

Supporting Statement for Electronic Records Express (ERE) Appointed Representative Services (ARS)
OMB No. 0960-0767

A. Justification

1. Introduction/Authoring Laws and Regulations

Electronic Records Express (ERE) Appointed Representative Services (ARS) 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-ARS. 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

The ERE-ARS application gives appointed representatives access to a claimant's electronic disability folder. To ensure only authorized appointed representatives access ERE-ARS, SSA requires appointed representatives to complete an enrollment registration process if they wish to use this system. Specifically, an appointed representative seeking to use ERE-ARS to either review the claimant's electronic casefile or to submit documents to the casefile must: During the enrollment process the AR has their identity verified, receives an activation code from the hearing office to activate services, completes a numident check, creates a password, establishes security questions/answers, and registers their cell phone.

This Information Collection Request (ICR) includes the process to request a download of the documents in the electronic disability folder through the Appointed Representative suite of services, which in-system is referred to as file "pickup" (as stated previously the burden for submitting evidence to SSA is part of the regular ERE application (OMB No. 0960-0753)). Once a third party has access to their claimant's casefile in ERE-ARS, they can view the pending electronic case. To view a file the representative clicks the document they want to view and the document opens in a separate browser window. To download documents they select the files they want and click "Download to PDF" or "Download to ZIP". When files are ready for pick up they get an email to go to the Pick Up files page where the selected file(s) will be available to download for seven days.

The respondents are third party representatives of disability applicants who want to use ERE-ARS 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. ERE-ARS (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-ARS Registered Appointed Representatives	680	1	35	397	\$65.26*	25,908
Number of Packages Downloaded	2,050,207	1	1	34,170	\$65.26	2,229,934
Total	2,050,887			34,567		\$2,255,842

* 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).

** 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 36 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 **34,567** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$2,255,842**. 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:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*

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
Total		\$1,385,846

* 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 34,567 hours. This change stems a decrease in frequency of the responses from 319 to 2 (1 for each modality in the chart) because we are now capturing that an appointed representative only goes through the registration process once and the number of packages downloaded frequency is also "1" as each download has already been counted under the Number of Respondents. The Number of Respondents captures fiscal year 2020 MI.. There is a change to the burden time per response to 36 minutes because registration takes about 35 minutes to complete and the number of packages downloaded takes about 1 minute. 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.

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.