



Agreement Between the United States and Brazil

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Introduction

Effective October 1, 2018, an agreement between the United States and Brazil improves social security protection for people who work or have worked in both countries. It helps many people who, without the agreement, would not be eligible for monthly retirement, disability, or survivors benefits under the social security system of one or both countries. It also helps people who would otherwise have to pay social security taxes to both countries on the same earnings.

For the **United States**, the agreement covers Social Security taxes (including the U.S. Medicare portion) and Social Security retirement, disability, and survivors benefits. It does **not** cover benefits under the U.S.

Medicare program or the Supplemental Security Income program.

For **Brazil**, the agreement covers taxes and old-age, survivors, and disability benefits under two branches of the Brazilian social security system: the General Regime of Social Security (RGPS) and the Regime of Social Security of Public Servants (RPPS).

This booklet covers highlights of the agreement and explains how it may help you **while you work** and **when you apply for benefits**.

The agreement may help you, your family, and your employer:

- **While you work** — If your work is covered by the U.S. and Brazilian social security systems, you and your employer previously would have paid social security taxes

to both countries on the same earnings. However, the agreement eliminates double coverage so you pay taxes to only one country. The section titled “Eliminating dual coverage for employment” explains these rules. If you are self-employed, see the section titled “Eliminating dual coverage for self-employment.”

- **When you apply for benefits** — You may have some social security credits in both the United States and Brazil, but not enough to qualify for benefits in one country or the other. The agreement makes it easier to qualify for benefits by letting you combine your social security credits in both countries. For more details, see the section on “Monthly benefits.”

Coverage and Social Security taxes

Eliminating dual coverage for employment

Before the agreement, both the United States and Brazil, under certain circumstances, could require employers and employees to pay social security taxes to both countries on the same earnings.

Under the agreement, if you work as an employee in the United States, you and your employer will normally only pay Social Security taxes to the United States. If you work as an employee in Brazil, you and your employer will normally only pay Brazilian social security taxes.

On the other hand, if your employer sends you from one country to work for that employer or an affiliate in the other country for five years or less, you and your employer will pay social security taxes only to the country from which your employer sent you, and you won't pay social security taxes in the other country. For example, if a U.S. company sends an employee to work for that company or an affiliate in Brazil for no more than five years, the employee and employer will continue to pay only U.S. Social Security taxes. They won't pay social security taxes in Brazil.

Eliminating dual coverage for self-employment

Under U.S. law, U.S. Social Security covers self-employed workers if they are U.S. citizens or U.S. resident aliens even if they live and work outside the United States. The agreement says if you are self-employed and reside in the United States or Brazil, you generally will be covered and taxed only by the country where you reside.

Summary of agreement rules

The following tables show whether the U.S. or the Brazilian social security system covers your work as an employee. If U.S. Social Security covers your work, you and your employer must pay U.S. Social Security taxes. If the Brazilian system covers your work, you and your employer must pay the required Brazilian taxes. The next section explains how to get a form from one country to prove you are exempt from paying taxes to the other country.

Your Work Status	Coverage and taxes
<i>You are working in Brazil:</i>	
<i>For a U.S. employer who:</i>	
• Sent you to work in Brazil for five years or less	United States
• Sent you to work in Brazil for more than five years	Brazil
• Hired you in Brazil	Brazil
<i>For a non U.S. private employer</i>	Brazil
<i>For the U.S. Government and you are a:</i>	
• U.S. national	United States (either Social Security or federal retirement program)
• Brazilian national	Brazil

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Your Work Status	Coverage and taxes
<i>You are working in the United States:</i>	
<i>For an employer in Brazil who:</i>	
• Sent you to work in the United States for five years or less	Brazil
• Sent you to work in the United States for more than five years	United States
• Hired you in the United States	United States
<i>For a non-Brazilian private employer</i>	United States
<i>For the Brazilian Government and you are a:</i>	
• Brazilian national	Brazil
• U.S. national	United States
<i>You are self-employed and you:</i>	
• Reside in the United States	United States
• Reside in Brazil	Brazil
<i>If this table does not seem to describe your situation and you are:</i>	
• Working in the United States	Write to the U.S. address (Office of International Programs) shown in the section titled, "For more information."
• Working in Brazil	Write to the Brazilian address shown in the section titled, "For more information."

