

**Supporting Statement for Form SSA-L4112**  
**Employer Verification of Earnings After Death**  
**20 CFR 404.821 and 404.822**  
**OMB No. 0960-0472**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 205(c) of the *Social Security Act (Act)* charges the Commissioner of the Social Security Administration (SSA) with establishing and maintaining records of the amounts of wages and the amounts of self-employment income individuals derive. Section 232 of the *Act* requires employers to file tax reports (IRS Forms W-3 and W-2) with SSA. SSA bases entitlement to Social Security benefits, and the amount of benefits, on SSA's records of earnings or wages for individuals contained in these tax forms. Section 209(a)(12) of the *Act* excludes from the definition of wages any remuneration an employer pays after the employee's year of death. Sections 20 CFR 404.821 and 404.822 of the *Code of Federal Regulations* provide for the correction of Social Security earnings records when satisfactory evidence shows that SSA records are incorrect.

**2. Description of Collection**

During the validation of the Annual Wage Reporting process, employers submit wage reports showing the wages paid to each employee during the previous year. SSA validates the names and SSNs on the employer's report and checks to see that other data is valid. When SSA finds a date of death and the year of death is prior to the year of the reported earnings, SSA's Office of Systems (OS) Wilkes Barre Direct Operations Center (WBDOC) posts the earning in SSA's Master Earning File, and paces all earnings, wages, and Self-employment earnings into suspense status. When SSA records show a wage earner is deceased, and we receive wage reports from an employer for the wage earner for a year subsequent to the year of death, SSA mails the employer Form SSA-L4112 to complete and mail back to SSA. SSA's WBDOC takes no action if the employer states the number holder (NH) is deceased. If the employer does not respond, or does not provide SSA with new information on the Form SSA-L4112, SSA mails a Social Security Notice to Employee notice to the NH shown on the W-2 advising the NH that the wages do not appear to belong to him or her. The WBDOC scans the information we receive as a result of these letters into SSA's system to be applied to the individual records. The respondents are employers who report wages for employees who died

**3. Use of Information Technology to Collect the Information**

This collection does not currently have a fully public-facing Internet version, nor do we have a fully submittable PDF. SSA is unable to create an electronic version of this information collection at this time, as we first need to conduct a risk assessment for this form and determine the best way to collect the information electronically, because we send this agency-initiated form to respondents with pre-filled property information and may 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 are working on risk assessments for higher volume forms but hope to schedule this form for a risk assessment in the future. In addition, we cannot send these forms to respondents 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 once we can conduct a risk assessment. Until then, we are not able to schedule it for electronic implementation.

**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-L4112, we would not be able to verify earnings information for deceased wage earners in our records, which could result in SSA maintaining incorrect earnings records for individuals. Because we collect the information on an as needed basis, we cannot collect it less frequently.

**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 June 24, 2022, at 87 FR 37899, and we received no public comments. The 30-day FRN published on August 26, 2022, at 87 FR 52605. 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

**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**

<b>Modality of Completion</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Average Burden Per Response (minutes)</b>	<b>Estimated Total Annual Burden (hours)</b>	<b>Average Theoretical Hourly Cost Amount (dollars)*</b>	<b>Total Annual Opportunity Cost (dollars) **</b>
SSA-L4112	13,114	1	20	4,371	28.01*	\$122,432**

\* We based this figure on 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](https://www.bls.gov/oes/current/oes_nat.htm)).

\*\* 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.**

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that **10** minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **2,186** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$61,383**. 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 \$64,690. This estimate accounts for costs from the following areas:

<b>Description of Cost Factor</b>	<b>Methodology for Estimating Cost</b>	<b>Cost in Dollars*</b>
Designing and Printing the Form	Design Cost + Printing Cost	\$420
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$14,776
SSA Employee (e.g., field office, 800 number, DDS staff)	GS-9 employee x # of responses x processing time	\$46,074

Information Collection and Processing Time		
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0*
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,420
Quantifiable IT Costs	Any additional IT costs	\$0*
<b>Total</b>		<b>\$64,690</b>

\* 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**

When we last cleared this IC in 2019, the burden was 9,166 hours. However, we are currently reporting a burden of 2,186 hours. This change stems a decrease in the number of responses from 54,998 to 13,114. In addition, we updated our burden per response from 10 minutes to 20 minutes based on current Management Information data, and our reassessment of the burden to ensure we allow time for reading the instructions, gathering the data, answering the questions, and mailing the response back to SSA. These figures represent current Management Information data.

**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.