

Supporting Statement

OMB No. 0730-0008, *Application for Former Spouse Payments from Retired Pay*

A. JUSTIFICATION

1. In accordance with Title 10 U.S.C. Section 1408, state courts may divide military pay as property or order alimony and child support payments from that retired pay. The former spouse may apply to the Defense Finance and Accounting Service (DFAS) for direct payments of these monies by using the DD Form 2293. This information collection is needed to provide DFAS the basic data needed to process the request.

2. The respondents to this information collection are spouses or former spouses (herein referred to as applicant) of military members. The applicant submits to DFAS a DD Form 2293, "Application for Former Spouse Payments From Retired Pay". The information from the DD Form 2293 is used by DFAS to process the applicant's request as authorized under Title 10 U.S.C. Section 1408. The DD Form 2293 was devised to standardize applications for payment under the Act. Information on the form is also used to determine the applicant's current status and contains the statutory required certifications the applicant/former spouse must make when applying for payments.

3. The use of information technology has been considered, but is not appropriate for purposes of this collection at this time. Individuals do not always have access to technology and the form requires certification for legal purposes.

4. Investigation resulted in no findings of duplication of reporting or records. The DD Form 2293 is used by DFAS which is the only agency charged with enforcement of this law. No similar information or verification procedures currently exist that can be used for this information collection.

5. This collection of information does not have a significant impact on small businesses or other entities.

6. Applicants are not required to use this form. However, use of the form assists the applicant in providing the information required by 10 U.S.C. Section 1408. Failure to utilize the form often results in incomplete information being submitted and payment could be delayed.

7. There are no special circumstances that would require this collection to be conducted in a manner inconsistent with 5 CFR 1320.5(d)(2).

8. The 60-day Federal Register notice for this collection of information was published on September 28, 2007 (Volume 72, Number 188) (copy attached). No public comments were received.

9. No payment or gift will be provided to respondents, other than payments paid as entitlements resulting from certification requirements.

10. Respondents are assured confidentiality via the Privacy Act Statement on the form. DFAS certifies that the information collected is maintained in accordance with the Privacy Act of 1974, and OMB Circular A-130, Management of Federal Information Resources. Disclosure of the Social Security Number (SSN) is used for positive identification of the individual requesting payments. The information collected is covered under the Defense Finance and Accounting Service Privacy Act System of Records Notice Number T7347b, Defense Military Retiree and Annuity Pay System.

11. Questions of a sensitive nature such as those pertaining to sexual behavior and attitudes, or religious beliefs are not asked of the respondents.

12. Estimation of Respondent Burden:

Number of Respondents	27,090
Responses per Respondent	1
Time Required per Response	15 minutes
Total Burden Hour	6,722 hours

13. There are no additional costs, such as start-up or capital costs, to the respondents.

14. Estimates of Cost to the Federal Government.

Mailing decisional documents to applicants:		
27,090 x \$.40 (postage) per decision	=	\$10,836
27,090 x \$.05 (envelope) per applicant	=	<u>1,354</u>
TOTAL MAILING COST:		\$12,190

Labor Costs. The following estimate involving labor costs is based on the personnel structure at the DFASCleveland Garnishment Operations, who have responsibility for reviewing applications for direct former spouse payments under the Act. Additionally, for each category we took the average salary for the specific personnel to determine the hourly rate.

Paralegal Staff:

GS-9 paralegal x 1 hr x \$21.75 =	\$21.75
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Team Attorney:

GS-13 x 1 hr x (15% of cases)\$37.51/hr \$ 9.37

TOTAL LABOR COST PER CASE \$31.12

Total Estimated Cost to Federal Government:

Mailing \$12,190

Labor (27,090 respondents x \$31.12 per case) \$ 843,040

TOTAL COST TO FEDERAL GOVERNMENT **\$ 855,230**

15. This is a revised supporting statement for collection of information. Total burden hours have increased from 5,870 to 6,722 based on increased number of respondents.

16. The information collected will not be published or tabulated.

17. Approval is not sought to avoid display of the expiration date for OMB approval of the information collection.

18. There are no exceptions to the certification statement identified in Item 19 of the OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

Statistical methods are not employed in this collection of information.