

Supporting Statement for myWageReport
20 CFR 404.1520(b), 404.1571-1576, & 404.1584-1593
OMB No. 0960-NEW

A. Justification

1. Introduction/Authoring Laws and Regulations

Social Security Disability Insurance (SSDI) beneficiaries receive payments based on their ability to engage in substantial gainful activity because of a physical or mental condition. The Social Security Administration (SSA) requires SSDI beneficiaries or their representative payees to report when beneficiaries return to work, when their amount of work increases, or when their earnings increase. Currently, SSDI beneficiaries can call our 800 number; visit a local field office (FO); or mail paystubs and earnings to their local field offices to report this information. Section 826 of the *Bipartisan Budget Act (BBA) of 2015, P.L. 114-74*, requires SSA to offer SSDI beneficiaries the same electronic or automated receipt wage reporting methods available to Supplemental Security Income recipients, including the Internet. Accordingly, we are creating a new Internet reporting system for this purpose. Section 223(d) (4) of the *Social Security Act* provides the Commissioner of SSA with the authority to provide regulations for administering the disability provisions of the law. The appropriate regulations are contained in Sections 20 CFR, 404.1520(b), 404.1571-1576, and 404.1584-1593 of the *Code of Federal Regulations*.

2. Description of Collection

The myWageReport application will enable SSDI beneficiaries and representative payees to report earnings electronically. It will also generate a receipt for the beneficiary or representative payee, thus providing confirmation that SSA received the earnings report. SSA will screen the information submitted through the myWageReport application and will determine if we need additional employment information. If so, agency personnel will reach out to beneficiaries or their representative payees, and will use Form SSA-821, Work Activity Report, (we do not account for the burden here, as we already account for it under OMB Control No. 0960-0059), to collect the additional required information. The respondents for this collection are SSDI recipients or their representative payees.

3. Use of Information Technology to Collect the Information

We will collect this information electronically via the Internet through SSA's public facing my Social Security account portal via the SSA website: www.socialsecurity.gov, under the agency's Government Paperwork Elimination Act plan. The myWageReport application allows users to access the application on their desktop, laptop, or mobile device(s). Users provide requested information by making selections via dropdown boxes; radio buttons; and keying specific paystub information. SSA receives the collected information over secure channels. We also collect this information through a telephone process; by mail;

or in-person for those who cannot, or choose not to, submit wages over the internet. The internet process allows SSDI beneficiaries and representative payees to submit wage information online.

4. **Why We Cannot Use Duplicate Information**

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

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 use the myWageReport application, we would not comply with Section 826 of the Bipartisan Budget Act of 2015. In addition, if a beneficiary or representative payee is unable to visit a field office or reach an SSA representative over the phone, they are in violation of their reporting responsibilities contained in 20 CFR 404.1588. If the beneficiary or representative payee is unable to report work, the beneficiary is potentially receiving benefits that SSA could later determine were not payable because the beneficiary was not meeting the disability requirements of the law. Because we collect this 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 May 12, 2017, at 82 FR 22173, and we received one public comment:

SSA received the following Public Comments:

- (1) *The myWageReport system should allow for electronic reporting for self-employment income by September 30, 2017;*
- (2) *the proposed myWageReport system appears to be accessible only via a computer or similar Internet-connected device, and does not indicate an option individuals could use by making a telephone call; reports by telephone should be accepted;*
- (3) *SSI beneficiaries are eligible for a variety of work incentives, electronic wage reporting systems should include questions about whether beneficiaries are eligible to receive these incentives; and*
- (4) *SSA should consider individuals using myWageReport to report for both SSI and SSDI, and SSA should adjust benefits in both programs as necessary.*

SSA's Response to the Public Comments:

- (1) *Due to the complex nature of self-employment evaluation or substantial gainful activity (SGA) purposes, we are deferring self-employment reports for a later release;*
- (2) *SSA believes the requirement to provide some sort of electronic reporting that includes telephone-reporting meets BBA 826 requirements by providing a mobile telephone-based application. Offering Title II beneficiaries a mobile phone-based application (responsive design) provides an electronic means that includes a telephone process as the statute requires. Individuals with landlines will still be able to call the 800 number to report;*
- (3) *one of SSA's highest priorities is to support the efforts of disabled beneficiaries who want to work by developing policies and services (work incentives) to help them reach their employment goals. SSA will continue to follow current procedure and mail Forms: SSA-821-BK, or SSA-820-BK to individuals who work require SGA decision, to give beneficiaries a chance to tell us about potential work incentives. Due to time and budget constrictions, we are unable to add this to the September release. We hope to add this feature in a future release; and*
- (4) *SSA is currently developing the myWageReport to allow for SSI and concurrent beneficiaries to report their earnings. The system will recognize the type of benefit the individual is entitled to and distribute the report accordingly. Concurrent beneficiaries will submit one report for both benefits. This enhancement will be included in a later release.*

The 30-day FRN published on July 13, 2017 at 82 FR 32431. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the development of this Internet application.

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.

Additionally, SSA protects and holds confidential the information it receives by adhering to our Internet Privacy Policy, which stipulates:

- The public does not need to give us personal information to visit our site;
- We collect personally identifiable information (name, SSN, DOB or e-mail) only if we know beneficiaries or their representatives provided it;
- We only use personal identifying information in conjunction with services

beneficiaries requested at the time they submitted the information to us;

- We sometimes perform statistical analyses of user behavior in order to assess customer interest in the various areas of our site. We will disclose this information to third parties only in aggregate, never specific form;
- We never give, sell, or transfer any personal information to a third party.

We also take the following measures to ensure the confidentiality of applicants' personal information:

- We encrypt all electronic requests using the Secure Socket Layer (SSL) security protocol. SSL encryption prevents a third party from reading the transmitted data even if they intercept any data. This protocol is an industry standard used by banks such as Wells Fargo and Bank of America for Internet banking;
- We give applicants adequate warnings that the Internet is an open system, and there is no absolute guarantee others will not intercept and decrypt the personal information the applicants submitted. We advise applicants about alternative methods of requesting personal information, i.e., personal visit to a field office or a call to the 800 number;
- We will only allow requestors access to additional screens used for making changes to personal information or requests to SSA once we verify requestor identity.

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 (per annum)	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
myWageReporting	54,000	1	7	6,300

The total burden for this ICR is **6,300** hours. This figure reflects 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 to the respondents.

14. Annual Cost To Federal Government

The estimated cost to the Federal Government to collect the information 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

This is a new application, which increases the public reporting burden. See #12 above for the burden figures.

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.