

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

- 1. REASON FOR ISSUE:** To revise VA Handbook 6300.6, Procedures for Releasing Lists of Veterans' and Dependents' Names and Addresses.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This handbook provides procedures for processing requests for name and address listings of veterans and beneficiaries by the Department of Veterans Affairs (VA) in accordance with 38 U.S.C. § 5701(f)(1) and 38 § CFR 1.519.
- 3. RESPONSIBLE OFFICE:** Associate Deputy Assistant Secretary (ADAS), Office of Privacy and Records Management (005G), Office of the Assistant Secretary for Information and Technology (005), is responsible for the material contained in this handbook.
- 4. RELATED DIRECTIVE:** VA Directive 6300, Records and Information Management.
- 5. RESCISSIONS:**
 - a. VA Handbook 6300.6, dated January 12, 1998
 - b. VA Handbook 6300.6/1, dated October 5, 2000

CERTIFIED BY:

/S/
Robert T Howard
Assistant Secretary
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**BY DIRECTION OF THE
SECRETARY OF VETERANS AFFAIRS:**

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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 38 U.S.C. 5701(f) (1) that authorize the disclosure of names or addresses, or both, of present or former members of the Armed Forces and their dependents (beneficiaries) to nonprofit organizations. The purpose of 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 provide assistance to veterans in obtaining these benefits. Benefits under Title 38 include compensation, pension, education, medical care, vocational rehabilitation, and loan guarantees. In addition, sections 7721 to 7725, authorize an outreach services program to ensure 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 laws as well as Federal laws other than those authorized by Title 38, and give assistance in applying for these benefits. Section 7723 of Title 38 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. GENERAL

a. Requests for veteran or beneficiary names and addresses must include:

(1) The type or category of names and addresses being sought.

(2) Proof satisfactory to VA that the requester is a "nonprofit organization."

(3) A statement setting forth the purpose for which the list is sought, and how the purpose is directly connected with the conduct of programs and use of benefits under Title 38, including the VA Outreach Program under 38 U.S.C. § 7722.

(4) A statement that the organization and all members who will have access to the list are aware of the penalty provision of 38 U.S.C., 5701(f), and will not use the list for any purpose other than that specified in the request.

b. Requests should be in writing and include the name, office, title, and telephone number (and electronic mail address and fax if available) of the person to be contacted in the event of questions.

c. Requests should be submitted to the appropriate VA component, depending on the type of list being sought, as follows:

(1) Requests for lists of names and addresses of veterans and beneficiaries other than educationally disadvantaged veterans should be sent to:

Department of Veterans Affairs
Records Management Service (005R1B)
810 Vermont Avenue, NW
Washington, DC 20420

Any such request (except for those involving educationally disadvantaged veterans) received by a VA organization other than Records Management Service (RMS), including those addressed to the Secretary, should be forwarded to RMS for processing. Any such request received at field facilities should be acknowledged within 5 workdays and forwarded to RMS through their respective parent organizations in VA Central Office (VACO).

(2) Requests for lists of names and addresses of educationally disadvantaged veterans should be sent to the Director of the nearest regional office. Any such request for educationally disadvantaged veterans received by any VA organization other than the nearest regional office should be forwarded to the Director of the appropriate office.

d. Lists of names and addresses will be extracted from two systems of records maintained by the VA Veterans Benefits Administration (VBA): the Compensation, Pension, Education, and Rehabilitation Records (58VA21/22) and the Veterans Assistance Discharge System—VA (45VA21). The Compensation, Pension, Education, and Rehabilitation Records system includes information on veterans and beneficiaries currently receiving benefits for compensation, pension, and education and is located at the Benefits Data Center in Hines, Illinois. The Veterans Assistance Discharge System includes information on recently discharged veterans and is located at the Austin Automation Center in Austin, Texas.

3. VA ORGANIZATIONAL RESPONSIBILITIES FOR SPECIFIC PROCEDURES

a. **VA Chief Information Officer (CIO).** Under 38 C.F.R. § 1.519 the VA Chief Information Officer (CIO) is responsible, with concurrence of the Office of the General Counsel (OGC), for approving or denying requests for lists of names and addresses of veterans and dependents.

b. **Associate Deputy Assistant Secretary, Office of Privacy and Records Management (005RG).** Under the auspices of the ADAS, the Director, Records Management Service (RMS) (005R1B) is responsible for processing these requests and upon receipt of a request for a list of names and addresses, will:

(1) Determine whether a request meets all of the criteria, solicit additional information from the requester if necessary, and approve or deny the request, with the concurrence of OGC. Upon denial of a request, RMS will inform the requester in writing of the denial and reasons for the denial and advise the requester they may appeal the denial to OGC 38 C.F.R. § 1.519(e).

(2) For requests from educational institutions submitted directly to VACO rather than VA regional offices, RMS will verify their eligibility as approved nonprofit organizations with the VBA education business line. Eligibility is based upon whether a school is in compliance with Titles 38 and 43.

(3) Obtain a cost estimate from the appropriate VBA business line. 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, it may be furnished without charge. Other types of lists will be charged in accordance with 38 U.S.C. § 5702(b) and 38 C.F.R. § 1.526.

