

**Supporting Statement for Form SSA-820-F4
Work Activity Report (Self-Employed Person)
20 CFR 404.1520(b), 404.1571-1576, 404-1584-1593, and 416-971-976
OMB No. 0960-0598**

A. Justification

- 1. Introduction/Authoring Laws and Regulations** - Social Security disability beneficiaries and Supplemental Security Income (SSI) recipients receive payments based on their inability to engage in substantial gainful activity (SGA) because of a physical or mental condition. When beneficiaries or SSI recipients resume work, they must report the work so that SSA can evaluate and determine if they continue to meet the disability requirements of the law.

Sections 223(d) (4) and 1633 of the Social Security Act (Act) provide the authority for collecting the information. These sections direct the Commissioner to provide regulations for administering the disability provisions of the law. The appropriate regulations are contained in 20 CFR, 404.1520(b), 404.1571-.1576, 404.1584-.1593, and 416.971-.976 of the Code of Federal Regulations.

- 2. Description of Collection** - SSA uses Form SSA-820-F4 to obtain information on the self-employment activities of Social Security disability applicants and recipients. We use the data on the form to evaluate disability claims, and to help us determine if the claimant meets the disability provisions of the Act. The SSA-820-F4 is a self-help form completed by the applicant or representative, when possible. When necessary, SSA field office employees may also assist the claimant in completing the form. Under title II and title XVI of the Act, applicants for disability benefits must prove an inability to perform any kind of SGA generally available in the national economy for which we expect them to qualify based on age, education, and work experience (there is a slightly different definition for older blind workers). Work a claimant performed up to, or subsequent to, the date the disability allegedly began, significantly affects our disability determination. Agency policies allow us to use the information provided on the SSA-820 to make a determination on continuing entitlement to disability payments without verifying it through another source.
- 3. Use of Information Technology to Collect the Information** – Agency policies allow SSA to use the information on the SSA-820-F4 to make determinations on continuing entitlement to disability benefits or SSI payments without verification through another source. Since we use the information provided by the beneficiary or SSI recipient to make such determinations, we require an original or “wet signature,” on the SSA-820-F4. The public may print out a PDF-format of the form, but if they chose to do so, they must complete the form and mail it to SSA. Thus, SSA currently has no plans to make this form available electronically.

4. **Why We Cannot Use Duplicate Information** - The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. We do not use any other collection instrument that collects data similar to that collected here.
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** - We use the Form SSA-820 whenever claimants or beneficiaries perform work after the alleged onset of their disability. Since this work could be SGA, we cannot obtain the information any less frequently, because this could cause an incorrect initial disability decision, or result in overpayments to a claimant who was receiving payments despite engaging in SGA.
7. **Special Circumstances** - There are no special circumstances that would cause us to collect this information in a manner inconsistent with 5 CFR 1320.5.
8. **Solicitation of Public Comment and Other Consultations with the Public** – SSA published the 60-day advance Federal Register on August 26, 2010 at 75 FR 52578, and we did not receive public comments. We published the 30-day Federal Register Notice on December 22, 2010 at 75 FR 80563. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. There have been no outside consultations with members of the public.
9. **Special Circumstances** – SSA does not provide payment or gifts to the respondents.
10. **Assurance 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 collected does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden** - Approximately 100,000 individuals use Form SSA-820-F4, on an annual basis. The estimated average response time is 30 minutes, for a total of 50,000 burden hours. The total burden reflects burden, and we did not calculate a separate cost burden.
13. **Annual Cost to the Respondents** - There is no known cost burden to the respondents.

14. **Annual Cost to the Federal Government** - The annual cost to the Federal Government is approximately \$308,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. **Program Changes or Adjustments to the Information Collection Request** - There are no changes or adjustments in 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 that we print the expiration date on program forms. We produce millions of public-use forms with life cycles longer than that 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 that we would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.
18. **Exemption to Certification Statement** - We are 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.