

SOCIAL SECURITY ADMINISTRATION**[Docket No: SSA-2021-0003]****Agency Information Collection
Activities: Proposed Request and
Comment Request**

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of

information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA

Comments: <https://www.reginfo.gov/public/do/PRAMain>. Submit your comments online referencing Docket ID Number [SSA-2021-0003].

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-966-2830, Email address: OR.Reports.Clearance@ssa.gov

Or you may submit your comments online through <https://www.reginfo.gov/public/do/PRAMain>, referencing Docket ID Number [SSA-2021-0003].

I. The information collections below are pending at SSA. SSA will submit

them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than April 30, 2021. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. *Certification by Religious Group—20 CFR 404.1075—0960-0093.* SSA is responsible for determining whether religious groups meet the qualifications exempting certain members and sects from payment of Self-Employment Contribution Act taxes under the Internal Revenue Code, Section 1402(g). SSA sends Form SSA-1458, Certification by Religious Group, to a group's authorized spokesperson to complete and verify organizational members meet or continue to meet the criteria for exemption. The respondents are spokespersons for religious groups or sects.

Type of Request: Revision of an OMB-approved information collection.

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)**
SSA-1458	142	1	45	107	*\$25.72	**\$2,752

* We based this figure on the average U.S. citizen's hourly salary, as reported by the U.S. Bureau of Labor Statistics (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.*

2. *Filing Claims Under the Federal Tort Claims Act—20 CFR 429.101–429.110—0960-0667.* The Federal Tort Claims Act (FTCA) is the mechanism for compensating people who Federal employees injured through negligent or wrongful acts that occurred during the performance of those employees' official

duties. SSA accepts claims filed under the FTCA for damages against the United States; loss of property; personal injury; or death resulting from an SSA employee's wrongful act or omission. The various types of claims included under this information collection request require claimants to provide

information SSA can use to determine whether to make an award, compromise, or settlement under the FTCA. The respondents are individuals or entities making a claim under the FTCA.

Type of Request: Revision of an OMB-approved information collection.

Regulation citations	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)***
429.102; 429.103*	1	1	1	0	**\$25.72	***\$0
429.104(a)	11	1	5	1	**25.72	***26
429.104(b)	43	1	5	4	**25.72	***103
429.104(c)	1	1	5	0	**25.72	***0
429.106(b)	8	1	10	1	**25.72	***26
Totals	64	.....	.....	6	.....	***155

* We are including a one-hour placeholder burden for 20 CFR 429.102 and 429.103, as respondents complete OMB-approved Form SF-95, OMB No. 1105-0008. Since the burden for these citations is covered under a separate OMB number, we are not double-counting the burden here.

** We based this figure on the average U.S. citizen's hourly salary, as reported by the U.S. Bureau of Labor Statistics (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.*

3. *Application for Extra Help with Medicare Prescription Drug Plan Costs—20 CFR 418.3101—0960–0696.* The Medicare Modernization Act of 2003 mandated the creation of the Medicare Part D prescription drug coverage program and the provision of

subsidies for eligible Medicare beneficiaries. SSA uses Form SSA–1020, or the internet version, i1020, the Application for Extra Help with Medicare Prescription Drug Plan Costs, to obtain income and resource information from Medicare

beneficiaries, and to make a subsidy decision. The respondents are Medicare beneficiaries applying for the Part D low-income subsidy.

Type of Request: Revision of an OMB-approved information collection.

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 in field office (minutes) **	Total annual opportunity cost (dollars) ***
SSA–1020 (paper applications)	448,836	1	30	224,418	* \$25.72	0	*** \$5,772,031
i1020 (online applications)	365,871	1	25	152,446	25.72	0	*** 3,920,911
Field Office Interviews	85,873	1	30	42,937	* 25.72	** 24	*** 1,987,796
Totals	900,580	.....	.....	419,801	.....	.....	*** 11,680,738

* We based this figure on the average U.S. citizen's hourly salary, as reported by the U.S. Bureau of Labor Statistics (https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2020 wait times for field offices, 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 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.*

4. *Rules of Conduct and Standards of Responsibility for Appointed Representatives—20 CFR*

404.1740(b)(5), 404.1740(b)(6), 404.1740(b)(9), 416.1540(b)(5), 416.1540(b)(6), and 416.1540(b)(9)—0960–0804. Section 205(a) of the Social Security Act (Act) authorizes SSA's Commissioner to make rules and regulations and to establish procedures which are necessary or appropriate. Section 1631(d)(1) of the Act incorporates section 205(a) and applies it to Title XVI of the Act. Additionally, sections 206(a) and 1631(d)(2) of the Act provide that the Commissioner has the authority to establish rules and regulations governing the recognition of individuals who represent claimants before the Commissioner. Individuals appointed to represent claimants before SSA must report to SSA in writing whenever one of the following situations in our revised regulations occurs:

