

Estimated Annual Burden: 11,754 hours.

Estimated Average Burden Per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 70,522.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the form should be directed to Department of Veterans Affairs, Attn: Jacquie McCray Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 565-8266 or FAX (202) 565-8267.

Dated: March 1, 1996.

By direction of the Secretary

Donald L. Neilson,

Director, Information Management Service.

[FR Doc. 96-5866 Filed 3-11-96; 8:45 am]

BILLING CODE 8320-01-P

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Veterans Health Administration, Veterans Affairs.

ACTION: Notice.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, Veterans Health Administration (VHA) invites the general public and other Federal agencies to comment on this information collection. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3506(c)(2)(A)). Comments should address the accuracy of the burden estimates and ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology, as well as other relevant aspects of the information collection.

DATES: Written comments and recommendations on the proposal for the collection of information should be received on or before May 13, 1996.

ADDRESSES: Direct all written comments to Ann Bickoff, Veterans Health Administration (161A4), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. All comments will become a matter of public record and will be summarized in the VHA request for Office of Management and Budget (OMB) approval. In this document VHA is soliciting comments concerning the following information collection:

OMB Control Number: None Assigned.

Title and Form Number: Survey of Health Promotion and Preventative Medicine, VA Form 10-21000(NR)

Type of Review: New collection.

Need and Uses: Congress has mandated that VA assess the rates that veterans are offered and receive critical health promotion and disease prevention services, and report these rates to Congress on an annual basis, Public Law 102-585. Existing data resources in VA are unable to provide complete documentation regarding receipt of those services. An annual mail survey is proposed to provide the necessary information.

Affected Public: Individuals and households.

Estimated Annual Burden: 5,777 hours.

Estimated Average Burden Per Respondent: 10 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 51,900.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the form should be directed to Department of Veterans Affairs, Attn: Jacquie McCray, Information Management Service (045A4), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, Telephone (202) 565-8266 or FAX (202) 565-8267.

Dated: March 1, 1996.

By direction of the Secretary.

Donald L. Neilson,

Director,

Information Management Service.

[FR Doc. 96-5867 Filed 3-11-96; 8:45 am]

BILLING CODE 8320-01-P

Summary of Precedent Opinions of the General Counsel

AGENCY: Department of Veterans Affairs.
ACTION: Notice.

SUMMARY: The Department of Veterans Affairs (VA) is publishing a summary of legal interpretations issued by the Department's General Counsel involving veterans' benefits under laws administered by VA. These interpretations are considered precedential by VA and will be followed by VA officials and employees in future claim matters. It is being published to provide the public, and, in particular, veterans' benefit claimants and their representatives, with notice of VA's interpretation regarding the legal matter at issue.

FOR FURTHER INFORMATION CONTACT: Jane L. Lehman, Chief, Law Library, Department of Veterans Affairs, 810

Vermont Avenue, NW., Washington, DC 20420, (202) 273-6558.

SUPPLEMENTARY INFORMATION: VA regulations at 38 CFR 2.6(e)(9) and 14.507 authorize the Department's General Counsel to issue written legal opinions having precedential effect in adjudications and appeals involving veterans' benefits under laws administered by VA. The General Counsel's interpretations on legal matters, contained in such opinions, are conclusive as to all VA officials and employees not only in the matter at issue but also in future adjudications and appeals, in the absence of a change in controlling statute or regulation or a superseding written legal opinion of the General Counsel.

VA publishes summaries of such opinions in order to provide the public with notice of those interpretations of the General Counsel that must be followed in future benefit matters and to assist veterans' benefit claimants and their representatives in the prosecution of benefit claims. The full text of such opinions, with personal identifiers deleted, may be obtained by contacting the VA official named above.

VAOPGCPREC 19-95

Question Presented: To what extent does the six-year limitation period imposed by 31 U.S.C. 3702(b) apply to claims resulting from nonnegotiation by the payee of checks drawn on veterans' benefit appropriations?¹

Held: The proceeds of uncashed veterans' benefit checks which have been canceled pursuant to the competitive Equality Banking Act of 1987 (CEBA), Pub. L. No. 100-86, 101 Stat. 552, are not payable unless a claim for them is made within six years after the claim accrues, as required by the Barring Act, ch. 788, 54 Stat. 1061 (1940) (codified, as amended, at 31 U.S.C. 3702(b)), regardless of whether the benefit checks were drawn on veterans' benefit appropriations. Claims based on checks which have been lost, stolen, paid on a forged endorsement, or were never received, and which have been canceled under the CEBA, must also be presented within the six-year period specified by section 3702(b). Section 3702(b) is not applicable, however, to a claim made to VA under 38 U.S.C. 5122 by a payee's surviving spouse, child, dependent parent, or person who bore the expense of the payee's last sickness and burial, as

¹ The Department of Veterans Affairs' (VA's) appropriation accounts identified in the request for opinion are 36X0102 (compensation and pension), 36X0137 (readjustment benefits), and 36X4023-25 and 36X4125-30 (loan guaranty).