5.9.1 General

The Railroad Unemployment Insurance Act (RUIA) provides benefits for railroad employees for days of unemployment or sickness (including maternity). If an employee is also entitled to other social insurance benefits for a particular day, the RUIA benefits are limited to the amount by which they exceed such other benefits. All social security benefits and railroad retirement annuities, except the supplemental annuity, are considered "social insurance benefits".

Payments made under the RUIA for period in which the payee was not entitled to receive them, are to be recovered from benefits payable under the RR Act.

RUIA benefits are paid bi-weekly, for up to 10 days per 14-day registration period. Therefore, SUBS has determined that the maximum monthly RUIA rates are as indicated in RCM 5.9.12.

5.9.2 Tolerance

If the RUIA recoverable amount exceeds the accrued annuity by one dollar or less, the claim is processed as though complete recovery has been made. This action allows the first month's annuity payment to be at the full monthly rate.

In such cases, the examiner will line out the amount entered by SUBS and show a sum equal to the accrual through the current certification month on the e-G-259. Forward a Xerox copy of the corrected e-G-259 to SUBS. Indicate "Tolerance Applies" on the form.

5.9.3 Requesting Return Of Funds Transferred To RUIA Account

Occasionally after RUIA payments have been recovered from RR Act benefits, SUBS or RBB finds that the funds should be transferred back to the RR account.

Prepare a new e-G-259 clearance. The amount due the RR account will be shown as a "minus balance." Follow the instructions in RCM 5.9.22 and Appendix A of 5.9 to transfer the funds back to the RR account.

5.9.4 Notifying Subs Of Suspension Or Termination Of Annuity

If the RR annuity is suspended for an indefinite period (e.g., return to RR service) or is terminated for reasons other than death (e.g., recovery from disability), or is canceled, notify SUBS by e-mail using a e-G-115, RR/UI. Provide the effective date of the suspension, termination, or cancellation. The effective date is the month and year the payments should have been stopped, <u>not</u> the date payments were actually stopped if our action was not timely. It may also be necessary to

instruct SUBS to return previously transferred funds to the RR trust fund if an RUIA recovery was for a period that the annuity is no longer payable.

A. RR Overpayment At Suspension or Termination

When an RR overpayment exists at suspension or termination and it cannot be recovered by normal overpayment procedure, show in the e-mail (e-G-115, RR/UI):

1. The annuitant's claim number and SS account number; and,

2. The effective date of the suspension or termination of the annuity; and

3. The reason for suspension or termination; and,

4. The amount of the existing RR overpayment and place an "X" in the following box: "RRA Overpayment. Place 855 stop."

5. In terminated cases, place an "X" in RR Annuity Cancelled.

NOTE: Any RUIA benefits previously recovered, which are now payable because of the suspension/termination of the annuity, must be transferred back to the RR trust fund. Include the date the DAISY system processed the funds transfer of the RUIA recovery. Generally, recovery would have been made at the time of the initial award. Use the voucher date of the award action. SUBS will prepare and forward a G-286 to the Bureau of Fiscal Operations, to transfer the funds back to the RR account.

Make a screen print of the e-mail memorandum for folder documentation.

If the employee subsequently files for RUIA benefits, SUBS will forward a Form UI-17c to determine if the RR annuity overpayments should be recovered from the RUIA benefits. Return the UI-17c to SUBS with the current overpayment information.

An e-G-259 or ROC clearance is required on subsequent RR annuity award actions.

B. No RR Overpayment Involved

If no RR overpayment is involved, show in the e-mail using a e-G-115, RR/UI:

1. The annuitant's claim number and SS Account number; and,

2. The effective date of the suspension or termination of the annuity; and,

3. The reason for suspension or termination; and,

4. In terminated cases, place an "X" in RR Annuity Cancelled.

A request for an "855" stop in the RUIA record is not needed.

Make a screen print of the e-mail for folder documentation.

A e-G-259 or ROC clearance is required on subsequent RR annuity award actions.

5.9.10 RUIA Clearance

To qualify for RUIA benefits, an employee must have earned at least 2.5 times the monthly compensation base in the year before the calendar year in which the "benefit year" begins. Normally, a "benefit year" begins each July 1, and ends the following June 30.

