

Supporting Statement for Form SSA-1696-U4
Appointment of Representative
20 CFR 404.1707, 404.1720, 414.1725, 410.684, 416.1507 and 416.1520
OMB No. 0960-0527

A. Justification

1. Introduction/Authoring Laws and Regulations

Persons claiming a right or benefit (claimants) under the *Social Security Act (Act)* must notify the Social Security Administration (SSA) in writing when they appoint an individual to represent them in dealings with SSA. In addition, a representative must also sign the notice of appointment (i.e. Form SSA-1696-U4 “Appointment of Representative” or another writing) if the representative is not an attorney. *Sections 206(a)* and *1631(d)(2)* of the *Act* provide the statutory authority for requiring this information; and, *Sections 20 CFR 404.1707, 410.684 and 416.1507* of the *Code of Federal Regulations*, contain the implementing requirements. *Sections 206(a)* and *1631(d)(2)* of the *Act* state when the individual representing the claimant is an attorney, the Commissioner shall certify payment out of past-due benefits a fee equal to as much as 25 percent of past-due benefits (*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 is currently developing an electronic version of Form SSA-1696-U4. Implementation of an electronic version is part of a multiphase plan and predicated on our completion of earlier system changes. In the interim, a PDF version of the SSA-1696-U4, which allows individuals to print, complete, and mail the form to SSA for processing, is available on SSA’s website for easy access.

4. Why We Cannot Use Duplicate Information

The nature and manner of the information we are collecting preclude duplication.

SSA uses no other collection instrument that collects data similar to that collected here.

5. Minimizing Burden on Small Respondents

This information collection does not involve small businesses or 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 August 2, 2010 at 75 FR 45190, and SSA has received no public comments. We published the 30-day Notice on October 5, 2010 at 75 FR 61550. If we receive any comments on 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

SSA protects and holds confidential the information we collect 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 551,520 respondents average about 10 minutes each to complete Form SSA-1696-U4 each year for a total of 91,920 burden hours. 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

The annual cost to the Federal Government is approximately \$3,397,363. 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 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.