

COLLECTIONS OF INFORMATION

1. **REASON FOR ISSUE.** This directive establishes policy for the National Cemetery Administration (NCA) for collections of information that must meet requirements under the Paperwork Reduction Act (PRA) of 1995, codified in 44 U.S.C. Chapter 35.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES.** This directive sets forth and implements VA policy and responsibilities for NCA Collections of Information Program.
3. **RESPONSIBLE OFFICE.** National Cemetery Administration, Legislative and Regulatory Service (42E), 810 Vermont Avenue, NW, Washington, DC 20420, is responsible for the material contained in this directive. Questions may be referred to the Director, Legislative and Regulatory Service, or NCA42EAction@va.gov.
4. **RELATED PUBLICATIONS.**
 - a. VA Directive 6309, Collections of Information (January 12, 2010).
 - b. VA Handbook 6309, Collections of Information Procedures (January 12, 2010).
5. **RESCISSION.** None.
6. **RECERTIFICATION:** This directive is scheduled for recertification the last day of March 2026.

/s/ Ronald E. Walters
Acting Under Secretary for Memorial Affairs

Distribution: Electronic Only

COLLECTIONS OF INFORMATION

1. PURPOSE/SCOPE:

a. Policy for information collection is provided in VA Directive and Handbook 6309, Collections of Information and Collections of Information Procedures. The purpose of the National Cemetery Administration (NCA) Directive 6309 is to establish policy for clearance of all collections of information through the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA).

b. The directive includes guidance on reporting requirements for the previous fiscal year's summary of information collection activity (to include PRA violations, burden reduction efforts, etc.) and a forecast for the coming fiscal year. NCA's report will be included in the annual Information Collection Budget (ICB) Report to Congress.

c. This directive provides information to NCA program offices on the risks of non-compliance with PRA requirements.

2. POLICY: It is NCA policy that:

a. NCA will establish and maintain a Collections of Information Program as required by the PRA of 1995.

b. NCA will only collect information essential to the implementation, conduct or management of NCA programs.

c. Forms and information collections must have OMB approval, display a respondent burden statement, and be compliant with applicable Federal laws and guidance issued by OMB, VA, and NCA.

d. A collection of information will not become effective until OMB has assigned a control number. A valid OMB control number will be displayed on the information collection instrument unless OMB determines it to be inappropriate.

e. Standards, processes, policies, procedures, and definitions for the creation, renewal, modification, discontinuation, or cancellation of Collections of Information within NCA Program Offices processes will be in accordance with OMB protocols and requirements.

f. Forms used in the collection of information must be electronically designed, whenever possible, for ease of interpretation, completion, transmittal, processing, and retrieval by persons with disabilities.

g. NCA will utilize electronic transmission of data, automated systems, and electronic forms and form letters, when appropriate, to reduce and control the paperwork burden.

h. NCA must submit all electronic forms to the VA Forms Manager, Publications Service, for review of adherence to current laws and Department forms standards before being placed on the Internet, Local Area Network (LAN), or any other electronic medium capable of dissemination to one or more people for data collection purposes.

i. NCA will utilize data that is currently available in electronic files or other format to the extent practicable and not impose additional reporting burdens on the public. NCA will not require an additional report to verify the accuracy of collected data.

3. BACKGROUND:

a. **Information Collection Budget Report:** In accordance with procedures prescribed by OMB, an annual, comprehensive Information Collection Budget (ICB) for all NCA collections of information activities will be submitted. NCA program offices must evaluate their information collection activities on an ongoing basis. These evaluations should determine where respondent burden can be decreased (e.g., collecting the information less frequently, consolidating report instruments, applying cost savings measures to the benefit of the federal government, or eliminating the collection in its entirety) See 5 CFR § 1320.17. Information collection violations and reinstatements from NCA and other VA offices is reported to the VA Chief Data Officer (CDO) and included in OMB's ICB Report to Congress.

b. **Non-Compliance with PRA Requirements.** When OMB becomes aware of a PRA violation, the VA Chief Data Office must resolve them in a timely manner, or VA risks official Departmental reprimand that may have budget implications. Examples of PRA violations include use of an unapproved or expired collection. NCA Form 40-10088 expired in 2018 but continued to be disseminated to the general public, while updates and regulatory changes were being addressed by NCA. The form was in violation until it was submitted as a Reinstatement request for compliance in 2020.

4. RESPONSIBILITIES:

a. **Deputy Under Secretary for Finance and Planning (DUSF&P)** is responsible for:

(1) Approving NCA input for the VA Information Collection Budget (ICB) for OMB's report to Congress.

