

Justification
**Annual Earnings Questionnaire for Annuitants
 in Last Pre-Retirement Non-Railroad Employment**
 RRB Form G-19L

1. Circumstances of information collection - Under section 2(e)(3) of the Railroad Retirement Act (RRA), an annuity is not payable for any month in which the beneficiary works for a railroad. In addition, it is reduced for any month in which the beneficiary works for an employer other than a railroad employer and earns more than a prescribed amount. For calendar year 2008, the exempt amounts are \$13,560 for annuitants under full retirement age and \$36,120 for annuitants who have attained full retirement age (FRA). This limit applies only to earnings for months prior to the month in which FRA is attained. There is no restriction on earnings for annuitants over FRA.

Under the 1988 amendments to the RRA, (P.L. 100-647, the Technical and Miscellaneous Revenue Act of 1988), the tier II portion of the regular annuity and any supplemental annuity must be reduced by one dollar for each two dollars of Last Pre-Retirement Non-Railroad Employment (LPE) earnings for each month of such service, except that the reduction cannot exceed 50% of the tier II and supplemental annuity amount for the month to which such deductions apply. Prior to these amendments, an annuity was not payable for any month in which an annuitant had LPE earnings. LPE generally refers to the last employment with a non-railroad person, company, or institution prior to retirement which was performed either at the same time of or after an annuitant stopped railroad employment.

The provisions relating to the reduction or non-payment of annuities by reason of work are prescribed in 20 CFR 230.1 and 230.2.

2. Purposes of collecting/consequences of not collecting the information – **Form G-19L, Annual Earnings Questionnaire for Annuitants in Last Person Service**, is used by the Railroad Retirement Board (RRB) to obtain the LPE earnings information needed to determine possible reductions in annuities because of LPE earnings.

The **current form** is used as part of the RRB's annual earnings monitoring program to determine whether the annuitant was paid correct annuity amounts during the last calendar year and if adjustments are required for the current year because of an annuitant's LPE earnings, or earnings in excess of the annual exempt amount.

Page 1 of the form explains to the respondent the circumstances surrounding the release of Form G-19L.

Page 2 of the form is comprised of three parts to be completed as follows:

- Part A is completed by annuitants who have earnings from their LPE in the past calendar year and/or the current calendar year;
- Part B is completed by annuitants who have earnings from self-employment in the past calendar year and/or in the current calendar year; and
- Part C is completed by all annuitants who have earnings from other than LPE or self-employment in the past calendar year and/or in the current calendar year.

In the majority of cases, Form G-19L is mailed to the respondent. Before mailing, the RRB enters the respondent's name and mailing address and the RRB claim number on the G-19L. The RRB also encloses Form G-19L.1, *Instructions for Completing the Annual Earnings Questionnaire*, which includes the Paperwork Reduction/Privacy Act notice for the collection, and Form G-77a, *How Work Affects Your Railroad Retirement Benefits*, along with the G-19L. The respondent, who meets the criteria for form completion, returns the completed Form G-19L to the RRB.

The RRB proposes the addition of a new item requesting "Employer Identification Number" to Parts A, B and C of the proposed G-19L.

Other non-burden impacting editorial and formatting changes to Form G-19L, largely to include/integrate instructions and required notices currently found on Form G-19L.1 are being proposed. Upon approval by OMB, Form G-19L.1 will be declared obsolete.

Changes include:

- Updating language of the Paperwork Reduction Act/Privacy Act Notice and the Computer Matching Privacy Protection Act Notice and relocating it from the G-19L.1 to the G-19L.
 - Changing the request for a telephone number from optional to required.
 - Amending the instructions found on page 4 of the proposed G-19L to read "If you were age 70 or older as of..." instead of "If you attained full retirement age prior to..."
3. Planned use of improved information technology or technical/ legal impediments to further burden reduction –The RRB has determined that the use of the Internet is not practicable because this form is initiated by the RRB with pre-filled data and the burden is at a marginal level.
 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 collections - Obtaining the employment and earnings information less frequently would affect the accurate payment of annuities under the RRA.
 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 page 54643 and 54644 of the September 22, 2008 Federal Register. No requests for further information or comments were received.
 9. Payments or gifts to respondents - None
 10. Confidentiality - Privacy Act System of Records, RB-22, Railroad Retirement Survivor and Pension Benefit System

11. Sensitive questions - There are no questions of a sensitive nature.
12. Estimate of respondent burden

The estimated respondent burden for the collection is unchanged as follows:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-19L	300	15	75
Total	300		75

13. Estimate of annual cost burden 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 to not display OMB expiration date - The G-19L 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