

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 and the other individual denies holding out, but there is evidence to the contrary. The respondents are applicants for, and recipients of, SSI payments.

3. Use of Information Technology to Collect the Information

As discussed above, respondents receive the SSA-4178 either via the mail, or it is provided directly to them during an in-office interview and the other individual is not present to sign the form. Approximately 75% of respondents deliver a paper version of the SSA-4178 after receiving the form in the mail, which we record into our intranet SSI Claims System. Approximately 25% of respondents orally respond to the SSA-4178 while in an SSA office. In these circumstances, an SSA agent will either directly transcribe the response into the intranet SSI Claims System or will record them on an electronic PDF version of the SSA-4178 that is hosted on SSA's Intranet forms system, which are scanned or recorded in SSA's internal Enterprise Content Management Architecture and Evidence systems which are the back-end data storage systems. We also access these back-end storage systems through SSA's EDCS, MCS, and SSI Claims System screens. This information collection does not currently allow for electronic submission or electronic disclosure under GPEA as it has been conveyed to us by OIRA. However, given the limited respondent pool and set of questions, SSA does not consider this collection a priority for further digitization.

Per the risk assessment our OGC conducted on this form, we are not able to make the signature line on the form fillable at this time. However, we hope to convert

this IC to a submittable PDF within the next 9 years which will allow the public to utilize eSignature technology and to submit the form to us via the Internet. Unfortunately, we are not able to schedule this one for submittable PDF conversion, yet, but when we do so, we will submit a Change Request to OMB for approval prior to implementation.

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

If we did not use Form SSA-4178, SSA's would fail to conduct timely reviews of questionable marital relationships, which could result in overpayments to claimants or recipients. Because we collect this information on an as needed basis, we cannot collect it 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 June 24, 2020 at 85 FR 37996, and we received no public comments. The 30-day FRN published on August 28, 2020 at 85 FR 53428. 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

Please see the burden chart below:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Annual Opportunity Cost (dollars)***
SSI Claims System	1,275	1	5	106	\$12.81*	24**	\$7,891**
SSA-4178	3,825	1	5	319	\$12.81*	24**	\$23,686***
Totals	5,100			425			\$31,577***

* We based this figure on average DI payments, as reported in SSA’s disability insurance payment data (<https://www.ssa.gov/legislation/2023factsheet.pdf>) .

** We based this figure on the average FY 2023 wait times for field offices and teleservice centers, based on SSA’s current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

In addition, OMB’s Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA’s current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
5,100	1	30	2,550	\$27,362

****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or

maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents' mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total opportunity cost estimates in the paragraph below.

The total burden for this ICR is **425** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$53,811**. SSA does not charge respondents to complete our applications.

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 \$15,360. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating Cost	Cost in Dollars*
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$40
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$11,900
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,420
Total		\$15,360

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

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.