

Justification
Application for RRB Survivor Insurance Annuities
 RRB Forms AA-17b, AA-17cert, AA-17sum, AA-19a

1. Circumstances of information collection - Under Section 2(d) of the Railroad Retirement Act (RRA), annuities are payable to surviving widow(er)s, children, and certain other dependents. Lump-sum benefits are payable after the death of a railroad employee only if there are no qualified survivors of the employee immediately eligible for annuities. With the exception of a lump-sum residual death benefit, eligibility for survivor benefits depends on whether or not the employee was "insured" under the RRA at the time of death.

To be insured under the RRA, an employee must have at least 10 years of railroad service, or 5 years of railroad service after 1995, and a "current connection" with the railroad industry at the time of retirement or death. To meet the current connection requirement, an employee must generally have worked for a railroad in at least 12 of the months in the 2-1/2 years before retirement. If the employee died before retirement, railroad service in at least 12 of the months in the 2-1/2 years before death will meet the current connection requirement for the purpose of paying survivor benefits.

If a deceased employee was not insured, jurisdiction of any survivor benefits payable is transferred to the Social Security Administration (SSA), and survivor benefits are paid by that agency instead of the RRB. Regardless of which agency has jurisdiction, the deceased employee's railroad retirement and social security credits are both used for the purpose of benefit computations.

Types of Survivor Benefits

Annuities are payable to widow(er)s and unmarried children. In certain cases, benefits are payable to dependent parents, remarried widow(er)s, grandchildren, and surviving divorced spouses.

Widow(er)s' annuities are payable at:

- Age 60 - Age reductions are applied if the annuity begins before the widow(er) attains retirement age.
- Ages 50-59 - The widow(er) must be permanently and totally disabled and unable to work in any regular employment. The disability must have begun within 7 years after the employee's death or within 7 years after the termination of an annuity based on caring for a child of the deceased employee. A 5-month waiting period is required after the onset of disability before a disability annuity can begin.
- Any age - If the widow(er) is caring for a child of the deceased employee who is under age 18 or a disabled child of any age who became disabled before age 22.

Survivor annuities may be payable to:

- A parent at age 60 who depended on the employee for at least half support. If the employee is also survived by a widow(er) or child who can qualify for an annuity, the parent's annuity is limited to the amount that social security would pay (Tier I only).
- A remarried widow(er) or a surviving divorced spouse. Benefits are limited to the amount social security would pay (Tier I only).

The widow(er) must have remarried after age 60 (age 50-59 if disabled and entitled to a disability annuity prior to the remarriage). If the remarriage occurred prior to age 60, the remarriage must have ended. The widow(er) must also have attained age 60 or be between the ages 50-59 and totally disabled; or be under age 60 and have an employee's child in his or her care and custody who is under age 16 or over age 16 and disabled.

- A surviving divorced spouse married to the employee for at least 10 years, who is unmarried (or remarried under the conditions described above) and has attained age 60, or is age 50-59 and is totally disabled. A surviving divorced spouse can qualify at any age if caring for an employee's child who is under age 16 or is over age 16 and disabled. In this type of case, the 10-year marriage requirement does not apply.

The portion of a survivor annuity equivalent to a social security benefit may continue to be paid to a widow(er), remarried widow(er), or surviving divorced spouse who remarries after age 60, or to a disabled widow(er), remarried disabled widow(er) or disabled surviving spouse who remarries after age 50. Benefits may also continue for a young widow(er) if caring for an employee's child who is under age 16 or disabled, provided that the remarriage is to a person receiving railroad retirement or social security benefits.

Other survivor annuities are payable to:

- a child under age 18;
- a child age 18-19 in full-time attendance at an elementary or secondary school, payable until the earlier of the date the student graduates from high school or the end of the school term 2 months after the student attains age 19;
- a disabled child over age 18 if the child became totally and permanently disabled before age 22;
- a dependent grandchild meeting any of the requirements described above for a child, if both the grandchild's natural parents are deceased or disabled; and
- a stepchild or adopted child of the employee meeting any of the requirements described above for a child, if the employee was contributing at least one-half of the money and goods needed for that child's support at the time the employee died or, when applicable, at the beginning date of the employee's period of disability.

