

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSIONS
OMB No. 1510-0043
“FMS 133 and FMS 135”**

A. Justifications.

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

When a program agency authorizes Treasury to recover payments that have been issued after the death of the beneficiary, Treasury prepares and sends FMS-133 to the appropriate financial institution (FI) to advise them of their liability concerning the funds. If no response is received within 60 days, the FI's FRB account will be debited for the full amount. Treasury no longer mails the FMS 135 debit request form to the servicing Federal Reserve Banks (FRB). Treasury has centralized the debit process at one FRB which is the FRB Richmond. The costs to print and mail the FMS 135 forms have been eliminated. Treasury continues to print the file copies of the form for the RFC claims branches and the agencies.

5 U.S.C. 301; 12 U.S.C. 391; Title 31, U.S.C.; Chapter II, Subchapter A, Part 210.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information would be used by Treasury to close out the request from the program agency to collect (an) EFT payment(s) from the FI to which a beneficiary was not entitled. If the collection of information was not conducted it would result in enormous financial losses to the federal government.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

Financial institutions vary greatly in size. There is no available method to minimize burdens. The forms were designed as simple as possible to facilitate completion by both Treasury Regional Financial Center (RFC) personnel and FI personnel, yet cover all needed information.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Forms are computer generated. Treasury's system is programmed to only generate forms on those cases having no previous actions. Internal controls have also been established in the form of individual case folders.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

All efforts were made to talk with small businesses prior to development of the subject forms in order to minimize the burden on them. The forms have been under continual review over the years of use and have undergone revisions when needed.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Frequency of collection cannot be controlled because information is requested on a reactionary basis initiated by the program agency.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner: *requiring respondents to report information to the agency more often than quarterly; *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; requiring respondents to submit more than an original and two copies of any document; etc.

As described in answer 6 above, information is requested on a reactionary basis initiated by the program agency, not an annual, semi-annual, quarterly or any other regularly timed basis.

Regulations require financial institutions to respond to FMS within 60 days after receipt of form. Recipients return one copy of the form.

There is nothing in Federal Regulations which requires the financial institution to retain the form for a specified period of time. Once the transaction has been completed, the financial institution may choose to retain or destroy the form in accordance with its own policies.

All other information under this category is N/A.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A pre-clearance notice was published in the Federal Register on March 16, 2009, Volume 74, Number 49, Page 11180. There were no comments received as a result of this notice. No major outside consultations have been held concerning this information collection.

- 9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.**

N/A

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Forms are (1) processed by employees of the Claims Branch; (2) stored in file cabinets in the Claims Branch area; (3) are disposed of in accordance with established destruction schedule.

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no sensitive questions on the forms.

- 12. Provide estimates of the hour burden of the collection of information. The statement should: *indicate the number of respondents, frequency of response, annual hour burden; and an explanation of how the burden was estimated.**

| | |
|------------------------|---------|
| Number of respondents: | 55,000 |
| Number of responses: | 396,674 |
| Annual hour burden: | 79,335 |

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

As a result of conversations with a couple of financial institutions it has been determined that there are no additional capital or start-up costs associated with this information requirement. The information provided by the financial institutions is information that is already available on most financial transactions processed during usual business practices. There is no operational or maintenance costs associated with this information collection.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Annualized cost to Federal Government is estimated at + \$2,099,813.00. The cost is based on the following:

| | |
|---|----------------|
| Labor - 30 FTE @ GS-5/5 + Benefits | \$1,005,312.00 |
| Suprvy - 5 FTE @ GS-8/5 + Benefits | 266,084.00 |
| | <hr/> |
| | 1,271,396.00 |
| HQ Employees 2 FTE @ GS-12/5 + Benefits | 167,790.00 |
| Forms | 123,238.00 |
| | <hr/> |
| | 291,028.00 |
| Overhead for 37 FTE | 273,445.00 |
| Postage | 130,902.00 |
| | <hr/> |
| | 404,347.00 |
| -50% Supervisors | 133,042.00 |
| | <hr/> |
| | \$2,099,813.00 |
| | ----- |

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I

N/A

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

N/A

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

See attached request.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I

N/A

B. Collections of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the Form OMB 83-I is checked, “Yes,” the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

N/A. Collection of information does not use statistical methods.