

**Supporting Statement for the SSA-187 and SSA-188
Incoming and Outgoing Intergovernmental
Personnel Act Assignment Agreement
5 CFR 334
OMB No. 0960-0792**

A. Justification

1. Introduction/Authoring Laws and Regulations

The Intergovernmental Personnel Act (IPA) mobility program provides for the temporary assignment of personnel between the Federal Government and state and local governments; colleges and universities; Indian tribal governments; federally funded research and development centers; and other eligible organizations. The Office of Personnel Management (OPM) revised the 1970 IPA mobility program regulations, 5 *CFR* 334 of the *Code of Federal Regulations*, effective May 29, 1997. The revisions contain two major changes:

- Agencies are responsible for certifying the eligibility of "other organizations" for participation in the mobility program; and
- Agencies need no longer submit assignment agreements to the Office of Personnel Management (OPM).

Further, OPM instructs agencies to document their IPA assignment. OPM's website, <http://www.opm.gov/programs/ipa/mobility.asp>, shows a list of requirements for written agreements. In creating our own versions of OPM's OF-69 form for IPA, SSA used this list of requirements, and based our version on the OF-69. Therefore, we included all the items from OPM's list, such as name; Social Security number (SSN); current job title; salary; parties to the agreement; position information; type of assignment; etc. (see OPM's website for the complete list).

The respondents are all parties involved in the IPA. These include the Social Security Administration (SSA) contacts as well as external employees and their non-Federal employers. Non-Federal organizations, by definition, include state and local governments; institutions of higher education; Indian tribal governments; and "other" eligible organizations. "Other" organizations, as defined in 5 *USC* 3371(4) of the *United States Code*, may be:

- A national, regional, statewide, area wide, or metropolitan organization representing member state or local governments;
- An association of state or local public officials;
- A nonprofit organization which offers, as one of its principal functions, professional advisory; research; educational or development services; or

related services to governments or universities concerned with public management; or

- A federally funded research and development center.

The legal authority for assignments under the Intergovernmental Personnel Act is 5 USC 3371 - 3375, and in 5 CFR 334 of the *Code of Federal Regulations*.

2. Description of Collection

OPM created a generic form, the OF-69, for agencies to use as a template when collecting information for the IPA assignment. The OF-69 collects the information listed in #1 above regarding the specifics of the agreement. These specifics include the name; SSN; job title; salary; classification; and address of the employee enrolled in the program, as well as information regarding the type of assignment; reimbursement arrangement; and an explanation as to how the assignment will benefit both SSA and the non-federal organization involved in the exchange.

However, since OPM directs agencies to use their own forms for recording these agreements, SSA modified the OF-69 to meet our needs, creating one version for incoming employees, the SSA-187, and one for outgoing employees, the SSA-188. SSA collects information on Forms SSA-187 and SSA-188 to document the IPA assignment and to act as an agreement between the agencies. Per 5 CFR 334 of the *Code of Federal Regulations*, these forms are mandatory for the respondents. Respondents are personnel from state and local governments; colleges and universities; Indian tribal governments; federally funded research and development centers; and other eligible organizations who participate in the IPA exchange with SSA.

3. Use of Information Technology to Collect the Information

SSA made Forms SSA-187 and SSA-188 available on SSA's website as fillable and printable documents. SSA did not create electronic versions of these forms under the agency's Government Paperwork Elimination Act (GPEA) plan because approximately 30 respondents complete these forms during any calendar year, which is less than the GPEA cut-off of 50,000. In addition, we require wet signatures; therefore, the respondents must download the fillable forms, complete them, print them, sign them, and submit them to SSA.

4. Why We Cannot Use Duplicate Information

The nature of the information we collect and the manner in which we collect it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. Minimizing Burden on Small Respondents

This collection potentially affects small entities. However, if SSA did not impose this burden, the agency would be unable to engage in IPA assignments with those

entities. SSA minimized the burden by carefully reviewing the forms and ensuring we only ask small entities to complete relevant and necessary questions.

