Supporting Statement for Form SSA-3385
Report of Adult Functioning – Employer
20 CFR 404.1512 and 20 CFR 416.912
OMB No. 0960-0805

A. Justification

1. Introduction/Authoring Laws and Regulations

Under the authority provided in sections *205(a)*, *223(d)(5)(A*), *1631(d)(1)*, and *1631(e)(1)* of the *Social Security Act (Act)*, the agency may collect information from each applicant for, or recipient of (hereinafter collectively referred to as "claimant"), disability insurance benefits (DIB) or Supplemental Security Income (SSI) payments. We use this information as evidence to help us determine eligibility or continued eligibility for DIB or SSI. These sections of the *Act* grant us the authority to establish procedures for collecting and verifying this evidence. Sections *20 CFR 404.1512* and *20 CFR 416.912* of the *Code of Federal Regulations* provide detailed requirements for the types of evidence we request claimants provide showing how their impairment(s) affects their ability to work (e.g., medical, work experience, daily activities, efforts to work). We use the SSA-3385, Report of Adult Functioning- Employer, to collect information from a current or former employer regarding a claimant's day-to-day functioning in a work setting.

2. Description of Collection

When SSA's Disability Determination Service (DDS) adjudicative team determines that SSA needs additional information to process an applicant's or claimant's case because the claimant was not able to provide adequate information on their functioning in a particular work setting through SSA's disability application process, we use Form SSA-3385 to collect information from a claimant's current or former employer on an as needed basis. The DDSs use the SSA-3385 to collect information regarding the claimant's ability to function in the job setting as evidence to help inform the disability eligibility for the claimant. Primarily, the DDS only needs to send this form to employers when they need additional evidence regarding the claimant's ability to function on the job, specifically in cases where there is a history of short-lived employment, cognitive impairments, or other issues which limit the information we previously received regarding work-related functioning. SSA mails the SSA-3385 with a pre-addressed and stamped envelope to a claimant's direct supervisor, or another person who has direct knowledge of the claimant's job performance, and asks that individual to provide information about the claimant's day-to-day functioning in a work setting. The SSA-3385 has the claimant's name and a barcode. The respondent completes Form SSA-3385 and sends it back to SSA in the enclosed envelope.

Once SSA receives the SSA-3385 which contains a barcode, the field office scans the form into the claimant's electronic folder. Then the DDS adjudicative team uses this information to evaluate the claimant's impairment-related functional limitations to determine eligibility or continued eligibility for SSDI or SSI.

There are no identifiable psychological or learning burdens associated with this information collection, because we are not asking the respondents to provide sensitive or personal information.

The respondents are current or former employers who SSA contacts only when the adjudicative team decides the agency needs additional information and the employer may be a good source for the information.

3. Use of Information Technology to Collect the Information

SSA mails the SSA-3385 with a pre-addressed and stamped envelope to a claimant's direct supervisor, or another person who has direct knowledge of the claimant's job performance and asks that individual to provide information about the claimant's day-to-day functioning in a work setting. The SSA-3385 includes the claimant's name and a barcode. SSA uses the barcode to scan the form into the claimant;s electronic folder.

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. In addition, as we send this form with pre-filled information, we are also unable at this time to allow for electronic submission of the form (for the same reasons listed above). We will reassess our ability to create an electronic version of this collection if and when technological advances are created that would allow for us to make this collection available via the Internet in a fully secure way.

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 the SSA-3385, we would be unable to complete our evaluation of the claimant and may not fulfill our mandate to make payments to those who are disabled. Because we collect this information only 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 June 26, 2026, at 91 FR 38753, and we received no public comments. The 30-day FRN published on August 27, 2026, at 91 FR 55418. 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 revision of this form.

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:

Method of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars) **
SSA-3385	2,604	1	20	868	$33.54*	$29,113**

* We based this figure on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics)

** This figure does not represent actual costs that SSA is imposing on individuals; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the information collection. **There is no actual charge to respondents to complete the information collection.**

We did not include travel time as per our current management information (MI) data, respondents who complete the paper forms return them to us via mail only. Should this change in the future, we will include the language and chart for travel time to a field office.

Note: We do not have any recorded learning costs for this information collection, as we included the burden estimate for reading the instructions for completing the form in our overall burden of 20 minutes shown in the chart above. We have no other MI data indicating a need for further learning costs for this information collection.

We base our burden estimates on current MI data, which includes data 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; 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 **868** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **$29,113**. 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 **$3,691**. 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	$271
Distribution, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	$3,600*
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	$71,516
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*
Total		**$78,807**

* 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. 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 2023, the burden was 1,200 hours. However, we are currently reporting a burden of 868 hours. This change stems from a decrease in the number of responses from 3,601 to 2,604, which represents normal fluctuation in the use of this form (as tracked over years of MI data). There is no change to the burden time per response. Although the number of responses changed, SSA did not take any action to cause this change. 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.