

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 shall be equal to the amount (before any reduction for age or deduction for work) the employee would receive if 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 the employee annuity 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.

2. Purposes of collecting/consequences of not collecting the information - **Form G-209, Employee Non-Covered Service Pension Questionnaire**, is used by the Railroad Retirement Board (RRB) to obtain needed information (1) from a railroad employee who while completing Item 90 of Form AA-1, Application for Employee Annuity (OMB No. 3220-0002), indicates entitlement to or receipt of a pension based on employment not covered under Railroad Retirement or Social Security; (2) from a railroad employee when an independently-entitled divorced spouse applicant believes the employee to be entitled to a non-covered service pension. However, should RRB records indicate the employee has 30 or more years of coverage, this development is unnecessary; or (3) an employee annuitant who becomes entitled to a pension based on employment not covered under Railroad Retirement or Social Security.

Form G-209 is designed for self-completion. Before releasing the form and its RL-1 transmittal letter to the applicant or annuitant for completion, the RRB field office enters the identifying information in Items 1 and 2 and the appropriate response in Item 5. Note, however, that if the response entered in Item 5 is "Yes," the form is not mailed because the non-covered service pension reduction does not apply. The completed form is returned to the field office in the self-addressed return envelope provided for that purpose.

The RRB proposes minor non-burden impacting editorial changes to Form G-209. Specifically, to update the Item 5 Note by changing the name of the file the RRB Contact Representative uses to complete the item, from "MARC" to "REAP." We also updated the PRA statement (i.e., changed General Accounting Office to Government Accountability Office).

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

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 page 29283 and 29284 of the May 20, 2011, 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. <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>
11. Sensitive questions -There are no questions of a sensitive nature.
12. Estimate of respondent burden - The current estimated annual burden for this collection is unchanged as follows:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-209 (Partial Questionnaire)	50	1	1
G-209 (Full Questionnaire)	100	8	13
Total	150		14

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 – N.A.
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