

Supporting Statement for Form SSA-1696-U4
Appointment of Representative
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

People claiming a right or benefit (recipients) under the *Social Security Act (Act)* must notify the Social Security Administration (SSA) in writing if they appoint an individual to represent them in dealings with SSA. In addition, regulations require the representative to sign the notice of appointment (i.e. Form SSA-1696-U4, Appointment of Representative, or another equivalent in writing) if the representative is not an attorney. The statutory authority for requiring this information is in Sections 206 and 1631(d) of the *Act*. The implementing regulations are 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 non-attorney 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 in 20 CFR 404.1720 and 416.1520.

2. Description of Collection

Recipients use Form SSA-1696-U4 to appoint a representative to handle their claim before SSA. Recipients' representatives use the Form SSA-1696-U4 to indicate whether they will charge a fee, and, if so, specify their eligibility for direct fee payment. The representatives also use Form SSA-1696-U4 to indicate their disbarment or suspension from a court or bar in which they previously admitted to practice, or their disqualification from participating in or appearing before a Federal program or agency. SSA recognizes the recipient's representative as the individual named in a notice of appointment (or written statement), which the recipient signed and filed at an SSA office. The SSA-1696-U4 (or written statement) documents the appointment of a representative. Our regulations also require that if the representative is a non-attorney, they must sign the form or equivalent written statement. The respondents are applicants for, or recipients of, Social Security disability income benefits (SSDI) or Supplemental Security Income (SSI) payments who are notifying SSA they have appointed a person to represent them in their dealings with SSA.

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 made easily accessible a fillable PDF version of the SSA-1696-U4 on www.ssa.gov, which 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 of the information we collect and the manner in which we collect it 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 recipient's representative, SSA could not fulfill its obligations under the *Act* and regulations to recognize an attorney or other qualified individual a recipient named as a 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 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 November 15, 2016, at 81 FR 80159, and we received no public comments. The 30-day FRN published on February 14, 2017 at 82 FR 10623. If we receive any comments in response to this Notice, we will forward them to OMB.

9. Payment or Gifts to Respondents

SSA does not provide payments 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

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-1696-U4	800,000	1	10	133,333

The total burden for this ICR is **133,333** hours. 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

Currently, we print an average of 170,000 forms. The annual cost to the Federal Government is approximately \$36,900. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information. We recognize that recipients and their representatives increasingly download the form from our Internet site.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to 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 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.