

Supporting Statement for VA Form 21-0537
Marital Status Questionnaire
(2900-0495)

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. This form is used to confirm the marital status of a surviving spouse in receipt of dependency and indemnity compensation (DIC) benefits. If a surviving spouse remarries, he or she is no longer entitled to DIC unless the marriage began after age 57 or has been terminated. Information is requested by this form under the authority of 38 U.S.C. 101(3) and 38 U.S.C. 103.
2. VA Form 21-0537 is used to determine whether a surviving spouse is still entitled to DIC benefits.
3. Respondents may provide the information requested by VA Form 21-0537 via telephone, e-mail, or fax. VA Form 21-8960-1 is not available on the One-VA website for several reasons. VA Form 21-0537 is a computer-generated form which is dispatched only by VA's central computer system. Before VA Form 21-0537 is mailed to beneficiaries, VA's electronic system partially completes the form with information that is specific to the beneficiary and the schoolchild for whom verification of marital status is being requested. Additionally, beneficiaries are required to provide the information requested by these forms within 60 days from the date the form is generated, or benefits may be reduced or terminated. The date VA mails the form to the beneficiary is necessary in order to correctly determine due process and appeal periods. No data regarding the percentage of responses received via e-mail is available. Currently, there has been no consideration of using other information technology. The Department will reconsider using other information technology when the resources become available.
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. If the collection were not conducted, VA would have no means of determining whether remarried surviving spouses were improperly in receipt of DIC. Once evidence of a DIC recipient's marital status has been received, an entitlement determination is made. Each DIC recipient under age 57 receives a VA Form 21-0537 approximately once every eight years. None of the matching programs conducted by VA reveals information about a beneficiary's marital status.

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 March 4, 2010, pages 10027-10028. No comments were received in response to this notice.

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 “Compensation, Pension, Education, and Rehabilitation Records—VA (58VA21/22/28)” as set forth in Privacy Act Issuances, 1993 compilation found in 17 Fed. Reg. 117 (June 19, 2009).

11. There are no questions of a sensitive nature.

12. Estimate of Information Collection Burden.

a. Number of Respondents is estimated at 2,270 per year.

b. Frequency of Response is approximately once every eight years for most beneficiaries.

c. Annual burden is 189 hours.

d. The estimated completion time of 5 minutes is based on review by experienced staff personnel and test usage of a comparable form.

e. The total estimated cost to respondents is \$2,835 (189 hours at \$15 per hour).

13. This submission does not involve any recordkeeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs \$3,296

(GS-3/5 @ \$14.73 x 2,685 x 5/60 = \$3296)

b. Printing and production cost \$2,052

c. Total cost to government \$5,348

15. There is no change in reporting burden. However, the form was revised to include a request for the spouse's date of birth. Without a date of birth, VA records will be incomplete and we will be unable to match data with our agencies,. The form was also revised to include a box for an e-mail address (if applicable); contact information for the VA; and an updated signature block.

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

17. The collection instrument, VA Form 21-0537, 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 21-0537.

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

B. Collection of Information Employing Statistical Methods

The data collection does not employ statistical methods.