

Supporting Statement for Form SSA-21
Supplement To Claim Of Person Outside The United States
20 CFR 404.460, 20 CFR 404.463, 20 CFR 422.505(b) 42 CFR 407.27(c)
OMB No. 0960-0051

A. Justification

1. Introduction/Authoring Laws and Regulations

Section 202(t) of the *Social Security Act* (the *Act*) prohibits the payment of monthly benefits to citizens and aliens who have been outside the United States (U.S.) for six consecutive calendar months, unless an exception to this provision can be met.

Under Sections *202 (t)* 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.

The conditions for continuing eligibility for payment of benefits to aliens outside the U.S. are set forth in *Section 20 CFR 404.460* and *20 CFR 404.463 Subpart E* of the *Code of Federal Regulations*. *Section 20 CFR 422.505(b)* of the CFR, defines the conditions for continuing eligibility for payment of benefits to aliens outside the United States. 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. Description of Collection

Claimants or beneficiaries (both United States (U.S.) citizens and aliens entitled to benefits) living outside the U.S. complete Form SSA-21 as a supplement to an application for benefits. We also use Form SSA-21 in post-entitlement situations, when a claimant or beneficiary leaves or will be leaving the United States for three months or more. SSA collects the information to determine eligibility for U.S. Social Security benefits for those months a beneficiary or claimant is outside the U.S., and to determine if tax withholding applies. Tax withholding refers to the withholding of nonresident aliens taxes from social security benefits. In addition, SSA uses the information to terminate Supplemental Medical Insurance coverage for recipients who request it, because they are or will be out of the U.S. The respondents are individuals entitled to Social Security benefits who are, will be, or have been residing outside the U.S. for three months or longer. Claimants or beneficiaries submit Form SSA-21 to SSA when they are planning on leaving or leave the U.S.

3. Use of Information Technology to Collect the Information

Form SSA-21 is currently available on the Internet as a PDF file for the public to print out, complete, and send in to SSA.

SSA did not create an electronic version of form SSA-ABC under the agency's Government Paperwork Elimination Act (GPEA) plan because only 38,815 respondents complete the form. This is less than the GPEA cut-off of 50,000.

4. **Why We Cannot Use Duplicate Information**
The nature of the information we are collecting and the manner in which we are collecting 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-21, we would be unable to determine if an applicant or beneficiary is, was, or will be outside the U.S. for more than six months, which is pertinent to the payment of benefits. Failure to collect this information could result in incorrect payment of benefits, or failure to withhold taxes from benefits. Because we collect this information on an as needed basis, we cannot collect it less frequently.

There are no technical or legal obstacles that prevent 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 October 20, 2011, at 76 FR 65315, and we received no public comments. The 30-day FRN published on January 13, 2012, at 77 FR2114. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with members of the public in the maintenance of this form.

9. **Payments or Gifts to Respondents**
SSA does not provide payments or gifts to the respondents.

10. **Assurance 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**

Collection Instrument	Number of Responses	Frequency of Response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA-21 not	36,874	1	5	3,073

U.S. residents				
SSA-21 U.S. citizens and residents	1,941	1	15	485
Totals	38,815			3,558

The total burden for this ICR is 3,558 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

Note: *The first Federal Register Notice shows incorrect burden information for the SSA-21]. We have corrected this in the second Notice, in #12 below and on ROCIS.*

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 \$131,600. 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 has been an increase and decrease in burden hours. The increase stems more non-U.S. residents completing form SSA-21, the decrease stems from fewer U.S. citizens and residents completing Form SSA-21

16. **Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

17. **Displaying the OMB Approval Expiration Date**

For the paper form SSA-21, we will not publish 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.