- 20 CFR 404.1740(b)(5) and 416.1540(b)(5)—These sections require representatives to disclose to SSA in writing, at the time a medical or vocational opinion is submitted to SSA, or as soon as the representative is aware of the submission to us, if the representative's employee or any individual contracting with the representative drafted, prepared, or issued a medical or vocational opinion

about a claimant's disability, or if the representative referred or suggested that the claimant seek an examination from, treatment by, or the assistance of the individual providing opinion evidence;

- 20 CFR 404.1740(b)(6) and 416.1540(b)(6)—These sections require representatives to disclose to SSA immediately if the representative discovers that his or her services are or were used by the claimant to commit fraud against SSA;

- 20 CFR 404.1740(b)(7) and 416.1540(b)(7)—These sections require representatives to disclose to SSA whether the representative is or has been disbarred or suspended from any bar or court to which he or she was previously admitted to practice, including instances in which a bar or court took administrative action to disbar or suspend the representative in lieu of disciplinary proceedings; If the disbarment or suspension occurs after the appointment of the representative, the representative will immediately disclose the disbarment or suspension to SSA;

- 20 CFR 404.1740(b)(8) and 416.1540(b)(8)—These sections require representatives to disclose to SSA whether the representative is or has been disqualified from participating in or appearing before any Federal program or agency, including instances in which a Federal program or agency took

administrative action to disqualify the representative in lieu of disciplinary proceedings. If the disqualification occurs after the appointment of the representative, the representative will immediately disclose the disqualification to SSA; and

- 20 CFR 404.1740(b)(9) and 416.1540(b)(9)—These sections require representatives to disclose to SSA whether the representative has been removed from practice or suspended by a professional licensing authority for reasons that reflect on the representative's character, integrity, judgment, reliability, or fitness to serve as a fiduciary. If the removal or suspension occurs after the appointment of the representative, the representative will immediately disclose the removal or suspension to SSA.

A representative's obligation to report these events is ongoing, and SSA requires representatives to report any time one or more of these events occurs. We consider this information essential to ensure the integrity of our administrative process and to safeguard the rights of all claimants. SSA requires representatives to notify SSA in writing, but there is no prescribed format for these reports. The respondents are individuals appointed to represent claimants before SSA.

Type of Request: Revision of an OMB-approved information collection.

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) **
404.1740(b)(5)/416.1540(b)(5)	43,600	1	5	3,633	* \$26.45*	** \$96,093
404.1740(b)(6)/416.1540(b)(6)	2	1	5	0	* 69.86	** 0
404.1740(b)(7)/416.1540(b)(7)	50	1	5	4	* 69.86	** 279
404.1740(b)(8)/416.1540(b)(8)	10	1	5	1	* 69.86	** 70
404.170(b)(9)/416.1540(b)(9)	10	1	5	1	* 69.86	** 70
Totals	43,672	.....	.....	3,639	.....	** 96,512

* We based these figures on average hourly wages for paralegals/legal assistants and lawyers as posted by the U.S. Bureau of Labor Statistics (https://www.bls.gov/oes/current/oes_nat.htm).

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II. SSA submitted the information collections below to OMB for clearance. Your comments regarding these information collections would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than March 31, 2021. Individuals can obtain copies of these OMB clearance packages by writing to *OR.Reports.Clearance@ssa.gov*.

1. Letter to Employer Requesting Information About Wages Earned By

Beneficiary—20 CFR 404.1520, 404.1571–404.1576, 404.1584–404.1593, and 416.971–416.976—0960–0034. Social Security disability recipients receive payments based on their inability to engage in substantial gainful activity (SGA) because of a physical or mental condition. If the recipients work, SSA must evaluate if they continue to meet the disability requirements of the law. When an individual is unable to provide earnings information and SSA does not have access to proof of earnings, we use Form SSA–L725 to

request monthly earnings information from the recipient's employer. SSA employees send the paper from SSA–L725 to the employer to complete, and use the earnings data we receive from the employers to determine whether the recipient is engaging in SGA, since work above SGA level can cause a cessation of disability payments. The respondents are businesses that employ Social Security disability recipients.

Type of Request: Revision of an OMB-approved information collection.

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) **
SSA–L725	170,000	1	40	113,333	* \$22.79	** \$2,582,859

* We based this figure on the average Payroll and Timekeeping Clerks hourly salary, as reported by the Bureau of Labor Statistics data (<https://www.bls.gov/oes/current/oes433051.htm>).