The requirements for the benefits are prescribed in 20 CFR 216, 217, 218 and 219.

2. Purposes of collecting/consequences of not collecting the information - The RRB utilizes the following manual and electronic forms to obtain information needed to determine entitlement to, and the amount of, various survivor annuities.

Manual Forms

Form AA-17b, Application for Determination of Widow(er)s Disability, which is used as a supplement to Forms AA-17 or AA-18 when a widow(er) or surviving divorced spouse is filing for an annuity or Medicare benefits on the basis of disability, obtains information about the applicant's medical condition, medical care, education, training, and work activity.

A disability annuity may be payable if the widow(er) or surviving spouse is unable to work in any regular employment because of permanent disability. Field office personnel use the information from Section 4 of the AA-17b to initiate requests for medical evidence used in disability determinations. The evidence is secured by Forms G-250, Medical Assessment, G-250a, Medical Assessment of Residual Functional Capacity, and RL-11b, Disclosure of Hospital Medical Records (OMB 3220-0038). If the AA-17 or AA-17b shows the applicant has filed for benefits at SSA, the RRB asks SSA for any medical evidence they have developed before initiating our own request.

Form AA-17b is designed for self-administration. Items 1-6 are pre-filled by the RRB with identifying information before the form is mailed to the applicant for completion. The Paperwork Reduction Act and Privacy Act Notices are found on the form.

After the application is completed, the applicant must read, sign, and date the application's Certification page, which carries the required fraud language and lists events that could affect their annuity and must be reported to the RRB.

The completed application is then returned to the field office in the pre-addressed return envelope included for that purpose. After the application is released, a *Receipt for Claim* is provided to the applicant. This receipt advises that processing of the application has begun and provide a general description of the application process; a reminder of events that could affect the annuity and must be reported to the RRB; and RRB telephone numbers to report any events or changes.

The RRB proposes significant changes to Form AA-17b in support of the RRB's Disability Program Improvement Plan (DPIP) to enhance and improve disability case processing and overall program integrity as recommended by the RRB's Office of Inspector General and the Government Accountability Office. Proposed changes to Form AA-17b include:

- The addition of questions regarding an applicant's attempts to go back to work;
- New education and training questions;
- Whether the applicant is scheduled for any additional medical care;
- Questions regarding the applicant's daily activities, including any social and recreational activities and volunteer work;

- Updating the level of difficulty scale for questions regarding the applicant's daily activities in proposed Item 33 by adding two new choices - "Difficult" and "Not Applicable";
- Asking whether the applicant used a facilitator or attorney to either complete or aid in their completion of the application;
- Adding, rewording, and merging certain items to make them consistent with other DPIP forms enhancements made to the AA-1d disability application (3220-0002); and
- Clarification of existing items and other non-burden impacting editorial and formatting changes.

In addition to the required review under the Paperwork Reduction Act, proposed Form AA-17b was reviewed by staff from the RRB's Office of General Counsel (OGC) and Office of the Inspector General (OIG) and found to be acceptable. Subsequently, the form was reviewed and approved for use (pending OMB approval) by the RRB's Board Members.

Form AA-19a, Application for Determination of Child's Disability, which is used to obtain information about a child's medical condition, medical care, education training and work activity, is completed by, or on behalf of, a child over age 18 who became permanently disabled before age 22. Medical evidence is secured as explained in the AA-17b section above.

Since the existence of an eligible disabled child may increase the annuity of an employee applicant or help a spouse or a widow(er) establish eligibility on the basis of having responsibility for the care of a disabled child over age 18 (16 in some cases), Form AA-19a is used as a supplement to survivor application Forms AA-18 and AA-19; retirement application Form AA-3, Application for Spouse/Divorced Spouse Annuity (OMB No. 3220-0042); and retirement Special Guaranty Form G-319, Statement Regarding Family and Earnings for Special Guaranty Computation (OMB No. 3220-0083).

Form AA-19a is designed for self-administration. Items 1-9 are pre-filled by the RRB with identifying information before the form is mailed to the applicant for completion. The Paperwork Reduction Act and Privacy Act Notices are found on the form.

