

**Justification for Non-Substantive Changes for Form SSA-821-BK
Work Activity Report – Employee
20 CFR 404.1520(b), 404.1571-404.1576,
404.1584-404.1593, and 416.971-416.976
OMB No. 0960-0059**

Revisions to the Collection Instrument

SSA is making the following revisions:

- **Change #1:** We are revising the language on Page 2, under For More Information Section

Current Language: Please read the enclosed pamphlet, “Working While Disabled: How We Can Help.” It will tell you more about why we need to know about your work, and will explain our rules about working. This pamphlet is also available online at www.ssa.gov/pubs/10095.html

Revised Language: Please read the enclosed pamphlet, “Working While Disabled: How We Can Help.” It will tell you more about why we need to know about your work, and will explain our rules about working. This pamphlet is also available online at www.ssa.gov/pubs/10095.html

Justification #1: We are adding the word “online” to the end of the sentence. Agency guidance require that we do not end a sentence with an Uniform Resource Locator (URL).

- **Change #2:** We are revising the web link on page 2, under the section: If You Have Questions, first bullet should read:

Current Language: “Visit our website at www.ssa.gov to find general information about Social Security.”

New Language: Visit our website at www.socialsecurity.gov to find general information about Social Security

Justification# 2: We are changing the URL to reflect the acronym “SSA” in lieu of “Social Security.” Agency guidance require that we use the acronym in URLs.

- **Change #3:** We are revising the language on Page 2, referral paragraph’s Universal Text Identifier (UTI), fifth bullet, replace with the following language:

Old Language: If you live outside the United States, please contact any Social Security office or the nearest United States Embassy or consulate. If you live in the Philippines, you may contact the Veterans Administration Regional Office, Social Security Division, 1131 Roxas Boulevard, Manila. You may also write to the Social Security Administration, P.O. Box 17775, Baltimore, Maryland, 21235-7775, USA.

New Language:

- If you are outside the United States or its territories:
 - If you are in Canada, visit www.ssa.gov/foreign/canada.htm to find the office that services your area.
 - Contact your nearest Federal Benefits Unit (FBU). Visit www.ssa.gov/foreign/foreign.htm for a list of FBUs.
 - Write to the Social Security Administration at:
P.O. Box 17769
Baltimore, Maryland 21235-7769
USA

Justification #3: We are revising, because all U.S. Embassies, Consulate Generals, and Consular Agencies outside the designated 21 Federal Benefits Unit (FBU) posts are considered non-claims taking posts (NCTPs). Effective October 1, 2017, NCTPs began deferring all Social Security Administration (SSA) inquiries to an assigned FBU, except for inquiries concerning the following: interviews for Social Security Number (SSN) applicants above age 12; Consultative Exams and medical appointments; field investigations: travel; investigations: in office; representative payee verification; services related to restricted countries; and, authentication/certification of documents and intake of initial claims. NCTPs may perform these specific tasks with prior authorization from a Regional Federal Benefits Officer. We are revising the instructions directing beneficiaries to U.S. Embassies, Consulate Generals, and Consular Agencies to direct applicants or customers to FBUs for most services, which will be provided only by the 21 U.S. Embassies, Consulate Generals, and Consular Agencies designated as FBUs.

- **Change #4:** We are removing "Claimant or Beneficiary's Own SSN"; and replacing with "BNC#:" on page 3.

Justification #4: On September 15, 2017, the President signed into law H.R. 624, the SSN Fraud Prevention Act of 2017, which became Public Law No. 115-59. The law, among other provisions, restricts the inclusion of SSNs on documents the Federal government sends by mail and requires Federal agencies to issue related regulations outlining when inclusion of the SSN is necessary on mailed documents within five years of enactment. Additionally, the law requires agencies to report to Congress on implementation efforts to remove SSNs from

documents agencies send by mail, with the first report due 30 days after enactment and annually thereafter for five years.

As part of the agency's implementation strategy, we plan to remove the full SSN and, as applicable, replace it with a BNC# on each mailed document. The BNC# is a secure 13-character alphanumeric code used to identify a mailed document that belongs to a beneficiary.

- **Change #5:** We are removing "Claim Number(s) & BIC"; and deleting the entire field on page 3.

Justification #5: We are removing the field, because the number holders SSN will propagate if the beneficiary is receiving benefits off someone else's record. This goes against the agencies initiative to replace SSNs with a BNC#. In addition, technicians are familiar with using the beneficiaries BNC# to locate information about entitlements on another individual's record.

- **Change #6:** We are revising the language on Page 5, at the bottom of **3C**; but before question **4**, change to read:

Old Language: If you have more employers, go to the **Remarks Section**.

New Language: "If you have more employers, go to Additional Employment Information."

Justification #6: We are revising to identify what section of the form the beneficiary can provide "Additional Employment Information."

- **Change #7:** We are making revisions to the format on page 6, at the bottom of page,

Old Language: None of the above apply. Go to Question 6A

New Language: None of the above apply. Go to Question 6A "**Go to Question 6A.**"

Justification#7: We are revising for consistency with the other sections of the form.

Title II Adverse Action notice and Title XVI Notice of Planned Action (Working Continuing Disability Review Due Process Notice)

- **Change #8:** We are adding Fair Credit Reporting Act language to the notices.

New Language:

Fair Credit Reporting Act (FCRA) – Wages

We receive wage and employment information from Equifax that is part of a consumer report. We may have used all or some of the wage and employment information we received from Equifax to determine benefit eligibility, make a benefit decision, or calculate a benefit amount. Equifax played no part in our determination and is unable to supply specific reasons for the determination we made.

You have a right under the FCRA to know the information contained in your consumer report. You have a right to a free copy of your consumer report from Equifax if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in your consumer report is inaccurate or incomplete, you have the right to dispute the matter with Equifax. To obtain a copy of or dispute your consumer report, contact Equifax at:

Equifax Workforce Solutions
ATTN: Dispute
3470 Rider Trail South
Earth City, MO 63045
866-222-5880 or TTY **800-424-2053**
<https://www.theworknumber.com/employees/fcra/>

Justification #8: The Bipartisan Budget Act of 2015 Section 824 (42 U.S.C. § 1184) grants SSA authorization to enter into information exchanges with payroll data providers to obtain wage and employment information for individuals applying for and receiving certain social security benefits. The purpose of such information exchanges is for SSA to obtain information that will help it: (1) efficiently administer monthly insurance benefits under Social Security Disability Income (SSDI) and Supplemental Security Income (SSI) benefits; and (2) to prevent improper payments of such benefits.

We will implement upon OMB approval.