RUIA benefits are paid bi-weekly, for up to 10 days per 14-day registration period. SUBS has determined that the maximum monthly RUIA benefits are as indicated in RCM 5.9.12.

5.9.11 Types Of RUIA Clearance

RASI employee cases are electronically cleared with SUBS.

5.9.12 Clearance In Retirement Annuity Awards

RUIA clearance is required in the following types of cases:

A. Initial Certification

RASI cases are cleared mechanically. When RASI cases are dumped before a partial or final award, an RUIA pre-clearance has been processed in age and service cases. Specific numerical codes are shown on REQUEST Screen 12 if additional RUIA clearance is required. In these cases, if any code other than "1" is shown in the "BUSICLR" field of Screen 12, see RCM 9.1.26D for an explanation of the numeric codes and action to be taken. If "NO REC" is shown, refer to RCM 5.9.14.

For ROC awards, request clearance using the Retirement On-Line Calculations (ROC) RUIA Clearance Screen PF17. Refer to RCM 16.4.37 on completion of the screen. See RCM 5.9.12D for securing clearance for PC awards and specials.

B. Rate Adjustments or Reinstatements (including One-Payment-Only and Annuities Unpaid at Employee's Death after Initial Award)

RUIA clearance is required if the employee or spouse worked for an employer during, or after, the year in which the adjustment or reinstatement is effective, or during any of the 3 years preceding that year and any of the following applies:

1. The annuity is not payable for one or more months in the accrual period; or

2. There is an open RUIA debt on the Program Accounts Receivable System (PARS); or

3. A change is being made in the ABD; or

4. A "0" response, a "NONE" response, or a money amount to recover what was previously received from SUBS; and a change is being made retroactive to the annuity beginning date, whether increase or decrease.

   Exception 1 - RUIA clearance is not required when the annuity is being increased under the O/M solely because of an election by a spouse age 62-64.

   Exception 2 - If there is no open RUIA debt on the PARS system AND in a previous RUIA clearance the RR annuity rate indicated on the RUIA clearance exceeded the maximum monthly RUIA benefit, a subsequent RUIA clearance is not required when the RR annuity rate increases.

   RUIA benefits are paid bi-weekly for up to 10 days per 14-day registration period. The maximum monthly RUIA benefit rate is 21.45 times the maximum daily benefit rate, as follows:

RUIA Benefit Year Begins	**Maximum Monthly RUIA Benefit**
7-1-2008	$1308
7-1-2007	$1265
7-1-2006	$1222
7-1-2005	$1201
7-1-2004	$1201
7-1-2003	$1179
7-1-2002	$1115
7-1-2001	$1072
7-1-2000	$1029
7-1-1999	$ 986
7-1-1998	$ 944
7-1-1997	$ 922

7-1-1996	$ 901
7-1-1995	$ 772
7-1-1994	$ 772
7-1-1993	$ 708
7-1-1992	$ 708
7-1-1991	$ 665

5. A "No RECORD" or "NONE" response was previously received from SUBS (mechanical or ROC) and an UI-17c notice from SUBS is subsequently received. See RCM 5.9.40 for action to be taken if a SUBS notice is received.

Some examples of RUIA clearances are:

Example 1: Employee's DLW in RR 6-1-92. ABD is 5-1-96. He returned to RR service in 1998 and 1999. The EE does not work for an employer in the 3 years preceding the ABD. However, RUIA clearance is required when the annuity is reinstated after the return to railroad service.

Example 2: Employee awarded an annuity with the ABD of 5-1-96. DLW in RR service is 6-30-95 and he has had no RR service since. His annuity was adjusted 6-1-99 to change his ABD to 7-1-96. RUIA clearance is required because EE had RR service within the 3 years preceding the effective date of his adjustment and there was a change in the ABD.

Example 3: Employee DLW RR service 7-1-99. His ABD is 7-2-99. His annuity was suspended effective 9-1-99 to recover an overpayment. His annuity was reinstated at the same rate effective 9-1-99. RUIA clearance is not required. Although EE had RR service in the 3 years preceding the effective date of his adjustment, his annuity was reinstated at the same rate and was payable for all months.

