



RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

Summary: In accordance with the requirement of Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

1. Title and purpose of information collection: Application for Employee Annuity Under the Railroad Retirement Act; OMB 3220-0002.

Section 2(a) of the Railroad Retirement Act (RRA) (45 U.S.C. 231a) provides for payments of age and service, disability, and supplemental annuities to qualified employees. An annuity cannot be paid until the employee stops working for a railroad employer. In addition, the age and service employee must relinquish any rights held to such jobs. A disabled employee does not need to relinquish employee rights until attaining Full Retirement Age, or if earlier, when their spouse is awarded a spouse annuity. Benefits become payable after the employee meets certain other requirements, which depend on the type of annuity payable. The requirements for obtaining the annuities are prescribed in 20 CFR 216 and 220.

To collect the information needed to help determine an applicant's entitlement to, and the amount of, an employee retirement annuity the RRB uses Forms AA-1, *Application for Employee Annuity*; AA-1d, *Application for Determination of Employee Disability*; G-204, *Verification of Workers Compensation/Public Disability Benefit Information*, and electronic Forms AA-1cert, *Application Summary and Certification*, AA-1sum, *Application Summary*, and AA-1 (Internet), *Application for Employee Annuity*.

The AA-1 application process obtains information from an applicant about their marital history, work history, military service, benefits from other governmental agencies, railroad pensions and Medicare entitlement for either an age and service or disability annuity. An RRB representative interviews the applicant either at a field office, an itinerant point, or by telephone. During the interview, the RRB representative enters the information obtained into an on-line information system. Upon completion of the interview, the on-line information system generates Form AA-1cert, *Application Summary and Certification*, or Form AA-1sum, *Application Summary*, a summary of the information that was provided for the applicant to review and approve. Form AA-1cert documents approval using the traditional pen and ink "wet" signature, and Form AA-1sum documents approval using the alternative signature method called Attestation. When the RRB representative is unable to contact the applicant in person or by telephone, for example, the applicant lives in another country, a manual version of Form AA-1 is used.

Form AA-1d, *Application for Determination of Employee's Disability*, is completed by an employee who is filing for a disability annuity under the RRA, or a disability freeze under the Social Security Act, for early Medicare based on a disability. Form G-204, *Verification of Worker's Compensation/Public Disability Benefit Information*, is used to obtain and verify information concerning a worker's compensation or a public disability benefit that is or will be paid by a public agency to a disabled railroad employee. Form AA-1 (Internet) can be completed by the applicant and submitted through the RRB's website at www.rrb.gov. One response is requested of each

respondent. Completion of the forms is required to obtain/retain a benefit. **The RRB proposes no changes to Form AA-1 and Form AA-1 (Internet). The RRB propose a minor editorial change to Form AA-1d to change the date under Section 1 “General Instructions”. The RRB propose the following change to Form G-204: update the title in the Paperwork Reduction Act and Privacy Act Notices to Associate Chief Information Officer for Policy and Compliance.**

Estimate of Annual Respondent Burden

| Form Number | Annual Responses | Time (Minutes) | Burden (Hours) |
|--------------------------------------|------------------|----------------|----------------|
| AA-1 (without assistance) | 35 | 62 | 36 |
| AA-1cert (with assistance) | 7,050 | 30 | 3,525 |
| AA-1sum (with assistance) | 2,415 | 29 | 1,166 |
| AA-1 (Internet) (without assistance) | 3,220 | 45 | 2,415 |
| AA-1d (with assistance) | 2,600 | 60 | 2,600 |
| AA-1d (without assistance) | 5 | 85 | 7 |
| G-204 | 20 | 15 | 5 |
| Total | 15,345 | | 9,754 |

2. *Title and purpose of information collection:* Certification of Termination of Service and Relinquishment of Rights; OMB 3220-0016.

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, earnings deductions are required for each month an annuitant works in certain non-railroad employment termed Last Pre-Retirement Non-Railroad Employment.

Normally, the employee, spouse, or divorced spouse relinquishes rights and certifies that employment has ended as part of the annuity application process. However, this is not always the case. In limited circumstances, the RRB utilizes 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. One response is required of each respondent. Completion is required to obtain or retain benefits. **The RRB proposes no changes to Form G-88.**

Estimate of Annual Respondent Burden

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

3. *Title and purpose of information collection:* Statement of Authority to Act for Employee; OMB 3220-0034.

Under Section 5(a) of the Railroad Unemployment Insurance Act (RUIA) (45 U.S.C. 355), claims for benefits are to be made in accordance with such regulations as the Railroad Retirement Board (RRB) shall prescribe. The provisions for claiming sickness benefits as provided by Section 2 of the RUIA are prescribed in 20 CFR 335.2. Included in these provisions is the RRB's acceptance of forms executed by someone else on behalf of an employee if the RRB is satisfied that the employee is sick or injured to the extent of being unable to sign forms.

The RRB utilizes Form SI-10, Statement of Authority to Act for Employee, to provide the means for an individual to apply for authority to act on behalf of an incapacitated employee and also to obtain the information necessary to determine that the delegation should be made. Part I of the form is completed by the applicant for the authority and Part II is completed by the employee's doctor. One response is requested of each respondent. Completion is required to obtain benefits.

The RRB proposes no changes to Form SI-10.

Estimate of Annual Respondent Burden

| Form Number | Annual Responses | Time (Minutes) | Burden (Hours) |
|-------------|------------------|----------------|----------------|
| SI-10 | 30 | 6 | 3 |

4. *Title and purpose of information collection:* Employee Non-Covered Service Pension Questionnaire; OMB 3220-0154

Section 215(a)(7) of the Social Security Act provides for a reduction in social security benefits based on employment not covered under the Social Security Act or the Railroad Retirement Act (RRA). This provision applies a different social security benefit formula to most workers who are first eligible after 1985 to 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 onset from the first month of eligibility to the first month of concurrent entitlement to the non-covered service benefit and the RRA benefit.

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 a 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 a spouse's Tier I benefit is one-half of the employee's Tier I, the spouse annuity is also affected.

Form G-209, Employee Non-Covered Service Pension Questionnaire, is used by the RRB to obtain needed information (1) from a railroad employee who while completing 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 the Social Security Act; or (2) from a railroad employee when an independently-entitled divorced spouse applicant believes the employee to be entitled to a non-covered service pension. However, this development is unnecessary if RRB records indicate the employee has 30 or more years of coverage; or (3) from an employee annuitant who becomes entitled to a pension based on

employment not covered under the Railroad Retirement Act or the Social Security Act. One response is requested of each respondent. Completion is required to obtain or retain benefits. **The RRB proposes no changes to Form G-209.**

Estimate of Annual Respondent Burden

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

Additional Information or Comments: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Kennisha Tucker at (312) 469-2591 or Kennisha.Tucker@rrb.gov. Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-1275 or emailed to Brian.Foster@rrb.gov. Written comments should be received within 60 days of this notice.

Brian Foster,
Clearance Officer.

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