

**Supporting Statement for Form SSA-820-BK**  
**Work Activity Report - Self-Employment**  
**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. The authority for collecting this data is found in sections 223(d) (4) and 1633 of the *Social Security Act (Act)*. 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 - 404.1576, 404.1584 - 404.1593, and 416.971 - 416.976 of the *Code of Federal Regulations*.

**2. Description of Collection**

SSA uses Form SSA-820-U4 to determine initial or continuing eligibility for (1) Title II Social Security disability benefits or (2) Title XVI Supplemental Security Income (SSI) payments. Under Titles II and XVI of the Social Security Act, recipients receive disability benefits and SSI payments based on their inability to engage in substantial gainful activity (SGA) due to a physical or mental condition. Therefore, when the recipients resume work, they must report their work so SSA can evaluate and determine whether they continue to meet the disability requirements by law. SSA uses Form SSA-820-U4 to obtain information on self-employment activities of Social Security disability applicants and recipients. We use the data we obtain to evaluate disability claims, and to help us determine if the claimant meets current disability provisions under Titles II and XVI. Since 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, any work an applicant performed until, or subsequent to, the date the disability allegedly began, affects our disability determination. The respondents are applicants and claimants for SSI or Social Security disability benefits.

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

Form SSA-820-BK is not currently scheduled for implantation of the Government Paperwork Elimination Act due to agency priorities and limited resources. 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.

- 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. 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 collect this information, we would not be able to determine if an applicant or claimant for Social Security disability benefits or SSI is performing SGA work, which could cause an incorrect initial disability decision, or result in overpayments to a claimant who was receiving payments despite engaging in SGA. Since we only use Form SSA-820-BK whenever applicants or claimants perform work after the alleged onset of their disability, we cannot obtain the information any less frequently. There are no technical or legal obstacles to burden reduction.
- 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**  
The 60-day advance Federal Register Notice published on October 22, 2013, at 78 FR 62932, and we received no public comments. SSA published the second Notice on December 31, 2013, at 78 FR 79723. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.
- 9. Payment or Gifts to Respondents**  
SSA does not provide payment 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 collected does not contain any questions of a sensitive nature.
- 12. Estimates of Public Reporting Burden**  
Approximately 100,000 individuals use Form SSA-820-BK, on an annual basis. We estimate half of the respondents will take the full 30 minute response time to complete the entire form, while the remaining 50,000 will take approximately 15 minutes to respond as their self-employment cases will not require them to complete the entire form. The chart below shows the burden estimates:

<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>
Entire SSA-820-BK	50,000	1	30	25,000
Partial SSA-820-BK	50,000	1	15	12,500
<b>Totals</b>	<b>100,000</b>			<b>37,500</b>

The total burden for this ICR is **37,500** hours. This figure represents burden hours, and we did not calculate a separate cost burden.

**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 \$200,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information. We adjusted this cost estimate based on our current data, resulting in a significant decrease from the previous estimate.

**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**

We 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.