

Justification  
**Public Service Pension Questionnaires**  
RRB Forms G-208 and G-212

1. Circumstances of information collection - Public Law 95-216 amended the Social Security Act of 1977 by providing, in part, that spouse or survivor benefits may be reduced when the beneficiary is in receipt of a pension based on employment with a Federal, State, or local government unit. Initially, the reduction was equal to the full amount of the government pension. Public Law 98-21 changed the reduction to two-thirds of the amount of the pension. Public Law 108-203 further amended the Social Security Act by changing the requirement for exemption to public service offset, that FICA taxes be deducted from the public service wages for the last 60 months of public service employment, rather than just the last day of public service employment.

Sections 4(a)(1) and 4(f)(1) of the Railroad Retirement Act (RRA) provide that a spouse or survivor annuity be equal in amount to what the annuitant would receive if entitled to a like benefit from the Social Security Administration (SSA). Therefore, the public service pension reduction provision also applies to RRA annuities.

The regulations pertaining to the collection of evidence relating to public service pensions (PSP) or worker's compensation paid to spouse or survivor applicants or annuitants are prescribed in 20 CFR 219.64c.

2. Purposes of collecting/consequences of not collecting the information - The RRB utilizes the following forms to obtain information used in determining whether an annuity reduction is required.

**Form G-208, Public Service Pension Questionnaire**, is currently used by the RRB to obtain information from a spouse, divorced spouse, survivor applicant or annuitant, which is needed to determine whether the RRA annuity should be reduced because of a public service pension and if so, the amount of the reduction. Applicants who indicate on the annuity application form that they are receiving, or expect to receive, a public service pension, are given Form G-208 to complete.

Form G-208 is completed once by an applicant or annuitant. A person expecting to receive a public service pension is asked to complete the form so a determination can be made whether the future pension would cause a reduction. If so, the case is flagged and the applicant contacted if he or she does not notify us of entitlement to the public service pension, as requested.

Form G-208 obtains information similar to that obtained by SSA's Form SSA-3885, Government Pension Questionnaire, OMB No. 0960-0160. The SSA form does not request Federal pension information because SSA conducts a monthly computer matching program with the Office of Personnel Management. The RRB receives a copy of the OPM tape from SSA twice a year to monitor federal employees' PSPs. The G-208 retains questions concerning federal employment however, because the OPM

tape is not structured to identify Federal Employee Retirement System (FERS) employees.

**The RRB proposes no changes to Form G-208.**

**Form G-212, Public Service Pension Monitoring Questionnaire**, is used by the RRB to obtain up-to-date public service pension (PSP) information from annuitants who had previously informed the RRB either by Form G-208 or by written communication that they were receiving such a pension. The only annuitants who will be monitored are the ones whose current monthly annuities are offset by such a pension, and only if the maximum pension reduction does not already apply.

As is the case with RRB annuities, PSP's from other government agencies are frequently increased because of cost-of-living or other adjustments. These increases, in turn, have an impact on the amount of the reduction in the RRA annuities that the RRB pays to such individuals. Form G-212 is released throughout the year in non-OPM PSP cases, based on schedules or legislated PSP cost-of-living (COL) increases.

All identifying information is prefilled by the RRB before release. The completed form is then returned to the RRB in the envelope provided.

**The RRB proposes the following changes to Form G-212:**

- Revised introductory paragraph into several paragraphs and added more detailed instructions for clarity;
  - Moved the Paperwork Reduction Act and Privacy Act notices to the first page;
  - Reformatted the certification statement by making it Item 8.
3. Planned use of improved information technology or technical/legal impediments to further burden reduction – None planned at this time due to low-volume. Also Form G-212 is released by RRB with prefilled information .
  4. Efforts to identify duplication - This information collection does not duplicate any other information collection.
  5. Small business respondents - N.A.
  6. Consequences of less frequent collection - N.A.
  7. Special Circumstances - N.A.
  8. Consultations outside the agency - In accordance with 5 CFR 1320.8(d), comments were invited from the public regarding the information collection. The notice to the public was published on page 14627 and 14628 of the March 28, 2007, Federal Register. No comments were received.

- 9. Payments or gifts to respondents- N.A.
- 10. Confidentiality - Privacy Act System of Records, RRB-22, Railroad Retirement, Survivor and Pensioner Benefit System.
- 11. Sensitive questions - N.A.
- 12. Estimate of respondent burden -The estimated annual burden for this collection is unchanged as follows:

**Current**

<b>Form</b>	<b>Annual Responses</b>	<b>Time (Min)</b>	<b>Burden (Hrs)</b>
G-208	70	16	19.0
G-212	1,100	15	275.0
<b>Total</b>	<b>1,170</b>		<b>294.0</b>

- 12. Estimated cost to the Federal government - N.A.
- 13. Estimated annual cost to respondents or recordkeepers - N.A.
- 14. Estimate of cost to the Federal government - N.A.
- 15. Explanation for change in burden – N.A.
- 16. Time schedule for data collection and publication - The results of this collection will not be published.
- 17. Request not to display OMB expiration date - The forms associated with this collection are seldom revised. Given the costs associated with redrafting, reprinting and distributing the forms in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the OMB expiration date on the form.
- 18. Exceptions to Certification Statement - None