

## OMB SUPPORTING STATEMENT

RI 34-1 – Financial Resources Questionnaire

RI 34-3 – Notice of Amount Due Because of Annuity Overpayment

RI 34-17 – Financial Resources Questionnaire (FEGLI Premiums Underpaid)

RI 34-19 – Notice of Amount Due Because of FEGLI Premium Underpayment

### A. Justification

1. Title 31, Section 3716, requires aggressive agency action to collect all claims of the United States for money or property arising out of the agency's internal activity or referred to the agency for action under the Uniform Federal Claims Collection Standards (FCCS) [4 CFR Parts 101 through 105]. Under FCCS, the Office of Personnel Management (OPM) is required to pursue overpayments through every available mechanism, after providing due process, in order to satisfy the Government's interest in collecting money owed the Civil Service Retirement and Disability Fund. In making decisions regarding these collections, OPM is governed by 5 CFR, Part 831, Subparts M and N, and Part 845, which discuss recovery of overpayments and standards for waiver. Prior to commencement of collection activity, OPM must inform the annuitant of the overpayment or failure to pay premiums and establish that the money is owed and that the amount owed is mathematically correct. OPM must give the annuitant the opportunity to request waiver, compromise, termination, or suspension of collection, etc. The annuitant may want to pay the sum rather than have it collected. OPM must decide how to handle the transaction based on the annuitant's response and the personal financial information provided by the annuitant. In order to make a final decision in these matters and to meet the requirement of the current law and regulation, OPM must request and review information about the person's current financial circumstances. This information is necessary so that OPM can make a rational decision regarding the appropriate course of action. The forms were revised to correct the instructions for returning the form. New forms were created because, although there is a debt due, the failure to pay premiums for life insurance is not an overpayment.
2. The information requested on RI 34-1 is collected by OPM from persons who owe the United States because of erroneous payments made from the Civil Service Retirement and Disability Fund. After the discovery of the erroneous payment, OPM uses RI 34-3 to notify the person who received the payment that the overpayment exists, the amount and cause of the overpayment, and to give information about the right to request reconsideration, waiver, and /or compromise, as well as the right to request an adjustment in the collection schedule if (1) the person cannot repay in a lump sum and/or (2) the proposed installment collection schedule would cause financial hardship. RI 34-1 is an enclosure to RI 34-3. The person uses part 2 of RI 34-3 to inform OPM of his or her wishes in regard to the collection. RI 34-1 is used by those who wish to be considered for waiver or compromise, write-off for inability to reply because of financial circumstances, and/or for adjustment in the proposed collection schedule because collection at the proposed rate would cause financial hardship. OPM needs the detailed information requested on RI 34-1 to make an informed decision regarding whether waiver, compromise, write-off, or adjustment in the collection schedule is warranted. The Public Burden Statements meet the requirements of 5 CFR 1320.8(b)(3).

RI 34-17 performs the same function as that performed by RI 34-1 for underpayments of life insurance premiums. RI 34-19 performs the same function as that performed by RI 34-3 for underpayments of life insurance premiums. These are new forms created at the request of the Office of the General Counsel and the Insurance Policy Group to clearly differentiate between annuity overpayments and insurance premium underpayments.

3. The information collected is detailed and can only be obtained from the respondents. New methods of information collection technology would do little to reduce the burden on the respondents; they must sign the questionnaire attesting to its truth, under penalty of law, to the best of their knowledge. However, RI 34-1 and RI 34-17 are available in a PDF fillable format on our website and meet our GPEA requirements.
4. Duplication is minimized. However, up-to-date, similar information certified by the applicant, is not available elsewhere.
5. Information is not collected from small businesses.
6. Less frequent collections would prevent OPM from carrying out the intent of the Federal Claims Collection Act.
7. This information collection is consistent with the guidelines in 5 CFR 1320.6, except that a response is requested within 30 days in order to prevent the continuation of payments to which the respondent may not be entitled.
8. The information collection was published in the *Federal Register* on October 7, 2008, giving persons outside the agency an opportunity to comment on the form. No comments were received.
9. No payment or gift is provided to respondents.
10. This information collection is protected by the Privacy Act of 1974 and OPM regulations (5 CFR 831.106). The routine uses of disclosure appear in the *Federal Register* for OPM/Central-1 (73 FR 15013, *et seq.*, March 20, 2008).
11. This information collection does not include questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. However, detailed financial information is collected so that OPM can make a reasonable decision about the debtor's ability to repay.
12. Approximately 450 forms RI 34-1 are completed each year; approximately 70 forms RI 34-17 are completed each year. Approximately 1,351 forms RI 34-3 are completed annually; approximately 210 forms RI 34-19 are completed annually. A response time of one hour is estimated for each form. Burden of 450 hours for RI 34-1, 70 hours for RI 34-17, 1,351 hours for RI 34-3, and 210 hours for RI 34-190 equals 2,081 hours and is not expected to vary substantially.
13. There is no cost to the respondents.

14. The annualized cost to the Federal government is \$114,200. This cost includes employee salary hours devoted to the program, forms cost, and overhead.
15. There are no changes to the respondent burden.
16. The results of this information collection are not published.
17. It is not cost-effective to reprint the whole supply of forms to change the OMB clearance expiration date. Therefore, we seek approval not to display the date on the forms.
18. There are no exceptions to the certification statement.