

Supporting Statement for VA Form 21-4709
Certificate as to Assets
(2900-0107)

A. Justification

1. The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers an integrated program of benefits and services established by law for veterans, service personnel, and their dependents and/or beneficiaries. 38 U.S.C. 5502(b) requires VA supervision of benefits paid to fiduciaries on behalf of beneficiaries who are incompetent or under legal disability. Supervision includes a requirement that the fiduciary account periodically for the funds he/she has received. Accountings may also be required by State laws as well as Federal law and regulations. Regulatory authority is found in 38 CFR 13.100 and 13.104.
2. VA Form 21-4709 is used to verify investments in savings, bonds, and other securities reported by the fiduciary as part of the beneficiary's estate. The information is used by estate analysts employed by VA to audit accountings of fiduciaries.
3. VA Form 21-4709 is available on the One-VA web site in a fillable electronic format. VBA is currently hosting this form on a secure server and does not currently have the technology in place to allow for the complete submission of the form. Validation edits are performed to assure data integrity. Efforts within VA are underway to provide a mechanism to allow the information to be submitted electronically with a recognized signature technology. There currently is no utility process in place that will allow the data submitted on the forms to be incorporated with an existing centralized legacy database. Veterans Online Applications (VONAPP) allows applicants to view, print, and submit applications electronically to VBA. However, because the estimated total usage of this form is low, it is not one of the forms currently scheduled to be added to VONAPP. The Department will reconsider adding this form to VONAPP when the resources become available or if usage of this form becomes greater.
4. Program reviews were conducted to identify potential areas of duplication; however, none were found to exist. There is no known Department or Agency which maintains the necessary information, nor is it available from other sources within our department.
5. This collection involves small businesses only to the extent that a professional guardianship service or a professional guardian who is incorporated has been recognized by VA as the fiduciary for an individual VA beneficiary. The form is available on the One-VA web site in a fillable electronic format. There is no major impact on these entities.
6. This form is used only in connection with accountings by fiduciaries of beneficiaries' funds. Without verification of assets allegedly purchased by the fiduciary on behalf of the VA beneficiary, audits would be less useful in preventing waste, fraud and abuse. Less frequent collection of the information would result in increased vulnerability of beneficiaries' funds.

7. There is no special circumstance requiring collection in a manner inconsistent with 5 CFR 1320.6 guidelines.

8. The Department notice was published in the Federal Register on May 19, 2008, Volume 73, Number 97. No comments were received.

9. No payments or gifts to respondents have been made under this collection of information.

10. The records are maintained in the appropriate Privacy Act System of Records identified as 37VA27, "VA Supervised Fiduciary and Beneficiary Records - VA" as set forth in Privacy Act Issuances, 2001 compilation.

11. There are no questions of a sensitive nature.

12. Estimate of Information Collection Burden.

a. Number of Respondents is estimated at 4,316 per year.

b. Frequency of Response is annually for most beneficiaries.

c. Annual burden is 863 hours.

d. The estimated completion time of 12 minutes is based on review by staff personnel and previous usage of this form.

e. The total estimated cost to respondents is \$12,945 (863 hours x \$15 per hour).

13. This submission does not involve any record keeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs \$ 12,360

(GS-9/5 @ \$26.13 x 4,316 x 5/60 minutes = \$ 9398)

(GS-3/5 @ \$13.73 x 4,316 x 3/60 minutes = \$ 2962)

b. Printing and production cost \$200

c. Total cost to government \$12,560

15. There is no change in the reporting burden.

16. The information collection is not for publication or tabulation use.

17. The collection instrument, VA Form 21-4709, may be reproduced and/or stocked by the respondents and veterans service organizations. This VA form does not display an expiration date, and if required to do so would result in unnecessary waste of existing stocks of this form. This form is submitted to OMB every 3 years. As such, this date requirement would also result in an unnecessary burden on the respondents and would delay Department action on the benefit being sought. VA also seeks to minimize its cost to itself of collecting, processing and using the information by not displaying the expiration date. For the reasons stated, VA continues to seek an exemption that waives the displaying of the expiration date on VA Form 21-4709.

18. This submission does not contain any exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

This data collection does not employ statistical methods.