

Supporting Statement for VA Form 21-8941  
REPS Annual Eligibility Report  
(Under the Provisions of Section 156, Public Law 97-377)  
(2900-0405)

A. Justification

1. The Department of Veterans Affairs (VA), through its Veterans Benefits Administration (VBA), administers an integrated program of benefits and services established by law for veterans, service personnel, and their dependents and/or beneficiaries. VA administers the Restored Entitlement Program for Survivors (REPS). This program pays VA benefits to certain surviving spouses and children of veterans who died in service prior to August 13, 1981 or who died as a result of a service-connected disability incurred or aggravated prior to August 13, 1981. The program is funded by the Department of Defense (DoD). Decisions as to entitlement are made by VA using Social Security Administration (SSA) entitlement criteria. Information is requested by this form under the authority of 38 U.S.C. 5101. Regulatory authority is found in 38 C.F.R. Sec. 3.812.
2. VA Form 21-8941 is used by the REPS Processing Unit at the St. Louis VA Regional Office to verify a REPS beneficiary's entitlement factors including annual earnings, marital status, and status of children. The form is completed annually by beneficiaries who have earned income that is at or near the limit of earned income. Benefits are reduced when beneficiaries earn more than the annual limit.
3. VA Form 21-8941 is available on the One-VA web site in a fillable electronic format. VBA is currently hosting these forms on a secure server and does not currently have the technology in place to allow for the complete submission of the forms. Validation edits are performed to assure data integrity. Efforts within VA are underway to provide a mechanism to allow the information to be submitted electronically with a recognized signature technology. There currently is no utility process in place that will allow the data submitted on the forms to be incorporated with an existing centralized legacy database. Veterans Online Applications (VONAPP) allows applicants to view, print, and submit applications electronically to VBA. However, VA Form 21-8941 is not one of the forms scheduled to be added to VONAPP because estimated total usage of this form is low. The Department will reconsider adding this form to VONAPP when the resources become available or if usage of this form becomes greater.
4. Program reviews were conducted to identify potential areas of duplication; however, none were found to exist. There is no known Department or Agency which maintains the necessary information, nor is it available from other sources within our Department.
5. The collection of information does not involve small businesses or entities.

6. The information is necessary in order to determine whether a beneficiary continues to meet the eligibility criteria for REPS benefits. Without this information, VA would be unable to verify continued entitlement to REPS benefits in a timely fashion, and overpayments would result.

7. There is no special circumstance requiring collection in a manner inconsistent with 5 CFR 1320.6 guidelines.

8. The Department notice was published in the Federal Register on May 1, 2008, pages 24116-24117. Field stations have not reported any difficulty on the part of respondents in using the form. No comments were received.

9. No payments or gifts to respondents have been made under this collection of information.

10. The records are maintained in the appropriate Privacy Act System of Records identified as 58VA21/22, "Compensation, Pension, Education and Rehabilitation Records - VA" as set forth in Privacy Act Issuances, 1993 compilation found in 42 Fed. Reg. 49726 (9/27/1977).

11. There are no questions of a sensitive nature.

12. Estimate of Information Collection Burden.

a. Number of Respondents is estimated at 1,200 per year.

b. Frequency of Response is annually for most beneficiaries.

c. Annual burden is 550 hours.

d. The estimated completion time of 15 minutes is based on review by staff personnel and previous usage of this form.

e. The total estimated cost to respondents is \$4,500 (300 hours x \$15 per hour).

13. This submission does not involve any recordkeeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs	\$24,565
(GS- 12/5 @ \$37.89 x 1,200 x 15/60 minutes = \$11,367)	
(GS- 9/5 @ \$26.13 x 1,200 x 20/60 minutes = \$10,452)	
(GS- 3/5 @ \$13.73 x 1,200 x 10/60 minutes = \$2,746)	
b. Printing and production cost	\$100
c. Total cost to government	\$24,665

15. The reporting burden has not changed.

16. The information collection is not for publication or tabulation use.

17. The collection instrument, VA Form 21-8941, may be reproduced and/or stocked by the respondents and veterans service organizations. This VA form does not display an expiration date, and if required to do so would result in unnecessary waste of existing stocks of this form. This form is submitted to OMB every 3 years. As such, this date requirement would also result in an unnecessary burden on the respondents and would delay Department action on the benefit being sought. VA also seeks to minimize its cost to itself of collecting, processing and using the information by not displaying the expiration date. For the reasons stated, VA continues to seek an exemption that waives the displaying of the expiration date on VA Form 21-8941.

18. This submission does not contain any exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

1. The Veterans Benefits Administration does not collect information employing statistical methods.