

Department of Veterans Affairs
Washington, DC 20420

VA Handbook 6300.6
Transmittal Sheet
January 12, 1998

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**PROCEDURES FOR RELEASING LISTS OF VETERANS' AND
DEPENDENTS' NAMES AND ADDRESSES**

- 1. REASON FOR ISSUE:** This handbook establishes procedures that implement the policies contained in VA Directive 6300, Records and Information Management, for processing requests for lists of veterans' and their dependents' names and addresses.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook provides procedures for processing requests for VA-supplied name and address listings of VA beneficiaries in accordance with 38 U.S.C. 5701(f)(1) and 38 CFR 1.519.
- 3. RESPONSIBLE OFFICE:** The Information Management Service (045A4), Office of the Deputy Assistant Secretary for Information Resources Management, is responsible for the material contained in this handbook.
- 4. RELATED DIRECTIVE:** VA Directive 6300, Records and Information Management.
- 5. RESCISSION:** None

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

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**PROCEDURES FOR RELEASING LISTS OF VETERANS' AND
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PROCEDURES FOR RELEASING LISTS OF VETERANS' AND DEPENDENTS' NAMES AND ADDRESSES

1. PURPOSE

a. This handbook sets forth procedures for implementing Title 38 U.S.C. 5701(f)(1) that authorizes the disclosure of names or addresses, or both, of present or former members of the Armed Forces and their dependents to nonprofit organizations. The purpose of Title 38 U.S.C. 5701(f)(1) is to limit disclosures to service and other nonprofit organizations whose purpose is to notify veterans of Title 38 benefits and to provide assistance to veterans in obtaining these benefits. Benefits under Title 38 include compensation, pension, education, medical care, vocational rehabilitation, and loan guarantees. Other provisions of Title 38 U.S.C. that impact upon Title 38 U.S.C. 5701(f)(1) are sections 7721 to 7725, that establish the Veterans Outreach Services Program.

b. Section 1.519, Title 38 CFR, makes the Assistant Secretary for Management responsible, with concurrence of the General Counsel (GC), for approving or denying requests for lists of names and addresses of veterans and their dependents. Under the Office of the Assistant Secretary for Management, the Director, Information Management Service (IMS), is responsible for processing these requests. The regulation also gives the Director of a regional office authority to release lists of educationally disadvantaged veterans.

2. GENERAL PROCEDURES FOR HANDLING REQUESTS

a. **Educationally disadvantaged veterans.** When the Director of a regional office receives a request for names and addresses of educationally disadvantaged veterans from a nonprofit organization that operates an approved program of special secondary, remedial, preparatory or other educational or supplementary assistance to veterans as provided under Title 38 U.S.C., he or she may authorize the release of such names and addresses to the organization requesting them.

b. **Other requests.** Requests from organizations for lists of names and addresses of veterans and/or their dependents should be forwarded to IMS for processing. Such requests received at field facilities should be acknowledged within 5 workdays and forwarded to IMS through the appropriate administrative channels. Initial requests for such lists that are addressed to the Secretary should also be referred to IMS. IMS will, with GC concurrence, approve or deny requests for such lists. Responses to appeals will be over GC's signature.

c. **Requests from VA elements.** Any VA element wanting lists of names and addresses of veterans and/or their dependents should forward a request through administrative channels to the System Manager of the appropriate system of records.

3. RESPONSIBILITIES FOR SPECIFIC PROCEDURES

a. Upon receipt of a request for a list of names and addresses, IMS will:

(1) Determine, with the concurrence of GC, that the information provided meets all of the criteria, solicit additional information from the requester, or prepare letters of denials for those requests that fail to meet established criteria. Upon denial of a request, IMS will inform the requester in writing of the denial and the reasons for the denial and advise the organization that it may appeal the denial to GC (38 CFR 1.519(e)).

(2) Verify school eligibility for colleges and universities requesting lists of names and addresses with the Veterans Benefits Administration (VBA), Education Service.

(3) Request a cost estimate from the appropriate systems manager. If the list requested is one that VA has previously compiled or created in the same format to carry out one or more of its basic program responsibilities and it is determined that it may be released, the list may be furnished without charge. A charge will be made for other types of lists in accordance with the provisions of 38 U.S.C. 5702(b) and 38 CFR 1.526.

(4) Accept monies received in payment for lists of names and addresses and deposit these funds in the proper account. Payment procedures are stated in 38 CFR 1.519(d).

(5) Prepare requests for programming, as required, to make the lists available to requesters.

(6) Provide to the Director, News Service, a copy of all denials of requests for lists of names and addresses. That office must be aware, in advance, of all adverse actions that might produce public or media reaction.

