

September 9, 2009 at pages 46484–46485.

*Affected Public:* Individuals or households.

*Estimated Total Annual Burden*

- a. VA Form 10–5345—15,000 hours.
- b. VA Form 10–5345a—15,000 hours.
- c. VA Form 10–5345a–MVH—35,000 hours.

*Estimated Average Burden Per Respondent:* 3 minutes.

*Frequency of Response:* On occasion.

*Estimated Number of Respondents:*

- a. VA Form 10–5345—300,000.
- b. VA Form 10–5345a—300,000.
- c. VA Form 10–5345a–MVH—700,000.

Dated: November 12, 2009.

By direction of the Secretary.

**Denise McLamb,**

*Program Analyst, Enterprise Records Service.*  
[FR Doc. E9–27588 Filed 11–16–09; 8:45 am]

**BILLING CODE 8320–01–P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–New (21–0844)]

### Proposed Information Collection (Certification of Fully Developed Claim) Activity: Comment Request

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed existing collection in use without an OMB Control Number and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to process compensation and pension claims within 90 days after receipt of the claim.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before January 19, 2010.

**ADDRESSES:** Submit written comments on the collection of information through the Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov); or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue,

NW., Washington, DC 20420; or e-mail [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov). Please refer to “OMB Control No. 2900–New (21–0844)” in any correspondence. During the comment period, comments may be viewed online at FDMS.

**FOR FURTHER INFORMATION CONTACT:**

Nancy J. Kessinger at (202) 461–9769 or FAX (202) 275–5947.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA’s functions, including whether the information will have practical utility; (2) the accuracy of VBA’s estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

*Title:* Certification of Fully Developed Claim, VA Form 21–0844.

*OMB Control Number:* 2900–New (21–0844).

*Type of Review:* Existing collection in use without an OMB Control Number.

*Abstract:* VA Form 21–0844 is used to process a claim within 90 days after receipt by a claimant or their representative. Claimants or their representative are required to sign and date the certification, certifying as of the signed date, no additional information or evidence is available or needs to be submitted in order to adjudicate the claim.

*Affected Public:* Individuals and Households.

*Estimated Annual Burden:* 132 hours.

*Estimated Average Burden Per Respondent:* 5 minutes.

*Frequency of Response:* On Occasion.

*Estimated Number of Respondents:* 1,584.

Dated: November 12, 2009.

By direction of the Secretary.

**Denise McLamb,**

*Program Analyst, Enterprise Records Service.*  
[FR Doc. E9–27589 Filed 11–16–09; 8:45 am]

**BILLING CODE 8320–01–P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0358]

### Agency Information Collection (Supplemental Information for Change of Program or Reenrollment After Unsatisfactory Attendance, Conduct or Progress) Activities Under OMB Review

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–21), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before December 17, 2009.

**ADDRESSES:** Submit written comments on the collection of information through [www.Regulations.gov](http://www.Regulations.gov); or to VA’s OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503, (202) 395–7316. Please refer to “OMB Control No. 2900–0358” in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Denise McLamb, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461–7485, fax (202) 273–0443 or e-mail [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to “OMB Control No. 2900–0358.”

**SUPPLEMENTAL INFORMATION:**

*Title:* Supplemental Information for Change of Program or Reenrollment after Unsatisfactory Attendance, Conduct or Progress, VA Form 22–8873.  
*OMB Control Number:* 2900–0358.

*Type of Review:* Extension of a currently approved collection.

*Abstract:* Veterans and other eligible persons may change their program of education under conditions prescribed by Title 38 U.S.C., Section 3691. A claimant can normally make one change of program without VA approval. VA approval is required if the claimant makes any additional change of program. Before VA can approve benefits for a second or subsequent change of program, VA must first determine that the new program is

suitable to the claimant's aptitudes, interests, and abilities, or that the cause of any unsatisfactory progress or conduct has been resolved before entering into a different program. VA Form 22-8873 is used to gather the necessary information only if the suitability of the proposed training program cannot be established from information already available in the claimant's VA education records or the results of academic or vocational counseling are not available to VA.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on September 9, 2009, at pages 46482-46483.

*Affected Public:* Individuals or households.

*Estimated Annual Burden:* 14,629 hours.

*Estimated Average Burden Per Respondent:* 30 minutes.

*Frequency of Response:* On occasion.

*Estimated Number of Respondents:* 29,258.

