

**SUPPORTING STATEMENT FOR
BOARD OF VETERANS' APPEALS
CUSTOMER SATISFACTION WITH HEARING SURVEY, VA Form 0745
OMB Control Number 2900-0548**

A. Justification

1. Necessity

Executive Order 12862, which was issued by the President of the United States in September 1993, requires all Federal agencies that provide significant services directly to the public to establish and implement certain customer service standards. In relevant part, the Executive Order requires each agency to survey its customers to determine their level of satisfaction with existing services, and provide a means for addressing customer complaints. A significant service that the Board of Veterans' Appeals (BVA or Board) provides directly to the public is the opportunity for appellants (*i.e.*, Veterans and their families) to appear at a hearing before a Veterans Law Judge (VLJ) to present testimony regarding his/her claim for Department of Veterans Affairs (VA) benefits. Accordingly, pursuant to Executive Order 12862, the Board implemented the use of a hearing survey card (VA Form 0745), which is used to collect information regarding the level of customer satisfaction with the way hearings are conducted. The data collected from the hearing survey card is then used to evaluate, and if necessary, revise the way hearings are conducted in order to improve customer satisfaction.

2. How, by Whom, and for What Purpose the Information is to be Used

The hearing survey card is made available to appellants at the close of hearings before a VLJ. As noted above, the information collected from respondents is used by the Board to assess the effectiveness of current hearing procedures and develop better methods of serving Veterans and their families.

3. Use of Information Technology

The VA Form 0745 is currently designed as a postcard-sized questionnaire attached to a pre-paid return envelope, which can be completed by hand or with word-processing equipment. VA has opted to use a paper survey card because it allows for "on the spot" completion, rather than requiring respondents to log onto a computer or make a telephone call to complete the survey, and as such, is more likely to elicit responses. However, VA is pursuing the development of an electronic and/or telephonic survey system, which would provide appellants with the option of completing a hearing survey online or over the phone.

4. Description of Efforts to Identify Duplication

VA has determined that no other programs are currently in place to assess overall customer satisfaction with the conduct of Board hearings.

5. Description of Methods Used to Minimize Burden

This information collection will not have a significant impact on small businesses or other small entities. The respondents consist solely of individual appellants who have testified at a hearing before a VLJ.

6. Description of the Consequence if the Collection Were Conducted Less Frequently

The frequency of collection depends solely upon an appellant's participation in a Board hearing and his/her desire to submit feedback regarding their level of satisfaction with the hearing, and in that sense, is not controlled by VA.

7. Special Circumstances

This collection complies with 5 C.F.R. § 1320.5(d) criteria.

8. Consultation Outside the Agency

The Department's notice for comments was published on November 15, 2011, pages 70827. There were no comments received in response to this notice.

9. Payments or Gifts to Respondents

None.

10. Description of Confidentiality

VA complies with the provisions of 38 U.S.C. § 5701 and the Privacy Act of 1974 (5 U.S.C. § 552a). Significantly, however, hearing survey responses are completely anonymous, and as such, are not associated with a respondent's VA claims file.

11. Sensitive Questions

None of the information solicited for this collection is considered to be of a sensitive nature.

12. Estimate of Respondent's Reporting Burden

As noted above, the hearing survey card is made available to appellants at the close of a Board hearing. In most cases, an appellant has only one Board hearing over

the course of his/her appeal, and thus should only be requested to complete a VA Form 0745 on one occasion during their appeal. In Fiscal Year 2010, the Board held 13,515 hearings.¹ Of those hearings held, only 655 appellants (*i.e.*, five percent) completed and returned a hearing survey card. In light of current budgetary constraints, VA anticipates that the number of Board hearings conducted will decrease in the coming years. As such, VA's best estimate is that the Board will hold approximately 13,000 hearings per year and that approximately 650 hearing surveys will be returned to the Board per year.

Respondents have some discretion in the amount of time spent completing the hearing survey. A majority of respondents simply answer the seven survey questions that allow them to respond by checking the applicable box; however, a few respondents also take the time to complete the optional comment/explanation section of the survey. With this in mind, VA's best estimate is that respondents spend an average of six minutes reading, preparing, and mailing the hearing survey.

The survey is completed by individual appellants, whose earning capacity spans an extremely wide spectrum. As such, VA has used \$29.98 as the estimated hourly cost of completing the form.²

No. of Responses	Hours per Response	Total Hours	Cost per hour	Total Cost
650	6 minutes	65	\$29.98	\$1,948.70

13. Estimate of Annual Cost Burden to Respondents or Recordkeepers from Collection of Information

There should be no costs to respondents other than those identified in question 12. Completion of the form requires no ongoing accumulation of information, and no special purchase of services, supplies, or equipment.

14. Estimated Annual Cost to the Federal Government

As discussed in the answer to question 12, VA anticipates that the Board will conduct approximately 13,000 hearings per year, and accordingly, will distribute approximately 13,000 cards per year (*i.e.*, one card per hearing). The cost of printing each card is approximately \$.471.

When a respondent returns the hearing survey to the Board, the postage cost, which is born by the Federal Government, is \$0.44 per card. As noted above, in Fiscal Year 2010, only five percent of the hearing surveys were returned to the Board, and as such, VA's best estimate is that approximately 650 hearing surveys will be returned to the Board each year.

¹ Board of Veterans' Appeals, *Report of the Chairman*, Fiscal Year 2010, at 24.

² This figure is equal to the wage and salary component of the average employer costs for employee compensation for civilian workers in the United States, which includes private industry workers and State and local government workers. United States Department of Labor, Bureau of Labor Statistics, News Release 11-1305, September 8, 2011, *available at* <http://www.bls.gov/news.release/ecec.nr0.htm>.

Once the hearing survey cards are received at the Board, the data is reviewed by a GS-9 Paralegal Specialist, who spends approximately one hour per week (52 hours per year) compiling the data and generating reports analyzing the data.

Position & Grade	Hourly Rate	Responses	Other Costs	Total
BVA Paralegal Specialist – GS-9/6	\$28.86 ³	650		\$18,759.00
			Postage (650 x \$0.44)	\$286.00
			Printing (13,000 x \$.471)	\$6,123.00
			Total Costs	025,168.00

15. Explanation for Program Changes or Adjustments

The change in burden is due to the reduction in the number of hearing survey responses received at the Board.

16. Tabulation, Statistical Analysis, and Publication Plans

The results of this information collection will not be published for statistical use; the information is collected solely for internal use. However, analysis results are made available to Veterans’ Service Organizations and/or other parties upon request.

17. Reason for Seeking Approval Not to Display Expiration Date for OMB Approval of the Information Collection

The OMB control number is currently displayed on the VA Form 0745. The form is produced and distributed in large quantities, and it would not be practical to display an expiration date on the form since it would have to be changed every three years. This would result in the unnecessary waste of labor and distribution costs. Therefore, VA continues to seek exemption from the requirement to display the expiration date for OMB approval on the VA Form 0745.

18. Exceptions to the Certification Statement

There are no exceptions. The retention period for recordkeeping requirements is not stated in this collection because there are no such requirements.

³ U.S. Office of Personnel Management, *Salary Table 2011-DCB for the Locality Pay Area of Washington-Baltimore, DC-MD-VA-WV*, 2011, available at http://www.opm.gov/oca/11tables/pdf/dcb_h.pdf.