NOTE: As the table indicates, the agreement can assign U.S. coverage to a U.S. worker temporarily working in Brazil only if he or she works for a U.S. employer. A U.S. employer includes a corporation organized under the laws of the United States or any U.S. state. A U.S. employer also includes a:

- Partnership if at least two-thirds of the partners are U.S. residents;
- U.S. resident; or
- Trust if all the trustees are U.S. residents.

The term also includes a foreign affiliate of a U.S. employer when the U.S. employer has an agreement with the Internal Revenue Service (IRS) under section 3121(l) of the Internal Revenue Code to pay Social Security taxes for U.S. citizens and residents the affiliate employs.

Certificate of coverage for employment

A certificate of coverage issued by one country serves as proof of exemption from social security coverage and contributions on the same earnings to the other country.

U.S. certificates

To establish an exemption from compulsory coverage and taxes under the Brazilian system,

your employer must request a U.S. certificate of coverage (USA/BR-1) from this address:

Social Security Administration
Office of International Programs
P.O. Box 17741
Baltimore, MD 21235-7741
USA

If you prefer, you can send the request by FAX to **410-966-1861**. Please note, use this

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FAX number **only** to request a U.S. certificate of coverage.

No special form is required to request a certificate but the request must be in writing and provide the following information:

- Full name of worker;
- Date and place of birth;
- Citizenship;
- Country of worker's permanent residence;
- U.S. Social Security Number;
- Date of hire;
- Country of hire;
- Name and address of the employer in the United States and Brazil; and
- Date of transfer and anticipated date of return.

In addition, your employer must indicate if you will remain an employee of the U.S. company while working in Brazil or if you will become an employee of the U.S. company's affiliate in Brazil. If you will become an employee of the company's affiliate, your employer must indicate if the U.S. company has an agreement with the Internal Revenue Service (IRS) under section 3121(l) of the Internal Revenue Code to pay U.S. Social Security taxes for U.S. citizens and residents the affiliate employs and, if so, the effective date of the agreement.

Your employer can also request a certificate of U.S. coverage for you over the internet using a special online request form available at <https://opts.ssa.gov>. Only an employer or a self-employed person can use the online form to request a certificate of coverage.

When we issue a certificate of U.S. coverage, we mail two copies (one for the employer and one for the employee) to the requesting employer. It is the employer's responsibility to present the certificate to the Brazilian authorities when they ask for it.

Brazilian certificates

To establish your exemption from paying U.S. Social Security taxes during temporary assignments in the United States, your employer in Brazil must request a certificate of coverage (BRA-USA 01) from Brazil at the address below:

APSAIBH - Social Security Agency Attendance of International Agreements Belo Horizonte
Av. Amazonas, nº 266 - 9º andar, Ala "A",
Centro, Belo Horizonte - MG
CEP: 30180-001
BRAZIL

To get a Brazilian certificate of coverage, include the same information listed in the previous section that you would include for a U.S. certificate of coverage. It is important that you provide your Brazilian Individual Taxpayer Registration (CPF) or your Brazilian Worker's Identification Number (NIT) in your request. The employer in the United States should retain a copy of the Brazilian certificate of coverage, in case of an audit by the IRS. Do **not** send a copy to the IRS. The IRS will specifically request a copy if it needs one.

Certificate of coverage for self-employed persons

If you're self-employed and would normally have to pay social security taxes to both the United States and the Brazilian social security systems, you can apply for an exemption under the agreement from paying taxes in one of the two countries.

- If you reside in the United States, the U.S. system will cover your self-employment activity (see table beginning on page 5). You can request a certificate of U.S. coverage by writing to us at the address listed above or sending a fax to **410-966-1861**. You can also request a certificate of U.S. coverage over the internet using a special online request form available at <https://opts.ssa.gov>.
- If you reside in Brazil, write to the address provided above at APSAI BH - Social Security Agency Attendance of International Agreements - Belo Horizonte.

In your letter, include:

- Full name of worker;
- Date and place of birth;
- Country of permanent residence;
- U.S. Social Security Number;
- Brazilian CPF or NIT;

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- Nature of self-employment activity;
- Dates the activity was or will be performed; and
- Name and address of your trade or business in both countries.

Attach a photocopy of the certificate to your U.S. income tax return each year as proof of the exemption.

Effective date of coverage exemption

The certificate of coverage you receive from one country will show the effective date of your exemption from paying social security taxes to the other country. Generally, this will be the beginning date of your temporary assignment in the other country or the beginning date of your self-employment activity there. To avoid any difficulties, your employer (or you, if you are self-employed) should request a certificate of coverage as early as possible, preferably before your work in the other country begins.

