

**ADDENDUM TO THE SUPPORTING STATEMENT FOR FORM SSA-4641-U2
AUTHORIZATION FOR THE SOCIAL SECURITY ADMINISTRATION
TO OBTAIN ACCOUNT RECORDS FROM A FINANCIAL INSTITUTION
20 CFR 416.200, 20 CFR 416.203
OMB No. 0960-0293**

Revision to the Collection Instrument

- Form SSA-4641-U2 is being revised as a result of changes in legislation and regulations.
- Section 1631(e)(1)(B) of the Social Security Act (the Act) requires the Commissioner of Social Security to verify all relevant information provided regarding the eligibility of SSI applicants and recipients. Section 213 of the Foster Care Independence Act of 1999, Public Law 106-169, amended section 1631(e)(1)(B) of the Act to grant the Commissioner new authority with respect to verifying financial accounts. Under section 213, the Commissioner may require each SSI applicant or recipient to provide SSA with permission to obtain any financial record (as defined in section 1101(2) of the Right to Financial Privacy Act) held by any financial institution (as defined in section 1101(1) of the Right to Financial Privacy Act) with respect to the applicant or recipient. This law also allows the Commissioner to require such permission from deemors (i.e. individuals whose income and resources we consider as being available to the applicant or recipient).
- Section 213 of the Foster Care Independence Act of 1999 allows SSA to request the information from financial institutions without SSA furnishing a copy of the permission to the financial institution. SSA may request the information from financial institutions at any time it is needed to determine the applicant's or recipient's eligibility. In addition, Section 213 provides an exception to the 3-month disclosure period in the Right to Financial Privacy Act (RFPA). Once permission is granted by an applicant, recipient, or deemor, it is valid until a terminating event occurs.
- On September 11, 2003, the Commissioner exercised her authority under section 213 of the Foster Care Independence Act of 1999 by promulgating new rules to make giving permission to contact financial institutions a condition of SSI eligibility. SSA amended its regulations by adding new section 20 CFR 416.207 to explain that in order to receive SSI benefits, applicants and recipients must give SSA permission to contact any financial institution, and request any financial record that institution may have about the applicant or recipient. This permission is also required from deemors. This section also explains that SSA will contact any financial institution at anytime we think it is necessary to determine eligibility and the permission to contact financial institutions remains in effect until a terminating event occurs.

- Form SSA-4641 has been revised to reflect the statutory and regulatory changes outlined above. The substantive changes are listed below:
 1. The 3-month disclosure period time limit was removed.
 2. Language was added to Statements 2 and 3 on Page 1 to specify that SSI benefits will be denied or suspended if an applicant or recipient refuses to provide or revokes permission to access financial institution information.
 3. The authorization for release of records in Statement 4 on Page 1 was expanded to include all financial institutions.
 4. References to signature (e.g. customer signature) were replaced with authorization. This provides consistency since the term authorization is used throughout the form. In addition, the change was made because SSA is not required to provide the financial institution with a signature authorization. Section 213 allows SSA to obtain financial account information by certifying that we have the customer's authorization on file.
 5. In addition to the above substantive changes, numerous changes were made to condense and simplify the instructional information for financial institutions. Moreover, the layout and organization of the form was modified in order to make the form more user-friendly. (Refer to the Microsoft Word version of the form with track changes for details).