Example 4: The employee was paid initially on 2-3-99 with the mechanical award form showing "NO REC" in the "RUIA RECOVERY" Block. On 5-16-99, a notice from RUIA is received showing RUIA clearance is required. On any subsequent award actions, RUIA clearance will be necessary.

C. Retirement Annuities Due When Employee Died

RASI will process an RUIA pre-clearance mechanically. After the employee dies, a RASI case must be removed from the RASI master pending file. If REQUEST Screen 11 does not show "MAN DROP," submit a 991 to dump the case from RASI. RUIA clearance is required for

survivor awards of accrued retirement annuities if any of the following apply:

1. Any code other than "1-NO REC" is shown in the "BUSI CLR" field of REQUEST Screen 12 (see RCM 9.1.26D for an explanation of the codes and action to be taken in these cases); or

2. A current G-90 has either an "X" in the UI-87 block or the message: "UI-87 STOP: BUSI CLEARANCE REQUIRED," or a notice is received from RUIA indicating that RUIA clearance is required, (see RCM 5.9.41).

RUIA re-clearance is required if the initial accrual check is returned and the amount of the accrual covering the period of the RUIA overpayment changes. In addition, if a residual is payable and the initial accrual check is returned, see RCM 2.9.11.

D. Securing Special RUIA Clearances

Situation 1: RASI or ROC has initiated the clearance already and now the case has become a special.

Normally RASI clearance takes 3 evening computer runs for RASI to request, SUBS to process, and RASI to receive the response. ROC clearances only take 1 evening run. If the RUIA clearance request is referred out for manual reentry in SUBS, this process will take longer.

Process as follows: e-mail (e-G-259) SUBS Mail Box thru your Senior Examiner or Manager. Tell them we are tracing a RASI or ROC request and give them the request date. Provide rates and effective dates. SUBS needs to know this system request is out there and that our special request is a duplicate.

Situation 2: RASI or ROC has not initiated any clearance.

Process as follows: e-mail (e-G-259) SUBS MailBox thru your Senior Examiner or Manager and provide the rates and effective dates. Let SUBS know that you need same day service (only for extremely rare cases) or whether "normal special processing" can be used (clearance by the next a.m.). By letting SUBS wait until the next a.m., they may not have to do manual calculations. The program will do the calculations, which could prevent math errors.

Situation 3: PC award forms.

Process as follows: e-mail (e-G-259) SUBS MailBox through your Senior Examiner or Manager and provide the rates and effective dates. Let them know whether it is special or normal processing.

In extreme dire need cases, the Senior or Manager should call either the Chief or Assistant Chief of Sickness and Unemployment Benefits Section.

E. Changing Annuity Beginning Date To A Later Date

Once an RRA application pays partial, any RUIA benefits must cease. Or, may not cease but only be reduced if the RUIA benefits exceed the apportionable amount of the annuity. If the employee requests a later annuity beginning date (or other circumstances in the case require us to establish a later annuity beginning date), then unemployment or sickness benefits may be due for the months between the original and revised annuity beginning date.

1. Initial action by RRA adjudication unit when later annuity beginning date (ABD) is established:

   - When a later ABD is established, the adjudication unit should recalculate the annuity rates and request RUIA clearance by preparing and sending SUBS an e-G-259. Show the period the annuity is not payable because of the later ABD and show in the remarks "Change to a later annuity beginning date." If the change was due to something that might affect entitlement to unemployment or sickness benefits (such as a settlement or additional work performed) mention that in the remarks as well.

2. Action by SUBS when clearance request received:

   The following unemployment or sickness benefits for the period between the original and the revised ABD's may now be payable:

   - Benefits paid to the beneficiary but recovered when the annuity was awarded,

   - Benefits denied because the annuity had been awarded, and

   - Benefits the beneficiary did not submit a claim form because the annuity had been awarded.

   If only the first two types are involved, SUBS can process the clearance request as usual and advise the RRA unit of the RUIA credit. However, if there are one or more claim periods for which the beneficiary did not submit a claim form, SUBS must release claim forms to the beneficiary to determine the RUIA credit for those periods. In such cases, the SUBS examiner handling the case will call the RIS Supervisor to inform him/her that claim forms have been released. The SUBS examiner will report the RUIA credit amount established so far and state the periods for which claim forms have been released. Once the forms have been

returned, the SUBS examiner will call the RIS Supervisor regarding any additional RUIA credit amount.

