

**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

The Social Security Administration (SSA) is authorized to collect information to ensure wages and self-employment income are properly identified and credited to the proper individual's earnings record. The purpose of Forms SSA-L2765, SSA-L3365, and SSA-L4002 is for respondents to furnish the name and Social Security number (SSN) information that agrees with SSA's records, or to provide information to resolve discrepancies. Sections 205(a) and 205(c)(2)(A) of the *Social Security Act (Act)* authorize SSA to request an employer, employee, or a self-employed individual furnish additional evidence of earnings, such as the name and SSN shown on the Social Security card of the individual for whom they reported earnings. 20 CFR 422.120 of the *Code of Federal Regulation* implements this authority. Additionally, we stopped sending these forms in 2008 (tax year 2007) but resumed mailings in early 2011 for tax year 2010. We did not issue these forms for tax years 2007-2009. Effective August 29, 2011, SSA suspended Form SSA-L4002 due to budgetary constraints. Effective January 12, 2013, SSA suspended Forms SSA-L2765 and SSA-L3365. We reevaluate our ability to resume this program periodically. We may resume this program in the future once we have the budget available to do so and data to justify the need for sending these letters, which is why we continue to renew this collection.

2. Description of Collection

As stated above, SSA uses Forms SSA-L2765, SSA-L3365, and SSA-L4002 for respondents to furnish the name and Social Security number (SSN) information that agrees with SSA's records, or to provide information to resolve discrepancies in relation to the application for benefits. SSA adds the reported earnings to the respondent's Social Security record, thereby providing the necessary earnings information to establish the correct benefit amounts due to the beneficiary. The collection is voluntary; the modality is paper; and respondents can complete the forms by themselves. SSA employees collect and process these forms for annual use. The respondents are individuals, or the employers of those individuals. We use employer addresses only when we do not have the individual's correct address information.

3. Use of Information Technology to Collect the Information

This collection is paper only. SSA is unable to create an electronic version of this information collection at this time, as we send this agency-initiated application to respondents with pre-filled information. We also include a bar code which allows

us to scan the completed form into the electronic folder once we receive it from the respondent. Currently, we do not have any means to pre-fill information and send the individualized forms to the respondents electronically, as that would require us to build a new system, and we do not have the resources and manpower to do that at this time. In addition, we cannot send these via email, as the pre-filled information contains personal identifying information (PII) of the respondents, and email is a non-secured means of transferring PII. We will reassess our ability to create an electronic version of this collection if and when technological advances are created that would allow for us to make this collection available via the Internet.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect 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

If we do not use Forms SSA-L2765, SSA-L3365, and SSA-L4002, we lose the opportunity to credit earnings to the proper earnings record, which could result in a potential loss of future benefits. Because we collect the 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 February 26, 2020, at 85 FR 11174, and we received no public comments. The 30-day FRN published on April 28, 2020 at 85 FR 23587. If we receive any comments in response to this Notice, we will forward them to OMB.

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

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-L2765	12,321	1	10	2,054	\$25.72*	24**	\$179,571
SSA-L3365	179,749	1	10	29,958	\$25.72*	24**	\$2,619,780
SSA-L4002	121,679	1	10	20,280	\$25.72*	24**	\$1,773,444
Totals	313,749			52,292			\$4,572,810

* We based this figures on average U.S. citizen’s hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.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.**

The total burden for this ICR is **52,292** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$4,572,810**. SSA does not charge respondents to complete our applications.

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 \$1,202,889. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$173
SSA Employee (e.g., field office, 800 number, DDS staff) Information Col-	GS-9 employee x # of responses x processing time	\$1,202,716

lection and Processing Time		
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$0
Other	[Component may add as needed]	\$0
Total		\$1,202,889

* We have inserted a \$0 amount for cost factors that do not apply to this collection.

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

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
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.