Address Request Authorized by 38 CFR §3.115 Access to Financial Records

OMB 2900-0739

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

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. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

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 undeliverable, 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. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Information technology is not feasible. Recipients may report address changes to VA using telephone, email, and facsimile as well as in writing. VA mails a letter to the financial institution when a beneficiary's mail is returned undeliverable and VA is not able to confirm the beneficiary's mailing address by other means.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

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. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The collection of information does not involve small businesses or entities.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

If the collection were not conducted, VA would have no means of locating and contacting beneficiary's whose mail is returned undeliverable. VA would then be unable to properly determine entitlement to benefits and the rate payable, increasing the likelihood of overpayment or underpayment of benefits.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

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

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The Department notice was published in the Federal Register on August 3, 2015, Volume 80, No. 148, page 46106. No comments were received in response to this notice.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

This submission does not involve any recordkeeping costs.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

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

10. Describe any assurance of privacy to the extent permitted by law provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The records are maintained in the appropriate Privacy Act System of Records identified as "Compensation, Pension, Education, and Vocational Rehabilitation and Employee Records-VA (58VA21/22/28)," published at 74 FR 29275 on June 19, 2009, and last amended 75 FR 22187 (April 27, 2010).

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

12. Estimate of the hour burden of the collection of information:

a. Number of respondents is 50,000 per year.

b. Frequency of Response is: On occasion.

c. Annual Burden Hours: 4,167

d. Estimated completion time: 5 minutes.

e. According to the U.S. Bureau of Labor Statistics, Average Hourly Earnings, the cost to the respondent is $25, making the total cost to the respondents, $104,175 (4,167 hours x $25.00 per hour).

13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

This submission does not involve any recordkeeping costs.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

a. Processing/Analyzing costs $131,250.00

(GS-10/5 @ $31.50 x 50,000 x 5/60 minutes = $131,250.00)

b. Printing and production cost $1,056

c. Total cost to government $132,306

15. Explain the reason for any burden hour changes since the last submission.

There is no change in the reporting burden.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information collection is not for publication or tabulation use.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The regulation 38 CFR §3.115 does not display an expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

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

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are used in this data collection.