

Supporting Statement for Form SSA-3369-BK
Work History Report
20 CFR 404.1512, 416.912, 404.1560, 404.1565, 416.960 and 416.965
OMB No. 0960-0578

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 223(d)(5)(A) and 1631(e)(1) of the *Social Security Act (Act)* provide that individuals must furnish medical and other evidence to prove they are disabled. Implementing disability regulations at 20 CFR 404.1512 and 416.912 of the *Code of Federal Regulations* state individuals must inform us about, or submit all, evidence known relating to being blind or disabled, and if asked furnish evidence of age; education and training; work experience; efforts to work; and any other evidence showing how their impairments affect their ability to work. 20 CFR 404.1560, 404.1565, 416.960, and 416.965 of the *Code of Federal Regulations* explain that under certain circumstances, the Social Security Administration (SSA) may ask individuals about work they did in the past. If individuals cannot give us all of the information we need to make a determination, we will attempt to obtain, with their permission, the information from employers or other persons who may know the individuals' work history, such as family members or co-workers. Sections 205(a) and 1631(d)(1) of the *Act* give the Commissioner of SSA full power and authority to make rules and regulations, establish procedures, and adopt reasonable and proper rules as to the nature and extent of the evidence, as well as the methods of obtaining and evaluating such evidence, of an alleged disability.

2. Description of Collection

SSA asks individuals applying for disability about work they performed in the past. Applicants use Form SSA-3369, Work History Report, to provide SSA with detailed information about applicant's jobs held prior to becoming unable to work. State Disability Determination Services evaluate the information together with medical evidence, to determine eligibility for disability payments. The respondents are disability applicants and third parties assisting applicants.

3. Use of Information Technology to Collect the Information

SSA claims representatives use the electronic disability collect system (EDCS) to directly key in SSA-3369 information from applicants who are homeless or will be difficult for State agencies to recontact for another reason. State agencies use the paper Form SSA-3369 for applicants who have held more than one job, except in situations where we can make the disability determination without an individual's complete work history. SSA scans or faxes the fillable PDF File into the respondent's electronic case folder housed on SSA's servers. This information collection does not currently allow for electronic submission or electronic disclosure under the Government Paperwork Elimination Act plan, as it has been conveyed to us by OIRA. As per our 4/3/20 conversation with OIRA,

we welcome OIRA to join our conversations with OMB on IT Mods; however, as our IT Mod programming is an ongoing project, we cannot provide timelines for when we will be able to make any particular ICR available via the Internet. We will convert existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this is unconnected to the PRA approval lifecycle.

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 Form SSA-3369, we would be unable to determine whether claimants are disabled, and could not discharge our mandate to pay benefits to disabled claimants. Because we only collect the information once, 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 October 8, 2020 at 85 FR 63630, and we received no public comments. The 30-day FRN published on December 8, 2020 at 85 FR 79064. 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

Please see the burden chart below:

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-3369 (Paper)	1,553,900	1	60	1,553,900	\$18.23*	24**	\$39,658,636***
SSA-3369 (EDCS)	38,049	1	60	38,049	\$18.23*	24**	\$971,094***
Totals	1,591,949			1,591,949			\$40,629,730***

* We based this figure by averaging both the average DI payments based on SSA's current FY 2020 data (<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>), and the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (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.**

In addition, OMB's Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA's current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
1,591,949	1	30	795,975	\$14,510,624

**** We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total opportunity cost estimates in the paragraph below.

The total burden for this ICR is **1,591,949** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$55,140,354**. 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 \$4,185,990. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing and Printing the Form	Design Cost + Printing Cost	\$112,476
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$3,979,873
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0
Systems Development, Updating, and Maintenance	GS-12 employee x man hours for development, updating, maintenance	\$93,641
Quantifiable IT Costs	Any additional IT costs	\$0
Total		\$4,185,990

* 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. 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. However, we have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining these information collections.

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

For the paper Form SSA-3369, 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.

For the EDCS Form SSA-3369, 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.