

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

Section 1631(e)(1)(B), Title XVI of the Social Security Act (Act) authorizes the Social Security Administration (SSA) to collect the information requested on Form SSA-4178, Marital Relationship Questionnaire. The *Act* and section 20 *CFR 416.1826* of the *Code of Federal Regulations* requires SSA obtain additional information, as necessary, to ensure only eligible individuals (or eligible spouses) receive Supplementation Security Income (SSI) payments and that the amount of such payments are correct.

2. Description of Collection

SSA uses Form SSA-4178 to collect information necessary to determine if unrelated individuals of the opposite sex who live together hold themselves out to the community in which they reside as husband and wife. If SSA determines these individuals are in a holding-out relationship, SSA considers them married for the purposes of determining SSI eligibility and payment amount. Respondents are applicants for and recipients of SSI, who may be in a holding-out relationship, as well as the other party to a possible holding-out relationship.

SSA either mails or gives the individual Form SSA-4178 if the applicant or recipient alleges a holding-out relationship; or if the SSI applicant or recipient denies holding out, but there is evidence to the contrary.

3. Use of Information Technology to Collect the Information

We collect information on the paper version of this form and electronically. Approximately 25 percent of the data collection we use to determine marital status for SSI purposes we collect using SSA's Modernized SSI Claims System (MSSICS).

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 SSA uses that collects similar data.

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

SSA's 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

SSA published the 60-day advance Federal Register Notice on July 2, 2014 at 79 FR 37828, and we received no public comments. We published the 30-day Notice on September 19, 2014 at 79 FR 56428. If we receive any comments to the second Notice, we will forward them to OMB. We did not consult with members of the public.

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 on Form SSA-4178 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 SSI payments.

12. Estimates of Public Reporting Burden

Modality of Completion	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.

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.