

Justification  
**Employee Non-Covered Service Pension Questionnaire**  
 RRB Form G-209

1. Circumstances of information collection - Section 215(a)(7) of the Social Security Act provides for a reduction in social security benefits for retired and disabled workers receiving pensions based on employment not covered under the Social Security Act or the Railroad Retirement Act (RRA). Under this provision, a different social security benefit formula applies to most workers who are first eligible after 1985 for both a pension based in whole or in part on non-covered employment and a social security retirement or disability benefit. There is a guarantee provision that limits the reduction in the social security benefit to one-half of the portion of the pension based on non-covered employment after 1956. Section 8011 of P.L. 100-647 changed the effective date of the offset from the first month of "eligibility" to the first month of concurrent entitlement to the non-covered service benefit and the RRA benefit.

Since Section 3(a)(1) of the RRA (45 U.S.C. 231b) provides that the Tier I benefit of an employee annuity shall be equal to the amount (before any reduction for age or deduction for work) the employee would receive if entitled to a like benefit under the Social Security Act, the reduction for a non-covered service pension also applies to the Tier I portion of the employee annuity under the RRA when the annuity or non-covered service pension begins after 1985. Since the amount of the spouse's Tier I benefit is one-half of the employee's Tier I, the spouse annuity is also affected.

2. Purposes of collecting/consequences of not collecting the information - **Form G-209, Employee Non-Covered Service Pension Questionnaire**, is used by the Railroad Retirement Board (RRB) to obtain needed information from (1) a railroad employee who while completing Item 90 of Form AA-1, Application for Employee Annuity (OMB No. 3220-0002), indicates entitlement to, or receipt of, a pension based on employment not covered under the Railroad Retirement Act or Social Security Act; (2) a railroad employee when an independently-entitled divorced spouse applicant believes the employee to be entitled to a non-covered service pension; or (3) an employee annuitant who becomes entitled to a pension based on employment not covered under the Railroad Retirement Act or Social Security Act. Note that if the employee has 30 or more years of coverage, the non-covered service pension reduction does not apply and the information is not needed.

Form G-209 is designed for self-completion. Before releasing the form and its RL-1 transmittal letter to the applicant or annuitant for completion, an RRB office enters the identifying information in Items 1 and 2. The completed form is returned to the office in the self-addressed return envelope provided for that purpose.

**The RRB proposes no changes to Form G-209.**

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 - Form G-209 is similar to Form SSA-150, Modified Benefit Formula Questionnaire, OMB No. 0960-0395
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 62777 of the October 5, 2020, Federal Register. No requests for further information or 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 Insurance 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 - There are no questions of a sensitive nature.
12. Estimate of respondent burden - The current estimated annual burden for this collection is shown below.

Current Burden

Form Number	Annual Responses	Time (Minutes) <sup>1/</sup>	Burden (Hours)
G-209 (Partial Questionnaire)	50	1	1
G-209 (Full Questionnaire)	100	8	13
Total	150		14

<sup>1/</sup>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. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimated cost to Federal Government - N.A.
15. Explanation for changes in burden - N.A.
16. Time schedule for data collection - The results of this collection will not be published.
17. Request to not 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 21<sup>st</sup> 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