3. Subsequent action by RRA unit.

In cases where SUBS does not need to release claim forms, the RRA unit will consider the RUIA credit in determining the net overpayment amount and will use ROC and ORCS to handle the annuity adjustment and overpayment notification as usual.

In cases where claim forms have been released, the RRA unit will adjust the annuity based on the new ABD, transferring the RUIA credit amount that has been established so far, and send an ALTA adjustment letter containing code paragraph 194.2. The paragraph advises the annuitant that RUIA claim forms have been or will be released to him/her, that the forms should be returned within 30 days, and that any additional RUIA amounts due will be used to reduce the annuity overpayment resulting from the later ABD.

Example: An employee files for an age and service annuity pending a determination on the disability annuity, claiming dire need. It will be sometime before all medical records can be secured. AA-1 shows a reduced annuity would be accepted if rated not disabled and statement from annuitant requests this action. Partial payment (partial ABD 10-01-00) has been set up and RUIA clearance has been requested (RUIA benefits will be stopped as of clearance date). Partial payment has been paid with RUIA recovery. RASI now pays employee final with an annuity beginning date of 07-01-00. RUIA clearance is requested again and any reported recoverable amount is withheld.

The employee has now been rated disabled with an annuity beginning date of 12-01-00. The RRA annuity now has an overpayment due to the later ABD.

An e-G-259 is released to SUBS showing the new ABD and rates. SUBS will call the RIS Supervisor to report an RUIA credit of $xxx.xx established so far and advice whether any RUIA claim forms have been released. The annuity is recertified to reflect the new ABD and RUIA credit. An ALTA letter with code paragraph 194.2 will be released to the annuitant advising that additional RUIA benefits that were previously denied may be used to reduce the RRA overpayment. The ALTA paragraph explains that RUIA claim forms will be released and that (s)he has 30 days in which to file these claims. Once claims are filed, SUBS will report any additional RUIA benefits that are payable to the RIS Supervisor and the amount will be applied to the annuitant’s RRA overpayment.

The above example deals with disability annuities, but a later ABD established for a retirement annuity would be handled the same way.

5.9.13 RUIA Clearance For Survivor Benefits

When submitting a claim for payment of an insurance annuity, LSDP or RLS payment, examiners are required to check FSIS for any active RUIA debt, and MACRO and the SURPASS wage record UI-87 indicator for any uncollectible RUIA debt. If an overpayment is indicated, send an e-mail to the SUBS MailBox. See Office of Programs, Instructional Memorandum 00-02, dated June 1, 2000 for accessing SUBS MailBox.

EXCEPTION: Forward any cases, in which a widow(er)'s annuity is payable to a widow(er) who worked in the railroad industry within the last three years, to the Operations Analyst in SBD indicating on the route slip, "Dual annuitant/RUIA clearance."

Active RUIA debts are shown on the RUIA Claim Information screen (RUIA2) of FSIS (Field Service Inquiry System). If there is an active debt, an amount will be shown under the heading "Balance" in the "RUIA Debt" section of the screen.

Uncollectible RUIA debt information is displayed on MACRO (Master and Clearance Records On-Line). Follow these steps once you have accessed MACRO from the RRAPID Main Menu by selecting "85". Enter the employee's social security number on the MACRO Main Menu and press PF11. On the Inquiry Menu screen, press PF20 to go to the Account Ledger screen. If there are any uncollectible RUIA debts, an "Uncollectible Debts" amount will be shown under "Balance" at the bottom of the screen.

NOTE: After checking MACRO, examiners will need to check the SURPASS wage record UI-87 indicator (during the payment process) for any old uncollectible RUIA debt, which has not been posted. If the UI-87 indicator is "X-ed", send an e-mail to the SUBS MailBox.

If no response is received within five working days, trace via a phone call to the Assistant Chief of Sickness and Unemployment Benefits Section.

5.9.14 "No Record/None" Responses From RUIA

If RUIA does not have a current payment record for RUIA benefits from the employee, a "NO RECORD" response will be given in the RASI clearance process or "NONE" in the ROC clearance process.

