

**Supporting Statement for Forms:
SSA-L2765, Request for Self-Employment Information
SSA-L3365, Request for Employee Information
SSA-L4002, Request for Employer Information
20 CFR 422.120
OMB No. 0960-0508**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a) and 205(c)(2)(A) of the *Social Security Act* authorize the Social Security Administration (SSA) to request that employers, employees, or self-employed individuals furnish additional evidence of earnings, such as the name and Social Security Number (SSN) shown on the Social Security card of the individual for whom they reported earnings. We implemented this authority under 20 CFR 422.120 of the *Code of Federal Regulations*.

2. Description of Collection

SSA collects the information on forms SSA-L2765, SSA-L3365 and SSA-L4002 to credit the reported earnings to the proper earnings record. When SSA cannot identify Form W-2 wage data for an individual, we place the data in the Earnings Suspense File, and send one of the forms cited above to the employee (and in certain instances to the employer) in an attempt to obtain the correct name and SSN. If the respondent furnishes the name and SSN information that agrees with SSA's records, or provides information that resolves the discrepancy, SSA adds the reported earnings to the respondent's Social Security record. While SSA does not require respondents to complete the collection to keep a benefit, if they do not furnish the missing or corrected information in response to SSA's request, we cannot credit the wages or self-employment income to the proper earnings record. The respondents are self-employed individuals, employees, and employers whose name and SSN information do not agree with SSA's records.

3. Use of Information Technology to Collect the Information

We did not create an electronic version of this collection under the agency's Government Paperwork Elimination Act plan because we must pre-fill the forms with information. Current technology does not have the capability to make such forms electronic.

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

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

- 6. Consequence of Not Collecting Information or Collecting it Less Frequently**
SSA requests workers' names and Social Security numbers as shown on their Social Security card to credit reported earnings to the proper earnings record. Failure to obtain the requested information could result in a potential loss of future benefits. Therefore, we cannot collect this information 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 May 13, 2010, at 75 FR 27036, and SSA received no public comments. The second Notice published on September 27, 2010, at 75 FR 59318. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. SSA did not consult members of the public in the development or maintenance 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

Approximately 385,095 respondents use Forms SSA-L2765, SSA-L3365, and SSA-L4002 annually. The estimated response time is 10 minutes for each form, for 64,183 burden hours for the three regular notices.

In addition, we are conducting a one-time study to test potential changes to these notices. We expect 3,000 respondents to take approximately 5 minutes each to complete the study questions for a total of 250 burden hours (see Addendum for further information).

The chart below shows the burden for both the regularly scheduled notices as well as the one-time study:

| Form | Number of Respondents | Frequency of Response | Response Time (minutes) | Burden (hours) |
|-----------------------------|------------------------------|------------------------------|--------------------------------|-----------------------|
| SSA-L2765 | 7,870 | 1 | 10 | 1,312 |
| SSA-L3365 | 158,334 | 1 | 10 | 26,389 |
| SSA-L4002 | 218,891 | 1 | 10 | 36,482 |
| DECOR Notice One-Time Study | 3,000 | 1 | 5 | 250 |
| Totals | 388,095 | | | 64,433 |

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

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 \$7,582,336. This estimate is a projection of the costs for printing and distribution of forms, and inputting data.

15. Program Changes or Adjustments to the Information Collection Request

The decrease in burden stems from SSA’s temporary suspension of Form SSA-L4002, Request for Employer Information. Additionally, the burden hours for Forms SSA-3365 and SSA-2765 have decreased. The decrease in these forms indicates that employees and self-employed individuals are reporting their names and SSNs correctly, or employers are verifying SSNs prior to reporting.

In addition, we intend to conduct a one-time study using these notices, which will temporarily increase the burden (see Addendum).

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

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.

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.