

Justification  
**Nonresident Questionnaire**  
Form RRB-1001

1. Circumstances of information collection - Under Public Laws 98-21 and 98-76, benefits under the Railroad Retirement Act payable to annuitants living outside the United States may be subject to taxation under United States income tax laws.

Whether the social security equivalent and non-social security equivalent portions of the Tier I, Tier II, vested dual benefit, or supplemental annuity payments are subject to tax withholding, and whether the same or different rates are applied to each payment, depends on a beneficiary's citizenship and legal residence status, and whether exemption under a tax treaty between the United States and the country in which the beneficiary is a legal resident has been claimed.

2. Purposes of collecting/consequences of not collecting the information - To determine the required tax withholding, the Railroad Retirement Board (RRB) needs to know a nonresident's citizenship and legal residence status.

Form RRB-1001, **Nonresident Questionnaire**, is used to obtain the needed information. Because of the differences in circumstances and in the information needed by the RRB, different procedures are used and instructions given when requesting RRB-1001 information from a nonresident making an initial request for a tax treaty exemption compared to a nonresident requesting a renewal of a previous exemption.

When completed as part of the initial application process, Form RRB-1001 is furnished to the applicant as part of the total application package containing pertinent application and informational materials. Along with the RRB-1001, the applicant is furnished Form TB-26, *Completion Instructions for Form RRB-1001, Nonresident Questionnaire*, which provides general information concerning the RRB's reasons for requesting the information, along with instructions for completing the form. The respondent then returns the completed RRB-1001 in the envelope provided.

When completed as part of the tax treaty exemption renewal process, Form RRB-1001 is generated and mailed to the annuitant by means of Form Letter TXL-125, *Railroad Retirement Tax Notice*, the bottom portion of which contains a modified Form RRB-1001. Form TB-125, *Completion Instructions for Form RRB-1001, Nonresident Questionnaire*, is also mailed with Form RRB-1001 and contains specific instructions for completing the pertinent items on the RRB-1001 for renewal of a tax treaty exemption. The respondent is requested to complete the appropriate items, then detach the RRB-1001 from the TXL-125 and return the RRB-1001 in the envelope provided.

The RRB releases Forms TXL-125 and RRB-1001 to those annuitants whose tax treaty exemptions are approaching expiration, so that they may renew the exemption.

The information requested on the RRB-1001, when completed for a tax treaty exemption renewal, is less than the information requested as part of the initial application process. This is because the RRB retains on its records citizenship information previously obtained from the initial filing of the RRB-1001.

Form RRB-1001, when not requested for tax treaty exemption renewal, is printed and mailed with Form TXL-26, *Transmittal for Form RRB-1001*, in certain individual cases when: (1) the returned form was not signed; (2) an item was incomplete or not legible; (3) the residence is outside the 50 United States and Washington, DC and we have not received a questionnaire; and (4) the form must be signed and completed by the annuitant.

The burden statement for Form RRB-1001 when used in the initial filing of an application for an annuity, is shown on Form TB-26, and on Form TB-125 when used as part of the tax exemption renewal process.

**The RRB proposes no changes to Form RRB-1001.**

3. Planned use of improved information technology or technical/legal impediments to further burden reduction – Not cost effective because of 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 – None
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 40658 of the July 10, 2012 Federal Register. No comments or requests for additional information were received. In addition, RRB staff consults with representatives of the Social Security Administration and Internal Revenue Service.
9. Payments or gifts to respondents – None
10. Confidentiality - Privacy Act Systems of Records, RRB-22, Railroad Retirement, Survivor and Pensioner Insurance Benefit System. In accordance with OMB Circular M-03-22, a Privacy Impact Assessment for this information collection was completed and can be found at <http://www.rrb.gov/pdf/PIA/PIA-BPO.pdf>.
11. Sensitive questions - N.A.
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)
RRB-1001 (initial filing)	300	30	250

RRB-1001 (tax renewal)	1,000	30	400
<b>Total</b>	1,300		650

13. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimate of cost to Federal Government - N.A.
15. Explanation for changes in burden - N.A
16. Time schedule for data collection and publication - The results for this collection will not be published.
17. Request not to display OMB expiration date - The RRB-1001 is seldom revised. Given the cost associated with redrafting, reprinting, and distributing the form in order to keep the appropriate OMB expiration date in place, the RRB requests the authority to not display the expiration date on the form.
18. Exceptions to Certification Statement - None