

Supporting Statement for Forms SSA 1002 and 1003
Statement of Agriculture Employer (Year Prior to 1988 and 1988 and Later)
20 CFR 404.702, 404.802, and 404.1056
OMB # 0960-0036

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 205(a) of the *Social Security Act* (the *Act*) gives the Commissioner of the Social Security Administration (SSA) full power and authority to make rules, regulations, and procedures necessary to carry out the provisions of the Act. Section 205(c)(2)(A) of the *Act* charges the Commissioner with establishing and maintaining records of the amount of wages paid to individuals.

Section 209(a)(7)(B) of *the Act* states that an employer use Form SSA-1002 when an agricultural employee who was covered prior to January 1, 1988 was paid \$150 or if the employee worked for the same employer 20 or more days in a year and was paid cash wages (if figured on a time basis).

The Act states than an employer use Form SSA-1003 if: 1) an employer's annual agricultural payroll is \$2,500 or more; 2) wages were paid to an agricultural employee; and 3) is prior to January 1, 1988.

The Act states that an employer use Form SSA-1003 if: 1) wages were paid to an agriculture employee; 2) if paid by an employer whose annual agricultural payroll is \$2,500 or more; and 3) is effective January 1, 1988. (If the employer's payroll is less than \$2,500, wages of \$150 or more are covered, and the 20-day work test is eliminated). In the case of seasonal agricultural workers, wages less than \$150 are not covered even if the employer's annual payroll is \$2,500 or more, unless the employer meets certain conditions.

The amount of earnings credited to an individual, and the periods to which such earnings are credited, may be proven by SSA records and by other evidence or probative value, as explained in 20 *CFR*, Section 404.702, 404.802 and 404.1056 of the *Code of Federal Regulations*

2. Description of Collection

If agricultural workers believe their employers (1) did not report their wages or (2) reported incorrect wage amounts, SSA will assist them in resolving this issue. Specifically, SSA will send Forms SSA-1002-F3 or SSA-1003-F3 to the agricultural employers to collect evidence of wages paid. The respondents are agricultural employers whose workers request wage verification or correction for their earnings records.

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

SSA did not create an electronic version of Forms SSA-1002 or SSA-1003 under the agency's Government Paperwork Elimination Act (GPEA) plan because only 16,250 respondents complete the form. This is less than the GPEA cut-off of 50,000.
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 significantly affect small businesses or other small entities.
6. **Consequence of Not Collecting Information or Collecting it Less Frequently**

If we did not use Forms SSA-1002 or SSA-1003, we would have no means of determining an agricultural employee's true wages when there is a discrepancy between the wages reported by the employer and those claimed by the employee. This could lead to the agricultural employee not receiving the correct amount of credited earnings, which would affect the employee's future Social Security payments. Because we only 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 November 12, 2013, at 78 FR 67434, and we received no public comments. The 30-day FRN published on January 30, 2014 at 79 FR 5015. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public on the revision of this application.
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**

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated total annual burden (hours)
SSA-1002	7,500	1	30	3,750
SSA-1003	25,000	1	30	12,500
Total	32,500			16,250

The total burden for ICR is 16,250 hours. This figure represents burden hours and we did not calculate a separate burden cost.

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 \$7,200.00. 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 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 requirements to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of 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 the expired OMB approval dates, avoiding Government waste.

18. **Exceptions to Certification Statement**

SSA is not requesting an exception to the certification requirements of 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 collection.