

**SUPPORTING STATEMENT FOR FORM SSA-21  
SUPPLEMENT TO CLAIM OF PERSON OUTSIDE THE UNITED STATES  
20 CFR 404.460, 20 CFR 404.463, Subpart E, 20 CFR 422.505(b), 42 CFR 407.27(c)  
OMB No. 0960-0051**

**A. Justification**

1. *Section 202(t) of the Social Security Act (the Act)* prohibits the payment of monthly benefits to aliens who have been outside the United States for 6 consecutive calendar months, unless an exception to this provision (as specified in the law) can be met. Under *Section 202(t) of the Act*, and *20 CFR 404.460 of the Code of Federal Regulations*, the Social Security Administration (SSA) will not resume payments suspended under this provision until the alien has been present in the United States for an entire calendar month. *Section 121(c) of Public Law 98-21* provides for a withholding tax on certain nonresident aliens.

Form SSA-21 is a prescribed form under *20 CFR 422.505(b)*. The conditions for continuing eligibility for payment of benefits to aliens outside the United States are set forth in *20 CFR 404.460 and 404.463 of Subpart E*. Under *42 CFR 407.27(c)*, individuals enrolled for supplemental medical insurance can also use the form to cancel their coverage because they are leaving the United States.

2. SSA furnishes beneficiaries with Form SSA-21, Supplement to Claim of Person Outside the United States, in order to facilitate and encourage the timely reporting of trips outside the United States that might affect an individual's continuing entitlement to benefits or the taxation of those benefits. Form SSA-21 is filed by claimants or beneficiaries (or by someone on their behalf) who are outside the United States (or who have been outside the United States during the retroactive period of their application) as a supplement to an application for benefits. Claimants or beneficiaries (or someone on their behalf) who are planning to go outside the United States must also complete Form SSA-21. SSA collects the data solely to determine the eligibility for U.S. social security benefits for those months in which an alien beneficiary is outside the United States and to determine whether tax withholding applies. Benefits may be continued or suspended based on the collected data. The respondents are individuals entitled to Social Security benefits who are, will be, or have been residing outside the United States.
3. Form SSA-21 is currently available on the Internet as a portable document file (PDF) for the public to print out, complete, and send to SSA. Because a specific and limited audience uses Form SSA-21, SSA has not scheduled it for implementation as an electronic form. As budgetary resources permit and until a system is in place for the public to transmit personally identifiable information electronically from overseas, we will consider making it electronically available.
4. The nature of the information SSA collects and the manner in which we collect it preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.

5. This collection does not have an impact on small businesses or other small entities.
6. SSA collects the information only when it is pertinent to the payment of benefits. Failure to collect the required information could result in incorrect payment of benefits (in contravention of section 202(t) of the Social Security law) or failure to withhold taxes from a benefit when required under section 121(c) of Public Law 98-21. Therefore, SSA cannot collect the information less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause SSA to collect this information in a manner inconsistent with 5 CFR 1320.5.
8. SSA published the 60-day advance *Federal Register Notice* on September 17, 2008, at 73 FR 53919, and SSA has received no public comments. SSA published the 30-day *Federal Register Notice* on January 15, 2009, at 74 FR 2643. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. 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. The information collection does not contain any questions of a sensitive nature.
12. Form SSA-21 will be used by 35,000 respondents annually. Approximately one-half of the respondents (17, 500) are U.S. citizens or aliens who are not U.S. residents. As such, they will not need to complete items 10 through 14 of the form (which pertain only to aliens who elect to maintain their U.S. residence status while abroad). They will require a total completion time of about 5 minutes. The remaining respondents (17, 500) will require an additional 10 minutes to read, gather information and complete items 10-14 for purposes of establishing their U.S. residence status abroad for Federal income tax purposes. It will take this group approximately 15 minutes to complete the entire form. The Paperwork Reduction Act statement shows an average of the two response times for the two groups combined as 10 minutes for a total of 5833 hours. The total burden represents burden hours. SSA did not calculate a separate cost burden.

Collection Instrument	Number of Respondents	Frequency of Response	Estimated Completion Time	Burden Hours
SSA-21 Not US Residents	17,500	1 per year	5 minutes	1,458
SSA-21 US Residents	17,500	1 per year	15 minutes	4,375
Totals	35,000			5,833

13. There is no known cost burden to the respondents.
14. The annual cost to the Federal government is approximately \$107,800. This estimate is a projection of the costs for printing and distributing the collection instrument and for collecting the information.
15. There have been no program changes in this form, and there is no change in the public reporting burden. However, prior [to ROCIS, SSA was unable to show the separate time estimates for each form](#). [Because ROCIS now allows us to separate the two forms, we are reporting the burdens per form separately; therefore, the burden estimate is more accurate.](#)
16. SSA will not publish the results of the information collection.
17. 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 approval. 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, SSA avoids Government waste because we do not have to destroy and reprint stocks of forms.
18. SSA is not requesting an exception to the certification requirements.

**B. Collection of Information Employing Statistical Methods**

SSA does not use statistical methods for this information collection.