

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 & 416.203
OMB No. 0960-0293

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 1631(e)(1) of the Social Security Act, as amended, along with *20 CFR 416.200 and 416.203 of the Code of Federal Regulations*, authorize the Social Security Administration (SSA) to collect and verify information on applications for the Supplemental Security Income (SSI) program. Form SSA-4641-U2 complies with the authorization and certification requirements of the *Right to Financial Privacy Act of 1978 (12 USC 35, Sections 3402-3404)*, which specifies conditions that must be met before the account records of financial institutions can be disclosed with customer authorization. Form SSA-4641-U2 provides financial institutions with the SSI applicant, recipient or deemor's authorization to disclose records. The purpose of obtaining the financial institution's records is to verify the existence, ownership, and value of accounts owned by SSI applicants, recipients and deemors. If the records maintained by the individual are incomplete, unavailable, or appear altered, contact with the financial institution is necessary. Once received, SSA uses the financial institution's report, in part, to determine whether the applicant meets SSI resource eligibility requirements. The respondents are any financial institutions that SSI applicants, recipients, and/or deemors use, or those financial institutions SSA suspects they use. This clearance request is a renewal, with no changes, to an existing collection.

2. Description of Collection

SSA uses this collection to help determine eligibility for SSI benefits and to evaluate the program. Financial institutions, who are the respondents to this collection, are not legally required to complete the SSA-4641-U2. Financial institution employees complete the form on an occasional basis at the request the agency.

3. Use of Information Technology to Collect the Information

SSA currently uses an electronic based financial account verification system in California, New Jersey, and New York. The agency is currently working to expand this system nationwide. Until we implement this electronic based system throughout the nation, we must continue to utilize the existing process. Moreover, even when SSA is able to implement a nationwide electronic system, a paper-based option (using the SSA-4641-U2) will continue to be available for those financial institutions that do not have the capability to respond electronically, or that require a wet signature in order to release financial account information. SSA currently minimizes the burden by sending the form with pre-filled information. (See Addendum for more information.)

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 this information is not collected, individuals who are unable to secure necessary evidence on their own (due to physical, mental, or financial limitations) could be disadvantaged. If we collected the data less frequently, it would create a high risk of incorrect eligibility determinations and incorrect payment of benefits. 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 August 7, 2009 at 74 FR 39728 and SSA has received no public comments. The second Notice published on December 21, 2009 at 74 FR 67945. There have been no outside consultations with members of the public.

9. **Payment or Gifts to Respondents**

We provide payments to the respondents, who are financial institutions, to compensate them for the time it takes to respond to our request. SSA pays the respondents at a rate determined by the Federal Reserve Board in accordance with the Right to Financial Privacy Act of 1978.

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**

Approximately 500,000 respondents take 6 minutes to complete either form SSA-4641-U2 or the e4641 each year. Accordingly, the burden is 50,000 hours.

Modality	Number of Respondents	Frequency of Response	Number of Responses	Average Burden Per Response (minutes)	Total Annual Burden (hours)
SSA-4641-U2	320,000	1	1	6	32,000
e4641	3,700	1	48	6	18,000
Total	500,000				50,000

This figure represents burden hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents (Other)**

This 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 \$1,657,073.13. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information. Also, we compensate the respondents for their costs (see Item 9).

15. **Program Changes or Adjustments to the Information Collection Request**

The addition of the electronic version of the SSA-4641, the e4641, is a program change. SSA recognizes that our current usage of the e4641 System is in violation of the PRA and we are rectifying that through this ICR.

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

18. **Exceptions 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.