



## **RAILROAD RETIREMENT BOARD**

### **Proposed Collection; Comment Request**

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 to Act as Representative Payee; OMB 3220-0052.

Under Section 12 of the Railroad Retirement Act (45 U.S.C. 231k), the Railroad Retirement Board (RRB) may pay benefits to a representative payee when an employee, spouse or survivor annuitant is incompetent or is a minor. A representative payee may be a court-appointed guardian, a statutory conservator or an individual selected by the RRB. The procedures pertaining to the appointment and responsibilities of a representative payee are prescribed in 20 CFR 266.

The forms furnished by the RRB to apply for representative payee status, and for securing the information needed to support the application follow. RRB Form AA-5, *Application for Substitution of Payee*, obtains information needed to determine the selection of a representative payee who will serve in the best interest of the beneficiary. RRB Form G-478, *Statement Regarding Patient's Capability to Manage Benefits*, obtains information about an annuitant's capability to manage their own benefits. The form is completed by the annuitant's personal physician or by a medical officer, if the annuitant is in an institution. It is not required when a court has appointed an individual or institution to manage the annuitant's funds or, in the absence of such appointment, when the

annuitant is a minor. The RRB also provides representative payees with a booklet at the time of their appointment. The booklet, RRB Form RB-5, *Your Duties as Representative Payee- Representative Payee's Record*, advises representative payees of their responsibilities under 20 CFR 266.9 and provides a means for the representative payee to maintain records pertaining to the receipt and use of RRB benefits. The booklet is provided for the representative payee's convenience. The RRB also accepts records that are kept by representative payee's as part of a common business practice. Completion is voluntary. One response is requested of each respondent. The RRB proposes the following changes to Forms AA-5, G-478 and RB-5:

Form AA-5:

- Question 4: Changed "No – Explain in Item 17" to "No – Explain in Item 18"
- Question 10: Added checkbox for "Care Facility"
- Question 12: Added checkbox for "Wages from employment"
- Question 19: Removed bullet "If the beneficiary begins to receive a public service pension, or there is a change in the amount of the pension" to comply with the Social Security Fairness Act of 2023 and added bullet "If there is any change to the beneficiary's banking information;"
- Page 7: Changed office hours.
- Page 8: Changed last sentence of the Paperwork Reduction Act Notice to "Railroad Retirement Board, ATTN: Bureau of Information Services/Policy & Compliance, 844 N. Rush St., Chicago, IL 60611-1275."

Form G-478:

- Changed last sentence of the Paperwork Reduction Act Notice to "Railroad Retirement Board, ATTN: Bureau of Information Services/Policy & Compliance, 844 N. Rush St., Chicago, IL 60611-1275."
- Question 9: Added "Doctor/Clinic Tax ID" data entry line.

Form RB-5:

- Pages 1 and 8: Changed the office hours, added secure email and website information.

Estimate of Annual Respondent Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
AA-5	3,000		<u>900</u>
Individuals	2,250	18	675
Institutions	750		225
G-478	2,000	6	200
RB-5	15,300		<u>15,300</u>
Individuals	11,475	60	11,475
Institutions	3,825		3,825
Total	38,600		30,600

2. *Title and purpose of information collection:* Supplement to Claim of Person Outside the United States; OMB 3220-0155.

Under the Social Security Amendments of 1983 (Public Law 98-21), which amends Section 202(t) of the Social Security Act, effective January 1, 1985, the Tier I or the overall minimum (O/M) portion of an annuity, and Medicare benefits payable under the Railroad Retirement Act to certain beneficiaries living outside the U.S., may be withheld. The benefit withholding provision of P.L. 98-21 applies to divorced spouses, spouses, minor or disabled children, students, and survivors of railroad employees who (1) initially became eligible for Tier I amounts, O/M shares, and Medicare benefits after December 31, 1984; (2) are not U.S. citizens or U.S. nationals; and (3) have resided outside the U.S. for more than six consecutive months starting with the annuity beginning date. The benefit withholding provision does not apply, however to a beneficiary who is exempt under either a treaty obligation of the U.S., in effect on August 1, 1956, or a totalization agreement between the U.S. and the country in which the beneficiary resides, or to an individual who is exempt under other criteria specified in P.L. 98-21.

RRB Form G-45, *Supplement to Claim of Person Outside the United States*, is currently used by the RRB to determine applicability of the withholding provision of P.L. 98-21. Completion of the form is required to obtain or retain a benefit. One response is requested of each respondent. The RRB proposes the following changes to Form G-45:

- Changed last sentence of the Paperwork Reduction Act Notice to “Railroad Retirement Board, ATTN: Bureau of Information Services/Policy & Compliance, 844 N. Rush St., Chicago, IL

60611-1275.”

- Question 9 (d) and (e): Replaced “checks” with “correspondence” and other minor editorial changes to comply with Executive Order 14247, *Modernizing Payments To and From America’s Bank Account*.

Estimate of Annual Respondent Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
G-45	24	10	4

3. *Title and purpose of information collection: Repayment of Debt; OMB 3220-0169.*

Section 2 of the Railroad Retirement Act (RRA) (45 USC 231a) provides for payment of annuities to railroad employees who are retired due to age or disability and annuities or benefits to their eligible spouses, divorced spouses, and survivors. Section 2 of the Railroad Unemployment Insurance Act (RUIA) (45 USC 352) provides for the payment of benefits to qualified railroad employees who are unemployed, but willing and able to work, and railroad employees who are unable to work due to sickness or injury. When an overpayment of RRA or RUIA benefits has occurred, prompt action is initiated to notify the annuitant or beneficiary of the overpayment and the method by which the debt may be liquidated. The overpayment recovery methods available are cash refund by check, money order, debit card and withholding of annuities or benefits due.

Railroad Retirement Board (RRB) procedures pertaining to RRA annuity and benefit overpayment determinations and recovery are prescribed in 20 CFR Part 255. RUIA procedures pertaining to benefit overpayment determinations are prescribed in 20 CFR Part 340.

When a debt is owed on an RRA or RUIA-related debt, the RRB mails Form DRL-145, *Debt Notice, to the debtor*; a Form G-421, *Repayment Method Form*, for the debtor to indicate how they will repay the debt; a Form G-66 or G-66B, *Your Rights to Review and/or Waiver*, which explains what they can do if they disagree with the amount of the debt; and a Form G-66A or G-66BA, *Rights Request Form*, to request their right to have us review and/or waiver the debt. Completion of Form G-421F is voluntary. The RRB proposes no changes to Form G-421F.

### Estimate of Annual Respondent Burden

Form Number	Annual Responses	Time (Minutes)	Burden (Hours)
Form G-421F (RRA) activity	360	5	30
Form G-421F (RUIA) activity	175	5	15
Total	535		45

*Additional Information or Comments:* To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material or 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](mailto:Brian.Foster@rrb.gov). Written comments should be received within 60 days of this notice.

**Brian Foster,**  
*Clearance Officer.*

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