(7) Provide to the Office of Congressional Affairs a copy of all responses to congressional requests for lists of names and addresses.

(8) Maintain an administrative program to monitor the use of lists approved for release.

(9) Refer allegations of possible unauthorized use of VA-supplied lists of names and addresses to the Assistant Inspector General for Investigations. Incidents of unauthorized use of VA-supplied name and address lists are subject to Department administrative sanctions and referral to the Department of Justice for criminal prosecution. VA elements receiving complaints of the possible unauthorized use of VA-supplied name and address lists will forward the information to IMS promptly.

(10) Notify requesters receiving recurring lists of their responsibility to submit annual requests for recertification. The recertification shall include proof of nonprofit status; the purpose for requesting the list; and written certification that the organization and all members thereof who will have access to the list are aware of the penalty provision in 38 U.S.C. 5701(f).

(11) Determine that the information provided for recertification meets the requirements of 38 U.S.C. 5701(f) and 38 CFR 1.519, or prepare letters denying those requests that fail to meet established criteria. Denial letters will include the reasons for the denial and advise the requester that they may appeal to GC (38 CFR 1.519(e)).

b. GC will:

(1) Provide informal advice and/or formal written decisions, as appropriate.

(2) Concur or decline to concur within 5 workdays, to the extent possible.

(3) Concur in all denials of recertifications regarding release of lists of names and addresses.

(4) Review appeals of denials and prepare responses sustaining or denying such requests for GC signature.

(5) Provide IMS and the Director, News Service, with copies of all responses to appeals concerning release of lists of names and addresses. A copy should be sent to VBA if one or more VBA system(s) is involved.

c. Offices Responsible for Records will:

(1) Provide IMS with a cost breakdown for programming, testing, certification, computer running time, and other program support activities, as appropriate, for name and address lists generated from their systems.

(2) Prepare project assignments or ensure functional accuracy of request specifications, when appropriate.

(3) Evaluate the workload of their computer systems and prioritize requests in relation to all other demands.

(4) Respond to requests for mail forwarding which involve records under their jurisdiction.

(5) Establish target dates for production of data for systems under their control.

(6) Produce name and address lists in the appropriate or requested media (tape, labels, paper lists).

(7) Transmit lists to recipients.

d. Veterans Health Administration (VHA). VHA will provide informal advice and/or formal written decisions, as appropriate, on requests for names and addresses for medical research purposes.

e. VBA will:

(1) Advise IMS as to the propriety of releasing a list of names and addresses for outreach purposes. Title 38 U.S.C., sections 7721 to 7725, authorize an outreach services program to ensure that all eligible veterans are advised of benefits and services administered by VA and other governmental programs, including programs and benefits provided by state or local law as well as Federal laws other than those authorized by title 38, and give assistance in applying for these benefits. Section 7723 of 38 U.S.C. establishes Veterans Assistance Offices and section 7725 provides for cooperating with and using the services of any Federal department or agency, any State or local governmental agency, or recognized national or other organization to carry out these duties.

(2) Provide an advisory opinion on the value and worth of requests for a list of names and addresses whose purposes for release qualify under 38 U.S.C. 7721 to 7725, based on knowledge of past experience with the requesting organization.

(3) Advise IMS as to the propriety of releasing a list of names and addresses to a requesting college or university. Each school must sign a nondiscrimination statement (42 U.S.C. 2000) and may not exceed the 85/15 ratio of veterans to nonveterans (38 U.S.C. 3680A(d)(1)).

4. RESTRICTIONS

a. Lists of names and addresses provided by IMS will be limited to two of the three types of output (tape, labels, or printed list). One of the output media must be a tape. Name and address lists will be produced once a year for Members of Congress. The one-year limitation begins with the date of the IMS approval letter. While lists may be provided by IMS at no charge to Members of Congress and other governmental entities, in accordance with 38 C.F.R. 1.526, there will be a charge for additional lists produced for Members of Congress within the one-year period. Lists for other governmental agencies may be produced on a recurring basis (monthly, quarterly or semiannually); however, the agencies are subject to the one-year recertification requirement.

b. Any use of a list for a purpose not authorized under Title 38, U.S.C. is an unauthorized use. The following are unauthorized uses by a requester:

(1) Use of the list to solicit members, either by express invitation to join or by the inclusion of materials to be mailed back to become a member or seek more information regarding membership.

(2) Use of the list to provide goods or services for purchase, such as group insurance; or

(3) Use of the list in a manner not expressly approved by VA.

5. DEFINITIONS

a. **List of Names and Addresses.** An official roster of names and/or addresses of present or former personnel of the Armed Forces and/or their dependents for which VA maintains a record.

b. **Educationally Disadvantaged Veterans.** Veterans who, at the time of discharge, have not completed high school.