

## OMB SUPPORTING STATEMENT

### SF 3102, Designation of Beneficiary (CSRS & FERS)

#### 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.

Title 5, U.S. Code, Chapter 83, Section 8342 and the Federal Employees Retirement System Act of 1986 (PL 99-335), provide that a Federal employee or an annuitant may designate a beneficiary to receive any lump sum payment due from the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) in the event of death. SF 3102, Designation of Beneficiary (CSRS & FERS), is the document which is used to establish the designation.

2. 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.

This information is used by the Office of Personnel Management, Civil Service Retirement System and the Federal Employees Retirement System, in determining the proper payee in the event of death. If SF 2808 or SF 3102 is not on file, the lump sum is paid according to the order of precedence (5 USC 8424(d)) shown in the instructions on the form.

The Privacy Act Statement (PAS) is up to date due to a systematic review by our Privacy Officer. The Public Burden Statement meets the requirements of 5 CFR 1320.8(b)(3). This Information Collection Request has been revised to combine the CSRS and FERS Designation of Beneficiary forms.

3. 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.

Use of improved information technology to reduce the burden is not practical. The information collection is voluntary and must be made in writing. However, this form is available in a PDF fillable format on our website and meets our GPEA requirements.

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.

All designations are filed individually for CSRS/FERS. Designations of Beneficiary for other systems cannot be used for CSRS/FERS. Even though the designations may be similar for each system, they all require designations specifically for that system.

5. 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 information collection request has no impact on small businesses and organizations.

6. 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.

This information collection cannot be made less frequently because it is filed at the employee's or annuitant's option. This information collection is consistent with the guidelines in 5 CFR 1320.6.

7. 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 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.

There are no special circumstances involved in the collection of this information.

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

On August 13, 2020, a 60 Day Federal Register Notice was published at 85 FR 49402. One comment was received: *"The SSA agrees that combining the SF 2808 and SF 3102 simplifies the process and eliminates the possibility of invalid designations due to the completion of the incorrect form. Since OPM maintains all SF 2808 forms, agencies do not have access to previously filed forms to respond to employee requests for*

information. This may be problematic when employees are assessing the need to update their records. The new SF 3102 should indicate that agencies do not maintain the CSRS designation forms and provide instructions for employees to complete a new form if they are unsure if they have previously completed a designation or are unsure about whom they have previously designated. Otherwise, the form should indicate that employees must contact OPM for information about previously filed SF 2808 forms. The SSA suggests that, in addition to accepting wet signatures on the retirement designation beneficiary forms, OPM accept digital signatures using PIV credentials by employees and HR offices. Forms with validated digital employee signatures using PIV credentials should not require witness signatures. Since it is crucial for employees keeping their designation forms up to date, having a mechanism for electronic submission provides for more timely submission by employee and certification by HR offices”.

Our response is: **(1)** “Filing a designation is not needed if the person is satisfied with the federal order of precedence for payment of lump-sum payment under CSRS or FERS. Furthermore, individuals receive a copy of the form that is filed with the employing agency or OPM and can access their personal records to determine whether there is a need to update a previously filed form. Additionally, the form cautions the applicant that the person designated will be paid even if that person’s name or relationship to the designator changes after the form is filed. We revised the instructions to indicate that the employee subject to CSRS should send both copies of the revised SF 3102 to OPM who will validate the form and provide a copy to the employee for their records. We indicated that the employing agency does not maintain the form of the CSRS employee.” and **(2)** “By regulation, employees are not allowed to use electronic signatures or PIV/CAC cards to sign the SF 3102, Designation of Beneficiary form. Title 5, Code of Federal Regulations on CSRS designations states that a designation of beneficiary must be in writing, signed and witnessed and received in the employing office (or in OPM, in the case of a retiree, or compensation, or a separated employee) before the death of the designator. Therefore, no changes will be made to the signature and witness requirement because there are no changes to the appropriate regulation.”

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

No gifts or payments of any kind have been provided to any individuals who are connected to this collection.

10. 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 831.106). The routine uses of disclosure appear in the *Federal Register* for OPM/Central-1 (73 FR 15013, *et seq.*, March 20, 2008, effective April 21, 2008).

11. 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 5,888 forms (*CSRS [2,000] and FERS [3,888]*) will be processed annually. The form requires approximately 15 minutes each to complete. The annual burden of 1,472 hours (*CSRS [500] and FERS [972]*) is estimated.

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
Designation of Beneficiary (CSRS & FERS)	SF 3102	5,888	1	15 minutes	1,472	\$5.38	\$39,376

The cost to the respondent is minimal.

The Total Annual Respondent Cost is \$39,376.

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 change in the respondent burden.

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 Federal government is \$23,674.32. This cost was determined by employee salary hours devoted to the program, forms cost, 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 is a program change resulting in an increase in the hour and cost burden for this information collection request. We are combining the CSRS designation (SF 2808, OMB

Control #3206-0142) and the FERS designation (SF 3102, OMB Control #3206-0173) as one Information Collection Request (ICR).

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.

No information collected from the form will be 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.

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.