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2. Request for Review of Hearing Decision/Order—20 CFR 404.967–404.981, 416.1467–416.1481—0960–0277. Claimants have a right under current regulations to request review of a judge's hearing decision, or dismissal of a hearing request on Title II and Title XVI claims. Claimants may request Appeals Council review by filing a written request using paper Form HA–

520, or the internet application, i520. SSA uses the information we collect to establish the claimant filed the request for review within the prescribed time, and to ensure the claimant completed the requisite steps permitting the Appeals Council review. The Appeals Council then uses the information to: (1) Document the claimant's reason(s) for disagreeing with the judge's decision or

dismissal; (2) determine whether the claimant has additional evidence to submit; and (3) determine whether the claimant has a representative or wants to appoint one. The respondents are claimants requesting review of a judge's decision or dismissal of hearing.

Type of Request: Revision of an OMB-approved information collection.

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 in field office (minutes) **	Total annual opportunity cost (dollars) ***
HA–520—Paper	37,900	1	10	6,317	* \$10.95	** 24	*** \$235,173
i520—Internet	113,700	1	15	28,425	* 10.95	.....	*** 311,254
Totals	151,600	.....	.....	34,742	.....	.....	*** 546,427

* We based this figure on average DI payments based on SSA's current FY 2021 data (<https://www.ssa.gov/legislation/2021FactSheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, 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 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.*

3. *Authorization to Disclose Information to SSA—20 CFR 404.1512 and 416.912, 45 CFR 160 and 164—0960–0623.* Sections 223(d)(5)(A) and 1614(a)(3)(H)(i) of the Act require claimants to provide medical and other evidence the Commissioner of Social Security may require to prove they are disabled. SSA must obtain sufficient

evidence to make eligibility determinations for Title II and Title XVI payments. The applicants use Form SSA–827, or the internet counterpart, i827, to provide consent for the release of medical records, education records, and other information related to their ability to perform tasks. Once the applicant completes Form SSA–827, or

the i827, SSA or the State DDS sends the form to the designated source(s) to obtain pertinent records. The respondents are applicants for Title II and Title XVI disability payments.

Type of Request: Revision of an OMB-approved information collection.

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 in field office (minutes) **	Total annual opportunity cost (dollars) ***
SSA–827 with electronic signature (EDCS & eAuthorization)	4,189,270	1	9	628,391	* \$10.95	.....	*** \$6,880,881
SSA–827 with wet signature (paper version)	1,055,807	1	10	175,968	* 10.95	** 24	*** 6,551,286
Totals	5,245,077	.....	.....	804,359	.....	.....	*** 13,432,167

* We based this figure on average DI payments based on SSA's current FY 2021 data (<https://www.ssa.gov/legislation/2021FactSheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, 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 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.*

4. *State Death Match Collections—20 CFR 404.301, 404.310–404.311, 404.316, 404.330–404.341, 404.350–404.352, 404.371, and 416.912—0960–0700.* SSA uses the State Death Match Collections to ensure the accuracy of payment files by detecting unreported or inaccurate

deaths of beneficiaries. Under the Act, entitlement to retirement, disability, wife's, husband's, or parent's benefits terminate when the beneficiary dies. The states furnish death certificate information to SSA via the manual registration process or the Electronic

Death Registration Process (EDR). Both death match processes are automated electronic transfers between the states and SSA. The respondents are the states' bureaus of vital statistics.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average cost per record request	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) **	Total annual opportunity cost (dollars) ***
State Death Match-CyberFusion/GSO: Non-EDR Records from EDR sites ..	39	68,621	\$0.88	\$2,355,072	** \$21.09	*** \$1,447,217
State Death Match-CyberFusion/GSO: Non-EDR sites	5	187,570	0.88	825,308	** 21.09	*** 3,955,851
Total: Non-EDR	44	.....	.....	3,180,380	.....	5,403,068
State Death Match-EDR	48	2,573,956	2.05	253,277,270	** 21.09	*** 54,284,732
States Expected to Become—State Death Match-EDR Within the Next 3 Years **	5	62,600	3.17	992,210	** 21.09	*** 1,320,234
Totals: EDR and Expected EDR ..	53	.....	.....	254,269,480	.....	*** 55,604,966
Grand Totals	97	.....	.....	257,449,860	.....	*** 61,008,034

* Please note that both of these data matching processes are electronic and there is only a cost burden, and no hourly burden for the respondent to provide this information.

** We based this figure on the average State BVSs hourly wages, as reported by Bureau of Labor Statistics data (<https://www.bls.gov/oes/current/oes434199.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.*

Dated: February 24, 2021.

