

**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, so that we can credit their earnings records with the correct earnings information. 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.

Note: 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 as a simple Renewal without Changes to an Existing Collection.

2. Description of Collection

When an individual applies for Social Security benefits, SSA runs a Systems data match to ensure the information the individual provides regarding their earnings and W-2 information matches the data in SSA's records. When SSA identifies discrepancies between our records and the data provided, SSA's Wilkes-Barre Data Operations Center (WBDOC) mails Forms SSA-L2765, SSA-L3365, and SSA-L4002 to the individuals identified to request they 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 asks the identified individuals to correct their name and SSNs shown on Forms W-2 Wage and Tax Statements submitted from the prior tax year, that did not match SSA's records, or help correct SSA's records with updated information. Once the respondents complete the forms with the corrected

name and SSN information, they mail the forms back to SSA where employees in the WBDOC process them and enter the corrected data into SSA's Systems. 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. SSA currently sends the respondent a written notice to address discrepancies.

- **Psychological Cost #1:**

- **Requirement for the Program:** Forms SSA-L4002, SSA-L2765, and SSA-L3365 ask individuals to compare the name and SSN information on Form W-2 with their name and SSN as it appears on their Social Security card and, if it agrees, they need to contact their local Social Security office. If the information does not agree, they need to write the information on their card on the opposite side of the form and mail it in the enclosed envelope.
- **Psychological Cost:** The respondent may feel SSA does not trust them, and they may think SSA is not retaining the correct earnings information.

We understand these psychological costs may cause respondents to delay their completion of the information collection or cause them to abandon the information collection entirely. However, we require full completion of this collection so that these individuals can receive the correct benefit amount based on their earnings. Therefore, we have taken this potential psychological cost into account when calculating our burden in #12 below.

The respondents are self-employed individuals and employees whose name and SSN information do not agree with their employer's and SSA's records.

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

This collection is currently 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. SSA is not currently sending out these letters, however; when we start sending them out we will reevaluate our ability to allow for electronic submission at that time.

- 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 SSA does not send respondent written notices to address discrepancies 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 September 12, 2024, at 89 FR 74351, and we received no public comments. The 30-day FRN published on November 6, 2024, at 89 FR 88105. 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-13.
- 11. Justification for Sensitive Questions**

Although Forms SSA-L4002, SSA-L2765, and SSA-L3365 are limited to asking individuals to compare the name and SSN information on Form W-2 with their name and SSN as it appears on their Social Security card, individuals may feel stress or discomfort while gathering the information needed to receive the proper credit for their earnings.
- 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)**	Total Annual Opportunity Cost (dollars)***
SSA-L2765*	1	1	10	1	\$31.48**	\$31.48***
SSA-L3365*	1	1	10	1	\$31.48**	\$31.48***
SSA-L4002*	1	1	10	1	\$31.48**	\$31.48***
Totals	1			3		\$94***

* As described in #1 above, we do not currently send out any of these collections. However, we included 1 hour burden placeholders for each collection, in the event we need to send these notices out in the near future.

** We based this figure on the average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_nat.htm#00-0000).

*** 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 learning about the program; receiving notices as needed; reading and understanding instructions; gathering the data and documents needed; answering the questions and completing 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). Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is 3 burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of \$94. 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 \$420. 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	\$420
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	\$0*
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	\$0*
Quantifiable IT Costs	Any additional IT costs	\$0*
Other	[Component may add as needed]	\$0*
Total		\$420

* 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.

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.