



s4191-02-U

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA-2020-0028]

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB)

Office of Management and Budget

Attn: Desk Officer for SSA

Fax: 202-395-6974

Email address: OIRA_Submission@omb.eop.gov

(SSA)

Social Security Administration, OLCA

Attn: Reports Clearance Director

3100 West High Rise

6401 Security Blvd.

Baltimore, MD 21235

Fax: 410-966-2830

Email address: OR.Reports.Clearance@ssa.gov

Or you may submit your comments online through www.regulations.gov, referencing Docket ID Number [SSA-2020-0028].

- I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Individuals can obtain copies of the collection instruments by writing to the above email address.
1. Marriage Certification -- 20 CFR 404.725 -- 0960-0009. Sections 202(b) and 202(c) of the Social Security Act (Act) stipulate that every spouse of an individual entitled to Old-Age, Survivors, and Disability Insurance (OASDI) benefits is entitled to a spouse benefit if the wife or husband, in addition to meeting the entitlement requirements, meets the relationship criteria in Section 216(h)(1)(A) and (B) of the Act. SSA uses Form SSA-3

to determine if a spouse claimant has the necessary relationship to the Social Security number holder (i.e., the worker) to qualify for the worker’s OASDI benefits. The respondents are applicants for spouse’s OASDI benefits.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars) ***
SSA-3	62,342	1	5	5,195	\$25.72*	24**	\$774,995***

* We based this figures on average U.S. citizen’s hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. There is no actual charge to respondents to complete the application.

2. Farm Arrangement Questionnaire -- 20 CFR 404.1082(c) -- 0960-0064.

When self-employed workers submit earnings data to SSA, they cannot count rental income from a farm unless they demonstrate “material participation” in the farm’s operation. A material participation

arrangement means the farm owners must perform a combination of physical duties, management decisions, and capital investment in the farm they are renting out. SSA uses Form SSA-7157, the Farm Arrangement Questionnaire, to document material participation. The respondents are workers who are renting farmland to others; are involved in the operation of the farm; and want to claim countable income from work they perform relating to the farm.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes) **	Total Annual Opportunity Cost (dollars) ***
SSA-7157	662	1	30	331	\$38.63*	24**	\$23,023***

* We based this figures on average Farmer’s hourly salary, as reported by

Bureau of Labor Statistics data

(https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2020 wait times for field

offices, based on SSA’s current management information data.

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3. RS/DI Quality Review Case Analysis: Sampled Number Holder; Auxiliaries/Survivors; Parent; and Stewardship Annual Earnings Test -- 0960-0189. Section 205(a) of the Act authorizes the Commissioner of SSA to conduct the quality review process, which entails collecting information related to the accuracy of payments made under OASDI. Sections 228(a)(3), 1614(a)(1)(B), and 1836(2) of the Act require a determination of the citizenship or alien status of the beneficiary; this is only one item that we might explore as part of the Annual Quality review. SSA uses Forms SSA-2930, SSA-2931, and SSA-2935 to establish a national payment accuracy rate for all cases in payment status, and to serve as a source of information regarding problem areas in the Retirement Survivors Insurance (RSI) and Disability Insurance (DI) programs. We also use the information to measure the accuracy rate for newly adjudicated RSI or DI cases. SSA uses Form SSA-4659 to evaluate the effectiveness of the annual earnings test, and to use the results in developing ongoing improvements in the process. About 25% percent of respondents have in-person reviews and receive one of the following appointment letters: (1) Form SSA-L8550-U3 (Appointment Letter – Sample Individual); (2) Form SSA-L8551-U3 (Appointment Letter – Sample Family); or (3) Form SSA-L8552-U3 (Appointment Letter – Rep Payee). Seventy-five percent of respondents receive a notice for a telephone review using Form SSA-L8553-U3 (Beneficiary Telephone Contact) or Form SSA-L8554-U3 (Rep Payee Telephone Contact). To help the beneficiary prepare for the interview, we