If you or your employer requests a certificate of coverage, you should read the Privacy Act and Paperwork Reduction Act notices at the end of this booklet.

Monthly benefits

The following table shows the various social security benefits payable under the U.S. and Brazilian social security systems and briefly describes the eligibility requirements that

normally apply for each type of benefit. If you do not meet the requirements for these benefits, the agreement may help you qualify.

This table is only a general guide. Get additional information about U.S. benefits by visiting Social Security’s website at www.socialsecurity.gov. You also can visit any U.S. Social Security office or call our toll-free number at **1-800-772-1213**. If you are deaf or hard of hearing, you may call our TTY number, **1-800-325-0778**.

You can get more information about the Brazilian system by writing to the National Social Insurance Institute (INSS) or visiting the INSS’s website at: www.inss.gov.br/servicos-do-inss.

Under U.S. Social Security, you may earn up to four credits each year depending on the amount of your covered earnings. The amount needed to earn a work credit increases slightly each year. For more information, call our toll-free number, **1-800-772-1213** or visit our website, www.socialsecurity.gov and get a copy of our publication *How You Earn Credits* (Publication No. 05-10072-PE).

The Brazilian social security system measures periods of coverage in months. For example, three months of Brazilian coverage is equal to one U.S. credit. For simplicity, the following table shows the amount of credits a person needs to qualify for a Brazilian benefit in terms of years.

Old-Age and Retirement Benefits	
<i>United States</i>	<i>Brazil</i>
Worker — Full benefit at full retirement age.* Reduced benefit as early as age 62. Required work credits range from 6 to 40 (40 credits if age 62 in 1991 or later).	Worker — Full benefit at age 65 for men and 60 for women residing in urban areas. In rural areas, age 60 for men and 55 for women. A male who has 35 years of contributions or a female with 30 years of contributions may receive a benefit at any age. Minimum of 180 months of contributions is required.

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Disability Benefits	
United States	Brazil
Worker — Under full retirement age* can get benefit if unable to do any substantial gainful work for at least a year. Depending on age at date of onset, from 6 to 40 credits needed. Some recent work credits also needed unless worker is blind.	Worker — Must have at least 12 months of covered earnings, cease work and be permanently incapable of working. A temporary disability benefit is payable to those whose disability prevents them from working for more than 15 days. If you receive a temporary disability benefit for two years, you are considered permanently disabled.

Family Benefits to Dependents of Retired or Disabled Persons	
United States	Brazil
Spouse — Full benefit at full retirement age* or at any age if caring for the worker's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 62 if not caring for a child.	Spouse — No provision.
Divorced Spouse — Full benefit at full retirement age.* Reduced benefit as early as age 62. Must be unmarried and have been married to worker for at least 10 years.	Divorced Spouse — No provision.
Children — If unmarried, up to age 18 (age 19 if in an elementary or secondary school full time) or any age if disabled before age 22.	Children — No provision.

*Full retirement age for people born 1943-1954 is age 66. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.

Survivor Benefits	
United States	Brazil
Widow or Widower — Full benefit at full retirement age* or at any age if caring for the deceased's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 60 (or age 50 if disabled) if not caring for child. Benefits may continue if remarriage occurs after age 60 (or age 50 if disabled). Divorced Widow or Widower — Same as widow or widower if marriage lasted at least 10 years. Children — Same as for children of retired or disabled worker.	Widow or Widower — (or partner, minor children under 21 or disabled, parents of the deceased, and unmarried siblings under age 21 or disabled) There is no required minimum period of coverage, but the deceased worker must have had recent coverage under the Brazilian system at the time of death. If there is no eligible surviving spouse, partner or child, the order of payments is as follows: parents and then siblings who are under age 21, or any age if disabled.
Lump-Sum Death Benefit — A one-time payment not to exceed \$255 payable on the death of an insured worker.	Lump-Sum Death Benefit — No provision.

*For U.S. Social Security benefits, full retirement age for people born 1943-1954 is age 66. The full retirement age increases gradually until it reaches age 67 for people born in 1960 or later.

