

**Supporting Statement for Request for Form SSA-711
Deceased Individual's Social Security Records
20 CFR 402.130
OMB No. 0960-0665**

A. Justification

1. Introduction/Authoring Laws and Regulations

The *Freedom of Information Act* at 5 U.S.C. 552(a)(3) of the *United States Code* provides instructions for members of the public to request records from Federal agencies. 20 CFR 402.130 of the *Code of Federal Regulations* describes how to request a record through providing a name, address, and description of the request.

2. Description of Collection

The Social Security Administration's (SSA) Division of Earnings Records Operations (DERO) receives requests from third parties for copies of original applications for Social Security Numbers and or copies of our Numident records. Most of the requests come from individuals who are doing genealogical research and their intent is to obtain parents' names and place of birth information. Occasionally, the request will ask for date and place of death information and for copies of information from the claim file. SSA considers these requests for non-program purposes. The Social Security Administration charges a fee for searching records (see #13 below). Since earnings information is still confidential, even after a number holder's death, we can only release it to qualified individuals (e.g. survivors, executor of estate, etc.). SSA uses the information the respondent provides on Form SSA-711 to: (1) verify the wage earner is deceased and, (2) access the correct Social Security record. Once SSA receives the form showing identifying information and the authorizing signature, we review it manually, and key data into an electronic program we developed to control requests and to obtain the necessary information. Respondents are members of the public who request deceased individual's Social Security records.

3. Use of Information Technology to Collect the Information

Form SSA-711 is currently available on the Internet in a fillable PDF format which the respondent can complete, print, and send to SSA for processing. In addition, SSA's electronic Freedom of Information Act (eFOIA) system allows the public to fill out the SSA-711 electronically through the Internet. Approximately 95% of respondents use the electronic version of this form. In this way, we are compliant with the Government Paperwork Elimination Act.

4. Why We Cannot Use Duplicate Information

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. Minimizing Burden on Small Respondents

The collection of information may involve small businesses or other small entities. However, SSA restricts the information requested only to information necessary to identify the authorizing signature.

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

As this collection is voluntary, and most of the requests are one time in nature, we have no set schedule for data collection. Therefore, we cannot conduct this information collection less frequently. If SSA did not collect the information, we would be unable to respond to the public's FOIA request. There are no technical or legal obstacles, which prevent 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 April 30, 2015, at 80 FR 24307, and we received one public comment:

Comment:

We received comments from The Family Equality Council requesting SSA revise language in the form to make it more inclusive for lesbian, gay, bisexual, transgender, and queer respondents. Specifically, they requested SSA replace all gendered terms (e.g., "Mother," "Father," "Maiden Name," etc.) to non-gendered terms (e.g., "Parent 1," "Parent 2," as well as "Parent's name at birth," and "Parent's married name (if any)").

SSA Response:

We agree with this suggestion and we are making language revisions to this form to include non-gendered language. However, while SSA will add the non-gendered term, "parent," we will continue to include the terms "Mother" and "Father" (see Addendum for more details).

SSA published the second Notice on August 25, 2015, at 80 FR 51647. 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.

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

Based on prior annual data, approximately 50,000 respondents use the form annually. The estimated average response time is approximately seven minutes, for a total of 5,833 burden hours. The following chart shows the breakdown of respondents based on modality:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
Internet Request through eFOIA	49,800	1	7	5,810
SSA-711 (paper)	200	1	7	23
Total	50,000			5,833

This figure represents burden hours, and we did not calculate a separate cost burden.

13. Annual Cost to the Respondents (Other)

SSA charges the public varying amounts depending on how much information they provide and how they request to receive the information. Since the cost to the respondents varies so much from year to year, we did not calculate a separate annual cost burden:

- \$29 if SSN of decedent is not provided (photocopy)
- \$27 if SSN of decedent is provided (photocopy)
- \$18 if SSN of decedent is not provided (computer extracted SS-5)
- \$16 if SSN of decedent is provided (computer extracted SS-5)

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$585,000. This estimate is a projection of the costs for printing and distributing the paper collection instrument, and for collecting the information.

The estimated cost to the Federal Government to collect the information on the eFOIA website is negligible. Because the cost of maintaining the system which collects this information is accounted for within the cost of maintaining all of SSA's automated systems, it is not possible to calculate the cost associated with just one Internet application.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to the public reporting 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

For the paper Form SSA-711: 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.

For the Internet SSA-711: 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.