

SUPPORTING STATEMENT

Survivor Benefit Plan (SBP) / Reserve Component (RC) SBP Request for Deemed Election

A. JUSTIFICATION

1. Need for Information Collection

Title 10, United States Code, Section 1450(f)(3) (Atch 1) provides that a former spouse who notifies the Defense Finance and Accounting Service within one year of becoming eligible for former spouse coverage under the Survivor Benefit Plan or Reserve Component Survivor Benefit Plan will have satisfied the requirement for eligibility for such coverage as if the member had made the election. In addition, this section of law prescribes that the request must be submitted in written form in such manner as the Secretary of Defense shall provide. This information collection is needed to provide a vehicle for the qualified former spouse to deem an election for the survivor benefit. It is also needed to obtain the necessary data so that the Defense Finance and Accounting Service can determine if the applicant is eligible for the annuity benefit and to properly establish the benefit.

2. Use of Information

The respondents of this information collection are former spouses of members of the uniformed services who by reason of written agreement or court order are provided former spouse benefits under the Survivor Benefit Plan or Reserve Component Survivor Benefit Plan. Respondents who wish to deem an election on behalf of the member are required to forward a written request to the Defense Finance and Accounting Service within one year of becoming eligible for former spouse benefits. The information from the proposed DD Form 2656-10, *Survivor Benefit Plan (SBP)/Reserve Component (RC) SBP Request for Deemed Election* (Atch 2), will be used by the Defense Finance and Accounting Service, along with either a copy of the court order, regular on its face, which requires such election or incorporates, ratifies, or approves the written agreement of such person; or a statement from the clerk of the court that such agreement has been filed with the court in accordance with applicable state law, to determine that an applicant is eligible for former spouse annuity benefits. Once eligibility has been determined, the Defense Finance and Accounting Service will establish the necessary account to ensure benefit eligibility is properly recorded in the member's retired pay account.

3. Improved Information Technology

Respondents will be able to obtain the DD Form 2656-10 from the Department of Defense Forms Management Program Website: www.dtic.mil/whs/directives/infomgt/forms/ddforms2500-2999.htm. The form may be printed locally from the Website, but must be submitted via mail with an original signature. Ninety percent of respondents, by estimate, will use an electronically-generated form. Full compliance with the Government Paperwork Reduction Act is not possible. A signed form and a copy of the court-order or judgment are required so that the Defense Finance and Accounting Service can

verify eligibility. Because this process originates with the respondents and the requirement is to have an original signature and certified copy of the court-order or judgment, there is no practical or cost effective way to apply any other form of current information technology to this collection process.

4. Efforts to Identify Duplication

There is no duplication. The DD Form 2656-10 is used by the Defense Financing and Accounting Service. No similar information is readily available from which a respondent's application could be processed.

5. Methods Used to Minimize Burden on Small Entities

The collection of information does not involve small businesses or other small entities.

6. Consequences of Not Collecting the Information

Failure to collect this information will result in a former spouse being unable to deem an SBP or RC-SBP election on behalf of the member pursuant to a court-order or written agreement. If the former spouse is not able to deem the election within the prescribed period, and the member fails to make the election as required, the former spouse will not receive the SBP or RC-SBP benefit.

7. Special Circumstances

There are no special circumstances. The data collections will be conducted in a manner consistent with guidelines in 5 CFR 1320.5(d)(2).

8. Agency 60-Day Federal Register Notice and Consultations Outside the Agency

Notice has been made in Volume 72, No. 165, page 48989, Federal Register, Monday, August 27, 2007 (Atch 3). No comments were received.

One request for a copy of the form associated with this information collection was received from Mr. Robert Pinaire, Hoover Law Firm via telephone. A DRAFT copy of the form was E-mailed on October 11, 2007.

The information for this collection was designed and coordinated with the individuals listed below:

Mr. Dennis Disbrow, DFAS, 216-204-2339
Mr. Scott Lafferty, DFAS, OGC, 216-204-7432
Mr. William Hursh, U.S. Army, 703-325-2698
Mr. Basil Coleman, U.S. Navy, 901-874-4304
Ms. Patricia Peek, U.S. Air Force, 210-565-4717

Ms. Debbie Farley, USCG, 785-339-3420
Dave Henshall, Office of Freedom of Information, DoD, 703-696-3243

9. Payments to Respondents

No payments or gifts will be made to respondents.

10. Assurance of Confidentiality

The Defense Finance and Accounting Service is the primary user. The Defense Finance and Accounting Service does not receive any proprietary information from the respondent. All data are protected by the Privacy Act of 1974 and are protected according to regulations thereon and by related DoD directives and instructions. The Defense Finance and Accounting Service System of Records Number T7347b, *Defense Military Retiree and Annuity Pay System*, is attached at Attachment 4.

11. Sensitive Questions

The use of Social Security Number is required to identify both the member, and the former spouse who is the respondent. The Defense Finance and Accounting Service uses Social Security Numbers as a unique identification method to identify a specific record from its 5.8 million record database. Within this database, there are numerous duplications, to include instances where multiple records share the same value for first name, middle name and last name. Without the use of Social Security Numbers, there is no assurance that the former spouse election is applied to the correct member's pay account.

The Office of Management and Budget (OMB) has required that every Federal Agency develop and implement a plan to reduce the unnecessary use of the Social Security Number. The Department's SSN Reduction Tiger Team has been charged with developing and overseeing the implementation of the DoD SSN Reduction Plan. The DoD Tiger Team will formulate recommendations for the reduction of the use of the SSN. Once the recommendations have been approved, appropriate actions will be taken on use of the SSN to this form.

12. Estimates of Annual Response Burden and Labor Cost for Hour Burden to the Respondent for Collection of Information

a. Response Burden:

Total respondents:	1,200
Frequency of response:	1
Total annual response:	1,200
Burden per response:	20 minutes
Total burden hours:	400

b. Explanation of How Burden was Estimated.

The 20 minute per form response time was determined by having a former spouse sit down and fill out the proposed form.

c. Labor Cost to Respondent.

The labor cost to each respondent is approximately \$6.84. This cost is based on the GS pay scale, Grade 9, step 4, and 20 minutes application completion time. Total annual respondent cost is \$8,208.00.

13. Estimates of Cost Burden for the Respondent for Collection of Information

a. Total Capital and Start-up Cost.

There are no capital or start-up costs associated with this information collection. Respondents will not need to purchase equipment or services to respond to this collection.

b. Operation and Maintenance Cost.

(1) Per Respondent - \$2.00 to photocopy documents

(2) For 1,200 Respondents - \$2,400.00

TOTAL ANNUAL O&M COST: \$ 2,400.00

14. Estimates of Cost to the Federal Government

a. DD Form 2656-10

Printing: 1,200 forms annually, less 90 percent electronically generated from the DoD Forms Management Website: \$18.00 (based on \$0.15 per form)

Processing by DFAS:

GS-11, Finance Clerk

hourly cost GS-11 (\$25.59/hr. x 30 min) = \$ 12.80

(1,200 respondents) \$ 15,360.00

Total Annual Cost to Federal Government: \$ 15,378.00

15. Changes in Burden

Increase in burden is due to new information collection.

16. Publication Plans/Time Schedule

No statistical publication anticipated or scheduled.

17. Approval Not to Display Expiration Date

DoD is not seeking an exception to displaying the expiration date of this information collection.

18. Exceptions to the Certification Statement

No exceptions to the certification statement are being requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not employed for collection of this information.