Fiduciary Bond (38 CFR Part 13) Control #2900-0804

Summary of Changes from Previously Approved Collection

- This information collection is being submitted as a revision of a currently approved collection.
- Fiduciary Bond (38 CFR Part 13)
- The respondent burden has increased due to the estimated average number of receivables over the past year.
- 2 comments received during the comment period

1. Need for the Information Collection

The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers the Fiduciary Program. The Fiduciary Program provides oversight to VA beneficiaries who, because of injury, disease, the infirmities of advanced age, or minority, cannot manage their VA benefits.

Congress authorized the VA to require a prospective fiduciary to obtain a surety bond as part of the certification process. The VA requires fiduciaries to submit proof of adequate bonding with annual accounting to facilitate its oversight responsibility as mandated.

OMB approves the information collection requirement in §13.230 and has been assigned OMB #2900-0804. There would be no change in the need for information nor the use of information collected for OMB #2900-0804. The information is needed to facilitate VA's oversight regarding the funds under management protection requirements prescribed in §13.230.

2. Use of the Information

As there isn't a form to collect information, VA field fiduciary personnel request, either verbally or by letter, that the fiduciary submit the original bond certificate or the contractual agreement between the fiduciary and the bonding company as proof of adequate bonding. The collection of information is required to fulfill VA requirements mandated by Congress for oversight of fiduciaries.

3. Use of Information Technology

This collection of information would not involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

4. Non-Duplication

The information obtained through this collection is unique and not available for use or adaptation from another cleared source.

5. **Burden on Small Businesses**

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This information collection does not impose a significant economic impact on many small businesses or entities.

6. Less Frequent Collection

Due to Congress authorizing VA to require a prospective fiduciary to obtain a surety bond as a part of the certification process of a prospective fiduciary, VA is requiring fiduciaries to submit proof of adequate bonding with annual accounting to facilitate its oversight responsibility as mandated. Fiduciary Bond, does not use a form to collect this information. However, the amended information request is made by VA field fiduciary personnel. They request either verbally or by letter informing the fiduciary to submit the original bond certificate or the contractual agreement between the fiduciary and the bonding company as proof of adequate bonding. The amended collection of information is required to fulfill VA requirements mandated by Congress, for oversight of fiduciaries.

The VA Fiduciary Program would not be able to adequately oversee certain fiduciaries appointed to receive VA benefits in excess of \$25,000 on behalf of a beneficiary without proof that surety bonds are in place to protect these funds.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Wednesday, June 18, 2025. The 60-Day FRN citation is 90 FRN 26097.

2 comments received during the 60-Day Comment Period.

The First addition of the Public domain book I checked out and own does state that as long as I previously had legal copyrights to music before all of the revisions done by others virtually and physically, I have established and otherwise noted that having those copyright privoleges take presidence over any other instrumentality of corporations or other individuals while I am having the right to navigate virtually as I would like without anyone acring as my handler or controller considering I am my own power of attorney, therefore no outside entity is allowed to make any changes to the information and settings stored in or on my phone/device with my unique individual thumbprint physically authorizing any decisions I chose to engage that are ethical and I will not be a slave to artificial intelligence or hacking and I believe all human beings have the same right as well as we do so that there then when otherwise as my rule is concerned especially in court and all States of my jurisdiction and judgement shall exist eternally as an instrument of God, forever and ever, Amen .

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Hello,

To request a VA fiduciary, you or your guardian must write to your regional VA office. The letter should include your name, VA claim number, and the fiduciary's information, and clearly state the reasons for the request. You may mail or fax information to:

VA Fiduciary Intake Center P.O. Box 5211 Janesville, WI 53547-5211

Fax Number: 888-581-6826.

You can also contact the Fiduciary Hub of jurisdiction directly at (888) 407-0144 or contact us online through Ask VA. Ask VA is an online service that all Veterans and members of the Veteran community can use to submit questions, concerns, and recommendations to VA.

Thank you.

The collection should be appropriate if a fiduciary bond for purposes of the VA and a former veteran to disburse funds, reconciliation and record keeping for the appropriate monetary thresholds requirements by the agency under requirements by the agency under regulations required. This would be to fund under management protection and due diligence.

Hello,

The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers the Fiduciary Program. The Fiduciary Program provides oversight for VA beneficiaries who cannot manage their VA benefits, because of injury, disease, the infirmities of advanced age, or being under the age of majority, by appointing a fiduciary to manage the VA benefits for the welfare and benefit of the beneficiary. To ensure adequate protection of VA benefits, the VA Fiduciary Program requires certain fiduciaries appointed to manage/receive VA benefits exceeding \$25,000 on behalf of a beneficiary to obtain a surety bond. The fiduciary is

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required to provide documentation to VA that a sufficient surety bond(s) is in place to protect these funds. Documentation of the surety bond submitted by the fiduciary is maintained in the beneficiary's VA claims folder. Further, VA is required to verify existing bonds annually at the time of each accounting audit to ensure beneficiary fund protection remains adequate.

To request a VA fiduciary, you or your guardian must write to your regional VA office. The letter should include your name, VA claim number, and the fiduciary's information, and clearly state the reasons for the request. You may mail or fax information to:

VA Fiduciary Intake Center P.O. Box 5211 Janesville, WI 53547-5211

Fax Number: 888-581-6826.

You can also contact the Fiduciary Contact Center directly at (888) 407-0144 or contact us online through Ask VA. <u>Ask VA</u> is an online service that all Veterans and members of the Veteran community can use to submit questions, concerns, and recommendations to VA.

Thank you.

A 30-Day Federal Register Notice for the collection published on Friday, August 22, 2025. The 30-Day FRN citation is 90 FRN 41164.

Part B: CONSULTATION (2-4 sentences)

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. **Confidentiality**

The records are maintained in the appropriate Privacy Act System of Records identified as "Compensation, Pension, Education, and Veteran Readiness and Employment Records-VA (58VA21/22/28)," published at 74 FR 29275 on June 19, 2009, and last amended at 87 FR 8740 (February 16, 2022).

11. <u>Sensitive Questions</u>

No questions considered sensitive are being asked in this collection.

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12. Respondent Burden and its Labor Costs

- a. Number of Respondents is estimated at 10,000 per year.
- b. Frequency of Response is one time.
- c. Annual burden hours are 167 hours.
- d. The estimated completion time for this form is 1 minute.
- e. 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 \$32.66 based on the BLS wage code – "00-0000 All Occupations." This information was taken from the following website: https://data.bls.gov/oes/#/industry/000000.

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 \$5,454.22 (167 burden hours x \$32.66 per hour).

13. Respondent Costs Other Than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Grade	Step	Burden Time	Fraction of Hour	Hourly Rate	Cost Per Response	Total Responses	Total	
9	3	1	0.02	\$35.74	0.596	10,000	\$	5,956.67
Overhead at 100% Salary							\$	5,956.67
12	3	1	0.02	\$51.83	0.864	10,000	\$	8,638.33
Overhead at 100% Salary							\$	8,638.33
Processing / Analyzing Costs							\$	29,190.00
Printing and Production Cost							\$	324.33
Total Cost to Government							\$	29,514.33

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

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 2025 General Schedule (Base) Pay (Pay & Leave: Salaries & Wages - OPM.gov). 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. Reasons for Change in Burden

The burden has increased since the previous approval due to the estimated average number of receivables over the past year.

16. <u>Publication of Results</u>

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.