

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. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

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 collects the social security number of the representative payee and the email address where the payee can be reached.

The Privacy Act Statement (PAS) has been revised due to a general systematic review by our Chief Privacy Officer.

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. A 60 Day Federal Register Notice was published on January 22, 2018 at 83 FR 3035 requesting comment. 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 will be processed annually. The form requires approximately 20 minutes each to complete. The annual burden of 3,667 hours is estimated.

Form Name	Form Number	No. of Respondents	No. of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
Representative Payee Survey	RI 38-115	11,000	1	20 minutes	3,667	\$0	\$0

There is no cost to the respondents

13. There is no change in the respondent burden.
14. The annualized cost to the Government is \$34,800. This cost is derived from employee's salaries, staff hours required to process the forms and the cost of printing, storing and shipping forms.
15. N/A
16. The results of this information collection are not published.
17. The Retirement Services program office is the lone processor of the data collected on these ICRs from approximately 2.8 million customers. The substance of each information collection does not substantively change at each OMB renewal cycle, but according to changes in law and regulation. These forms are printed and published (internet, intranet and on-board systems) through various agencies for distribution to and implementation by Government customers. Pursuant to title 5 CFR 1320.8(b)(1), it would not be appropriate to display the OMB clearance expiration date where the form will not be revised for the foreseeable future (e.g., because it is used to collect applicant, annuitant, or beneficiary information required by long-standing statutory provisions), where use of the paper form is prevalent, and where, accordingly, it will be expensive and burdensome to restock the paper forms inventory with a new version. Last year,

under current practice, Retirement Services printed approximately 2 million documents subject to OMB clearance at a cost of approximately \$85,000. Our costs would rise substantially if additional revision cycles are added. Lastly, by adding the OMB clearance expiration date to the existing format, the end users of OPM's ICRs may erroneously assume that the expiration date affects the validity of the information collection when it is the OMB clearance expiration date and not reflective of the substance. This may lead to additional submissions by customers, possible litigation and increasing pressures on our Operations workloads. Therefore, we seek approval to not display the OMB clearance expiration date on the forms and to communicate version changes to the public via the revision date.

18. There are no exceptions to the certification statement.