

Supporting Statement for Appointment of Representative
Form SSA-1696-U4
20 CFR 404.1707, 404.1720, 408.1101, 416.1507, and 416.1520
OMB No. 0960-0527

A. Justification

1. Introduction/Authoring Laws and Regulations

Persons claiming rights or benefits (claimants) under the *Social Security Act* (Act) must notify the Social Security Administration (SSA) in writing if they appoint an individual to represent them in their dealings with SSA. In addition, regulations require that the representative sign the notice of appointment (i.e. Form SSA-1696-U4 “Appointment of Representative” or another equivalent writing) if the representative is not an attorney. The statutory authority for requiring this information is found in sections 206(a) and 1631(d)(2) of the Act. The implementing regulations are found in 20 CFR 404.1707 and 416.1507 of the *Code of Federal Regulations*. Sections 206(a) and 1631(d)(2) of the Act provide that when the individual representing the claimant is an attorney or a nonattorney meeting the requirements in section 206(e) of the Act, the Commissioner shall certify payment out of past-due benefits a fee equal to as much as 25 percent of past-due benefits. The implementing regulations are found in 20 CFR 404.1720 and 416.1520.

Claimants use Form SSA-1696-U4 to appoint a representative to handle their business before SSA. A claimant’s representative uses the form to: 1) indicate a fee charge; 2) indicate eligibility for direct fee payment; and, 3) indicate disbarment or suspension from a court or bar in which the representative previously admitted practicing, or disqualification from participating in, or appearing before, a Federal program or agency.

2. Description of Collection

SSA recognizes the claimant’s representative as the individual named in a notice of appointment (or written statement) signed by the claimant and filed at an SSA office. The SSA-1696-U4 (or written statement) documents the appointment of a representative. In addition, a non-attorney representative must also sign the form or written statement. Respondents are claimants and representatives of claimants for Social Security benefits.

3. Use of Information Technology to Collect the Information

SSA captures the information contained on Form SSA-1696-U4 by manual entry into vital systems. A copy of the PDF file is stored in the claims file. Although an electronic version of the form is not currently available, SSA has made easily accessible a fillable PDF version of the SSA-1696-U4 that allows individuals to either print the form and fill it in, or complete it on the screen and mail it to SSA for processing.

- 4. Why We Cannot Use Duplicate Information**

The nature and manner of the information we are collecting preclude duplication. SSA does not use another collection instrument to obtain similar data.
- 5. Minimizing Burden on Small Respondents**

This information collection does not significantly affect small businesses or other small entities.
- 6. Consequence of Not Collecting Information or Collecting it Less Frequently**

If SSA does not collect the information identifying each claimant's representative, SSA could not fulfill its obligations under the Act and regulations to recognize an attorney or other qualified individual named by a claimant as the representative. SSA must identify the representative for each claim or claimant; therefore, SSA cannot conduct this information collection less frequently. There are no technical or legal obstacles that prevent 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**

SSA published the 60-day advance Federal Register Notice on September 3, 2013 at 78 FR 54363, and SSA has received no public comments. We published the 30-day Notice on November 25, 2013 at 78 FR 70391. If we receive any comments on the second Notice, we will forward them to OMB. We did not consult with the public in the revision/maintenance of this form.
- 9. Payment or Gifts to Respondents**

SSA provides no payment or gifts to the respondents.
- 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 800,000 respondents average about 10 minutes each to complete Form SSA-1696-U4 annually totaling 133,332 burden hours (as below). We did not calculate a separate cost burden.

Form	Number of Respondents	Frequency of Response	Response Time (minutes)	Burden (hours)
Individuals	400,000	1	10	66,666
Representatives	400,000	1	10	66,666
Totals	800,000			133,332

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 \$2,400,000. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information. We recognize that claimants and their representatives increasingly download the form from our Internet site.

15. Program Changes or Adjustments to the Information Collection Request

The number of respondents has increased to an estimated 800,000 so we have adjusted the burden hours accordingly.

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.