

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 3206-0237, RI 38-47 – Information and Instructions on Your Reconsideration Rights

A. Justification

1. *Explain the circumstances of this collection, why this collection is necessary, and the legal statutes that allow it.*

RI 38-47 accompanies certain adverse initial decisions affecting retirement, health benefits, and life insurance matters. Its purpose is not to collect substantive benefit information itself, but to inform affected individuals of their right to request reconsideration and provide the information needed to exercise that right. [5 CFR 831.109].

2. *Describe how, by whom, and for what purpose the information is to be used. Except for a new collection, describe how the agency has made use of the information received from the current collection.*

RI 38-47 is mailed with an initial adverse decision and provides information for an individual to request reconsideration. If this information were not provided, an individual may not have enough information to ask for a review of the initial decision.

3. *How are the respondents expected to complete the collection? Can this collection be completed electronically (e.g., through a website or application).*

This form is available in a PDF format on our website at:
<https://www.opm.gov/retirement-center/publications-forms/pamphlets/ri38-47> to print, complete and mail to: OPM, Legal Reconsideration Branch, 1900 E ST NW., Washington, DC 20415.

The form is also mailed out to the respondent population with an initial adverse decision to complete and return with all applicable items to the address above.

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.*

Respondents initiate the collection. There is no other way to obtain this information.

5. *Does this collection duplicate any other collection of information? Describe why the agency doesn't already have this information within their systems.*

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

6. *Describe any impacts on small business. If applicable, describe any methods used to minimize those impacts.*

The information collection is initiated by persons who have received a decision they consider wrong or adverse to their interests. Less frequent collection would deny them the opportunity to seek redress.

7. *What are the consequences to the Federal program or policy goals if this collection is not done or the information is collected less frequently? Describe any technical or legal obstacles to reducing burden.*

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

8. *Do any of the following special circumstances apply?*

- *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.*

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

9. *Cite the Federal Register publication for a request for public comments and address any comments received.*

A 60-day notice of proposed information collection was published in the *Federal Register* on February 27, 2026, 91 FR 9896, giving persons outside the agency an opportunity to comment. No comments were received.

10. *Are payments or gifts given to the respondent?*

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

11. Describe any assurances of privacy/confidentiality. Cite specific privacy laws, relevant OPM regulations, and SORNs.

This information collection is protected by the Privacy Act of 1974 and OPM regulation (5 CFR 831.106). The routine uses of disclosure appear in the *Federal Register* for OPM/Central-1 (87 FR 5874, *et seq.* February 2, 2022).

12. Are any questions of a sensitive nature asked, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private? If yes, provide justification. 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.

13. Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection. Please specify hourly salary for your respondent audience by referencing [Bureau of Labor Statistics Occupational Employment and Wage Estimates](#) or other alternative wage site, when applicable.

The number of respondents is approximately 3,100. The annual burden is 2,325 hours. It is estimated to take 45 minutes to complete the form.

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
Information and Instructions on Your Reconsideration Rights	RI 38-47	3,100	1	.75	2,325	\$32.66	\$75,934.50

The Total Respondent Cost is \$75,934.50.

14. Describe the non-hourly monetary burden to respondents needed to complete this collection. This is defined as out-of-pocket costs such as application fees for the collection, document fees ([birth/death certificates](#), school transcripts), mailing costs ([printing](#), [postage](#), and/or [mileage](#)), or anything else respondents may need to pay to complete and/or implement the collection.

While OPM provides a courtesy reply envelope for the return of the form, there is a postage and mileage cost to return the form to OPM. USPS estimates that the average driving distance between post offices is around 9 miles. The cost for first class postage in 2026 is \$0.73 totaling a cost of \$2,263. Mileage cost in 2026 at a rate of \$0.725 totals \$20,227.50.

15. Describe the cost incurred by the Federal Government to complete this collection table.

The estimated cost to the Federal government is \$182,300. The cost includes employee salary hours devoted to the collection, forms cost, and overhead.

16. Specify if the data gathered by this collection will be published. This could include Congressional reporting, using respondent numbers in budget justification, or other broad reporting.

The details of this ICR are not published. However, there may occasionally be aggregate data reported, as needed, including in Congressional reporting, budget justifications, or other broad reporting.

17. If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.

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 topics of the certification statement identified in

[“Certification for Paperwork Reduction Act Submissions.”](#)

There are no exceptions to the certification statement.