

Supporting Statement for VA Form 21-1775
Statement of Disappearance
(2900-0036)

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 survivors. 38 U.S.C. 108 requires a formal "presumption of death" when a veteran has been missing for seven years. Entitlement to death benefits cannot be determined in these cases until VA has made a decision of presumption of death.
2. VA Form 21-1775 is used to gather the necessary information to determine if a decision of presumptive death can be made for benefit payment purposes. It would be impossible to administer the death benefits program without this collection of information.
3. VA Form 21-1775 is available on the One-VA Website in a fillable electronic format. Claimants may print and submit forms non-electronically. The Veterans Online Applications (VONAPP) allows applicants to view, print and submit applications electronically to VBA. However, since the estimated total usage of VA Form 21-1775 is minimal, it is not one of the forms scheduled to be added to VONAPP. 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. Since no state law providing presumption of death is applicable to VA benefits, VA Form 21-1775 is needed to gather the information necessary to make a proper decision about the unexplained absence of a veteran for over 7 years. Without this information, it would not be possible for VA to make a decision regarding presumption of death and authorize death benefits.
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 October 12, 2010 at pages 62634-62635. There were no comments 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 74 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 10 per year.

b. Frequency of Response is one time for most beneficiaries.

c. Annual burden is 28 hours.

d. The estimated completion time of 2 hours 45 minutes is based on review by staff personnel and previous usage of this form.

e. The total estimated cost to respondents is \$420 (28 hours x \$15 per hour).

13. This submission does not involve any record keeping costs.

14. Estimated Costs to the Federal Government:

a. Processing/Analyzing costs \$247

(GS-9/5 @ \$28.04 x 10 x 45/60 minutes = \$210)

(GS-3/5 @ \$14.73 x 10 x 15/60 minutes = \$37)

b. Printing and production cost \$60

c. Total cost to government \$307

15. There is no change in the reporting burden.

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 The information collection is not for publication or tabulation use.

17. The collection instrument, VA Form 21-1775, 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 21-1775.

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

B. Collection of Information Employing Statistical Methods

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