

**Department of the Treasury, Bureau of the Fiscal Service
Request for Emergency Processing and Approval
Regulations Governing Retirement Savings Bonds**

Emergency Justification:

The Department of the Treasury, Fiscal Service (Fiscal Service) respectfully requests emergency processing and approval of the collection of information contained in the final rule to amend Regulations Governing Retirement Savings Bonds. Section 347.30 of the regulation was added to impose an annual reporting requirement for State Auto-IRA programs which are issued retirement savings bonds. In December 2016, two states requested that Treasury verify whether the retirement savings bond will be available in their state retirement savings programs. One of those states is preparing to launch its auto-IRA program in the next several months and needs confirmation from Fiscal Service on what information is required as soon as possible. Fiscal Service cannot reasonably comply with the normal clearance procedures under 5 C.F.R. Part 1320 without causing delays and additional burden on these states.

Abstract:

Approximately one-third of private-sector employees in the United States lack access to retirement savings plans through their employers. To fill this gap, several states (or their political subdivisions) are establishing or considering programs that will encourage employees to save for their retirement, including through automatic enrollment individual retirement accounts and other approaches (collectively referred to here as Auto-IRAs). Under an Auto-IRA program, employee contributions are deposited into an IRA and invested in accordance with the design of the Auto-IRA program and the wishes of the participant. In order to assist states in offering risk-averse savers a principal-protected investment, the Department of the Treasury, Fiscal Service (Fiscal Service) will offer retirement savings bonds to certain state Auto-IRA retirement savings programs. To help the Fiscal Service determine whether it should offer or continue to offer the bonds for a given state Auto-IRA program, that program must provide documentation to Fiscal Service annually, in a form and manner acceptable to Fiscal Service, addressing topics such as administration; account monitoring; ability to transfer; withdrawals; consumer protection; consumer education; costs of administration borne by consumers; oversight; pooling; and any proposed use of the bond as a default investment.

SUPPORTING STATEMENT

OMB Number 1530-NEW

Part A. Justification for: "Regulations Governing Retirement Savings Bonds"

1. Explain the circumstances that make this collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

This collection of information is designed to ensure that a State Auto-IRA program has sufficient protections in place to guard the interests of program participants and the Fiscal Service. This collection of information is stated at 31 CFR 347.30(b).

2. Indicate how, by whom and for what purpose is this information used?

The Department of the Treasury, Fiscal Service (Fiscal Service) will use this information to evaluate whether it should issue the retirement savings bonds to a custodian for a given State Auto-IRA program, or continue to do so.

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? What consideration is given to use information technology to reduce burden?

This collection of information requires narrative responses that do not lend themselves to the use of technological collection techniques other than common word processing software. To give flexibility to the responding state programs, no particular document formatting or file formatting is required.

4. Describe efforts are used to identity duplication? Why can't any similar information already available be used or modified for use for the purposes described in Item 2 above?

This collection of information requires narrative responses that are not publicly available. No other federal governmental agency collects this type of information, therefore, no duplication exists.

5. If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?

This collection of information is not expected to impact small businesses or other small entities.

6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?

If this collection of information is not conducted, or is conducted less frequently than annually, there is a risk that the Fiscal Service will issue retirement savings bonds to a State Auto-IRA program that does not or no longer sufficiently protects the interests of consumers and the Fiscal Service.

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.

There are no special circumstances that would cause information collected 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;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, pre-tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by the authority established in the statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

8. What effort was made to notify the general public about this collection of information?

Interested state Auto-IRA programs (and not the general public or their participants) would be the respondents to the collection of information. One state Auto-IRA program is planning to launch in the next several months, and there is not sufficient time to seek general public comment on this new information collection.

9. What decision was made to provide any payment or gift to respondents, other than reenumeration of contractors or grantees?

There are no payments or gifts made to respondents.

10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?

Aside from protections contained in the Privacy Act, there is no guarantee of confidentiality.

11. What justification is there for questions of a sensitive nature?

This collection of information does not pose questions of a sensitive nature.

- 1) *Whether the information collection includes Personally Identifiable Information (PII) and what this PII is.*

This collection of information does not request PII.

- 2) *OMB memo M-07-16 ([Safeguarding Against and Responding to the Breach of Personally Identifiable Information](#)) requires agencies to take steps to eliminate unnecessary use of SSNs and explore alternatives to the use of SSNs as a personal identifier. Agencies must explain why the collection and use of SSNs is necessary, why alternative identifiers will not suffice, and how the agency complies with the requirements in section 7 of the Privacy Act. If this PII includes SSNs, did the agency inform individuals whether the disclosure is mandatory or voluntary? What statute, or other authority, is the SSN being solicited under? How will the SSN be used?*

This collection of information does not request SSNs.

- 3) *A citation to any applicable SORN for the collection of PII. If the agency has not yet published or received approval for this SORN, where in the process is the SORN (about to be published, submitted to OMB for approval, etc)?*

This collection of information does not request PII, and no SORN is applicable to this collection.

- 4) *Please cite the website where any applicable Privacy Impact Assessment (PIA) is published.*

There is no applicable PIA to this collection of information.

12. What is the estimated hour burden of this collection of information?

The estimated hour burden for this collection of information is eight hours per respondent. We expect there will be up to two respondents in the first year after publication and up to five in the second year (five states have passed legislation authorizing Auto-IRA programs). Our estimate of up to five respondents would continue to apply unless additional states enact legislation authorizing Auto-IRA programs. The estimated number of responses (5) multiplied by the response time reflects a total burden of 40 hours. That includes the time spent identifying relevant information and drafting and reviewing responses before they are finalized.

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information?

The estimated total annual cost burden for this collection of information is \$950 per respondent. The estimated number of responses (5) multiplied by the cost reflects a total cost burden of \$4,750.

14. What is the annualized cost to the Federal Government?

The estimated annualized cost to the Federal Government is \$950. This includes the cost of monitoring to ensure that annual reports from respondents are received, as well as reviewing those reports to ensure the protections described therein are sufficient to protect the interests of consumers and the Fiscal Service.

15. What is the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I?

This is a new collection. No changes or adjustments are reported.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

No complex analytical techniques are used in collecting this information. The results of this collection will not be published for statistical use.

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

18. What are the exceptions to the certification statement?

There are no exceptions to the certification statement.

B. This collection does not employ statistical methods.