(2) Approving policy for NCA collections of information as contained in this directive.

(3) Adhering to responsibilities in paragraph c. below.

b. **NCA Deputy Under Secretaries and other NCA Executives** are responsible for oversight of NCA Program Managers timely completion of information collections for their programs.

c. **NCA Program Managers** are responsible for:

(1) Appointing a program office PRA Information Collection Coordinator (described in paragraph (c)) and an alternate to administer the Collections of Information Program in the offices and field facilities under their jurisdiction, in accordance with this directive, and providing that information to the NCA PRA Liaison and Director, Legislative and Regulatory Service.

(2) Reviewing collections of information within their respective organizations to ensure they display the OMB approval number, respondent burden information, Privacy Act statements for collections that request Social Security numbers, and other related activities specified in this directive.

(3) Coordinating activities relating to clearance of collections of information; and preparation of data for the annual ICB with the 42E Director, Legislative and Regulatory Service and 42E PRA Liaison.

(4) Evaluating their respective programs for economy and effectiveness.

d. Program Office Information Collection Coordinators are responsible for:

(1) Serving as designated facility Information Collection Coordinator point of contact (POC) and collaborating with the NCA PRA Liaison to ensure program office information collections are compliant with all PRA requirements.

(2) Drafting and developing information collection activity forms and applications for their respective program offices and field facilities for NCA PRA Liaison review.

(3) Responding to NCA PRA Liaison requests for information for the annual ICB report.

(4) Ensuring that qualitative and quantitative surveys are planned and conducted to determine customer needs and levels of satisfaction with existing services in accordance with Executive Order 12862, Setting Customer Service Standards.

e. Director, Legislative and Regulatory Service is responsible for:

(1) Managing the NCA Collections of Information Program to ensure NCA-wide implementation of the Collection of Information Program and compliance with the PRA of 1995.

(2) Designating staff to serve as the 42E NCA PRA Liaison and the PRA alternate.

f. NCA PRA Liaison is responsible for:

(1) Monitoring OMB 3-year clearance requirements for collections of information to plan activities nine months prior to ICR expiration date, and to initiate processes to renew, discontinue, or reinstate an ICR.

(2) Monitoring the Regulatory Information Service Center (RISC) and Office of Information and Regulatory Affairs (OIRA) Combined Information System (ROCIS) for status of all clearance requirements.

(3) Consulting and providing guidance to NCA leadership and Program Office Information Collection Coordinators on the following issues:

(A) Conducting final reviews of ICR packages and providing NCA Program Offices with copies of final documents submitted in the Regulatory Information Service Center (RISC) and Office of Information and Regulatory Affairs (OIRA) Combined Information System (ROCIS).

(B) Need for timely input or action on program office information collection requests (ICRs).

(C) Assistance with drafting and publication of 30- or 60-day *Federal Register* Notices, announcing NCA's intent to collect information and seeking public comments.

(D) Notification of all OMB actions, including public comments received in response to *Federal Register* Notices, final OMB Notice of Action (NOA).

(E) Assistance with drafting input for the VA ICB for OMB's report to Congress.

(4) Providing advice and assistance on NCA Collections of Information Program to VA and OMB officials, principle investigators, as well as NCA Program Office Information Collection Coordinators.

(5) Requesting assistance from the VA Publications Forms Manager to assign required form numbers to NCA ICR forms and applications and to develop new or update existing NCA forms.

(6) Coordinating with the VA Clearance Officer to obtain OMB approval for all NCA collections of information and reporting or recordkeeping requirements.

(7) Deferring to the VA Clearance Officer on the following issues:

(A) Communications with the OMB Desk Officer on NCA Collections of Information inquiries

(B) Submission and publication of all NCA PRA-related *Federal Register* Notices (FRN).

(C) Coordination of NCA responses to OMB or public comments received in the *Federal Register* to NCA PRA-related Notices.

(D) Assessment of deficiencies noted in NCA ICRs in reported in ROCIS.

(8) Reporting and updating names, mail routing symbols, and telephone numbers of the designated coordinators to the Director, VA Enterprise Records Service.

(9) Providing PRA training to NCA staff.

(10) Serving as the NCA representative in VA community of interest activities, such as collaborative PRA forums.