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How each country pays benefits

If you have social security credits in both the United States and Brazil, you may be eligible for benefits from one or both countries. If you meet all the basic requirements under one country's system, you will get a regular benefit from that country. If you do not meet the basic requirements, here is how the agreement may help you qualify for a benefit:

- **Benefits from the United States** — If you don't have enough U.S. work credits to qualify for regular benefits, you may be able to qualify for a partial benefit from the United States with both U.S. and Brazilian credits. However, for us to count your Brazilian credits, you must have at least six credits (generally one-and-one half years of work) under the U.S. system. If you already have enough credits under the U.S. system to qualify for a benefit, the United States cannot count your Brazilian credits.
- **Benefits from Brazil** — If you don't have enough work credits under the Brazilian system to qualify for benefits, Brazil can count your credits under the U.S. Social Security system to help you qualify for Brazilian benefits. There is no minimum work requirement for Brazil to count U.S. credits.

How each country counts credits

You don't have to do anything for one country to count your credits in the other country. If we need to count your credits under the Brazilian system to help you qualify for a U.S. benefit, we will get a copy of your Brazilian record directly from Brazil when you apply for the U.S. benefit. If Brazilian officials need to count your U.S. credits to help you qualify for a Brazilian benefit, they'll get a copy of your U.S. record directly from us when you apply for the Brazilian benefit.

Although each country may count your credits in the other country, your credits do not actually transfer from one country to the other. They remain on your record in the country where you earned them. You can also use those credits to qualify for benefits there.

Computation of U.S. benefit under the agreement

When a U.S. benefit is payable because of credits you earned both in the United States and Brazil, we determine a theoretical benefit based on your U.S. earnings as if you completed your entire career under the U.S. Social Security system. Then, we reduce the theoretical benefit based on the number of Brazilian credits we used to make the benefit payable. The amount of the reduction will depend on the number of U.S. credits you have. The more U.S. credits you earn, the smaller the reduction.

A Brazilian benefit may affect your U.S. benefit

If you qualify for social security benefits from both the United States and Brazil based on your own work and you did not need the agreement to qualify for either benefit, U.S. law may require us to reduce the amount of your U.S. benefit. For more information, call our toll-free number, **1-800-772-1213** or visit our website, www.socialsecurity.gov, and get a copy of our publication *Windfall Elimination Provision* (Publication No. 05-10045). If you are outside the United States, write to us at the address shown on the inside cover of this booklet.

What you need to know about Medicare

Medicare is the U.S. national health insurance program for people who are age 65 or older or who are disabled. Medicare has four parts:

- Part A: Hospital insurance, which helps pay for inpatient hospital care and certain follow-up services;
- Part B: Medical insurance, which helps pay for doctors' services;
- Part C: Medicare Advantage plans are available in many areas. People with Medicare Parts A and B can receive all of their health care services through a provider organization under Part C; and
- Part D: Prescription drug coverage, which helps pay for medications doctors prescribe for medical treatment.

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You are eligible for free hospital insurance at age 65 if you have worked long enough under the U.S. Social Security system to qualify for retirement benefits. People born in 1929 or later need 40 credits (about 10 years of covered work) to qualify for retirement benefits.

Although the agreement between the United States and Brazil allows us to count your Brazilian credits to help you qualify for U.S. retirement, disability or survivors benefits, the agreement does **not** cover Medicare benefits. As a result, we can't count your credits in Brazil to establish entitlement to free Medicare hospital insurance.

For more information about Medicare, call our toll-free number, **1-800-772-1213**, or visit Medicare's website at www.medicare.gov. You can also visit our website at www.socialsecurity.gov and get our publication *Medicare* (Publication No. 05-10043).

Claims for benefits

If you live in the United States and want to apply for U.S. or Brazilian benefits:

- Visit or write any U.S. Social Security office; or
- Phone our toll-free number, **1-800-772-1213**, 7 a.m. to 7 p.m. any business day. People who are deaf or hard of hearing may call our toll-free TTY number, **1-800-325-0778**.

You can apply for Brazilian benefits at any U.S. Social Security office by completing the U.S. application Form SSA-2490-BK (*Application for Benefits Under a U.S. International Social Security Agreement*).

If you live in Brazil and wish to apply for benefits, contact:

- The U.S. Embassy in Lisbon, Portugal (phone **+351-21-727-3300**) to ask about U.S. benefits; or
- The National Social Insurance Institute (INSS) to ask about Brazilian benefits.

You can apply in one country and ask that country to consider your application as a claim for benefits from the other country. Each country will process your claim under its own laws, count

credits from the other country as the agreement requires, and notify you of its decision.

If you have not applied for benefits before, you may need to provide certain information and documents when you apply. This may include:

- The worker's U.S. Social Security number;
- Brazilian CPF or NIT;
- Proof of age for all claimants;
- Evidence of the worker's U.S. earnings in the past 24 months; and
- Information about the worker's coverage under the Brazilian system.