Dated: November 12, 2009.

By direction of the Secretary.

**Denise McLamb,**

*Program Analyst, Enterprise Records Service.*  
[FR Doc. E9-27590 Filed 11-16-09; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERAN AFFAIRS

### Privacy Act of 1974; System of Records

**AGENCY:** Department of Veteran Affairs (VA).

**ACTION:** Amendment of One Altered Privacy Act System of Records.

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a(e)(4)), the Department of Veterans Affairs (VA) has amended and is publishing the alteration of a system of records entitled "Freedom of Information Act (FOIA) Records-VA" 119VA005R1C. The amended and altered system of records makes only administrative edits and revisions as necessary.

**DATES:** The amended and altered system of records, which incorporates the comments received following the initial publication, shall become effective December 17, 2009.

**FOR FURTHER INFORMATION CONTACT:** Director, VA FOIA Service (005R1C),

Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461-7457.

**SUPPLEMENTARY INFORMATION:** As required by Privacy Act of 1974 (5 U.S.C. 552a(e)(4)), this document sets forth the amendment of the alteration of a system of records maintained by VA in response to comments received following the initial publication in the **Federal Register** at 74 FR 990 on January 9, 2009. VA is altering System No. 119VA005R1B, "Freedom of Information Act (FOIA) Records-VA" to update a change of address in the System Location and Storage and to update a change in the name and mail routing symbol of the System Manager and the system of records number. During the comment period, VA received only one response from the public which contained the several comments addressed below.

*Comment:* One commenter suggested changing the statutory citation found under the "Summary" heading of the notice from 5 U.S.C. 552(e)(4) to 5 U.S.C. 552a(e)(4).

*Response:* After careful review of this comment, VA agrees and has revised the notice.

*Comment:* One commenter suggested adding two new routine uses. The first would allow access to educational organizations/institutions that may need the records for research into the operations of VA or to determine if FOIA requests would be unnecessary or duplicative. The second would allow access to representatives of the news media who may need the records for an investigation or story of public interest.

*Response:* After careful review of this comment, VA disagrees with the suggested changes and therefore has not revised the notice. This system of records contains the home addresses and may also contain the home telephone numbers and email addresses of a percentage of individuals who submit FOIA requests. Educational organizations/institutions and representatives of the news media do not possess any unique quality or characteristic that should allow them access to such personal information. Should such organizations want access to the content of this system of records, they may request the records through the Freedom of Information Act (FOIA) which would protect the personal information we have described from disclosure.

*Comment:* One commenter suggested that the records should be required to be indexed by subject matter and that each FOIA request should be given a request number which can be used to easily

identify the request and the VA's responses.

*Response:* After careful review of this comment, VA disagrees with the suggestion that the records be required to be indexed by subject matter and therefore has not revised the notice. The records are indexed by the name of the requestor, date, and any other identifier deemed appropriate. The electronic data can be searched and retrieved by many other data elements when necessary, including the subject matter of the request. VA already intends to assign a FOIA tracking number, or a request number, to every request.

This Notice meets the requirement to notify the public that VA is amending the proposed changes in the VA system of records by incorporating the administrative changes following the initial publication at 74 FR 990, January 9, 2009. With this notification, this system of records is effective [Insert effective date].

Dated: November 9, 2009.

**John R. Gingrich,**

*Chief of Staff, Department of Veterans Affairs.*

**119VA005R1C**

**SYSTEM NAME:**

Freedom of Information Act (FOIA) Records-VA.

**SYSTEM LOCATION:**

Records are maintained at the VA Central Office FOIA Offices, 810 Vermont Avenue, NW., Washington, DC 20420; 806 W. Diamond Avenue, Suite 400, Gaithersburg, MD 20878, and all VA field facilities. A list of the field facilities may be found at the following Internet address: <http://www2.va.gov/directory/guide/home.asp>.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

This system contains records and related correspondence on individuals who have filed with VA:

a. Requests for information under the provisions of the Freedom of Information Act (5 U.S.C. 552), including requests for review of initial denials of such requests.

b. Requests under the provisions of the Privacy Act (5 U.S.C. 552a) for records about themselves where the FOIA is also relied upon to process the request and which then meet the Department of Justice's (DOJ) standard for required reporting in the Annual FOIA Report to the Attorney General of the United States.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains correspondence and other documents related to requests made by individuals to VA for: