

Supporting Statement for  
38 CFR 3.115 Access to Financial Records  
(2900-0739)

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. For VA compensation, pension and dependency and indemnity compensation (DIC) benefits, individual factors such as income, marital status, and number of dependents may affect a recipient's right to receive a benefit and the amount received.
2. 38 CFR 3.115 authorizes VA to request the addresses of beneficiaries whose VA payments are deposited into financial institutions. When a beneficiary's mail is returned to VA, VA will send a letter to the financial institution in receipt of the beneficiary's direct deposit requesting a current address for the beneficiary. 38 U.S.C 5319 allows VA to request information from a financial institution for the purpose of administering benefits. 12 U.S.C 3413(p)(1 and 2) allows financial institutions to disclose the name and address of any customer for the purpose of administering benefits.
3. Information technology is not feasible. Recipients may report address changes to VA using telephone, email, and facsimile as well as in writing. However, a letter is sent to the financial institution when a beneficiary's mail is returned to VA.
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. If the collection were not conducted, VA would have no means of determining entitlement to benefits and the rate payable. Benefits would not be properly paid, and overpayments could result.
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 July 19, 2012, at pages 42556-42557. No comments were 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 "VA Compensation, Pension, Education, and Vocational Rehabilitation and

Employment Records - VA (58 VA 21/22/28), published at 74 FR 29275 (June 19, 2009).

- 11. There are no questions of a sensitive nature.
- 12. Estimate of Information Collection Burden.
  - a. Number of Respondents is estimated at 50,000 per year.
  - b. Frequency of Response is on occasion for most beneficiaries.
  - c. Annual burden is 4,167 hours.
  - d. The estimated completion time of 5 minutes is based on review by staff personnel.
  - e. The total estimated cost to respondents is \$62,505 (4,167 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	\$128,666.67
$(GS-10/5 @ \$30.88 \times 50,000 \times 5/60 \text{minutes} = \$128,666.67)$	
b. Printing and production cost	\$1,056
Total Cost	129,722.67

15. There is no change in the reporting burden.

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

17. This regulation may be reproduced and/or stocked by the respondents and veterans service organizations. This regulation does not display an expiration date, and if required to do so would result in unnecessary waste of existing stocks of this regulation. This regulation 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 regulations.

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

**B. Collection of Information Employing Statistical Methods**

The data collection does not employ statistical methods.