

SUPPORTING STATEMENT

A. JUSTIFICATION

1. Need for the Information Collection

The Supplemental Appropriations Act, 2009 provides guidance for the implementation of Retroactive Stop Loss Special Pay. Statutory requirements in Section 310 identify the required documentation; however, documentation will be further addressed in each of the Services implementing instructions. Claims for the pay compensation under this section shall be submitted to the Secretary of the Military Department concerned not later than 1 year after the date on which the implementing rules of subsection take effect.

2. Use of the Information

The newly collected information will be used by the Military Departments to determine eligibility to receive the Retroactive Stop Loss Special Pay. Additionally, data will be used by Defense Finance and Accounting Service (DFAS) to make payment. There is no present plan to store the data past the expiration of the law.

3. Use of Information Technology

Claimants will print and complete stop loss claim form from an established website, or will request the stop loss claim form from the Service they served in and submit same with supporting documentation as determined by the Services to a designated claims office for processing.

4. Non-duplication

This process is not duplicated; this is a one time data collection effort for the purpose of eligibility to receive a Retroactive Stop Loss Special Payment.

5. Burden on Small Business

There is no involvement of Small Business in this process.

6. Less Frequent Collection

The claimant can only apply for the program one time. Appeals for a denied claim will be considered part of the initial claim.

7. Paperwork Reduction Act Guidelines

Collection is consistent with the guidelines in 5 CFR 1320.5(d). The information will not be collected in a manner that requires an explanation of special circumstances.

8. Consultation and Public Comments

Public comments were solicited in the Federal Register as required by 5 CFR 1320.8(d). Language covering the 60-day and 30-day notices was included in the preamble of the Interim Final Rule that published October 23, 2009 (74 FR 54751). No comments were received on the information collection portion of the Interim Final Rule.

9. Gifts or Payment

The only payment will be made to claimants who are identified as eligible by the Services and then only in the amount prescribed under this law.

10. Confidentiality

Each Service will establish their own implementing rules that will safe guard the information received from each claimant. The information collected refers to the Service member's military records. The information collected will be disclosed only to the extent consistent with prudent business practice, current regulations, and statutory requirements. The only information collected for reporting purposes will be the number of claims processed (certified or denied), the amount of money paid, and any personal information that will allow the Service to establish the claimant's eligibility and for DFAS to pay the claim.

Services will invoke their issuance of privacy notice each Service has on record and will use same when handling personal information from the claim process that may fall under the privacy act.

11. Sensitive Questions

Disclosure of the Social Security Number (SSN)/Taxpayer Identification Number (TIN) is used for positive identification of the individual requesting payment. Title 31 United States Code 3325(d) requires a SSN/TIN on all certified payment vouchers. The use of the SSN/TIN ensures the positive link of the claimant with the entitlement and with preventing the possibility of an erroneous payment.

12. Respondent Burden, and its Labor Costs

a. Estimation of Respondent Burden

Claimants will need to gather the military records identified by the individual Services that document that the Service member was under Stop Loss for a specific period of time in order for them to apply for payment under this Act. The time to gather the paperwork will be different for each individual depending on their personal record keeping system since their discharge from the Service.

Number of respondents: 185,887.
Responses per respondent: 1.
Total responses: 185,887.
Hours per response: 30 minutes
Total hours: 92,944 hours.

b. Labor Cost of Respondent Burden

Average wages: \$50*
Total public cost: \$4,647,200.

* Based on a GS-13, step 5 (equivalent) salary (\$37.22), plus 36.25 percent burden, rounded to nearest dollar.

13. Respondent Costs Other Than Burden Hour Costs

There are no any annualized cost for respondents for the start up or operation cost imposed by the collection.

14. Cost to the Federal Government

Each of the Military Departments will absorb the cost of executing this program from their current budget and present manpower. The \$534.4m appropriated for this program is set aside for payment of the claims only. There is no additional cost to the Federal government for this program.

15. Reasons for Change in Burden

This is a revision.. The form has been revised to include amendments to the eligibility criteria and other administrative changes. The burden remains the same.

16. Publication of Results

There are no plans to publish results from information collection for statistical use.

17. Non-Display of OMB Expiration Date

We are not requesting to omit display of the expiration date.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting an exception to the certification statement.