

Justification
Certification of Termination of Service and Relinquishment of Rights
 RRB Form G-88

1. Circumstances of information collection - Under Section 2(e)(2) of the Railroad Retirement Act (RRA) (45 U.S.C. 231a), an age and service annuity, spouse annuity, or divorced spouse annuity cannot be paid unless the Railroad Retirement Board (RRB) has evidence that the applicant has ceased railroad employment and relinquished rights to return to the service of a railroad employer.

Under Section 2(f)(6) of the RRA (45 U.S.C. 231a), earnings deductions are required for each month an annuitant works in certain nonrailroad employment termed Last Pre-Retirement Nonrailroad Employment (LPE). The procedures pertaining to the relinquishment of rights by an annuity applicant are prescribed in 20 CFR 216.24.

2. Purposes of collecting/consequences of not collecting the information – Normally, as part of the annuity application process, the employee, spouse, or divorced spouse relinquishes rights and certifies that employment has ended. (See Form AA-1, *Application for Employee Annuity*, OMB No. 3220-0002, and Form AA-3, *Application for Spouse/Divorced Spouse Annuity*, OMB No. 3220-0042.) However, this is not always appropriate.

The RRB uses **Form G-88, Certification of Termination of Service and Relinquishment of Rights**, to obtain an applicant's report of termination of employment and relinquishment of rights under the following circumstances:

- An applicant for an employee (age and service) annuity has not terminated railroad service (still working), or the applicant's date of entitlement will be more than 15 days in the future.
- An applicant for a spouse annuity or divorced spouse annuity has not terminated railroad service (still working).
- An applicant for an employee age and service annuity wants to defer up to 12 months relinquishing his or her rights to return to railroad service.
- An applicant for an employee annuity has asserted a claim before the National Railroad Adjustment Board for reinstatement with pay for time lost.
- An employee disability annuitant is requesting reinstatement of an annuity that was suspended because of excess earnings.
- An employee, spouse, or divorced spouse annuitant is requesting either a reinstatement of an annuity that was suspended because of return to railroad service or an increase in an annuity that was reduced for LPE earnings.

Completion of Form G-88 is self-explanatory. In the majority of cases, the form is mailed to the annuitant by the RRB field office, along with a transmittal letter and a self-addressed return envelope.

The RRB proposes no changes to Form G-88.

3. Planned use of improved information technology or technical/legal impediments to further burden reduction - None planned at this time. Not practicable to automate because form is issued by the RRB with pre-filled data and volume is low.
4. Efforts to identify duplication – To our knowledge, no other agency uses a similar to Form G-88 and this information collection does not duplicate any other information collection.
5. Small business respondents - N.A.
6. Consequences of less frequent collections - 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 29377 of the April 22, 2024, Federal Register. No comments or requests for additional information were received from the public.
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 and proposed burden for this collection are shown below:

Current Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-88	3,600	6	360
Total	3,600		360

Proposed Burden

Form Number	Annual Responses	Time (Minutes) ^{1/}	Burden (Hours)
G-88	20	6	2
Total	20		2

^{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.

	<u>Responses</u>	<u>Hours</u>
Total Burden Change	-3,580	-358
Adjustment	-3,580	-358

13. Estimate of annual cost to respondents or record keepers - N.A.
14. Estimated cost to the Federal Government - N.A.
15. Explanation for changes in burden - Due to improved record-keeping, which allows for more accurate counts, the number of applications filed annually has decreased from 3,600 to 20.
16. Time schedule for date 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. 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 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