

Justification
Public Service Pension Questionnaires
 RRB Forms G-208 and G-212

1. Circumstances of information collection - Public Law 95-216 amended the Social Security Act of 1977 by providing, in part, that spouse or survivor benefits may be reduced when the beneficiary is receiving a pension based on employment with a Federal, State, or local government agency. Initially, the reduction was equal to the full amount of the government pension. Public Law 98-21 changed the reduction to two-thirds of the amount of the pension. Public Law 108-203 further amended the Social Security Act by changing the requirement for exemption to a public service offset, so that FICA taxes are deducted from the public service wages for the last 60 months of public service employment, rather than just the last day of public service employment.

Sections 4(a)(1) and 4(f)(1) of the Railroad Retirement Act (RRA)(45 U.S.C. 231) provide that a spouse or survivor annuity be equal in amount to what the annuitant would receive if entitled to a like benefit from the Social Security Administration (SSA). Therefore, the public service pension reduction provision also applies to RRA annuities.

The regulations pertaining to the collection of evidence relating to public service pensions (PSP) or worker's compensation paid to spouse or survivor applicants or annuitants are prescribed in 20 CFR 219.64c.

2. Purposes of collecting/consequences of not collecting the information - The RRB utilizes the following forms to obtain information used in determining whether an annuity reduction is required.

Form G-208, Public Service Pension Questionnaire, is currently used by the RRB to obtain information from a spouse, divorced spouse, survivor applicant or annuitant, which is needed to determine whether the RRA annuity should be reduced because of a public service pension and if so, the amount of the reduction. Applicants who indicate on the annuity application form that they are receiving, or expect to receive, a public service pension, are given Form G-208 to complete.

Form G-208 is completed once by an applicant or annuitant. A person expecting to receive a public service pension is asked to complete the form so a determination can be made whether the future pension would cause a reduction. If so, the case is flagged and the applicant contacted if he or she does not notify us of entitlement to the public service pension, as requested.

Form G-208 obtains information similar to that obtained by SSA's Form SSA-3885, Government Pension Questionnaire, OMB No. 0960-0160. The SSA form does not request Federal pension information because SSA conducts a monthly computer matching program with the Office of Personnel Management (OPM). The RRB receives a copy of the OPM tape from SSA twice a year to monitor federal employees' PSPs. The G-208 retains questions concerning federal employment; however, because the OPM tape is not structured to identify Federal Employee Retirement System (FERS) employees.

The RRB proposes no changes to Form G-208.

Form G-212, Public Service Pension Monitoring Questionnaire, is used by the RRB to obtain up-to-date public service pension (PSP) information from annuitants who had previously informed the RRB either by Form G-208 or by written communication that they were receiving such a pension. The only annuitants who will be monitored are the ones whose current monthly annuities are offset by such a pension, and only if the maximum pension reduction does not already apply.

As is the case with RRB annuities, PSP's from other government agencies are frequently increased because of cost-of-living or other adjustments. These increases, in turn, have an impact on the amount of the reduction in the RRA annuities that the RRB pays. Form G-212 is released throughout the year in non-OPM PSP cases, based on schedules or legislated PSP cost-of-living increases.

All identifying information is prefilled by the RRB before release. The completed form is then returned to the RRB in the envelope provided.

The RRB proposes no changes to Form G-212.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction - Not cost effective due to low volume; however, we will reevaluate after the completion of the RRB IT Modernization project.
4. Efforts to identify duplication - To our knowledge, this information collection does not duplicate any other information collection. Though Form SSA-3885 obtains some information similar to Form G-208, the SSA form does not request Federal pension information as well as additional information the RRB needs to determine public service pension benefits to comply with the RRA.
5. Small business respondents - N.A.
6. Consequences of less frequent collection - N.A.
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 16689 of the March 24, 2020, Federal Register. No comments were received.
9. Payments or gifts to respondents - N.A.
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 estimated annual burden for this collection is unchanged shown below.

Current

Form Number	Annual Responses	Time (Minutes) ^{1/}	Burden (Hours)
G-208	70	16	19
G-212	1,100	15	275
Total	1,170		294

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

13. Estimated annual cost to respondents or record keepers - N.A.
14. Estimate of cost to the Federal Government - N.A.
15. Explanation for change in burden - N.A.
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 started an extensive multi-year IT Modernization Initiative at the beginning of Fiscal Year 2019 to transform our operations into the 21st Century using multiple contractor services to improve mission performance, expand service capabilities, and strengthen cybersecurity. In addition, we received a new Chief Information Officer (CIO) on September 2, 2019 who is reviewing our estimated project timeline milestone dates. We provided OMB with a consolidated project timeline.

Given that the forms in this collection are seldom revised; the costs associated with redrafting, reprinting, and distributing forms in order to keep the appropriate OMB expiration date in place; and our desire to reevaluate after the completion of the modernization project, **the RRB requests the authority to not display the expiration date on the forms.**

18. Exceptions to Certification Statement - None