

OMB SUPPORTING STATEMENT

RI 38-115 – Representative Payee Survey

A. Justification

1. Title 5, U. S. Code, Chapter 83, Section 8345(e) and Chapter 84, Section 8466(c) provide for the payment of benefits to the representative payee of an incompetent annuitant. Title 5, U. S. Code, Chapter 83, Section 8347(a) and Chapter 84, Section 8461(g) provide that the Office of Personnel Management (OPM) shall administer the provisions of the law and regulations relating to the payment of retirement benefits. RI 38-115 is designed to collect information about how the monies OPM has paid to a representative payee have been used or conserved for the benefit of the incompetent annuitant.
2. OPM uses RI 38-115 to determine whether representative payees are using the benefit to support the annuitant. This information collection is needed in order to avoid paying persons who are misusing the annuities, are no longer acting as payee for the annuitant, or have failed to report an event (such as the death of the annuitant) which would terminate the annuity. The survey is not mailed to court-appointed fiduciaries. The form has been revised to collect the social security number of the representative payee and the email address where the payee can be reached. The Public Burden Statement meets the requirements of 5 CFR 1320.8(b)(3).
3. Improved information technology will not reduce the burden. The information collected cannot be obtained from other sources. However, this form is available in a PDF format on our website and meets the GPEA requirements.
4. The forms are prepared for individual respondents. Similar information is not available.
5. Information is not collected from small businesses.
6. Less frequent collection would hamper OPM efforts to oversee the payment of annuities to persons who are charged with using the money for the benefit of someone else.
7. This information collection is consistent with the guidelines in 5 CFR 1320.6, except 1320.6(b). A response is required within 30 days in order to prevent payment to those who are no longer eligible.
8. Notice of the information collection was published in the *Federal Register* on November 12, 2009, giving persons outside the agency an opportunity to comment on the form. No comments were received.
9. No payment or gift is provided to these 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.
12. Approximately 11,000 forms RI 38-115 are processed annually. The form requires approximately 20 minutes to complete for a burden of 3,667 hours.
13. There is no cost to the respondents.
14. The annualized cost to the Government is \$33,740. This includes employee salary hours devoted to the program, forms cost, and overhead.
15. There is no change in 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 form.
18. There are no exceptions to the certification statement.