include three forms with each notice: (1) Form SSA-85 (Information Needed to Review Your Social Security Claim) lists the information the beneficiary will need to gather for the interview; (2) Form SSA-2935 (Authorization to the Social Security Administration to Obtain Personal Information) verifies the beneficiary's correct payment amount, if necessary; and (3) Form SSA-8552 (Interview Confirmation) confirms or reschedules the interview if necessary. The respondents are a statistically valid sample of all OASDI beneficiaries in current pay status or their representative payees.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-2930	1,500	1	30	750	\$10.22*	24**	\$13,797***
SSA-2931	850	1	30	425	\$10.22*	24**	\$7,818***
SSA-4659	325	1	10	54	\$10.22*	24**	\$1,880***
SSA-L8550-U3	385	1	5	32	\$10.22*	24**	\$1,901***
SSA-L8551-U3	95	1	5	8	\$10.22*	24**	\$470***
SSA-L8552-U3	35	1	5	3	\$10.22*	24**	\$174***
SSA-L8553-U3	4,970	1	5	414	\$10.22*	24**	\$24,548***
SSA-L8554-U3	705	1	5	59	\$10.22*	24**	\$3,485***
SSA-8552	2,350	1	5	196	\$10.22*	24**	\$11,610***
SSA-85	3,850	1	5	321	\$10.22*	24**	\$19,019***
SSA-2935	2,350	1	5	196	\$10.22*	24**	\$11,610***
SSA-8510 (also saved under OMB No. 0960-0707)	800	1	5	67	\$10.22*	24**	\$3,955***
Totals	18,215			2,525			\$100,267***

* We based these figures on average DI hourly wages based on SSA's current FY 2019 data

(<https://www.ssa.gov/legislation/2019%20Fact%20Sheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

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4. Claimant's Work Background -- 20 CFR 404.1512(a); 404.1520(a)(4); 404.1565(b); 416.912(a); 416.920(a)(4); 416.965(b) -- 0960-0300.

Sections 205(a) and 1631(e) of the Act provide the Commissioner of Social Security with the authority to establish procedures for determining if a claimant is entitled to disability benefits. The administrative law judge (ALJ) may ask individuals to provide background information on Form HA-4633 about work they performed in the past 15 years. When a claimant requests a hearing before an ALJ to establish an entitlement to disability benefits, the ALJ may request that the claimant provide a work history to assist the ALJ in fully inquiring into issues related to the disability. The ALJ uses the information collected from the claimants on Form HA-4633 to: (1) identify the claimant's relevant work history;

(2) decide if SSA requires expert vocational testimony and, if so, have a vocational expert available to testify during the hearing; and (3) provide a reference for the ALJ to discuss the claimant’s work history. The ALJ makes the completed Form HA-4633 part of the documentary evidence of record. The respondents are claimants for disability benefits under Title II or Title XVI who requested a hearing before an ALJ after SSA denied their application for disability payments.

Type of Request: Revision to an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
HA-4633 - PDF/paper version	53,200	1	15	13,300	\$10.22*	24**	\$353,408***
Electronic Records Express Submissions	136,800	1	15	34,200	\$25.72*	0	\$879,624***
Totals	190,000			47,500			\$1,233,032***

* We based these figures on average DI hourly wages based on SSA's current FY 2019 data

(<https://www.ssa.gov/legislation/2019%20Fact%20Sheet.pdf>); and on average U.S. citizen’s hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

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5. Letter to Landlord Requesting Rental Information -- 20 CFR 416.1130(b) -- 0960-0454. SSA uses Form SSA-L5061 to obtain rental subsidy information, which enables SSA to determine and verify an income value for such subsidies. SSA uses this income value as part of determining eligibility for Supplemental Security Income (SSI) and establishing the correct amount of SSI payable to the claimant. SSA bases an individual's eligibility for SSI payments, in part, on the amount of countable income the individual receives. Income includes in-kind support and maintenance in the form of room or rent, such as a subsidized rental arrangement. SSA requires claimants to assist in obtaining this information to prevent a delay or overpayment with their SSI payments. We collect this information only if the SSI applicant or recipient is the parent or child of the landlord (respondent). For most respondents, we collect this information once per year, or less, via telephone or face-to-face personal interview. The claims representative records the information in our SSI Claims Systems, and we require verbal attestation in lieu of a wet signature. However, if the claims representative is unable to contact the respondent via the telephone or