A. EDP Cases - In RASI cases a pre-clearance is requested from RUIA. If SUBS has no current RUIA payment record for the employee, the following will be shown:

1. Case Paid On RASI - If the case was paid on RASI, "NO REC" will be printed in the "RUIA RECOVERY" block of the mechanical award form (Form G-354r), or REQUEST Screen 12, "BUSI CLR" will be code 1-No REC.

2. Case Dumped Off RASI - If the case was dumped off RASI before it could be paid, the field "BUSI CLR" on REQUEST Screen 12, will be code 1-No REC.

B. ROC Cases - If SUBS has no current RUIA payment record for the employee, clearance will be returned showing "NONE" on ROC'S PF17 screen (BUSI).

NOTE: If the awards accrual is less than the RUIA O/P, handle in accordance with RCM 5.9.23.

In both A & B above, no further RUIA clearance is necessary on succeeding award actions, unless a current G-90 has an "X" in the UI-87 block or a RUIA notice (UI-17c) is received (see RCM 5.9.42).

5.9.15 Access To MACRO's RUIA Summary Screen

In order to expedite payment of delayed claims or special claims in retirement cases, the retirement initial section manager has "read only" access to MACRO's RUIA Summary Screen.

To access the MACRO screen, sign on to the RRAPID database. Choose "83" "UPC" from the RRAPID menu.

Then type in the SSA number of the case and press PF 20. The system will respond as follows:

A. No Record - If the requested SSA account number is not found on the MACRO database, the message "SOCIAL SECURITY NUMBER IS NOT ON MACRO" will be displayed. Double check these records to be sure the SSA account number was entered correctly. A "SOCIAL SECURITY NUMBER IS NOT ON MACRO" response indicates that SUBS does not have a current RUIA payment record.

This type of case is similar to a "NO RECORD" response (see RCM 5.9.11). However, if the case was dumped from RASI before a RASI pre-clearance, ("BUSI CLR" on REQUEST screen 12 is code "7") it is necessary to send for RUIA clearance via the ROC system.

B. Record Found - If the SSA account is found on the MACRO database, the screen will then display the most current RUIA benefit year for that SS number. To view the previous benefit year record, if any, press PF 7. If

there is no active previous benefit year record, the screen will remain the same. To return to the latest benefit year record, press PF 8.

To request a printout for the RUIA benefit year, press the "PRINT SCREEN key. The printout will be produced at your regular printer. File the printout in the claim file.

If records of additional cases are needed, press the "CLEAR" key. The next social security number can then be typed and entered by pressing PF 20.

After you are finished using the MACRO RUIA SUMMARY RECORD, press the PA 2 key to exit the system.

5.9.16 Explanation Of The Items On The MACRO RUIA Summary Record Screen

This is a summary of the items found on the TPO inquiry screen.

Item/Information

A. Social Security Number - The social security number is at the upper middle of the screen.

B. BUSI BY (Benefit Year) - This entry is above the claim number. It shows the RUIA benefit year. For example: "BY 1999"

C. Record Begin/End - This entry is next on the top line. It gives the date the RUIA benefit year begins and the ending date of the benefit year.

For example: "BEGIN 040599 END 063099"

Normally, the benefit year begins July 1, and ends the following June 30. There are exceptions when a year involves extended benefits or accelerated benefits. Check to see if the ending date of the latest benefit year is later than the ABD.

D. Name and Address - The name and address are shown to the left of the SSN.

For example: "NM/ADDR 051693"

Compare the name and address to the current name and address and effective date on the RRA application or payment records. If both addresses are current, they should be the same. If RBD has a later address, advise SUBS of the address change in the "Remarks" section of ROC's RUIA Clearance Screen.

E. Stop Notices - Stop notices are located on the left side of the screen four lines below the city/state line. If there are no active stops on record, this item is blank. Otherwise, the active stop is displayed under "STP".

For example: A stop notice may be displayed as:

STP BEN	BEGIN	END
790 11	120691	042293

Do not be concerned about "stop notices," other than an active "701" stop notice, indicating benefits paid under the RRB's Title VII program. Most of the "701" stop notices should have ended by 1990.