6. Consequence of Not Collecting Information or Collecting it Less Frequently

If SSA did not collect this information we would be in violation of the law, and public entities would be unable to apply for IPA assignments with the agency. Since SSA only collects the information once per assignment, we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.

7. Special Circumstances

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 *CFR* 1320.5.

8. Solicitation of Public Comment and Other Consultations with the Public

The 60-day advance Federal Register Notice published on June 27, 2017 at 82 FR 29136, and we received no public comments. SSA published the second Notice on September 13, 2017 at 82 FR 43066. If we receive comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with the public in the revision of this form.

9. Payment or Gifts to Respondents

Per the IPA regulations, the non-Federal organization and SSA can negotiate cost-sharing arrangements, and should add the negotiations to the IPA assignment agreement. SSA may pay all, some, or none of the costs associated with an assignment. Costs may include employee basic pay; supplemental pay; fringe benefits; travel; and relocation. Since assignments need to be mutually beneficial to both organizations, cost-sharing provisions reflect the mutual benefit. We arrange these cost-sharing provisions only as needed, and we reflect the cost to the Federal government for these provisions in #14 below.

10. Assurances of Confidentiality

SSA protects and holds confidential the information it collects in accordance with 42 *U.S.C.* 1306, 20 *CFR* 401 and 402, 5 *U.S.C.* 552 (Freedom of Information Act), 5 *U.S.C.* 552a (Privacy Act of 1974), and OMB Circular No. A-130.

11. Justification for Sensitive Questions

The information collection does not contain any questions of a sensitive nature.

12. Estimates of Public Reporting Burden

Per our current management information (MI) data, approximately 30 non-Federal respondents complete and sign Forms SSA-187 and SSA-188 annually. The following chart shows the breakdown of how many non-Federal employees and non-Federal employers complete and sign these forms annually:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)
Non-Federal Employee	10	1	30	5
Non-Federal Employer Signers	20	1	5	2
Totals	30			7

As per our current MI data, the total burden for this ICR is **7 hours**. This figure represents burden hours, and we did not calculate a separate cost burden.

13. Annual Cost to the Respondents (Other)

While there are some exceptions (see #9 above), SSA does not generally approve assignments of SSA employees to non-Federal organizations unless the non-Federal organization agrees to pay 100 percent of the estimated cost of the assignment in advance. SSA must receive the advance prior to the starting date of the assignment. Upon completion of the assignment, either the non-Federal organization will receive a refund of any partial balance, or SSA bills them for any additional costs.

SSA cannot authorize reimbursement for indirect or administrative costs associated with assignments. These include charges for preparing and maintaining payroll records; developing reports on the mobility assignment; negotiating the agreement; tuition credits; office space; furnishings supplies; staff support; and computer time.

Since these costs vary from assignment to assignment, we do not estimate these costs to the public annually. Rather, we negotiate these costs as part of the individual agreements.

14. Annual Cost To Federal Government

The annual cost to the Federal Government is approximately \$ \$214,849. This estimate accounts for costs from the following areas: (1) designing, printing, and distributing the form; (2) SSA employee (e.g., field office, 800 number, DDS staff) information collection and processing time; (3) costs to SSA for cost-sharing provisions as part of the assignment negotiations. Assignments of non-Federal employees to SSA must include justification for proposals requiring SSA to pay more than 50 percent of the estimated costs of an assignment.

15. Program Changes or Adjustments to the Information Collection Request

There are no changes to the public reporting burden.

16. Plans for Publication Information Collection Results

SSA will not publish the results of the information collection.

17. Displaying the OMB Approval Expiration Date

Since SSA provides these forms on our website, and we do not print them, SSA is not requesting an exception to the requirement to display an expiration date.

18. Exceptions to Certification Statement

SSA is not requesting an exception to the certification requirements at 5 *CFR* 1320.9 and related provisions at 5 *CFR* 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.