

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

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 202(e) and 202(f) of the *Social Security Act (Act)* set forth the requirements for entitlement to widow(er)'s benefits, including the requirement to file an application. In addition, 20 CFR 404.335 – 404.338 of the *Code of Federal Regulations* state the policies for implementing the requirements from sections 202(e) and 202(f) of the *Act*, including the requirement to apply for benefits. In addition, to become entitled to benefits, 20 CFR 404.603 requires a claimant to file an application. Therefore, the Commissioner of the Social Security Administration (SSA) designated Form SSA-10-BK to meet the application requirement.

2. Description of Collection

Since SSA needs information to make a formal determination for entitlement to widow(er)'s benefits, we use the Form SSA-10-BK to determine whether an applicant meets the statutory and regulatory conditions for entitlement to widow(er)'s title II benefits. SSA employees interview individuals applying for benefits either face-to-face or via telephone and enter the information on the paper form or into the Modernized Claims System (MCS). The respondents are applicants for widow(er)'s benefits.

3. Use of Information Technology to Collect the Information

SSA collects the same information on the paper Form SSA-10-BK as we collect electronically using SSA's MCS during a personal interview. MCS is an internal electronic forms system available to SSA claims representatives. In accordance with the agency's Government Paperwork Elimination Act plan, we estimate approximately 95% of respondents use the electronic version. In addition, we made this form available on our website as a print-only PDF.

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-10-BK, the public would have no way to apply for widow(er)'s insurance benefits, causing a violation of regulations at 20 CFR 404.335 – 404.338, and 404.603. Since we only collect the information once per applicant, 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

The 60-day advance Federal Register Notice published on November 29, 2012, at 77 FR 71204, and we received no public comments. SSA published the second Notice on February 07, 2013, at 78 FR 9102. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.

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

We estimate approximately 454,000 respondents use the SSA-10-BK per year, the majority of whom answer the questions through a personal interview rather than filling out the paper form. The following chart shows the burden for each modality:

Collection Method	Number of Responses	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)
SSA-10-BK- Paper	5,000	1	15	1,250
SSA-10-BK- MCS	449,000	1	14	104,767
Totals	454,000			106,017

The total burden for this ICR is **106,017** 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 \$2,382,875. This estimate is a projection of the costs for printing and distributing the collection instrument, and for collecting and processing the information.

- 15. Program Changes or Adjustments to the Information Collection Request**
The burden increase stems from an increase in the number of respondents. In addition, we changed our policy so we no longer require a wet signature from any respondent who chooses to supply the information for this collection through a personal interview either via telephone or in a field office. Therefore, we use signature proxy whenever SSA employees collect the information through MCS. We eliminated the wet signature requirement for in-office MCS completion to help reduce the time burden on the public.
- 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.