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| **VA** | **U.S. Department**  **of Veterans Affairs** |

## Office of the General Counsel In Reply Refer To: 02REG Washington DC 20420

Date: February 19, 2016

From: Chief Impact Analyst (02REG)

Subj: Economic Impact Analysis for RIN 2900-AP75, Authority to solicit gifts and donations.

To: Director, Regulations Management (02REG)

I have reviewed this rulemaking package and determined the following.

1. This rulemaking will not have an annual effect on the economy of $100 million or more, as set forth in Executive Order 12866.

2. This rulemaking will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act, 5 U.S.C. 601-612.

3. This rulemaking will not result in the expenditure of $100 million or more by State, local, and tribal governments, in the aggregate, or by the private sector, under the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532.

4. Attached please find the relevant cost impact documents.

**(Attachment):** Agency’s Impact Analysis, dated February 12, 2016

**Approved by:**

Michael P. Shores, MSRC

Chief, VA Regulatory Impact Analyses

Regulation Policy & Management (02REG)

Office of the General Counsel

**(Attachment)**

**Impact Analysis for RIN 2900-AP75**

**Title of Regulation:** Authority to solicit gifts and donations.

**Purpose:** To determine the economic impact of this rulemaking.

**Need for the Rulemaking:** The U.S. Department of Veterans Affairs (VA) National Cemetery Administration (NCA) is amending its regulation regarding soliciting donations from the public to allow the Under Secretary of Memorial Affairs (USMA), or his designee, to solicit donations on behalf of VA. The current regulation includes a restriction on solicitation of donations, which is not legally necessary.

**Methodology/Assumptions:** This rulemaking removes a legally unnecessary restriction on VA’s ability to solicit donations under its gift authority in 38 U.S.C. 2407. Donations are voluntary, however, so this change in the regulation cannot guarantee any increase in donations to VA.

**Estimated Impact:** We have determined there are no costs or savings associated with this rulemaking. . Although VA officials would be permitted to solicit donations under this regulation, donations are voluntary, so the regulation has no impact on costs or savings to VA.

**Submitted by:**

Patricia Lynch Watts

Legislative and Regulatory Service (42E)

Department of Veterans Affairs, Washington, DC

February 12, 2016