

**Supporting Statement for Form SSA-25**  
**Certificate of Election for Reduced Spouse's Benefits**  
**20 CFR 404.421**  
**OMB No. 0960-0398**

**A. Justification**

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

In accordance with Section 202(q)(5)(A) of the *Social Security Act* and Section 20 CFR 404.421 of the *Code of Federal Regulations*, the Social Security Administration (SSA) cannot pay reduced benefits to an already entitled spouse unless the spouse elects to receive reduced benefits and is (1) at least age 62 but under full retirement age; and (2) no longer has a child in their care.

**2. Description of Collection**

When a worker files for retirement benefits, the worker's spouse may be eligible for a benefit based on the worker's earnings. This spousal benefit can be as much as half of the worker's benefit (also known as the "primary insurance amount"). However, the spouse must also be at least 62 to receive the benefit, and in most cases if they elect to receive the benefit before the full retirement age (FRA) of 67, their monthly benefit will be permanently reduced. The amount of the reduction is 25/36 of 1 percent for each of the first 36 months from the start of the permanently reduced benefits to, but not including, the month you reach FRA. Additionally, the reduction is 5/12 of 1 percent for each such month in excess of 36 months.

As an example, if a worker's FRA benefit would be \$1,000 a month, a spouse who chose to receive their spousal benefit at age 64 (i.e. 36 months before the spouse turned the full retirement age 67) would instead receive a reduced monthly benefit of approximately \$750 ( $\$1,000 - ((25/36 * 1\%) * 36 \text{ months})$ ). A similar spouse who chose to receive their spousal benefit at age 63 would instead receive a reduced monthly benefit of approximately \$700 ( $\$1,000 - ((25/36 * 1\%) * 36 \text{ months}) - ((5/12) * 12 \text{ additional months})$ ).

Because of the significance of electing for a permanently reduced rate of payment (in exchange for benefits that begin earlier), the law requires SSA to clearly document the spouse's decision. If entitled spouses decide to elect to receive reduced benefits, they complete Form SSA-25, and sends to SSA. SSA uses the information on Form SSA-25 to verify to the respondent agrees to receive reduced benefits. Respondents are entitled spouses seeking reduced benefits.

SSA accepts FORM SSA-25 via mail or in the field office. During COVID the respondents mailed in the form, and when SSA partially opened respondents were able to make an appointment.

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

Form SSA-25 is available on SSA's website for individuals to print, complete, and mail to SSA or take into the local field office (FO) for processing. This collection does not currently have a fully public-facing Internet version as described under the Government Paperwork Elimination Act, as we prioritized other information collections for full electronic conversions. Given that IT Mod programming is an ongoing, dynamic project, we cannot provide specific timelines for when we will be able to make any particular ICR available via Internet web-based application. We will ultimately convert most existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this may be unconnected to the PRA approval lifecycle. In the interim, we evaluated this collection for conversion to a submittable PDF and intend to make this conversion within the next 3-6 years. Once we have the submittable PDF ready for implementation, we will submit a Change Request to OMB for prior approval.

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

The nature of the information we collect and the manner in which we collect 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-25, SSA would not be able to pay reduced benefits to already entitled spouses. In addition, since SSA collects 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 July 2, 2021, at 86 FR 35371, and we received no public comments. The 30-day FRN published on September 2, 2021 at 86 FR 49403. 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 is requesting 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**

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-25	30,000	1	13	6,500	\$27.07*	24**	\$167,180***

\* We based this figures on average U.S. citizen’s hourly salary, as reported by Bureau of Labor Statistics data ([https://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](https://www.bls.gov/oes/current/oes_nat.htm#00-0000))

\*\* 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 (OIRA) 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 Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
30,000	1	30	15,000	\$406,050****

\*\*\*\*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 time and opportunity cost estimates in the paragraph below.

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that **13** minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **6,500** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$573,230**. 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 **\$170,695**. This estimate accounts for costs from the following areas:

<b>Description of Cost Factor</b>	<b>Methodology for Estimating Cost</b>	<b>Cost in Dollars*</b>
Designing and Printing the Form	Design Cost + Printing Cost	\$205
Distributing, Shipping, and Material Costs for the Form	Distribution + Shipping + Material Cost	\$0
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time 25.72x30,000x13	\$167,180
Full-Time Equivalent Costs	Out of pocket costs + Other expenses for providing this service	\$0
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$3,310
Quantifiable IT Costs	Any additional IT costs	\$0
<b>Total</b>		<b>\$170,695</b>

\* We have inserted a \$0 amount for cost factors that do not apply to this collection.

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. 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 process 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. However, we have calculated these costs as accurately as possible based on the information we collect for creating, updating, and maintaining these information collections.

15. **Program Changes or Adjustments to the Information Collection Request**

When we last cleared this IC in 2018, the burden was 1,000 hours. However, we are currently reporting a burden of 6,500 hours. This change stems from an increase in the completion time from 2 minutes to 13 minutes, as we determined it takes longer to read and fill out the form. These figures represent current Management Information data.

**\* Note:** The total burden reflected in ROCIS is **33,500**, while the burden cited in #12 of the Supporting Statement is **6,500**. This discrepancy is because the ROCIS burden reflects the following components: field office waiting time + a rough estimate of a 30-minute, one-way, drive burden. In contrast, the chart in #12 of the Supporting Statement reflects actual 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.