

## SUPPORTING STATEMENT - PART A

Application for Former Spouse Payments from Retired Pay – OMB No. 0730-0008

### Summary of Changes from Previously Approved Collection:

- The cost to the government has increased since the previous approval due to an increase of hourly wages being paid for both respondents and workers responding.
- Operational and Maintenance costs have increased due to an increase in postage and envelope costs.

#### 1. Need for the Information Collection

In accordance with Title 10 U.S.C., Section 1408, “Payment of Retired or Retainer Pay in Compliance with Court Orders,” state courts may divide military pay as property or order alimony and child support payments from that retired pay. The former spouse may apply to the Defense Finance and Accounting Service (DFAS) for direct payments of these monies by using the DD Form 2293. The information collection is needed to provide DFAS the basic data needed to process the request.

#### 2. Use of the Information

The respondents to this information collection are spouses or former spouses (herein referred to as applicant) of military members who access the form through the DoD forms website. The applicant submits through U.S. Mail Service or by fax a DD Form 2293, “Application for Former Spouse Payments from Retired Pay,” to DFAS and a copy of a court order that requires the division of a member’s military retired pay, or orders the member to make monthly payment of either child support or alimony. The information from the DD Form 2293 is used by DFAS to process the applicant’s request as authorized under Title 10 U.S.C. Section 1408.

The information is required to properly identify the former spouse applicant and identify the service member, whose retired pay is to be deducted, by name, address and social security number. The DD Form 2293 was devised to standardize applications for payment under the Act. Information on the form is also used to determine the applicant’s current status and contains the statutory required certifications the applicant/former spouse must make when applying for payments.

After the application is reviewed for sufficiency, the application and the military member are advised whether the application will be honored or rejected, any further documentation needed, and if applicable, notifies when payments to the former spouse will be implemented by mail. The mail templates used to notify applicant if application is being honored or rejected will be submitted as part of the collection package.

The form is available on the DoD Forms website (<http://www.dtic.mil/whs/directives/forms/index.htm>). The Privacy Act Statement and Agency Disclosure Notice are available to the respondent on the form.

3. Use of Information Technology

0% of responses are collected electronically. The use of information technology has been considered, but is not appropriate for purposes of this collection at this time. In addition to submitting the DD Form 2293, an applicant is required by law to submit supporting documentation such as state court orders and marriage certificates that would not be accessible electronically.

4. Non-duplication

Investigation resulted in no findings of duplication of reporting or records. The DD Form 2293 is used by DFAS which is the only agency charged with enforcement of this law. No similar information or verification procedures currently exist that can be used for this information collection.

5. Burden on Small Businesses

This collection of information does not have significant impact on small businesses or other entities.

6. Less Frequent Collection

The form is only collected once, when the applicant initially applies.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Friday, January 17th, 2020. The 60-Day FRN citation is 85 FRN 3040.

No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Friday, March 20, 2020. The 30-Day FRN citation is 85 FRN 16087.

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the 60-Day Federal Register Notice was conducted for this submission.

9. Gifts or Payment

No payments or gifts will be offered to respondents as an incentive to participate in the collection.

10. Confidentiality

Respondents are assured confidentiality, to the extent permitted by law, via the Privacy Act Statement at the beginning of the form. DFAS certifies that the information collected is maintained in accordance with the Privacy Act of 1974, and OMB Circular A-130, Management of Federal Information Resources.

The SORN covering this system is titled T7347b, "Defense Military Retiree and Annuity Pay System Records," and can be found at:

<http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570196/t7347b/>. In addition, DFAS is in the process of updating the SORN — a draft copy of this updated version is included in the submission to OMB.