5. REFERENCES

a. The relevant authorities and requirements governing collections of information are:

- (1) E-Government Act 2002;
- (2) Executive Order 12291, Federal Regulation;
- (3) Executive Order 12862, Setting Customer Service Standards;
- (4) Executive Order 13011, Information Technology Management Reform Act of 1996;
- (5) OMB Circular A-129, Managing Federal Credit Programs;
- (6) Paperwork Reduction Act (PRA) of 1995, as amended (44 U.S.C. Chapter 35);
- (7) Public Law 103-283, Section 207a, Legislative Appropriations Act;
- (8) Public Law 104-106, Division E, Information Technology Management Reform;
- (9) Public Law 100-527, Section 4(d), Department of Veterans Affairs Act;
- (10) Public Law 111-5, Section 1512, American Recovery and Reinvestment Act of 2009, (Grant, Cooperative Agreements and Loans);
- (11) Rehabilitation Act of 1973, Section 508 of the Workforce Investment Act of 1998;
- (12) Title 5, CFR, Part 1320, Controlling Paperwork Burdens on the Public;
- (13) Title 5, U.S.C. Section 552, Freedom of Information Act;
- (14) Title 5, U.S.C. Section 552a, Privacy Act of 1974, as amended; and
- (15) Title 38 U.S.C. Sections 310, 5701, 5705, and 7332, Veterans Benefits.
- (16) VA Directive 6309, Collections of Information (January 12, 2010).
- (17) VA Handbook 6309, Collections of Information Procedures (January 12, 2010).

6. DEFINITIONS

a. **Burden.** The total time, effort, or financial resources expended to generate, maintain, retain, or disclose or provide information to or for a Federal agency (see 5 CFR § 1320.3(b)).

b. **Collection of Information.** Includes the act of collecting information as well as different types of collected information, as described below.

(1) Obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on 10 or more members of the public or “persons” (individuals, partnerships, associations, corporations, business trusts, legal representatives, organized groups of individuals, and states, U.S. territories, and local governments or their components), whether such collection of information is mandatory, voluntary, or required to obtain a benefit (see 5 CFR § 1320.3(c));

(2) Information collected may be in any form or format, including the use of report forms; application forms; schedules; questionnaires; surveys; reporting or recordkeeping requirements; contracts; agreements; policy statements; plans; rules or regulations; planning requirements; circulars; directives; instructions; bulletins; requests for proposal or other procurement requirements; interview guides; oral communications; posting, notification, labeling, or similar disclosure requirements; telegraphic or telephonic requests; automated, electronic, mechanical, or other technological collection techniques; standard questionnaires used to monitor compliance with agency requirements; or any other techniques or technological methods used to monitor compliance with agency requirements. Consent forms that are not pre-populated with required information but must be completed and signed by individuals must be cleared through OMB.

(3) Ten or more persons does not include employees of the respondent acting within the scope of their employment, contractors engaged by a respondent for the purpose of complying with the collection of information, or current employees of the Federal Government (including military reservists and members of the National Guard while on active duty) when acting within the scope of their employment, but it does include retired and other former Federal employees. However, if the collection of information includes questions posed to agencies, instrumentalities, or employees of the United States, if the results are to be used for general statistical purposes, that is, if the results are to be used for statistical compilations of general public interest, including compilations showing the status or implementation of Federal activities and programs;

(4) Collection of information may be in any form or format, including the use of report forms; application forms; schedules; questionnaires; surveys; reporting or recordkeeping requirements; contracts; agreements; policy statements; plans; rules or regulations; planning requirements; circulars; directives; instructions; bulletins; requests for proposal or other procurement requirements; interview guides; oral communications;

posting, notification, labeling, or similar disclosure requirements; telegraphic or telephonic requests; automated, electronic, mechanical, or other technological collection techniques; standard questionnaires used to monitor compliance with agency requirements; or any other techniques or technological methods used to monitor compliance with agency requirements;

(5) Consent forms that are completed and signed by individuals must be cleared through OMB. If the consent form is prepopulated with the required information and the individual only signs and dates the form, OMB clearance is not required.

c. **Freedom of Information Act (FOIA).** A law that gives you the right to access information from the federal government. It is often described as the law that keeps citizens in the know about their government.

d. **Information.** Any statement of fact or opinion, regardless of the form or format, whether in numerical, graphic, or narrative form, and whether oral or maintained on paper, electronic or other media (see 5 CFR § 1320.3(h)).

e. **Interagency Report.** Interagency reports that require collection of information from the public, or State or local governments will require OMB clearance.

f. **Recordkeeping Requirement.** A requirement imposed by or for an agency on persons to maintain specified records, including a requirement to:

(1) Retain such records;

(2) Notify third parties, the Federal Government, or the public of the existence of such records;

(3) Disclose such records to third parties, the Federal Government, or the public; and,

(4) Report to third parties, the Federal Government, or the public regarding such records (see 5 CFR § 1320.3(m)).