

OMB #2900-0877

VA Form #	Title
20-10206	Freedom of Information Act (FOIA) or Privacy Act (PA) Request
20-10207	Priority Processing Request
20-10208	Document/Evidence Submission

A. JUSTIFICATION:

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

- A) Veteran Ability to Submit Claims Impacted Due to COVID-19:** Due to the most recent Novel Coronavirus (COVID-19) pandemic and state of emergency that was declared by the President effective March 1, 2020, the Veterans Benefits Administration (VBA) has taken measures to alter its operations in concert with the Federal Government's efforts to combat the spread of the virus in the United States population. While the United States Postal Service operations and other mail delivery services continue uninterrupted, in some cases, local travel restrictions and COVID-19-mandated health and safety precautions may impact Veterans' and claimants' abilities to file forms, documents, and other responses in connection with VA claims and appeals. VA understands that Veterans and claimants may not submit claims and appeals during this state of emergency.
- B) VBA's Anticipated Increase of Submitted Claims Post COVID-19:** Furthermore, VBA anticipates a potential increase in the submission of claims during and after the state of emergency for COVID-19. In an effort to address the effects of COVID-19 on claims processing for Veterans and claimants and to provide better, faster, and more efficient services, VBA proposes to align our modernization efforts with the way we currently receive certain types of Veteran/claimant information. VBA has identified the need for new forms that will reduce the submission of the current free-text form which does not support our current automation processing. This current free-text form does not lend itself to be electronically searched nor is the information able to be more efficiently stored on our computer systems. By creating these new forms that support our existing automation processes, we will be able to provide faster and more efficient delivery of service to Veterans and claimants in response to the anticipated increase in claims-related submissions that were affected by the COVID-19 pandemic.
- C) New Forms Enable VBA to Process Veteran Data Faster:** VBA proposes the creation of three new forms that would better enable VA to receive information from Veterans/claimants more efficiently through our automation processes: FOIA/Privacy requests, request for priority processing of a claim, and for submitting additional documentation or evidence in support of an existing claim or benefits/services. Since no standard form exists for these types of information collections, Veterans, claimants, and Veterans Service Organizations submit such information on a free-text form which requires VA personnel to handle each document individually for processing. With the creation of these three new forms, VA will be able to utilize computerized optical character recognition, which is the automated process to "read" forms for information upload into our systems.

1. **VA Form 20-10206, *Freedom of Information Act (FOIA) or Privacy Act (PA) Request***, will be used for claimants to request access to Federal agency records as long as the records is not exempt from release by one of the nine FOIA exemptions and will be used for claimants to submit a request for access to records based on name or other personal identifier. This form standardizes submission of FOIA, and PA requests received from claimants in order to facilitate the identification and retrieval of requested records.
2. **VA Form 20-10207, *Priority Processing Request***, will be used for claimants to notify VA of an urgent or immediate need due to change in status or circumstance for priority processing of a claim. This information is necessary for VA to take immediate action in prioritizes the processing of claims based on such status or circumstance. For example, if a Veteran is experiencing extreme financial hardship, is terminally ill, is a recipient of a Medal of Honor or Purple Heart award (just to name a few examples), this form will allow VBA to more quickly process a request for priority processing.
3. **VA Form 20-10208, *Document/Evidence Submission***, will be used to identify and associate additional evidence or information in support of a claim. Currently, the law allows claimants one year to submit any additional evidence in support of their claim. Section 3.109 of title 38 of the Code of Federal Regulations (CFR) allows claimants to submit evidence to VA within one year from the date of notification to claimants of the evidence necessary to complete an application. Claimants may choose to submit evidence concurrently with a claims application or may submit additional evidence or information in support of the claim after the submission of a claims application. VA does not have a standard form for claimants who submit additional information/evidence after they have submitted an application. Therefore, this form is necessary to identify the claim or claimant's account with VA to associate any additional or late-flowing evidence to the claimant's file for consideration in processing and adjudicating a claim or updating claimant information which may affect benefits.

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.

VA Form 20-10206 will be used by VA to gather the necessary information to fulfill claimants' requests to access to Federal agency records and requests for access to records based on name or another personal identifier. Without this information, VA would not be able to efficiently process FOIA and PA requests in a standardize manner. As such requests from claimants and stakeholders vary in nature and in scope, VA has not used any current information collections for this purpose.

VA Form 20-10207 will be used by VA to gather the necessary information to determine priority processing of a claim due to special circumstances or status. Without this information, VA would not be able to identify claims for priority processing for those claimants who are in urgent or immediate need due to changed

OMB #2900-0877

circumstances. VA would also utilize this information collection for reporting purposes and for outreach efforts for those claimants.

VA Form 20-10208 will be used by VA to gather the necessary information to associate information and evidence received from claimants with the claimants claim or VA account. Without this information, VA would not be able to efficiently and successfully process and associate evidence or information of record to a claimant's file which could affect adjudication and decisions made by VA.

