

Justification
Employee Non-Covered Service Pension Questionnaire
 RRB Form G-209

1. Circumstances of information collection - Section 215(a)(7) of the Social Security Act provides for a reduction in social security benefits for retired and disabled workers receiving pensions based on employment not covered under the Social Security Act or the Railroad Retirement Act (RRA). Under this provision, a different social security benefit formula applies to most workers who are first eligible after 1985 for both a pension based in whole or in part on non-covered employment and a social security retirement or disability benefit. There is a guarantee provision that limits the reduction in the social security benefit to one-half of the portion of the pension based on non-covered employment after 1956. Section 8011 of P.L. 100-647 changed the effective date of the offset from the first month of "eligibility" to the first month of concurrent entitlement to the non-covered service benefit and the RRA benefit.

Since section 3(a)(1) of the RRA provides that the Tier I benefit of an employee annuity will be equal to the amount (before any reduction for age or deduction for work) the employee would receive if he or she would have been entitled to a like benefit under the Social Security Act, the reduction for a non-covered service pension also applies to the Tier I portion of employee annuities under the RRA when the annuity or non-covered service pension begins after 1985. Since the amount of the spouse's Tier I benefit is one-half of the employee's Tier I, the spouse annuity is also affected by the employee's non-covered service pension reduction in his or her Tier I benefit.

2. Purposes of collecting/consequences of not collecting the information - The Railroad Retirement Board (RRB) uses Form G-209, Employee Non-Covered Service Pension Questionnaire, to obtain needed information from railroad retirement employee applicants or annuitants about the receipt of a pension based on employment not covered under Railroad Retirement or Social Security. It is used as both a supplement to the employee annuity application (Form AA-1, OMB No. 3220-0002) and as an independent questionnaire to be completed when an individual who is already receiving an employee annuity becomes entitled to a pension.

Form G-209 is similar to Form SSA-150, Modified Benefit Formula Questionnaire, OMB No. 0960-0395.

Form G-209 is designed for self-completion. Items 1, 2, and 5 are completed by an RRB field office before the form is released. However, if the response to item 5 is "Yes," the form is not mailed because the non-covered service pension reduction does not apply. The form is completed is mailed from a field office to an applicant or annuitant for completion. The field office uses an RL-1 transmittal letter when mailing Form G-209 to an applicant or annuitant and encloses a self-return envelope.

The RRB proposes minor non-burden impacting cosmetic and editorial changes to Form G-209. Specifically, we updated language in items 18 and 20 to be consistent with other like agency forms and updated the PRA statement (i.e., change HCFA to Centers for Medicare and Medicaid Services).

3. Planned use of improved information technology or technical/legal impediments to further burden reduction - None planned at this time due to low volume.

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. Public comments/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 pages 12475 and 12476 of the March 7, 2008, Federal Register. No requests for further information or 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 Insurance Benefit System.
11. Sensitive questions-There are no questions of a sensitive nature.
12. Estimate of respondent burden - The current and proposed estimated annual burden for this collection follows:

Current Burden

Form #	Annual Responses	Time(Min)	Burden(Hrs)
G-209 (Partial Questionnaire)	100	1	2
G-209 (Full Questionnaire)	400	8	53
Total	500		55

Proposed Burden

Form #	Annual Responses	Time(Min)	Burden(Hrs)
G-209(Partial Questionnaire)	50	1	1
G-209 (Full Questionnaire)	100	8	13
Total	150		14

Responses

Hours

Total Burden Change	<u>-350</u>	<u>-43</u>
Adjustment	-350	-43

- 13. Estimate of annual cost to respondents or record keepers - N.A.
- 14. Estimated cost to Federal Government - N.A.
- 15. Explanation for changes in burden – A review by RRB Office of Programs revealed that the estimated amount of responses was too high. The estimated responses indicated in the proposed burden table more accurately reflects actual responses received in FY 2007.
- 16. Time schedule for data collection - The results of this collection will not be published.
- 17. Request to not display OMB expiration date - The G-209 is seldom revised. Given the costs associated with redrafting, reprinting and distributing the form in order to keep the appropriate OMB expiration date in place, the RRB requests authorization to not display the expiration date on the form.
- 18. Exceptions to Certification Statement -
None