OMB SUPPORTING STATEMENT

Regulations Governing Reemployment of Annuitants in the Federal Service

A. Justification

1. Sections 8344 and 8468 of title 5, United States Code, govern the reemployment of Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) annuitants in the Federal service. Some types of annuity terminate on reemployment, while other types of annuity continue during reemployment, with all or a portion of the annuity being offset from the reemployed annuitant's basic pay. Consequently, the reemploying agency needs timely information regarding the reemployed annuitant's type of separation for retirement and amount of annuity. Only then can the agency correctly establish the net rate of pay. The agency is also responsible for notifying the retirement system that the annuitant is reemployed.

    Section 837.103(c) of title 5, Code of Federal Regulations, requires the reemployed annuitant to provide certain specific information to the employing agency. The information may be provided orally, or in writing, at the employing agency's discretion. No special form is required. The information which must be provided is –

    - Whether the annuitant is then in receipt of annuity;
    - The gross monthly amount of annuity the annuitant is then receiving;
    - Whether the annuitant is retired on disability; and if so, whether the Office of Personnel Management (OPM) has found the annuitant recovered from the disability or restored to earning capacity; and
    - If the annuitant is retired under CSRS, whether the annuitant's retirement was based on an involuntary separation, not for charges of misconduct or delinquency.

2. The reemploying agency uses this information to determine whether annuity should be offset from the reemployed annuitant's pay, and if so, how much. If this information collection were not made the agencies could not comply with the law.

3. A written or oral request by the employing agency at the time of reemployment is the most efficient means of obtaining this information. These regulations are posted at http://www.opm.gov/cfr/index.htm. This meets our GPEA requirements.

4. The requested information is available in OPM's retirement records. However, the reemployment could be delayed and/or the employee could be overpaid if the agency is required to obtain this information from OPM.

5. Information is not collected from small businesses.

6. The information is collected only once in each case.

7. None

8. A notice of proposed information collection was published in the *Federal Register* on January 22, 2010, giving persons outside the agency an opportunity to comment on the form. No comments were received.

9. No payment or gift is provided to respondents.

10. This information collection is protected by the Privacy Act of 1974 and OPM regulations (5 CFR 831.106). The routine uses for disclosure appear in the *Federal Register* for OPM/Central-1 (73 FR 15013, *et seq.*, March 20, 2008).

11. 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. Approximately 3,000 annuitants are reemployed by the Government annually. The information is collected only upon reemployment. No special form is required. We estimate that providing this information takes five minutes. The annual burden is 250 hours and is not expected to vary.

13. There is no cost to the respondent.

14. Government expenditures associated with the hiring of employees vary from agency to agency. We estimate that collecting this information has a minimal impact on agency expenses.

15. There are no changes to the respondent burden.

16. The results of this information collection are not published.

17. Not applicable.

18. There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

This information collection does not employ statistical methods.