After the application is completed, the applicant must read, sign, and date the application's Certification page, which carries the required fraud language and lists events that could affect their annuity and must be reported to the RRB.

The completed application is then returned to the field office in the pre-addressed return envelope included for that purpose. After the application is released, a *Receipt for Claim* is provided to the applicant. This receipt advises that processing of the application has begun and provide a general description of the application process; a reminder of events that could affect the annuity and must be reported to the RRB; and RRB telephone numbers to report any events or changes.

The RRB proposes significant changes to Form AA-19a in support of the RRB's Disability Program Improvement Plan (DPIP) to enhance and improve disability case processing and overall program integrity as recommended by the RRB's Office of Inspector General and the Government Accountability Office. Proposed changes to Form AA-19a include:

- Changing the completion of the form from third person (the child) to first person (you). This includes replacing all references of the child with "you" or "your" as well as the deletion of Items 77, 79, and 80, which do not apply in the first person situation.
- Updating the level of difficulty scale for questions regarding the applicant's daily activities in proposed Item 28 by adding two new choices - "Difficult" and "Not Applicable";
- Adding new Items 30-31 about social and recreational activities and volunteer work;
- Adding "on-line" schooling in Item 32;
- Adding new Item 71 asking whether the child is a corporate officer or owner/operator of a corporation;
- Adding new Items 97a-c, asking if the child used a facilitator or attorney to either complete or aid in their completion of the application.
- Updating the fraud statement to make it consistent with the fraud language on other disability forms;
- Adding, rewording, and merging certain items to make them consistent with other DPIP forms enhancements made to the AA-1d disability application (3220-0002); and
- Clarification of existing items and other non-burden impacting editorial and formatting changes.

In addition to the required review under the Paperwork Reduction Act, proposed Form AA-19a was reviewed by staff from the RRB's Office of General Counsel (OGC) and Office of the Inspector General (OIG) and found to be acceptable. Subsequently, the form was reviewed and approved for use (pending OMB approval) by the RRB's Board Members.

Along with each manual form mailed AA-17b, AA-19a, and the following forms, which were removed from the clearance due to less than 10 responses a year: Forms AA-17, AA-18, AA-19, and AA-20), the applicant receives an application package that includes an RL-1s transmittal letter and booklets RB-3, Furnishing Evidence to Support Your Claim, and RB-9s, Events that Affect a Survivor Annuity. The RL-1s transmittal letter tells the applicant what forms and booklets should be enclosed in the package and what proofs are needed to support the claim. Booklet RB-3 explains the types of documents which can serve as evidence and gives suggestions for obtaining them. Booklet RB-9s describes events that could cause changes in entitlement or the amount of an annuity and must be reported after the annuity is awarded. When appropriate, the following booklets, are also enclosed to provide important information which the applicant needs to complete an application properly and to explain what the RRB does after receiving the annuity application.

Booklet RB-17, Survivor Annuities - For use with Forms AA-17, AA-18, AA-19, and AA-20. This booklet, contains the Paperwork Reduction Act and Privacy Act Notices associated with the AA-17 application process.

Booklet RB-17b, Widow(er)'s Disability Benefits Booklet - For use with Form AA-17b.

Booklet RB-19a, Child Disability Benefits - For use with Form AA-19a.

Note: The current version of Forms AA-17, AA-18, AA-19, and AA-20 showing “OMB Approval Not Required (<10 Responses Annually)” are filed with the supporting IC documentation. However, since any information collected on these forms, when used, will also populate the electronic AA-17 versions described later in the justification, we have included a brief description of each form below.

Form AA-17, Application for Widow(er)'s Annuity, which is used when the applicant is a widow(er) or a surviving divorced spouse filing on the basis of age or disability, obtains information about the applicant's marital history, work history, benefits from other governmental agencies, railroad pensions and Medicare entitlement. An applicant filing on the basis of disability also completes Form AA-17b, Application for Determination of Widow(er)'s Disability, as a supplement to the AA-17. An applicant filing on the basis of having the employee's child in their care should use Form AA-18, Application for Mother's/Father's and Child's Annuity, rather than Form AA-17.

