

**Supporting Statement for Form SSA-781,
Certificate of Responsibility
For Welfare and Care of Child Not in Applicant's Custody
20 CFR 404.330, 404.339-404.341 and 404.348-404.349
OMB No. 0960-0019**

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 202(b)(1)(B), 202 (c)(1)(B) and 202(g)(1)(E) of the Social Security Act (the Act) and 20 CFR 404.330, 404.339-404.341 and 404.348-.349 contain the "in-care" entitlement requirement and the conditions under which "in-care" is met. A requirement for entitlement for mother's or father's benefits or as a spouse who is under age 62 and is a mother or father, is that the spouse, mother or father must have in his or her care an entitled child of the worker who is under age 16 or disabled.

Form SSA-781, Certificate of Responsibility for Welfare and Care of Child Not in Applicant's Custody, obtains the information necessary to determine whether the provision of *Sections 202(b)(1)(B), 202(c)(1)(B) and 202(g)(1)(E)* are met. In order to receive or maintain benefits the respondent must have in their care an entitled child.

2. Description of Collection

SSA uses Form SSA-781 to determine if non-custodial parents who are filing for spouse's or mother's and father's benefits based on having a child in their care meet the in-care requirements. If the child leaves the respondent's care, the respondent completes Form SSA-781 in order for an SSA employee to determine if the respondent meets the "in care" entitlement requirement. The respondents are applicants for spouse's and/or mother's and father's benefits.

3. Use of Information Technology to Collect the Information

Form SSA-781 is available for the respondent to print from SSA's website, complete, and mail back to SSA. SSA did not create an electronic version of form SSA-781 under the agency's Government Paperwork Elimination Act (GPEA) plan because only 14,000 respondents complete the form. This is less than the GPEA cut-off of 50,000.

4. Why We Cannot Use Duplication Information

The nature of the information we are collecting and the manner in which we are collecting it precludes 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 the information collected on form SSA-781 for each non-custodial claimant seeking benefits based on having a child in care, we would not be able to determine whether the statutory "in care" requirement is met. This would be a violation of regulations at 20 CFR 404-330, 404.339 – 404.341 and 404.348 – 404.249. Because we only collect the information once, we cannot collect it 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

SSA published the 60-day advance Federal Register Notice published on March 04, 2010, at 75 FR 9992, and we received no public comments. The second Notice published on May 13, 2010 at 75 FR 27036.

We did not consult with the public in the revision of this form.

9. Payment or Gifts to Respondents

SSA does not provide payment 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 of Sensitive Questions

The information collection does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Approximately 14,000 respondents take 10 minutes each to complete form SSA-781 each year. Accordingly, the burden is 2,333 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 the Federal Government

The annual cost to the Federal Government is approximately \$54,319. 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 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.