(4) Accept payment for lists of names and addresses and deposit these funds in the proper account, in accordance with payment procedures stated in 38 C.F.R. § 1.519(d).

(5) Prepare and submit requests to the VBA business line for processing the request.

(6) Maintain an administrative program relying on VA employees that have volunteered to serve as monitors for ensuring that lists are used appropriately. These monitors will forward any material indicating improper use of names and addresses to RMS.

(7) Refer allegations of unauthorized use of lists of names and addresses to the VA Assistant Inspector General for Investigations. Unauthorized use of lists is subject to criminal sanctions by VA pursuant to 38 U.S.C. § 5701(f)(2) and referral to the Department of Justice for criminal prosecution. Allegations of unauthorized use of lists should be promptly forwarded to RMS.

(8) Notify requesters receiving recurring lists of their responsibility to submit annual requests for certification.

c. **Regional Offices.** Upon receipt of a request for a list of names and addresses of educationally disadvantaged veterans, the Director of the nearest regional office will:

(1) Determine whether a request meets all of the criteria, including operating an approved program of special secondary, remedial, preparatory, or other educational or supplementary assistance to veterans as identified under Title 38. The Director will also solicit additional information from the requester if necessary, and approve or deny the request. Upon denial of a request, the Director will inform the requester in writing of the denial and reasons for the denial and advise the requester they may appeal the denial to OGC. 38 C.F.R. § 1.519(e)

(2) Coordinate the release of such a list through the Facilities, Access, and Administration (FAA) within VBA/VACO. FAA, in turn, will coordinate the release of such a list with the appropriate business line managers for the education system.

d. **Office of the General Counsel.** OGC will:

(1) Provide informal advice or formal written decisions, when necessary.

(2) With respect to requests processed by RMS, concur or decline to concur within 5 workdays, to the extent possible.

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

(4) Review appeals of denials of requests for lists of names and addresses and, issue final agency decisions granting or denying those requests.

(5) Provide RMS with copies of final agency decisions on appeals concerning lists of names and addresses, and provide a copy to VBA if one or more VBA business line is involved.

e. **Veterans Benefits Administration.** VBA will:

(1) Advise RMS as to the propriety of releasing a list of names and addresses for outreach purposes.

(2) Provide RMS with an advisory opinion on the estimated cost of processing requests for a list of names and addresses based on knowledge of past experience with the requesting organization. The cost breakdown will include information on programming, testing, certification, computer running time, and other program support activities, for processing name and address lists generated from their systems.

(3) Advise RMS as to the propriety of releasing a list of names and addresses to a requesting educational institution. Each requester must sign a nondiscrimination statement pursuant to 42 U.S.C. 2000 and may not exceed the 85/15 ratio of veterans to nonveterans, pursuant to 38 U.S.C. 3680A (d) (1).

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

(5) Evaluate the workload of their computer systems and prioritize requests in light of other demands.

(6) Respond to veterans' requests for names and address to locate certain veterans, distribute military unit reunion notices, and gather facts concerning a particular wartime event.

(7) Establish target dates for production of data from the appropriate business lines.

(8) Produce name and address lists in the appropriate or requested media format encrypted Compact Disk (CD-ROM) for lists from the Compensation, Pension, and the Education System and gummed labels, or printed list for lists from the Veterans Assistance Discharge System.

(9) Transmit lists to the requester.

(10) Provide monitors with the type of information sent for each request.

4. RESTRICTIONS

a. Lists of names and addresses will be extracted only from two VBA systems of records:

(1) The Compensation, Pension, Education, and Rehabilitation Records (58VA21/22) and;

(2) The Veterans Assistance Discharge System—VA (45VA21)

No information will be released from any other system, including medical records.

b. Lists of names and addresses may be limited only by one or more of the following factors:

(1) Geographic area, such as zip code or state;

(2) Date of discharge; or

(3) Period of service.

c. Lists may not be limited by any other factor, including diagnostic codes or medical conditions. Lists provided to a Member of Congress may be limited to names and addresses of veterans and beneficiaries residing within that Member's state (Senate) or district (House of Representatives).

d. Lists may be produced on a recurring basis (monthly, quarterly, or semiannually) upon request. Requesters other than Members of Congress are subject to the one-year certification requirement.

e. Requesters will be charged for the costs associated with processing the lists of names and addresses requested. For Members of Congress, lists will be produced once a year at no charge, with the one-year period beginning on the date of the RMS approval letter. Additional lists produced for Members of Congress within the one-year period will be charged for the costs associated with processing the lists.

f. Any use of a list for a purpose not authorized under Title 38 U.S.C. 5701 (f) (1) is an unauthorized use. Examples of unauthorized uses include use of a list:

(1) 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) To provide goods or services for purchase, such as group insurance; or

(3) In a manner not expressly approved by VA.

5. DEFINITIONS

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

b. 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 (beneficiaries) for whom VA maintains a record.

c. Nonprofit Organization. Any organization recognized by the U.S. Internal Revenue Service as an organization exempt from taxation under 26 U.S.C. § 501, or a governmental body or institution, including Members of Congress.

d. VBA Business Lines. VBA organizations that administer, manage, or oversee the three nonmedical VA benefits; compensation, pension, and education.