

Supporting Statement for VA Form 21-0792
Fiduciary Statement in Support of Appointment
(2900-0670)

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. Information is requested by this form under the authority of Title V of the Veterans Benefits Improvement Act of 2004 (Public Law No. 108-454).
2. VA Form 21-0792 will be completed by individuals who are seeking to be appointed as fiduciaries of VA beneficiaries. The information will be used by VA field examiners to determine whether an individual is an appropriate fiduciary for a VA beneficiary and make an inquiry into his or her credit and criminal background.
3. VA Form 21-0792 will be available on the One-VA web site in a fillable electronic format. VBA is currently hosting forms 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 form 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, VA Form 21-0792 is not one of the forms scheduled to be added to VONAPP. The Department will reconsider adding the form to VONAPP when the resources become available.
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. The collection of information does not involve small businesses or entities.
6. The form is used to collect the information that is necessary to appoint the appropriate fiduciary for a VA beneficiary. Public Law No. 108-454 requires VA to consider a potential fiduciary's credit and criminal background in evaluating his or her qualifications to become a VA fiduciary. Without this collection of information, VA may be negligent by appointing an inappropriate fiduciary. Consequently, VA would be required to re-issue misused benefit payments which would cause additional cost to the government.
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 October 15, 2008, page

61195. There were no comments received in response to this notice.

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 58VA21/22/28, "Compensation, Pension, Education and Rehabilitation Records - VA" as set forth in Privacy Act Issuances, 1993 compilation found in 42 Fed. Reg. 49726 (9/27//1977).

11. There are no questions of a sensitive nature.

12. Estimate of Information Collection Burden.

a. Number of Respondents is estimated at 7,500 per year.

b. Frequency of Response is one time for most beneficiaries.

c. Annual burden is 1,875 hours.

d. The estimated completion time of 15 minutes is based on review by staff personnel and previous usage of forms requesting similar information.

e. The total estimated cost to respondents is \$28,125 (1,875 hours x \$15 per hour).

13. This submission does not involve any recordkeeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs \$98,188

(GS-10/5 @ \$28.77 x 7,500 x 15/60 minutes = \$53,944)

(GS-9/5 @ \$26.13 x 7,500 x 10/60 minutes = \$32,663)

(GS-3/5 @ \$13.73 x 7,500 x 5/60 minutes = \$ 8,581)

b. Printing and production cost \$750

c. Total cost to government \$93,938

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 21-0792, 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 21-0792.

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.