

Supporting Statement for Form SSA-2528
Application for Benefits Under the Italy-U.S. International Social Security Agreement
20 CFR 404.1925
OMB No. 0960-0445

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 233(a) of the *Social Security Act* authorizes the President to enter into International Social Security Agreements between the United States and foreign countries. Under such agreements, SSA can calculate retirement (old age), survivors, disability, and derivative benefits on combined periods of coverage in both agreement countries.

20 CFR 404.1925 of the *Code of Federal Regulations* provides that the Social Security Administration (SSA) shall consider an application for benefits filed with the authorities of a country with which the United States has such an agreement as an application for benefits under the U.S. Social Security system. However, in order for us to do so, the applicant must express or imply intent to claim benefits from the United States. We are collecting this information from individuals based on the U.S. and Italy agreement, effective November 1, 1978. *Article 19.2* of the agreement provides that an applicant for benefits can file his application with either country. *Article 4.3* of the *Protocol to the Agreement* provides that the country receiving the application will forward agreed upon forms and applications to the other country.

2. Description of Collection

Form SSA-2528 is mandatory for respondents who wish to file an application for U.S. benefits while living in Italy, as SSA is required under the agreement to have applicants complete the form in order to process their claim for benefits. SSA uses the information on Form SSA-2528 to establish age, relationship, citizenship, marriage, death, military service, or to evaluate a family bible, or other family record, when determining eligibility for benefits. The Italian Social Security Agencies collect the information directly from the applicants by assisting them in completing the paper SSA-2528 and then forwarding the application to SSA for processing. The respondents are individuals living in Italy who wish to file for U.S. Social Security benefits.

3. Use of Information Technology to Collect the Information

Form SSA-2528 is a paper application only. SSA uses Form SSA-2528 exclusively outside the United States and the volume of usage is so small (250 annually) that the cost of developing an automated or electronic form cannot currently be justified. In addition, this form contains personal and case specific data we must safeguard on the Internet. Until more secure methods exist to

safeguard any electronic data transmission from Italy, SSA will not be able to make this form electronic since the intake can only occur if there is functional equivalency, and secure methods on the backend to receive and process the electronic submission. SSA has reduced the burden on the public in Italy by providing direct person-to-person assistance while completing Form SSA-2528 at local Italian Social Security offices.

4. Why We Cannot Use Duplicate Information

The nature of the information collected and the manner in which it is collected precludes duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.

5. Minimizing Burden on Small Respondents

The collection does not significantly affect small businesses or other small entities.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

Collection of the information takes place based upon the individual's need to apply for benefits; therefore, we cannot collect it less frequently. If we did not collect the information, the applicant would be unable to file a claim for U.S. Social Security benefits directly with an agency in Italy, or for SSA to determine eligibility for benefits. 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 that is not consistent 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 January 22, 2010 at 75 FR 3778. We received no comments from the public as a result of this notice. The 30-day Federal Register Notice published on March 30, 2010 at 75 FR 15761. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. Officials of Italy representing the Italian social security system and SSA staff jointly developed the application. We held meetings in July 1985 with:

Dr. Salvatore Randisi
Acting Chief, Office of International Agreements
Istituto Nazionale della Previdenza Sociale, (INPS)

Dr. Dario Bosso
Technical Assistant, INPS

Dr. Lamberto Lommi
Technical Assistant, INPS

In addition, written concurrence was obtained from the Ministro del Lavoro e della Previdenza Sociale. There were no major problems left unresolved. We did not solicit other public comments.

We also held meetings in May 1988 between representatives of the Ministry of Labor and Social Insurance, INPS, and SSA, at which time we reviewed the form SSA-2528 again.

- 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**
Approximately 250 respondents take 20 minutes each to complete Form SSA-2528 each year. Accordingly, the burden is 83 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 Federal Government**
The annual cost to the Federal Government is approximately \$150.00. This estimate is a projection of the costs for printing and distributing the collection instrument. There are no processing costs since the Italian Social Security offices assist claimants in completing this form.
- 15. Program Changes or Adjustments to the Information Collection Request**
When we last cleared this information collection tool in 2007, the burden was 67 hours. However, we are currently reporting a burden of 83 hours. This change stems from an increase in the number of respondents who are completing this form resulting in a change in 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 usable 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.