face-to-face, we print and mail a paper form to the respondent for completion. The respondent completes, signs, and returns the form to the claims representative. Upon receipt, the claims representative documents the information in the SSI Claims System or, for non-SSI Claims System cases, faxes the form into the appropriate electronic folder and shreds the paper form. The respondents are landlords related to the SSI beneficiaries as a parent or child.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSA-L5061	71,280	1	10	11,880	\$25.72*	24**	\$1,038,883***

* We based this figures on average U.S. citizen’s hourly salary, as reported by Bureau of Labor Statistics data (https://www.bls.gov/oes/current/oes_stru.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

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6. Marital Relationship Questionnaire -- 20 CFR 416.1826 -- 0960-0460.

SSA uses Form SSA-4178, Marital Relationship Questionnaire, to determine if unrelated individuals of the opposite sex who live together are misrepresenting themselves as husband and wife. SSA needs this information to determine whether we are making correct payments to couples and individuals applying for, or currently receiving, SSI payments. The respondents are applicants for, and recipients of, SSI payments. Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes) **	Total Annual Opportunity Cost (dollars) ***
SSI Claims System	1,275	1	5	106	\$10.22*	24**	\$6,296***
SSA-4178	3,825	1	5	319	\$10.22*	24**	\$18,897***
Totals	5,100			425			\$25,192***

* We based these figures on average DI hourly wages based on SSA's current FY 2019 data (<https://www.ssa.gov/legislation/2019%20Fact%20Sheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

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will spend to complete the application. There is no actual charge to respondents to complete the application.

7. Questionnaire for Children Claiming SSI Benefits -- 20 CFR 416.912(a) -- 0960-0499. Sections 1614 and 1631 of the Act allow SSA to determine the eligibility of an applicant's claim for SSI payments. Parents or legal guardians seeking to obtain or retain SSI eligibility for their children use Form SSA-3881-BK to provide SSA with the addresses of non-medical sources such as schools, counselors, agencies, organizations, or therapists who would have information about a child's functioning. SSA uses this information to help determine a child's claim or continuing eligibility for SSI. The respondents are the parents, guardians, or other caretakers of: (1) applicants who appeal SSI childhood disability decisions; or (2) recipients undergoing a continuing disability review.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes) **	Total Annual Opportunity Cost (dollars) ***
SSA-3881-BK (Paper Version)	81,250	1	30	40,625	\$25.72*	24**	\$1,880,775***
SSA-3881-BK (Intranet Version)	43,750	1	30	21,875	\$25.72*	24**	\$1,012,725***
Totals	125,000			62,500			\$2,893,500***

* We based this figures on average U.S. citizen's hourly salary, as reported by Bureau of Labor Statistics data

(https://www.bls.gov/oes/current/oes_stru.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

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8. Social Security Administration Eligible Non-Attorney Representative -- 20 CFR 404.1717, 404.1745-404.1799, 416.1517, and 416.1545-416.1599 -- 0960-0699. Section 3 of the Social Security Disability Applicants' Access to Professional Representation Act of 2010, Public Law 111-142, permanently extends the direct payment provision of Section 303 of the Social Security Protection Act (SSPA) of 2004, Public Law 108-203. The law permits SSA to extend direct payment of approved fees from claimants' past-due benefits to certain non-attorney representatives. Prior to the enactment of the SSPA and Professional Representation Act, only attorneys could receive direct payment of SSA-approved fees. Under the Professional Representation Act, non-attorneys must meet certain prerequisites to be eligible for direct payment of fees. These prerequisites