F. SOC AMT - Social insurance records are located to the right of the stop notices, if any. The RUIA defines the term "Social Insurance Amount" to include the employee's social security benefit or railroad retirement annuity (except for the RRB supplemental annuity). If there are no active social insurance records, this item will be blank.

1. Railroad Retirement Annuity - -The RR annuity rate from a previous mechanical RASI RUIA clearance or ROC RUIA clearance will be displayed in this item with a code "11" under type (TYP).

For example:	SOCAMT	TYP	BEGIN	END
	$ 941.23	11	070199	113099
	$ 957.64	11	120199	999999

2. Social Security Benefit - A social security benefit will be displayed in this item with a code "33" under TYP. Note that the retirement annuity tier 1 should be offset for the social security benefit.

For example:	SOCAMT	TYP	BEGIN	END
	$1200.00	33	100199	999999

3. Military Service Pension - Military service retirement pay will be displayed in this item with a code "55" under TYP and the dates of the pension payments under BEGIN/END. If the dates that the employee performed the military service (refer to the proof of military service) extended past 1-1-1957, the military service retirement pay has no affect on the railroad retirement annuity. However, military service performed entirely before 1-1-1957 cannot be used as "wages" if another federal agency is paying retirement benefits based on the same military service.

For example:	SOCAMT	TYP	BEGIN	END
	$ 1200.00	55	100199	999999

4. Worker's Compensation - If you are adjusting a disability annuity, also note any type "77" social insurance payments. This indicates that the employee is receiving worker's compensation.

For example:	SOCAMT	TYP BEGIN	END
	$ 2000.00	77 070199	999999

If information on the annuity application or in the RBD claim file does not indicate the worker's compensation, develop Form G-214, "Worker's Compensation and Public Disability Benefit Questionnaire."

5.9.17 Using MACRO To Expedite Retirement RUIA Clearances

A ROC-BUSI clearance is required if the ending date of the latest RUIA benefit year posted on MACRO for this beneficiary is later than the ABD and any of the following applies:

A. No RR Annuity Rate - No RR annuity rate is indicated on MACRO; or,

B. Change in RR Annuity Rate - A RR annuity rate is indicated on MACRO but you are changing the RR annuity ABD; or, Change in RR Annuity Rate Less Than Maximum RUIA Benefit.

C. The RR annuity rate displayed on MACRO is less than the maximum RUIA benefit for that rate break (see RCM 5.9.12) and you are recertifying the RR annuity rate; or,

D. Outstanding RUIA Overpayment - There is an outstanding RUIA overpayment on the PARS under the same RRB claim number; or,

E. RUIA Stop Notice - The RR annuity ABD is before the ending date of the "701" stop and the begin and end dates of the "701" stop cover more than one month; or,

F. UI-87 Earmark - There is a "Y" in the "UI-87 Earmark" field of the Employment Data Maintenance (EDM) screen EDMID102, "Employee Service and RUIA Information."

Refer to RCM Part 16.4.37, "ROC RUIA Clearance". The retirement examiner must hold these types of retirement annuity awards until SUBS completes the additional offset or credit sections.

5.9.20 Approval Of Award Before RUIA Received

A ROC retirement award requiring RUIA clearance as explained in RCM 5.9.12 should not be processed until BUSI clearance (ROC) or Form e-G-259 is received. Refer to RCM 5.9.12D and 5.9.17 for exceptions for delayed claims.

Survivor cases requiring RUIA clearance as explained in RCM 5.9.13 should not be processed until Form e-G-259 is received.

5.9.21 Transfer Of Funds To The RUIA Account

In retirement cases, refer to RCM 5.9, Appendix A and in survivor cases, refer to RCM 16.9.32(C) for procedures on using the RUIA boxes to mechanically transfer funds to the RUIA account.

Possible problems with funds transfer are discussed in RCM Part 11, Form UI-17c Instructions.

5.9.22 Action When "Minus" Balance Shown On e-G-259

When an e-G-259 is received showing a larger amount under "previously requested" than under "total," SUBS will have shown a figure preceded by the word minus under additional offset or credit. The minus balance represents the difference between the amount previously deducted and the overpayment amount now reported as correct.