- 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.**

VA Forms 20-10206, 20-10207, and 20-10208 will be available on the VA Website in a fillable electronic format. VBA will host these forms on a secure server and does not currently have the technology in place to allow for the complete submission of the forms. Validation edits are performed to assure data integrity. There currently is no utility process in place that will allow the data submitted on the forms to be incorporated with an existing centralized legacy database.

- 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.**

VA Form 20-10206 will be used by VA to gather the necessary information to fulfill claimants' requests to access to Federal agency records and requests for access to records based on name or another personal identifier. Without this information, VA would not be able to efficiently process FOIA and PA requests in a standardize manner. As such requests from claimants and stakeholders vary in nature and in scope, VA has not used any current information collections for this purpose.

OMB #2900-0877

VA Form 20-10207 will be used by VA to gather the necessary information to determine priority processing of a claim due to special circumstances or status. Without this information, VA would not be able to identify claims for priority processing for those claimants who are in urgent or immediate need due to changed circumstances. VA would also utilize this information collection for reporting purposes and for outreach efforts for those claimants.

VA Form 20-10208 will be used by VA to gather the necessary information to associate information and evidence received from claimants with the claimants claim or VA account. Without this information, VA would not be able to efficiently and successfully process and associate evidence or information of record to a claimant's file which could affect adjudication and decisions made by VA.

- 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. If applicable, provide a copy and identify the date and page number of publications 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 May 1, 2020 Vol. 85, No. 94, page 29031. One comment was received in response to this notice.

The public comment and VA's response have been entered in ROCIS under "Public Comments".

- 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.**

OMB #2900-0877

The records are maintained in the appropriate Privacy Act System of Records identified as “Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records-VA (58VA21/22/28),” published at 74 FR 29275 on June 19, 2009, and last amended at 84 FR 4138 (February 14, 2019).

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. Total Number of Respondents is estimated at **500,000** per year.
 - Respondent total for VA Form 20-10206 is 233,333.
 - Respondent total for VA Form 20-10207 is 66,667
 - Respondent total for VA Form 20-10208 is 200,000.
- b. Frequency of Response is one time.
- c. Total Annual burden hours is estimated at **50,000** hours.
- d. Average estimated completion time is **6** minutes.
 - VAF 20-10206 estimated completion time is 5 minutes.
 - VAF 20-10207 estimated completion time is 7 minutes.
 - VAF 20-10208 estimated completion time is 5 minutes.
- e. The respondent population for **VA Form 20-10206** is composed of individuals who are requesting access to Federal agency records and requests for access to records based on name or another personal identifier. The respondent population for **VA Form 20-10207** is composed of individuals who are notifying VA of an urgent need due to change in status or circumstance in order to request prioritizing the processing of their claims. The respondent population for **VA Form 20-10208** is composed of individuals who are submitting additional evidence or information in support of a claim or to update information on a claimant’s VA account. VA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, VBA used general wage data to estimate the respondents’ costs associated with completing the information collection.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the mean hourly wage is \$25.72

OMB #2900-0877

based on the BLS wage code – “00-0000 All Occupations.” This information was taken from the following website: https://www.bls.gov/oes/current/oes_nat.htm.

Legally, respondents may not pay a person or business for assistance in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total cost to all respondents to be \$1,286,000 (50,000 burden hours x \$25.72 per hour).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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.

Estimated Costs to the Federal Government:

Grade	Step	Burden Time	Fraction of Hour	Hourly Rate	Cost Per Response	Total Responses	Total
7	3	30	0.50	\$19.06	9.530	500,000	\$ 4,765,000.00
Overhead at 100% Salary							\$ 4,765,000.00
9	3	15	0.25	\$23.32	5.830	500,000	\$ 2,915,000.00
Overhead at 100% Salary							\$ 2,915,000.00
11	3	15	0.25	\$28.21	7.053	500,000	\$ 3,526,250.00
Overhead at 100% Salary							\$ 3,526,250.00
Processing / Analyzing Costs							\$ 22,412,500.00
Printing and Production Cost							\$ 249,027.78
Total Cost to Government							\$ 22,661,527.78

The creation of these 3 forms (**VA Form 20-10206, VA Form 20-10207, VA Form 20-10208**) is expected to reduce the cost of processing a large portion of the existing **VA Form 21-4138, Statement in Support of Claim** which is the form used by claimants and VSOs to submit FOIA/Privacy requests, priority processing requests, and document/evidence submissions.

Overhead costs are 100% of salary and are same as the wage listed above and the amounts are included in the total.

OMB #2900-0877

Printing and production costs approximates the cost of printing this information collection per year. (Processing/Analyzing Cost total divided by \$90).

Note: The hourly wage information above is based on the hourly 2020 General Schedule (Base) Pay (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS_h.pdf). This rate does not include any locality adjustment as applicable.

The processing time estimates above are based on the actual amount of time employees of each grade level spend to process to completion a claim received on this form. The within-grade step (3) of each employee represents the average experience of employees within each grade.

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

There is no change in the burden hour.

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.

We are not seeking approval to omit the expiration date for OMB approval.

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. Collection of Information Employing Statistical Methods

No statistical methods are used in this data collection.