

Supporting Statement for Form SSA-2490-BK
Application for Benefits Under a U.S.
International Social Security Agreement
20 CFR 404.1925
OMB No. 0960-0448

A. Justification

1. Introduction/Authoring Laws and Regulations

Sections 205(a), 205(c)(2), and 233 of the *Social Security Act (Act)* authorize the President to enter into bilateral Social Security agreements between the United States and foreign countries. These agreements (Totalization agreements), provide that the Social Security Administration (SSA) may determine retirement, survivors, disability, and derivative benefits on combined periods of coverage from the two countries. 20 CFR 404.1925 of the *Code of Federal Regulations* provides that if an applicant files for benefits from one country, that application can constitute an application for benefits from the other country, provided the applicant express the intent to file for benefits from the other country. To assist the other country in determining the right to benefits under its laws, or in identifying coverage under its social insurance system, each country obtains specific information from the applicant and then exchanges the material with the other country.

2. Description of Collection

SSA collects this information using Form SSA-2490-BK to determine entitlement to Social Security benefits from the United States or from a country that enters into a Totalization agreement with the United States. The United States signs new agreements whenever necessary, and we may create Totalization agreements with several new countries in any given year, and we update this information collection accordingly.

Applicants applying for benefits from the United States under any Social Security agreement must complete Form SSA-2490-BK through a U.S. claims-taking facility, such as a Social Security Field Office (FO) or Foreign Service Post (FSP), which is responsible for assisting them with the application. Applicants filing for foreign benefits at a U.S. claims taking facility will also complete Form SSA-2490-BK. This does not apply to applicants filing for foreign benefits under the agreements with Australia, Canada, Czech Republic, Japan, South Korea, and Spain, because the information is already on file with foreign governments. The respondents are individuals applying for Old Age, Survivors and Disability Insurance (OASDI) benefits from the United States or from a Totalization agreement country.

3. Use of Information Technology to Collect the Information

Form SSA-2490-BK is available to SSA FOs through the Modernized Claims System version (MCS). FOs use this form when a person files for U.S. old-age,

survivors, or disability totalization benefits only, or U.S. old-age, survivors, or disability totalization benefits concurrently for foreign benefits. Form SSA-2490-BK is also available through SSA's Intranet website as a print-only PDF through the Totalization Resource Kit. SSA created an electronic version of Form SSA-2490-BK (MCS). Based on our data, we estimate approximately 90% of respondents under this OMB number use the electronic version through a personal interview with SSA employees. This collection does not currently have a fully public-facing Internet version, as we prioritized other information collections for full electronic conversions. As per our 4/3/20 conversation with OIRA, we welcome OIRA to join our conversations with OMB on IT Mods; however, as our IT Mod programming is an ongoing project, we cannot provide timelines for when we will be able to make any particular ICR available via the Internet. We will convert existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this is unconnected to the PRA approval lifecycle. This information collection does not currently allow for electronic submission or electronic disclosure under GPEA as it has been conveyed to us by OIRA.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it 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-2490-BK, SSA would be unable to determine eligibility of applicants who express a desire to file for benefits under a totalization agreement. Additionally, the agency would be unable to fulfill obligations to obtain information that our agreement partners need to determine eligibility for benefits under their systems. Because we only collect the 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 July 29, 2020 at 85 FR 45723, and we received no public comments. The 30-day FRN published on September 25, 2020 at 85 FR 60509. If we receive any comments in response to this Notice, we will forward them to OMB.

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

Please see the burden chart below:

| Modality of Completion | Number of Respondents | Frequency of Response | Average Burden per Response (minutes) | Estimated Total Annual Burden (hours) | Average Theoretical Hourly Cost Amount (dollars)* | Average Wait Time in Field Office (minutes)** | Total Annual Opportunity Cost (dollars)*** |
|------------------------|-----------------------|-----------------------|---------------------------------------|---------------------------------------|---|---|--|
| SSA-2490-BK (MCS) | 16,195 | 1 | 30 | 8,098 | \$10.73* | 24** | \$156,401*** |
| SSA-2490-BK (Paper) | 2,120 | 1 | 30 | 1,060 | \$10.73* | 24** | \$20,473*** |
| Totals | 18,315 | | | 9,158 | | | \$176,874*** |

* We based this figure on average DI payments based on SSA's current FY 2020 data (<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>).

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

In addition, OMB's Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA's current field office locations and the location of the average population centers based on census tract information, which likely represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

| Total Number of Respondents | Frequency of Response | Average One-Way Travel | Estimated Total Travel Time to a | Total Annual Opportunity |
|-----------------------------|-----------------------|------------------------|----------------------------------|--------------------------|
|-----------------------------|-----------------------|------------------------|----------------------------------|--------------------------|

| Who Visit a Field Office | | Time to a Field Office (minutes) | Field Office (hours) | Cost for Travel Time (dollars)***** |
|--------------------------|---|----------------------------------|----------------------|-------------------------------------|
| 18,315 | 1 | 30 | 9,158 | \$98,265 |

*****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total opportunity cost estimates in the paragraph below.

The total burden for this ICR is **9,158** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$275,139**. SSA does not charge respondents to complete our applications.

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 \$439,852. This estimate accounts for costs from the following areas:

| Description of Cost Factor | Methodology for Estimating Cost | Cost in Dollars* |
|---|--|------------------|
| Designing, Printing, and Distributing the Form | Design Cost + Printing Cost + Distribution Cost | \$2,750 |
| SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time | GS-9 employee x # of responses x processing time | \$433,682 |
| Systems Development, Updating, and Maintenance | GS-9 employee x man hours for development, updating, maintenance | \$3,420 |
| Total | | \$439,852 |

SSA is unable to break down the costs to the Federal government further than we

already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

15. Program Changes or Adjustments to the Information Collection Request

When we last cleared this IC in 2017, the burden was 8,625 hours. However, we are currently reporting a burden of 9,158 hours. This change stems from an increase in the number of responses from 17,250 to 18,315. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change. These figures represent current Management Information data.

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.