

**Supporting Statement for Form SSA-10-BK,  
Application for Widow's or Widower's Insurance Benefits  
20 CFR 404.335 – 404.338; 20 CFR 404.603  
OMB NO. 0960-0004**

**A. Justification**

1.           **Introduction/Authoring Laws and Regulations** - *Section 202(e) and 202(f) of the Social Security Act (the Act)* set forth the requirements for entitlement to widow(er)'s benefits, including the requirement to file an application. The policies for implementing the requirements in sections 202(e) and 202(f) of the *Act*, including the requirement to apply for benefits, are set forth in *20 CFR 404.335 – 404.338* of the *Code of Federal Regulations*. In order to become entitled to benefits, *20 CFR 404.603* requires that a claimant file an application. Form SSA-10-BK is the collection instrument designated by the Commissioner of Social Security to meet the application requirement. SSA is collecting this information from individuals seeking widow(er)'s benefits. This is a revision and renewal of an existing OMB-approved information collection.
2.           **Description of Collection** - The Social Security Administration (SSA) uses the information collected on Form SSA-10-BK to determine whether the applicant meets the statutory and regulatory conditions for entitlement to widow(er)'s benefits. The respondents are applicants for widow or widower's benefits. SSA needs this information to make a formal determination for entitlement to the above class of benefits. SSA interviews individuals applying for benefits either face-to-face or via telephone. This is a one-time application.
3.           **Use of Information Technology to Collect the Information** - The information SSA collects on the paper Form SSA-10-BK, we also collect electronically, during a personal interview, using SSA's Modernized Claims System (MCS). These are agency-initiated electronic forms with pre-filled information. Approximately 95 percent of the data collection in claims for widow(er)'s benefits is electronic. Additional information technology that would further reduce the burden is not available at this time.
4.           **Why We Cannot Use Duplicate Information** - The nature of the information SSA is collecting and the manner in which we are collecting it preclude duplication. There is no other collection instrument that collects data similar to that collected here.
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 SSA did not collect this information, we would be unable to determine whether the applicant meets the statutory and regulatory requirements for entitlement. The *Act* and regulations prescribe when an application is required; therefore, SSA cannot collect this information 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 September 24, 2009 at 74 FR 48795 and SSA has received no public comments. We published the 30-day Federal Register Notice on December 8, 2009 at 74 FR 64801. There have been no outside consultations 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** - The information collection does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden** - Approximately 341,560 respondents use the paper/electronic Form SSA-10-BK annually. Of this total, 95 percent (324,482) of the respondents will respond through MCS and 50 percent of the MCS respondents will use Signature Proxy (162,241). Using Signature Proxy reduces the burden by 1 minute per respondent. Shown below is the breakdown:

<b>Collection Method</b>	<b>Number of Respondents</b>	<b>Estimated Completion Time</b>	<b>Burden Hours</b>
MCS	162,241	15 minutes	40,560
MCS/Signature Proxy*	162,241	14 minutes	37,856
<u>Paper</u>	17,078	<u>15 minutes</u>	4,270

<b>Totals:</b>	<b>341,560</b>	<b>82,686</b>
----------------	----------------	---------------

\*Under the Signature Proxy process, respondents give their “signature” by verbal consent for telephone claims or by clicking a button for Internet claims. Signature Proxy is an alternative to the traditional pen and ink or “wet” signature, and it eliminates the need to retain paper applications in most circumstances by allowing the technician to process the application on the claimant’s behalf, without a signature.

The total burden reflects burden hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents** - There is no known cost burden to the respondents.
14. **Annual Cost to Federal Government** - The annual cost to the Federal government is approximately \$2,104,010. 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 is no change 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 clearance. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). OMB granted this exemption so that SSA would not have to stop using otherwise useable editions of forms with outdated expiration dates. In addition, we avoid 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 did not use statistical methods for this information collection.

