minutes per respondent), 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 online tool; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the tool. **There is no actual charge to respondents to complete the online tool.**

We calculated the following Learning Cost time burden based on the estimated time and effort we expect respondents will take to learn about this program, its applicability to their circumstances, and to cover any additional research we believe respondents may need to take to understand how to comply with the program requirements (beyond reading the instructions on the collection instrument):

Total Number of Respondents	Frequency of Response	Estimate Learning Cost (minutes)	Estimated Total Annual Burden (hours)	Total Annual Learning Cost (dollars)**
1,864,765	1	5	155,397	\$4,352,672****

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

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

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 7 minutes accurately shows the average burden per response for learning about the program; receiving notices as needed; reading and understanding instructions; gathering the data and documents needed; answering the questions and completing the information collection instrument; scheduling any necessary appointment or required phone call; consulting with any third parties (as needed); and waiting to speak with SSA employees (as needed). Based on our current management information data, the current burden information we provided is accurate. The total burden for this Information Collection Request (ICR) is **217,556** burden hours (reflecting estimated SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$26,981,568**. 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 \$55,050,830. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing and Printing the Form	Design Cost + Printing Cost	\$0*
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	\$52,214,998
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	\$567,097
Quantifiable IT Costs	One-time development	\$2,268,735

	costs	
Total		\$55,050,830

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

We did not include the cost for some of the forms that we will accept under the Upload Documents (eSubmit) process, as we have already estimated the costs to the federal government for those forms under their individual OMB approvals. We included a list of these forms we will accept through Upload Documents (eSubmit) that are OMB approved separately in the Addendum.

The remaining documents that Upload Documents (eSubmit) will accept through the portal are non-standardized evidentiary documents. SSA regularly accepts each of these additional items through paper submissions which SSA technicians accept, evaluate, and process in accordance with our current business process. The chart above shows the expected costs to the federal government for processing these documents through Upload Documents (eSubmit).

15. Program Changes or Adjustments to the Information Collection Request

This is a new information collection that increases the public reporting burden. See #12 above for the new burden figures.

* Note: The total burden reflected in ROCIS is **963,462**, while the burden cited in #12 of the Supporting Statement is **217,556**. This discrepancy is because the ROCIS burden reflects the following components: call center waiting time + learning costs. In contrast, the chart in #12 of the Supporting Statement reflects actual burden.

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.

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 in this information collection.