

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

A. Justification

1. Introduction/Authoring Laws and Regulations

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* and *Section 20 CFR 416.1826 of the Code of Federal Regulations* requires that the Social Security Administration (SSA) obtain additional information, as necessary, to ensure that only eligible individuals (or eligible spouses) receive payments and that the amount of such payments are correct.

2. Description of Collection

SSA uses Form SSA-4178 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 Supplemental Security Income (SSI) payments. The respondents are applicants for and recipients of SSI payments.

SSA either mails or gives the respondent Form SSA-4178 if the respondent alleges they are currently in a holding-out relationship (opposite sex who live together are misrepresenting themselves as husband and wife) when applying for benefits.

3. Use of Information Technology to Collect the Information

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. Why We Cannot Use Duplicate Information

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. Minimizing Burden on Small Respondents

This collection has no impact on small businesses or other small entities.

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

A 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. **Special Circumstances**

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. **Solicitation of Public Comment and Other Consultations with the Public**

The 60-day advance Federal Register Notice published on September 09, 2011, at 76 FR 55999, and we received no public comments. The 30-day FRN published on November 28, 2011, at 76 FR 72994. If we receive any comments in response to this Notice, we will forward them to OMB.

We did not consult with the public in the revision of this form.

9. **Payment or Gifts to Respondents**

SSA provides no payment or gifts to the respondents.

10. **Assurances of Confidentiality**

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. **Justification for Sensitive Questions**

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. **Estimates of Public Reporting Burden**

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

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

There is no known cost burden to the respondents.

14. **Annual Cost To Federal Government**

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

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. **Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

17. **Displaying the OMB Approval Expiration Date**

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. **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.