After checking the folder to determine if the amount previously requested has been deducted, take the following action:

A. Retirement Cases - Using the Retirement On-Line Calculation (ROC) Additional Amounts - Screen 20, enter the minus amount on the RUIA recovery line. Use code paragraph 195 in the adjustment letter.

B. Returned Retirement Annuity Due But Unpaid At Death - If an adjustment is being made in employee annuities previously awarded and the payment is returned, enter in the previous payments section of the Annuity Rate Payment Summary - Screen 15 of ROC the previously requested RUIA amount. The minus amount should then be entered on ROC - additional amounts - Screen 20. A modification of code paragraph 195 is required.

C. Survivor Cases (Other Than a Returned Retirement Annuity Due But Unpaid At Death) - A minus balance cannot be transferred on a survivor award.

   Use SURPASS (Transfer of Funds Only) to return the funds to the RR account.

5.9.23 One Month Extension Of Annuity Accrual Insufficient To Recover RUIA Payment

A. Notifying Annuitant - When a claim is being initially certified or reinstated and extension of the accrual period for one month is not sufficient to recover RUIA payments, prepare Form Letter RL-169 for release to the applicant. Advice the applicant that his/her annuity payments will be withheld until the RUIA amount has been recovered. Also inform him/her that he/she may refund the amount in cash, if he/she wishes.

   Include with the letter any explanatory paragraphs and enclosures required.

B. Coding Action - Code the case for call-up on the first day of the month before the month in which the amount will be recovered in full (e.g., if the amount can be fully recovered during November, 1999, code the case for call-up for October 1, 1999). Also prepare a G-183 showing the claim was disallowed because the RUIA deduction exceeds accrual and route to coding to close out application.

C. Applicant Protests Withholding Of Annuity - If the applicant protests the withholding of his annuity, and insists on an actuarial reduction or partial withholding, determine if either is applicable. If reducing actuarially, enter the full amount of the RUIA overpayment under "Additional Amounts - Non Taxable Amt" on Screen 20 of ROC (Retirement) or "Additional Amounts - Non-Taxable Amt" on the SURPASS (Survivor) Additional Amounts/Recovery Amounts, Screen 17. Use the RUIA recovery items of the award to transfer the full RUIA overpayment to SUBS.

   Do not enter this amount in Accounts Receivable.

   Send any other protests to SUBS for reply.

   If reducing by partial withholding, follow regular procedure.

5.9.24 Action When Award Not Approved

When a claim containing a completed Form e-G-259 or BUSI clearance via ROC is not approved (by the authorizer) for payment or reinstatement of payments, determine whether the claim is to be re-submitted for approval.

A. Claim Is Not Re-Submitted For Approval - Type the words "Cancel Previous Clearance" on the copy of Form e-G-259 or in the remarks section of the BUSI Clearance - Screen 17. Return e-G-259 to RUIA, Claims Clearance Section or resubmit ROC clearance to SUBS. Show under comments or remarks the reason for return of the forms; e.g., "Applicant's claim denied" or "Applicant not entitled to annuity after (date)."

B. Claim Is Re-Submitted For Payment - A new clearance is only required when:

1. A claim re-submitted for payment shows a new ABD or change in monthly rate; or

2. A claim re-submitted for reinstatement shows that the months for which the annuity was not payable are different from the months shown on the previous clearance.

5.9.40 UI-17c

When annuity payments are in force and there are RUIA benefits to be recovered, SUBS or DRD notifies RBD via a UI-17c. When notice is received, recover the overpayment according to usual overpayment procedure.

5.9.41 UI-87, Stop Notice

When an amount is recoverable under the RUIA and there are no immediate prospects for recovering the overpayment, SUBS prepares a RUCS detail making the debt as unrecoverable. This causes the UI-87 stop notice to be created. These stop notices appear on Form G-90 in item 3L "Earmarkings" and on Form RR-90 in item 9 as an "X" in the UI-87 box.

When notification of a stop notice UI-87 is matched with the folder, the folder is sent to the appropriate adjudication unit. If the notification shows that the UI-87 should be cancelled, line out the notation "UI-87" on the G-90 or RR-90. If the UI-87 should NOT be cancelled, check the "UI-87" box on the G-90 or RR-90. In either case, file the notification from SUBS in the folder.