You may wish to call the social security office before you go there to see if you need to provide any other information.

Payment of benefits

Each country pays its own benefit. The U.S. Department of the Treasury makes U.S. payments each month that cover benefits for the preceding month. Under the Brazilian system, the INSS makes payments each month. However, there are 13 Brazilian benefit payments each year, since Brazil makes an extra benefit payment annually.

Absence from U.S. territory

Generally, people who are not U.S. citizens may get U.S. Social Security benefits while outside the United States only if they meet certain requirements. However, under the agreement you can receive benefits as long as you live in Brazil, regardless of your nationality. If you are not a U.S. or Brazilian citizen and live in a country other than the United States or Brazil, you may not be able to receive benefits. The publication *Your Payments While You Are Outside the United States* (Publication No. 05-10137) explains the restrictions on U.S. benefits payments.

Appeals

If you disagree with the decision on your claim for benefits from either country, contact any U.S. or Brazilian social security office. They can tell you what you need to do to appeal the decision.

The Brazilian social security authorities will review your appeal if it affects your rights under

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the Brazilian system. U.S. Social Security authorities will review your appeal if it affects your rights under the U.S. system. Since each country makes its own decisions independently of the other, a decision by one country on an issue may differ from the decision made by the other country on the same issue.

Authority to collect information for a certificate of coverage

Privacy Act Notice

Section 233 of the Social Security Act as amended [42 U.S.C. 433] authorizes us to collect this information. We will use the information you provide to determine if the U.S. system, in accordance with a social security agreement, covers your current work. The information you provide on this form is voluntary. However, failure to provide all or part of the requested information may prevent us from making an accurate and timely decision on your request for a certificate of coverage. Without the certificate, both the U.S. and the foreign social security systems may continue to cover and tax your earnings.

We rarely use the information you provide on this form for any purpose other than for the reasons explained above. However, we may use it for the administration and integrity of Social Security programs. We may also disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

- To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits or coverage;
- To comply with federal laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office, General Service Administration, National Archives and Records Administration, and the Department of Veterans Affairs);
- To make determinations for eligibility in similar health and income maintenance programs at the federal, state, and local level; and

- To facilitate statistical research, audit, or investigate activities necessary to assure the integrity of Social Security programs.

We may also use the information you provide in computer matching programs. Matching programs compare our records with records kept by other federal, state, or local government agencies. We can use information from these matching programs to establish or verify a person's eligibility for federally funded or administered benefit programs and for overpayments or delinquent debts under these programs.

A complete list of routine uses for this information is available in our System of Records Notice entitled *Earnings Records and Self-Employment Income System* (60-0059). This notice, additional information regarding this form, and information regarding our programs and systems are available online at www.socialsecurity.gov or at any Social Security office.

Paperwork Reduction Act Notice

This information collection meets the clearance requirements of 44 U.S.C. Section 3507, as amended by Section 2 of the Paperwork Reduction Act of 1995. You don't need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take you about 30 minutes to read the instructions, gather the necessary facts, and write down the information to request a certificate of coverage.

Contacting Social Security

Visit our website

The most convenient way to conduct Social Security business from anywhere at any time, is to visit www.socialsecurity.gov. There, you can:

- Apply for retirement, disability, and Medicare benefits;
- Find copies of our publications;
- Get answers to frequently asked questions; and
- So much more!

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Call us

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. If you're in the United States, call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

If you need to speak to a person, we can answer your calls from 7 a.m. to 7 p.m., Monday through Friday. We ask for your patience during busy periods since you may experience a higher than usual rate of busy signals and longer hold times to speak to us. We look forward to serving you.

For more information

To file a claim for U.S. or Brazilian benefits under the agreement, follow the instructions in the section titled "Claims for benefits."

If you live outside the United States, write to:

Social Security Administration

OEIO

P.O. Box 17769

Baltimore, MD 21235-7769

USA

For more information about Brazilian social security, write to:

National Social Insurance Institute (INSS)

PREVCartas

Caixa Postal 09714

CEP 70040-976

Brasília/DF

BRAZIL

If you **don't wish to file a claim for benefits**, but would like more information about the agreement, write to:

Social Security Administration

Office of International Programs

P.O. Box 17741

Baltimore, MD 21235-7741

USA

For additional information, visit our website at **www.socialsecurity.gov/international**.



Securing today
and tomorrow

Social Security Administration

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