

Addendum to the Supporting Statement for Agreement to Sell Property, SSA-8060-U3
20 CFR 416.1240 - 416.1245
OMB No. 0960-0127

Minor Revisions to the Collection Instruments

SSA is making the following revisions:

- **Change #1:** We are revising the Privacy Act Statements on this collection.

Justification #1: SSA's Office of the General Counsel is conducting a systematic review of SSA's Privacy Act Statements on agency forms. As a result, SSA is updating the Privacy Act Statements on this collection.

Public Comments and SSA Responses

We published the 60-day advance Federal Register Notice on September 8, 2023, at 88 FR 62136, and we received the following public comments from the Community Legal Services of Philadelphia for the Work Activity Report - Self-Employment Data Collection.:

- **Comment #1:** The commenter states SSA underestimates the burden per response as 20 minutes, because the burden fails to include an estimate for how long it takes respondents to travel to and from SSA Field Offices to complete these forms, or the time a respondent would wait at the Field Office before providing the form to an available staff member.

SSA Response #1: SSA estimates a majority of these collections are conducted with an SSA technician over the phone or in the office during the course of other contacts (e.g., initial applications, redeterminations, etc.); respondents generally do not need to wait on the phone, or in the office to complete this collection nor are they required to complete the form in the office or by phone, so the average wait times are not applicable here. We note SSA technicians generally inform respondents about the policy and associated information collection. SSA technicians generally complete the form with the respondent in a field office or over the telephone during an interview. When conducted during an interview, the SSA technician directly records responses in an Intranet version of the SSA-8060-U3. After completing the form, the SSA technician prints the form for the respondent's signature and scans the form back into the SSA system once signed. If a respondent is not in the office, then the technician mails the form to the respondent for signature to accommodate their circumstances. We base our wait times on national averages for telephone call centers and field offices from our current management information data.

In addition, SSA recognizes that travel times may vary for respondents depending on several factors, including where they live in the nation and the time or day they choose to do business with SSA. As we use this information collection nation-wide, we provide an average estimate of a 30-minutes travel time to an SSA Field Office (which reflects the

average time across the whole nation), with the understanding that the respondent may need to submit information under several OMB-approved applications once they arrive at the field office. To ensure we are not double counting the time estimate, we therefore only provide the estimated time for traveling to the field office for each of these information collections. SSA does not publish the travel time on the Federal Register Notice; however, SSA provides the average one-way travel time to the field office on a chart in #12 of the final Supporting Statement.

- **Comment #2:** The commenter notes that SSA also does not include an estimate of the time spent by claimants to collect relevant documents necessary to complete the SSA-8060-U3, such as the deed, the mortgage balance, or a current estimate of market value available, and estimated net proceeds of sale, or contact SSA for questions or clarification of the “Conditions of Agreement,” in the overall burden estimate shown in the chart for this collection.

SSA Response #2: We base our burden estimates on current management information data at the time of the form’s submission for renewal, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that 20 minutes accurately shows the average burden per response for learning about the program; reading and understanding instructions; gathering the data needed to answer the questions and complete the information collection instrument; scheduling any necessary appointment or required phone call; consulting with any third parties (as needed); and waiting to speak with SSA employees (as needed). In general, the respondent completes this form with an SSA technician who is available to answer questions as they arise. The form requires the estimated current market value (CMV) and the Individual to declare the information is accurate to the best of their knowledge. Our policy reflects SSA assumes that an offer to buy real property is reasonable if it is at least two-thirds of the estimated CMV unless the owner proves otherwise.

Based on our current management information data, the current burden information we provided is accurate. In addition, we allocate a separate estimated learning cost of 25 minutes for respondents. As to the commenter’s assessment that a respondent may need to pay a fee for a copy of their deed or cover the cost of traveling to acquire one, the associated time and costs are outside the scope intended to be addressed for the public’s reporting burden of completing the SSA-8060-U3 form. In addition, as the average respondent does not need to obtain that document to complete the SSA-8060-U3, we believe our current average estimates remain accurate.

- **Comment #3:** The commenter states SSA estimates the average cost to be \$29.76, however outside the cost of travelling to and from the SSA field office, and the opportunity cost of the time spent waiting in the field office for service, the commenter also suggests that if a respondent chooses to complete the form in this manner, the most likely cost associated with completing this form is obtaining the necessary records, and the respondent may need to request statements from their bank, which usually involves a fee. The commenter states in

their experience as a legal service provider, the fee can be assessed per page, or at a flat rate, with significant variation.

SSA Response #3: SSA estimates the theoretical financial opportunity cost in hourly wages (\$12.81) the respondents might have earned if they were working instead of filling out our applications or submitting documentation to the agency due to their impairment(s). The SSA-820-BK asks respondents for self-employment tax returns, it does not require the respondent to provide bank statements or spend significant amounts of money to obtain the necessary documentation.

- **Comment #4:** The commenter suggests SSA take steps to ensure this form is as accessible as possible, including ensuring that the form is written in as clear and concise language as possible and analyzing the form for literacy level. They also recommend SSA make this form available in multiple languages, as many of the respondents are limited in proficiency in English.

SSA Response #4: SSA appreciates your comments. SSA periodically reviews the forms to ensure they are written as clearly as possible. The SSA-8060 is a two-page form with the second page consisting of Important Information About This Agreement, and the mandatory Privacy Act Statement and Paperwork Reduction Act Statement section. Currently, the SSA-8060 is only available in English; however, the form is generally reviewed and completed with a technician to assist those who are illiterate or have limited English proficiency status. In addition, as per the information provided on our website, SSA can provide an interpreter at no charge if the respondent requests one.