Form AA-18, Application For Mother's/Father's and Child's Annuity, is completed by an applicant who is a widow(er) or surviving divorced spouse caring for an employee's child who is either under age 18 or became disabled before age 22. The form, which serves as an application for both applicant and child benefits, obtains information about the applicant's marital history, children, work history, and benefits from other governmental agencies.

Form AA-19, Application for Child's Annuity, is completed on behalf of a minor or disabled child when there is no widow(er) applying for benefits or the widow(er) applying is not related to the child and is not the guardian. Monthly benefits may be payable to a minor child under age 18, a disabled child over age 18 (if the child became permanently disabled before age 22), or a child age 18-19 who is in full-time attendance at an elementary or secondary school. Form AA-19 obtains information about the child's work history and benefits from other governmental agencies. One application is completed for all children belonging to the same guardian.

An application on behalf of a disabled child is accompanied by Form AA-19a, Application for Determination of Child's Disability. An application on behalf of a child who is age 18-19 and in full-time attendance at an elementary or secondary school at the time of the employee's death is accompanied by Form G-315, Student Questionnaire (OMB 3220-0123), which obtains information about the student's school attendance, work, and marital status.

Form AA-20, Application for Parent's Annuity, which is used when the applicant is applying for a parent's annuity, obtains information about the applicant's marital history, children, work history, and benefits from other governmental agencies.

Electronic Forms

During an interview either at an RRB field office, an itinerant point, or by telephone, an RRB representative interviews an applicant and enters the information into the RRB's on-line APPLE (Application Express) system, which automates the survivor annuity application (AA-17, AA-18, AA-19 and AA-20) process.

The on-line AA-17 collects essentially the same information as the manual Form AA-17, however, it consists of a script or a series of questions. Depending on the responses to the questions, the APPLE system automatically generates the next appropriate question, eliminating the confusion associated with the skip patterns ("go to items") that are on the paper version. The APPLE system automatically pre-fills identifying information in real time from RRB database records onto the on-line screens. Depending on the type of survivor benefits being filed, the information provided on manual Forms AA-18, AA-19, and AA-20 is incorporated as well as information currently collected on RRB Form AA-8, Application for Medicare (OMB 3220-0082), and Form G-208, Public Service Pension Questionnaire (OMB 3220-0136), when appropriate. The direct entry of the interview data into the APPLE system expedites the payment process, thereby enhancing RRB customer service goals.

Form AA-17cert, Application Summary and Certification, is generated by the APPLE system upon completion of the on-line survivor application process for the applicant to

review the information provided or verified, and sign with a traditional pen-and-ink “wet” signature. If the application interview is taken over the telephone, the Form AA-17cert is mailed to the applicant for review and signature. The RRB does not release the application for processing by the payment systems until the signed AA-17cert is returned by the applicant.

Form AA-17cert is divided into three parts:

- Part 1 summarizes information about the employee.
- Part 2 summarizes information about the applicant.
- Part 3 provides for the certification and signature of the applicant and corresponds to Section 10 of the manual Form AA-17. It includes statements that the information given with regard to the application is true; that the applicant received and reviewed a summary of the information they provided; that the applicant received and reviewed the correct booklets; that the applicant is obligated to advise the RRB of any errors in the summary they received; and that they know if they make a false or fraudulent statement or withhold information in order to receive benefits they are committing a crime punishable under Federal Law.

A footer on each page includes the form number, the page number, and a unique identifier. The unique identifier consists of the employee’s social security number, the application type code, and the time and date of generation.

The RRB proposes no changes to Form AA-17cert.

NOTE: Two versions of the proposed Form AA-17cert are included. One version contains all possible statements. The other version is an example of a completed application, which includes only statements relevant to the application process. The annuitant and any personally identifiable information contained in these two versions are fictitious.

After the on-line survivor application (AA-17, AA-17b, AA-18, AA-19, AA-19a, and AA-20) is released, Form AA-17rec, *Receipt for Claim*, is provided to the applicant. This receipt advises that processing of the application has begun and provides a general description of the application process; a reminder of events that could affect the annuity and must be reported to the RRB; and RRB telephone numbers to report any events or changes.