Naomi Sipple,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 2021-04165 Filed 2-26-21; 8:45 am]

BILLING CODE 4191-02-P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2020-0007]

Privacy Act of 1974; System of Records

AGENCY: Social Security Administration (SSA).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act, we are issuing public notice of our intent to modify an existing system of records entitled, Travel and Border Crossing Records (60-0389), last published on March 3, 2019. This notice publishes details of the modified system as set forth under the caption, **SUPPLEMENTARY INFORMATION.**

DATES: The system of records notice (SORN) is applicable upon its publication in today's **Federal Register**, with the exception of the routine uses, which are effective March 31, 2021. We invite public comment on the routine uses or other aspects of this SORN. In accordance with 5 U.S.C. 552a(e)(4) and (e)(11), the public is given a 30-day period in which to submit comments. Therefore, please submit any comments by March 31, 2021.

ADDRESSES: The public, Office of Management and Budget (OMB), and Congress may comment on this publication by writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G-401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, or through the Federal e-Rulemaking Portal at <http://www.regulations.gov>. Please reference docket number SSA-2020-0007. All comments we receive will be available for public inspection at the above address and we will post them to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Navdeep Sarai, Government Information Specialist, Privacy Implementation Division, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G-401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, telephone: 410-966-5855, email: Navdeep.Sarai@ssa.gov.

SUPPLEMENTARY INFORMATION: We are modifying the system manager to include up-to-date contact information per OMB Circular A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act." We are modifying the policies and practices for retention and disposal of records to include the National Archives and Records Administration (NARA) General Records Schedule (GRS) 4.2 Information Access and Protection Records, Item 130, Personally Identifiable Information Extracts. Lastly, we are modifying the notice throughout to correct miscellaneous stylistic formatting and typographical errors of the previously published notice to ensure the language reads consistently across multiple systems. We are republishing the entire notice for ease of reference.

In an effort to mitigate improper payments, we established the Travel and Border Crossing Records to collect information about applicants, beneficiaries, and recipients under Titles II, XVI, and XVIII who are or have been absent from the United States (U.S.) for certain periods of time. Generally, we rely on individuals to self-report their foreign travel. Oftentimes, we do not receive these reports or we receive them untimely, which results in improper payments. In general, we suspend Title II benefits to aliens who remain outside of the U.S. for more than six consecutive calendar months. We generally suspend Title II benefits to both U.S. citizens and non-U.S. citizens who travel to a country where payment is restricted by the U.S. Additionally, we suspend Title XVI payments to both citizen and non-citizen recipients who are outside of the U.S. for a full calendar month or 30 consecutive days or longer. SSA is not responsible for making Title XVIII payment determinations on claims for services submitted to the Centers for Medicare and Medicaid Services. However, the information collected in this system will be used for two purposes relating to Title XVIII. First, because Medicare enrollment criteria requires residence in the U.S., SSA will use this information to make initial and reconsideration decisions on Medicare entitlement claims. Second, SSA will use this information to make determinations on physical presence in the U.S. and will update the Master Beneficiary Record (MBR) system of records with those determinations. The Centers for Medicare and Medicaid Services may use information from the MBR in making decisions on whether a Medicare claim can be paid.

In accordance with 5 U.S.C. 552a(r), we provided a report to OMB and Congress on this modified system of records.

Matthew Ramsey,

Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.

System Name and Number

Travel and Border Crossing Records, 60-0389.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Social Security Administration, Deputy Commissioner of Operations, Office of Electronic Services and Technology, Division of Programmatic Applications, 6401 Security Boulevard, Baltimore, MD 21235.

SYSTEM MANAGER(S):

Social Security Administration, Deputy Commissioner of Operations, Office of Electronic Services and Technology, Division of Programmatic Applications, 6401 Security Boulevard, Baltimore, MD 21235, 410-965-5855

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 202(n), (t), and (y), 1611(f), 1818 and 1836 of the Social Security Act (42 U.S.C. 402(n), (t), and (y), 1382(f), 1395i-2, and 1395o); 8 U.S.C. 1373(c).

PURPOSE(S) OF THE SYSTEM:

We will use the information in this system to identify applicants, beneficiaries, and recipients under Titles II, XVI, and XVIII of the Social Security Act who have had absences from the U.S. to establish or verify initial or ongoing entitlement to or eligibility for benefits or payments under Titles II, XVI, and XVIII of the Social Security Act.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants, recipients, and beneficiaries under Titles II, XVI, and XVIII of the Social Security Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system maintains information collected about applicants, recipients, or beneficiaries under Titles II, XVI, and XVIII of the Social Security Act who have had absences from the U.S. The information may include name, Social Security number (SSN), date of birth, gender, country of citizenship, country of travel, deportation information, alien registration number, immigration document type and number, travel mode, date and time of departure from