

Supporting Statement for Form SSA-4178
Marital Relationship Questionnaire
20 CFR 416.1826
OMB No. 0960-0460

A. Justification

1. The authority for collecting the information requested on Form SSA-4178, Marital Relationship Questionnaire, is contained in *Section 1631(e)(1)(B), Title XVI of the Social Security Act (the Act)*. The *Act* requires that the Social Security Administration (SSA) obtain additional information, as necessary, to assure that only eligible individuals (or eligible spouses) receive payments and that the amount of such payments are correct. *Section 20 CFR 416.1826 of the Code of Federal Regulations* states, "... the information is required, for Supplemental Security Income (SSI) purposes, from unrelated persons of the opposite sex who live together, in order to determine whether they are holding themselves out to the community as husband and wife."
2. SSA collects the information to determine whether potential SSI recipients will receive payments as a couple or as two eligible individuals. Respondents are applicants for and recipients of SSI payments.
3. The information collected on the paper Form SSA-4178 is also collected electronically using SSA's Modernized Supplemental Security Income Claims System (MSSICS). Approximately 25 percent of the data collection used to determine marital status for SSI purposes is electronic.
4. The nature of the information SSA collects and the manner in which we collect it precludes duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection has no impact on small businesses or other small entities.
6. Failure to conduct timely reviews of questionable marital relationships could result in overpayments to claimants or recipients. Therefore, SSA cannot collect the information less frequently. There are no legal or technical obstacles to prevent burden reduction.
7. There are no special circumstances that would cause SSA to collect this information in a manner that is not consistent with 5 CFR 1320.5.
8. SSA published the 60-day advance Federal Register Notice on August 22, 2008 at 73 FR 49730, and SSA received no public comments. The second Notice published on January 15, 2009 at 74 FR 2643. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information requested is protected and held confidential 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. One could consider the questions that the form asks to be of a sensitive nature since they deal with a person's marital relationship. However, these questions are necessary because the responses may affect the amount of benefits payable.
12. As the situation warrants, SSA will use Form SSA-4178 at the time of first application, and each year thereafter if the need for inquiry still exists. SSA estimates approximately 5,100 respondents to this form per year. The estimated average response time is approximately 5 minutes for a total of 425 burden hours. The total burden represents burden hours, and we did not calculate a separate cost burden.

Collection Method	Number of Respondents	Frequency of Response	Average Burden Per Response	Total Burden Hours
MSSICS	1,275	1	5 minutes	106
Paper Form	3,825	1	5 minutes	319
Total	5,100			425

13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$7,854. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes in the public reporting burden. However, previously we unable to show the burden for the paper form and the MSSICS screens separately. Now with ROCIS, we are able to do so.
16. SSA will not publish the results of the information collection.
17. OMB exempted SSA from publishing the expiration date for OMB approval on its forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). OMB granted SSA this exemption so that SSA would not have to stop using otherwise useable editions of forms with outdated expiration dates. In addition, SSA avoids Government waste because we do not have to destroy and reprint stocks of forms.
18. 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.