The PIA covering this collection is titled "Defense Military Retiree and Annuity Pay System Records," and can be found at: [http://www.dfas.mil/dam/jcr:4c735dde-6b84-4f24-8153-bd83643c98b1/PIA\\_DRAS\\_2010.pdf](http://www.dfas.mil/dam/jcr:4c735dde-6b84-4f24-8153-bd83643c98b1/PIA_DRAS_2010.pdf)

The Records Retention for this collection states that "Disposition for Retired and Annuitant Pay records range from 30 days to 56 years. The administrative records such as, change of address, electronic messages or tax records, that are not pay affecting, are destroyed using retention of 30 days to less than 6 years. All pay affecting documents such as retirement documents, account computation information or entitlement/ eligibility records are retained for six years or more and the pay histories are retained for 56 years. Records are destroyed by tearing, shredding, pulping, macerating, burning, or degaussing the electronic storage media."

11. Sensitive Questions

Disclosure of the Social Security Number (SSN) is used for positive identification of the individual requesting benefit. An SSN Justification Memo is being submitted as part of the OMB submission package and has the full listing of all acceptable uses.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1) Collection Instrument(s)

[DD 2293]

- a) Number of Respondents: 25,000
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 25,000
- d) Response Time: .5 hours
- e) Respondent Burden Hours: 12,500 hours

2) Total Submission Burden

- a) Total Number of Respondents: 25,000
- b) Total Number of Annual Responses: 25,000
- c) Total Respondent Burden Hours: 12,500 hours

Part B: LABOR COST OF RESPONDENT BURDEN

1) Collection Instrument(s)

[DD 2293]

- a) Number of Total Annual Responses: 25,000
- b) Response Time: .5 hours
- c) Respondent Hourly Wage: \$7.25
- d) Labor Burden per Response: \$3.62
- e) Total Labor Burden: \$90,625.00

2) Overall Labor Burden

- a) Total Number of Annual Responses: 25,000
- b) Total Labor Burden: \$90,625.00

\* The Respondent hourly wage was determined by using the Department of Labor (<https://www.dol.gov/general/topic/wages/minimumwage>) cited on March 4, 2020.

13. Respondent Costs Other Than Burden Hour Costs

Total operational costs are \$25,000 for postage (\$1 average cost to return form with supporting documents.)

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

1) Collection Instrument(s)

[DD 2293 GS-9 Pay]

- a) Number of Total Annual Responses: 25,000
- b) Processing Time per Response: .5 hours
- c) Hourly Wage of Worker(s) Processing Responses : \$24.78
- d) Cost to Process Each Response: \$12.39
- e) Total Cost to Process Responses: \$309,750.00

[DD 2293 GS-13 Pay]

- a) Number of Total Annual Responses: 2,000
- b) Processing Time per Response: .5 hours
- c) Hourly Wage of Worker(s) Processing Responses : \$42.73
- d) Cost to Process Each Response: \$21.36
- e) Total Cost to Process Responses: \$42,730.00

2) Overall Labor Burden to the Federal Government

- a) Total Number of Annual Responses: 25,000
- b) Total Labor Burden: \$352,480.00

\*The paralegal and attorney wages were determined by using the 2020 General Schedule (GS) Basic Locality Pay Tables (

[https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS_h.pdf)).

\*\* DFAS Attorneys only review court orders for more difficult cases. Therefore 2,000 is the average of 25,000 total cases.

#### Part B: OPERATIONAL AND MAINTENANCE COSTS

1) Cost Categories

- a) Equipment: \$0
- b) Printing: \$2,500.00
- c) Postage: \$13,750.00
- d) Software Purchases: \$0
- e) Licensing Costs: \$0
- f) Other: \$8,500.00

2) Total Operational and Maintenance Cost: \$24,750.00

\*Costs: Printing (25,000 x \$.10); Postage (25,000 x \$.55); and Envelopes (25,000 x .34)

#### Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

1) Total Labor Cost to the Federal Government: \$352,480.00

2) Total Operational and Maintenance Costs: \$24,750.00

3) Total Cost to the Federal Government: \$377,230.00

#### 15. Reasons for Change in Burden

The cost to the government has increased due to the increase in operational and maintenance costs.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to “Certification for Paperwork Reduction Submissions”

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.