

Supporting Statement for Form SSA-7156
Farm Self-Employment Questionnaire
20 CFR 404.1082(c) & 20 CFR 404.1095
OMB No. 0960-0061

A. **Justification**

1. Introduction/Authoring Laws and Regulations

Section 211(a) of the *Social Security Act* states the existence of a trade or business is a prerequisite for determining whether an individual or partnership may have "net earnings from self-employment." Section 20 CFR 404.1095 of the *Code of Federal Regulations* further defines an agricultural trade or business, and 20 CFR 404.1082(c) establishes the rules for farm rental income. The Social Security Administration (SSA) collects this information to determine the existence of an agricultural trade or business. This determination of coverage may affect an individual's insured status for receipt of monthly Social Security benefits, or it may affect the amount of the monthly payments.

2. Description of Collection

SSA collects the information on Form SSA-7156 on a voluntary and as-needed basis to determine the existence of an agriculture trade or business that may affect the monthly benefit or insured status of the applicant. SSA requires the existence of a trade or business as a prerequisite for determining whether an individual or partnership may have net earnings from self-employment. When an applicant indicates self-employment as a farmer, SSA uses Form SSA-7156 to elicit the information we need to determine the existence of an agricultural trade or business, and subsequent covered earnings for Social Security entitlement purposes. Generally SSA employees collect this information one time, through a personal interview, either face-to-face or via telephone. We made this form available on the Intranet and Internet, where respondents can fill it out electronically and print it for signature. The respondents are applicants for Social Security benefits, whose entitlement depends on whether the worker has covered earnings from self-employment as a farmer.

3. Use of Information Technology to Collect the Information

This form, available as a fillable PDF, falls below the 50,000 respondent threshold established by SSA's Government Paperwork Elimination Act plan, so we did not create an electronic version.

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 collect similar data.

5. Minimizing Burden on Small Respondents

This collection of information does not involve small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

SSA only collects the information in cases where we need to determine the existence of a covered agricultural trade or business, because the earnings may affect the monthly benefit or insured status of the claimant. If we did not collect the information, or collected this

information less frequently, it may disadvantage some claimants. There are no technical or legal obstacles that prevent 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 9, 2018, at 83 FR 56133, and we received no public comments. The 30-day FRN published on January 25, 2019 at 84 FR 371. 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 we collect 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

Approximately 47,500 respondents take 10 minutes each to complete the SSA-7156 each year. Accordingly, the burden is 7,917 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. Annual Cost Burden to the Respondents (Other)

The collection does not impose a known cost burden to the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$80,000. This estimate is a projection of printing and distribution costs for the information collection.

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 usable forms with expired OMB approval dates, avoiding Government waste.

18. Exception 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.