Form AA-17sum, Application Summary, is generated by the APPLE system upon completion of the on-line application process, for the applicant to review the information provided or verified, when using the alternative signature method, Attestation. Attestation refers to an action taken by an RRB representative to confirm and annotate in the RRB’s records (1) the applicant’s intent to file an application, (2) the applicant’s affirmation under penalty of perjury that the information provided is correct, and (3) the applicant’s agreement to sign the application by proxy. If the application interview is taken over the telephone, the Form AA-17sum is mailed to the applicant for review.

Form AA-17sum is divided into three parts:

- Part 1 summarizes information about the employee.
- Part 2 summarizes information about the applicant.
- Part 3, which corresponds to the information provided on Form AA-17rec, provides a general description of the application process; a reminder of the events that could affect the annuity and must be reported to the RRB; and the RRB telephone numbers to report any events or changes.

A footer on each page includes the form number, the page number, and a unique identifier. The unique identifier consists of the employee's social security number, the application type code and the time and date of generation.

NOTE: The RRB submitted two versions of the Form AA-17sum in ROCIS. One version contains all possible statements. The second version is an example of a completed application that includes only the relevant responses. **The annuitant and any personally identifiable information contained in these two versions are fictitious.**

3. Planned use of improved information technology or technical/legal impediments to further burden reduction - The RRB has used the APPLE (*Application Express*) system to automate the survivor benefit application process since OMB approval on 3/27/2001. The APPLE system has significantly expedited the payment of survivor claims while reducing respondent burden. **Note: RRB Forms AA-17b and AA-19a are not scheduled for automation at the present time due to the need for a face-to-face interview with the applicant and 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 - Not applicable since the information is collected only once from each respondent.
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 66324 of the December 26, 2018, Federal Register. No comments/requests for additional information were received.
9. Payments or gifts to respondents - None
10. Confidentiality - Privacy Act System of Records RRB-22, Railroad Retirement, Survivor and Pensioner 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 <https://www.rrb.gov/sites/default/files/2017-06/PIA-BPO.pdf>.
11. Sensitive questions - N.A.
12. Estimate of respondent burden - The current and proposed estimated annual burden for this collection is as follows:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
AA-17 (Without assistance)	100	47	78
AA-17b (With assistance)	280	40	187
(Without assistance)	20	50	17
AA-17cert	900	20	300
AA-17sum	2,100	19	665
AA-18 (Without assistance)	12	47	9
AA-19 (Without assistance)	9	47	7
AA-19a (With assistance)	285	45	214
(Without assistance)	15	65	16
AA-20 (Without assistance)	1	47	1
Total	3,722		1,494

Proposed Burden

Form Number	Annual Responses	Time (Minutes) ^{1/}	Burden (Hours)
AA-17 Application Process			
AA-17cert	900	20	300
AA-17sum	2,100	19	665
AA-17b (With assistance)	250	45	188
(Without assistance)	20	55	18
AA-19a (With assistance)	200	45	150
(Without assistance)	15	65	16
Total	3,485		1,337

^{1/} The RRB has been collecting the information on these forms since OMB approved the information collection. Based on a sampling done when the forms were originally created, the office calculated the estimated time, which includes time for getting the needed data and reviewing the completed form.

	Responses	Hours
Total burden Change	-0	+22
Adjustment	-0	+22

13. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimated cost to Federal Government - N.A.

15. Explanation for change in burden – The total burden hours have increased by 22, from 1,315 to 1,337. This increase is due to the addition of 9 new items, which we estimate will take an additional 5 minutes, in all, to complete. We have shown this increase as an adjustment.
16. Time schedule for data collection and publication - The results of this collection will not be published.
17. Request not to display OMB expiration date - The RRB just started an IT Modernization Project Initiative and recently awarded a contract to replatform (transition) our legacy mainframe environment to an open server-based environment. The RRB also plans to enter into a separate contract within the second or third quarter of this fiscal year to assess and re-engineer our business processes with cloud-first in mind. Both projects will be a multi-year effort spanning 5 – 7 years with different contractors. Given the forms in this collection are seldom revised, the extensive modernization efforts over the next 5 – 7 years and the competing IT priority projects and limited staffing resources, the RRB requests authorization to not display the OMB expiration date.
18. Exceptions to Certification Statement - None