

**Supporting Statement for Form SSA-5-BK**  
**Application for Mother's or Father's Insurance Benefits**  
**20 CFR 404.339 - 404.342, 20 CFR 404.601 - 404.603**  
**OMB No. 0960-0003**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 202(g) of the *Social Security Act (Act)* provides for the payment of monthly benefits to the widow or widower of an insured individual if the surviving spouse is caring for a child of the deceased worker who is entitled to Social Security benefits.

The regulatory requirements for implementing Section 202(g) of the *Act* are set forth in *20 CFR 404.339–404.342* and *20 CFR 404.601–404.603* of the *Code of Federal Regulations*.

**2. Description of Collection**

The Social Security Administration (SSA) uses the information on Form SSA-5-BK to determine an individual's eligibility for mother's or father's insurance benefits. The respondents are individuals caring for a child of the deceased worker who is applying for mother's or father's insurance benefits under the Old Age, Survivors, and Disability Insurance (OASDI) program.

**3. Use of Information Technology to Collect the Information**

A print version of Form SSA-5-BK is available as a PDF on SSA's website. SSA also collects the information on the paper Form SSA-5-BK electronically using SSA's Modernized Claims System (MCS).

In accordance with the agency's Government Paperwork Elimination Act plan, SSA created an electronic version of form SSA-5-BK. Based on our data, we estimate approximately 97% of respondents under this OMB number use the electronic version.

**4. Why We Cannot Use Duplicate Information**

The nature of the information we are collecting and the manner in which we are collecting 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 Form SSA-5-BK, eligible individuals would have no way to apply for mother's or father's insurance benefits. Because we collect this information on an as needed basis, 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 December 05, 2014, at 79 FR 72237, and we received no public comments. The 30-day FRN published on February 23, 2015 at 80 FR 9499. If we receive any comments in response to this Notice, we will forward them to OMB.

**Comment:** We received comments from the Family Equality Council, a national organization working to ensure full social and legal equality for lesbian, gay, bisexual, transgender, and queer parents (LGBTQ). The Family Equality Council comment states that using gendered parental terms potentially excludes LGBTQ headed family from receiving benefits. The Family Equality Council is recommending eliminating all gendered parental language from the form.

**SSA Response:** SSA decided not to adopt these suggestions because the extension of the benefit is not limited by gender-specific terms "mother" or "father", and continued use of these terms will not delay processing or potential benefits to claimants who are recognized as a surviving same-sex spouse. SSA has issued instructions for Mother's and Father's Benefits applications by surviving same-sex spouses.

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**

<b>Collection Method</b>	<b>Number of respondents</b>	<b>Frequency of response</b>	<b>Average Burden per response (minutes)</b>	<b>Estimated total annual burden (hours)</b>
SSA-5-BK (paper)	1,611	1	15	403
MCS	26,045	1	15	6,511
MCS/Signature Proxy	26,044	1	14	6,077
<b>Totals</b>	<b>53,700</b>			<b>12,991</b>

The total burden for this ICR is 12,991 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

13. **Annual Cost to the Respondents (Other)**

There is no known cost burden to the respondents.

14. **Annual Cost to Federal Government**

The annual cost to the Federal government for the paper form is approximately \$413,490. 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.