OMB SUPPORTING STATEMENT

RI 94-7 – Death Benefit Payment Rollover Election Form

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Unemployment Compensation Amendments of 1992 (UCA), Public Law No. 102-318, and Income Tax Regulations under sections 401(a)(31), 402(c), 402(f) and 3405(c) of the Internal Revenue Code of 1986, require guidance concerning the direct rollover and 20-percent income tax withholding provisions of UCA. The RI 94-7 provides FERS surviving spouses and surviving former spouses with the means to elect payment of FERS rollover-eligible benefits directly or to an Individual Retirement Arrangement (IRA), eligible employer plan or Thrift Savings Plan (TSP) account.

1. 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 employees will use the information provided by the survivor to pay benefits to an

IRA, employer plan or TSP account or to deduct 20 percent from the payments sent directly to the surviving spouse or former spouse for Federal income tax withholding.

The Privacy Act Statement has been revised due to a systematic review by our Chief Privacy Officer. The Public Burden Statement meets the requirements of 5 CFR 1320.8(b)(3).

1. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

There is no other method for receiving this information from the survivor.

4. Describe efforts to identify duplication. Show specifically why any similar information

already available cannot be used or modified for use for the purposes described in Item 2

above.

There is no duplication of this information through the use of any other form or process.

1. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.

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

1. Describe the consequence to Federal/DHS program or policy activities if the collection of information is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If this information is not collected, survivors of deceased Federal employees/retirees

would not have the option to roll lump sum benefits over into an IRA.

1. Explain any special circumstances that would cause an information collection to be conducted in a manner:

• requiring respondents to report information to the agency more often than quarterly;

•requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

•requiring respondents to submit more than an original and two copies of any document;

• requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

• in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

• requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

• that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

• requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This collection is consistent with the guidelines in 5 CFR 1320.6.

1. Federal Register Notice: Provide a copy and identify the date and page number of publication in the Federal Register of the agency’s notice soliciting comments on the information collection prior to submission to OMB.

On March 23, 2020, a 60 Day Federal Register Notice was published at 85 FR 16391 requesting comments. No comments were received.

1. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No gift or payment is awarded respondents based on return of the form.

1. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

This information collection is protected by the Privacy Act of 1974 and OPM regulations

(5 CFR 841.108). The routine uses of disclosure appear in the Federal Register for

OPM/Central-1 (64 FR 54930, et. Seq., October 8, 1999, as amended at 65 FR 25775,

May 3, 2000).

1. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

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. Provide estimates of the hour burden of the collection of information. The statement

should:

a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.  
c. Provide estimates of annualized cost to respondents for the hour burdens for collections   
of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Approximately 3,444 forms are mailed annually. The form takes approximately 1 hour to

complete. An annual burden of 3,444 hours is estimated.

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **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** |
| Death Benefit Payment Rollover Election Form | RI 94-7 | 3,444 | 1 | .60 | 3,444 | $21.50 | $92,557.50 |

The Total Annual Respondent Cost is $92,557.50.

13. Provide an estimate of the total annual cost burden to respondents or record keepers

resulting from the collection of information. (Do not include the cost of any hour burden

shown in Items 12 and 14.)

The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection as appropriate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information to keep records for the government, or (4) as part of customary and usual business or private practices.

There is no cost to the respondent.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description

of the method used to estimate cost, which should include quantification of hours,

operational expenses (such as equipment, overhead, printing and support staff), and any

other expense that would have been incurred without this collection of information. You

may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

The annualized cost to the government is $155,021. This cost includes employee salary

hours devoted to this program, forms, and overhead.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of

the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to

annual reporting and recordkeeping **hour** and **cost** burden. A program change is the result

of deliberate Federal government action. All new collections and any subsequent revisions

of existing collections (e.g., the addition or deletion of questions) are recorded as program

changes. An adjustment is a change that is not the result of a deliberate Federal government

action. These changes that result from new estimates or actions not controllable by the

Federal government are recorded as adjustments.

There are no changes to the respondent burden.

16. For collections of information whose results will be published, outline plans for tabulation

and publication. Address any complex analytical techniques that will be used. Provide the

time schedule for the entire project, including beginning and ending dates of the collection

of information, completion of report, publication dates, and other actions.

The results of this information collection are not published.

17. If seeking approval to not display the expiration date for OMB approval of the information

collection, explain reasons that display would be inappropriate.

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. The results of this collection are not published.

18. Explain each exception to the certification statement identified in Item 19 “Certification for   
 Paperwork Reduction Act Submissions,” of OMB Form 83-I.

There are no exceptions to the certification statement.