When the UI-87 box is checked on the Form G-90 take action outlined in A through D.

A. Employee Annuity Application - Submit an e-G-259 clearance to SUBS and recover any RUIA overpayment under regular procedure.

Note: When a G-90 with a UI-87 stop notice or a memorandum requesting that a UI-87 notation be made is matched with the folder after the annuity has been certified, release Form e-G-259 to SUBS. Recover any RUIA overpayment according to usual overpayment procedure including due process.

B. Survivor Claims - When the UI-87 notation is shown on the G-90 certification form, prepare and release a Form e-G-259 clearance to SUBS. When the required information is received, prepare the claim for certification. The amount of the erroneous RUIA payment will be

deducted from the benefits due. If the payment is being made to more than one beneficiary, deduct the erroneous payment proportionately.

When an insurance annuity is being awarded and the accrual is not sufficient to recover the overpayment, extend the accrual period until full recovery can be made. If the accrual is smaller than the recoverable amount by one dollar or less, see RCM 5.9.2. In such cases release a letter, patterned after RL-169 to the applicant.

C. Abandoned Claims And Cases In Which Application Not Required - Prepare and release an e-G-259 clearance to SUBS when the UI-87 notation is shown on the G-90 or RR-90 in any case in which:

1. A claim for an LSDP has been filed but subsequently abandoned; or

2. An application for lump-sum is not obtainable; or

3. An application is not required because the erroneous payment exceeds the amount of the lump-sum that may be payable.

If additional proof of death is required, request it from the Field Office by e-mail.

If the e-G-259 is returned showing no erroneous payment to be recovered, file all e-G-259's in the folder and take no further action.

When the e-G-259 is returned showing the amount to be recovered, prepare a "transfer of funds only" award as described in RCM 16.9.32(C).

D. Cases In Which No Benefits Are Payable - If no benefits will ever be payable and an erroneous RUIA payment is outstanding, notify the Claims Clearance Section of SUBS to that effect by memorandum to the Chief of Sickness and Unemployment Benefits Section, SUBS.

5.9.43 Replying To Form UI-65

When Form UI-65, "Certification Respecting Benefits Due But Not Paid At Death" is matched with the folder, complete "Part B - Certification" to the extent possible using the information in the claim file. (Refer to RCM Part 11 Form UI-65 Instructions.) Return the original copy of Form UI-65 to the Chief of Sickness and Unemployment Benefits Section, SUBS. File the copy on the right side of the claim folder.

5.9.44 Replying To Form UI-17c

When Form UI-17c, "Request From BUSI for Annuity Information" is received, refer to RCM Part 11, Form UI-17c instructions.

Return the original copy of Form UI-17c to the Chief of Sickness and Unemployment Benefits Section, SUBS. File a copy on the right side of the claim folder.

Appendices

Appendix A - Transfer Of Funds To The RUIA Account

Funds transfers may be made as part of an award or as a separate action. A transfer-of-funds-only action may be used when funds were already repaid or withheld, but the funds were not transferred from the RR Account to the RUIA Account.

If RUIA clearance was obtained via ROC, the system updates the ROC database automatically in the following fields:

- Deduction Amounts, if there is an RUIA recovery; or
- Additional Amounts, if there is an RUIA credit.

If clearance was obtained via RASI or e-G-259, the examiner should update ROC as follows on the next page:

ROC Screen	PF Key	Field Name	Data Entry
General Information	PF3	Type Certification	If the only action is to tranfer funds, use code 6-OPO General.
General Information	PF3	Miscellaneous Payment Info	If the only action is to transfer funds, use code 9 Transfer of Funds Only.
Additional Amounts	PF20	RUIA Credit	If SUBS shows a negative amount for "recovery," UI or SI payments are due.

			Enter the amount in the RUIA Credit field without a minus sign.
Additional Amounts	PF20	Nontaxable Amount	If the only action is to transfer funds, enter the amount of the RUIA Recovery (the net amount paid and net overpayment will be zero).
Deduction Amounts	PF13	RUIA Recovery	If SUBS shows a positive amount for recovery, enter the amount in the RUIA Recovery Field.
Final Rates and Accrual Summary	PF16	Type Payment	If the only action is to transfer funds, use code 1-Reg Ann.