

Supporting Statement for the SSA-L707
Request for Proof(s) from Custodian of Records
20 CFR 404.703, 404.704, 404.720, 404.721, 404.723, 404.725, 404.728
OMB # 0960-NEW

A. Justification

1. *Section 205(a) of the Social Security Act* gives the Commissioner of the Social Security Administration (SSA) broad authority to make rules and regulations and to establish procedures that provide for the taking and furnishing of necessary evidence. *20 CFR 404.703 of the Code of Federal Regulations* states that SSA will ask claimants for evidence that they are entitled to the benefits. *20 CFR 404.720 and 20 CFR 404.721* state when evidence of death is needed and describe acceptable evidence of a person's death; *20 CFR 404.723* states when evidence of marriage is needed, and *20 CFR 404.725* discusses evidence of a valid ceremonial marriage; and *20 CFR 404.728* discusses when and what kind of evidence is needed that a marriage has ended. *20 CFR 404.704* assigns the responsibility of obtaining and providing to SSA evidence necessary to prove eligibility to receive, or the right to continue to receive, benefits; however, SSA recognizes that some individuals need assistance in obtaining evidence of death, marriage, or divorce.
2. SSA uses the information collected on the SSA-L707 to establish death, marriage, or divorce as they pertain to a claimant's eligibility for benefits. When a claimant does not already have in his/her possession needed evidence of death, marriage, or divorce, SSA asks the claimant to obtain it if there is an indication that it exists. When a claimant needs help in obtaining evidence of death, marriage, or divorce, an SSA employee completes a letter to the custodian of the record for the claimant's signature. The SSA-L707 is the form used to request and receive the needed evidence. The respondents are custodians of records including statistics and religious entities, coroners, funeral directors, attending physicians, state agencies.
3. The SSA-L707 requires a wet signature and usually payment from the claimant, often in the form of a check. Also, SSA pre-fills the form for the claimant and requests only that the custodian of the record furnish a certified copy of the record or a letter of no record (the custodian was unable to locate the record requested). These considerations exclude using the form electronically from start to finish, and there would be no functionality in making the forms available electronically because a paper form would still be needed. Also, given the low volume of respondents, it would not be cost effective to make this form available electronically.
4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.

5. This collection does not have a significant impact on a substantial number of small businesses or other entities.
6. If this information were not collected, then SSA would be unable to establish death, marriage, or divorce as they pertain to a claimant's eligibility for benefits. Because this is only collected on an as needed basis, it cannot be collected less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause this information collection to be conducted in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice was published on August 20, 2007 at 72 FR 46529, and SSA has received no public comments. The second Notice was published on October 18, 2007 at 72 FR 59132. There have been no outside consultations with members of the public.

In both Federal Register Notices the number of burden hours is off by one. This is due to the difference between how SSA rounded number of burden hours per IC, as opposed to the way that ROCIS rounded them. The chart in #12 below shows the same numbers as ROCIS.

9. SSA pays the entities, in accordance with their fee schedules, from which it requests evidence of death, marriage, or divorce. SSA pays on behalf of a claimant in situations meeting the requirements of the agency's operating instructions.
10. The information requested is protected and held confidential 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. The information collection does not contain any questions of a sensitive nature.
12. Approximately 600 respondents will use the SSA-L707. The estimated average response time is 10 minutes, for a total of 101 burden hours. The estimated burden hour is shown in the following chart.

Type of Respondents	Number of Respondents	Frequency of Response	Average Burden per Response	Total Annual Burden
State or Local Government	501	1	10 minutes	84
Private Sector	99	1	10 minutes	17
Totals	600			101

The total burden is reflected as burden hours, and no separate cost burden has been calculated.

13. There may be a cost burden to the respondents as often there is a fee required by the custodian of the record, usually a state or local bureau of vital statistics, to search for/issue a certified copy of a death, marriage, or divorce record. Preparing the request to the record custodian is a courtesy that SSA performs to help claimants who need this assistance (i.e., they don't already have a certified copy of the form and need help in pursuing the request). If SSA did not help with the request, the claimant would still have to pay the fee and would have to make the request on his/her own (e.g., by looking online for the requirements, fee, and appropriate address for the state or local agency that would have the person's vital event record).
14. The annual cost to the federal government is approximately \$924.00. This estimate is a projection of costs for printing and distributing the form and for collecting the information.
15. This is an existing collection in use without OMB approval that will increase the public reporting burden.
16. The results of the information collection will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.
18. 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

Statistical methods are not used for this information collection.