include: (1) a bachelor's degree from an accredited institution of higher education, or four years of relevant professional experience and a high school diploma or General Education Development certificate; (2) passing a written examination administered by SSA testing the knowledge of relevant provisions of the Act under Titles II and XVI; (3) securing and maintaining continuous professional liability insurance, or equivalent, to protect claimants from malpractice; (4) passing a criminal background check; and (5) demonstrating ongoing completion of continuing education courses. The Professional Representation Act requires SSA to collect the information needed to determine if applicants have satisfied these prerequisites. SSA uses the information we collect on Form SSA-1691 to determine whether an applicant has fulfilled the statutory prerequisites and regulatory requirements as listed above. To verify this information, we also request the five required items listed above from each new applicant, and we request items #3 and #5 from all non-attorney representatives (new and existing) on a yearly basis. Every year, SSA evaluates the applications; conducts verification investigations; and issues recommendations regarding applicants' eligibility to sit for the examination and eligibility to receive direct payment. The respondents are non-attorneys who want to receive direct payment of their fees for representational services before SSA.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
New Respondents – Paper Application (complete and submit) – 404.1717(b)&(c); 416.1517(b)&(c)	468	1	45	351	\$26.45*	24**	\$14,230***
New Respondents Examination – 404.1717(a)(5); 416.1517(a)(5)	460	1	120	920	\$26.45*	24**	\$29,201***
New Respondents - Submission of proof of Bachelor's Degree or Equivalent Qualifications – 404.1717(a)(3); 416.1517(a)(3)	458	1	10	76	\$26.45*	24**	\$6,851***
New and Existing Respondents - CE Submission via email/mail/or FAX of training courses taken as prescribed by SSA – 404.1717(a)(7); 416.1517(a)(7)	1,374	1	20	458	\$26.45*	24**	\$26,662***
New and Existing Respondents - Proof of Continuous Professional or Business Liability Insurance	1,099	1	10	183	\$26.45*	24**	\$45,547***

Coverage (Scan and Email) – 404.1717(a)(6); 416.1517(a)(6)							
New and Existing Respondents - Proof of Continuous Professional or Business Liability Insurance Coverage (Copy and Mail) - 404.1717(a)(6); 416.1517(a)(6)	275	1	15	69	\$26.45*	24**	\$4,735***
New and Existing Respondents - Written Protests – 404.1717(d); 416.1517(d)	45	1	45	34	\$26.45*	24**	\$1,375***
Totals	4,179			2,091			\$128,511***

* We based this figures on average Paralegal’s hourly salary, as reported by

Bureau of Labor Statistics data

(https://www.bls.gov/oes/current/oes_nat.htm).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA’s current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. There is no actual charge to respondents to complete the application.

II. SSA submitted the information collection below to OMB for clearance. Your comments regarding this information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Individuals can obtain copies of the OMB clearance package by writing to OR.Reports.Clearance@ssa.gov.

Authorization to Obtain Earnings Data From the Social Security Administration -- 0960-0602. On occasion, public and private organizations and agencies need to obtain detailed earnings information about specific Social Security number (SSN) holding wage earners for business purposes (e.g. pension funds and State agencies). Respondents use Form SSA-581 to identify the SSN holder whose information they are requesting, and provide authorization from the SSN holder, when applicable. SSA uses the information provided on Form SSA-581 to: (1) identify the wage earner; (2) establish the period of earnings information requested; (3) verify the wage earner authorized SSA to release this information to the requesting party; and (4) produce the Itemized Statement of Earnings (SSA-1826). The respondents are private businesses, state or local agencies, and other federal agencies.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount	Average Wait Time in Field Office	Total Annual Opportunity Cost (dollars)***

					(dollars)*	(minutes)**	
SSA-581	24,000	1	2	800	\$33.58*	24**	\$349,232***

* We based this figure on average Compensation, Benefits, and Job

Analysis Specialists hourly salary, as reported by Bureau of Labor Statistics data (<https://www.bls.gov/oes/current/oes131141.htm>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

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Dated: June 19, 2020.

Naomi Sipple,

Reports Clearance Officer

Social Security Administration.

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