

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) 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* require SSA to obtain additional information, as necessary, to ensure only eligible individuals (or eligible spouses) receive Supplementation Security Income (SSI) payments, and that they receive the correct amount of payments.

2. Description of Collection

SSA uses Form SSA-4178 to collect information necessary to determine if two unrelated individuals who live together hold themselves out as a married couple to the community in which they live. If SSA determines that two individuals hold themselves out as married, SSA considers them married for the purposes of determining SSI eligibility and payment amount. SSA either mails or gives the individual Form SSA-4178 if the applicant or recipient allege a holding-out as married relationship; or if the SSI applicant or recipient denies holding out, but there is evidence to the contrary. Respondents are applicants for, and recipients of, SSI who may be holding themselves out as married and the other party in that relationship holding out as married.

3. Use of Information Technology to Collect the Information

We use the Modernized SSI Claims System (MSSICS) to collect approximately 25 percent of the data we use to determine marital status for SSI purposes. SSA did not create an electronic version of Form SSA-4178 under the agency's Government Paperwork Elimination Act plan because higher volume forms take precedence. However, Form SSA-4178 is currently available as a fillable PDF on the SSA website.

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 collection does not affect 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 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 May 12, 2017, at 82 FR 22173, and we received no public comments. The 30-day FRN published on August 16, 2017 at 82 FR 38982. 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

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

The following burden chart shows the estimated annual burden information for each of the modalities we use to collect the information. We based these figures on our current management information data:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-4178 - MSSICS	1,275	1	5	106
SSA-4178 - Paper Form	3,825	1	5	319
Total	5,100			425

The total burden for this ICR is 425 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 on the respondents.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$7,854. This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; (2) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time; and (3) systems development, updating, and maintenance costs.

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 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.