

**Justification for Non-Substantive Changes for Form SSA-308  
Modified Benefit Formula Questionnaire – Foreign Pension  
20 CFR 404.213 and 404.243  
OMB No. 0960-0561**

**Background**

The Social Security Administration (SSA) uses Form SSA-308, Modified Benefit Formula Questionnaire, to determine how much (if any) of a foreign pension we may use to reduce the amount of *Title II* Social Security retirement or disability benefits under the Windfall Elimination Provision (WEP). Currently, the paper and PDF versions of this form include a signature requirement.

We recently reassessed the need for the respondent’s signature on this form and determined that we no longer require it. Therefore, we are removing the signature requirement from this form.

**Revision to the Information Collection**

- **Change #1:** We are removing the signature requirement from Form SSA-308.

**Justification #1:** We reassessed the need for a wet signature on this form and determined we no longer require it. Therefore, we will no longer ask respondents to sign this form prior to submitting it to SSA.

- **Change #2:** We are updating the header following the Remarks section on page 2 to remove reference to signing the form.

**Justification #2:** We revised the header due to removing the signature requirement.

- **Change #3:** We are revising the first paragraph under the header on page 2:  
*You must report promptly to the U.S. Social Security Administration if your current pension or annuity ceases because this may affect the amount of your U.S. Social Security benefit. Failure to report cessation of your pension or annuity could result in a lower U.S. Social Security benefit than would otherwise be payable. You must also report promptly to the U.S. Social Security Administration if you become entitled to another pension or annuity from any country or foreign employer after the cessation of the pension or annuity you currently receive or expect to receive.*

**Justification #3:** We revised the paragraph from first person (“I agree to report promptly...”) to second person (e.g., first sentence “*You must report promptly...*”) since the individual will not signing to say they “agree” to anything.

- **Change #4:** We are replacing the Penalty of Perjury Statement with a Penalty of Perjury Warning: *Anyone who knowingly makes or causes to be made a false statement or representation of material fact for use in determining a payment under the Social Security Act, or knowingly conceals or fails to disclose an event with an*

*intent to affect an initial or continued right to payment, or submits or causes to be submitted any false statement or document knowing the same to contain any misrepresentation of material fact, commits a crime punishable under Federal law by fine, imprisonment, or both, and may be subject to administrative sanctions.*

**Justification #4:** The Penalty of Perjury Statement is directly connected to the signature and needs to be removed since a signature is no longer required. However, to maintain the intent of that statement, it will be replaced with a Penalty of Perjury Warning.

- **Change #5:** In question 8, we are changing “Month, Year” to “MM/YYYY” and “Month, Year, or Lifetime” to “MM/YYYY or Lifetime.”

**Justification #5:** For consistency with how date fields are shown on the rest of the form.

After OMB approves the signature removal for this form, we will implement the new version of the form that clarifies that we no longer require a signature by removing the signature block.

This action will not affect the public reporting burden.