

Supporting Statement for VA Form 21-8938 and 21-8938-1
Student Beneficiary Report - REPS
(2900-0399)

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. Child beneficiaries must be unmarried, between the ages of 18 and 22 and attending approved courses of education or training. 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 Forms 21-8938 and 21-8938-1 are used to verify that a surviving child who is receiving REPS benefits based on schoolchild status is in fact enrolled full-time in an approved school and is otherwise eligible for continued benefits. VA Form 21-8938 is generated by VA's central computer system each March and sent to all student beneficiaries. If the completed form is not received by the end of May, the beneficiary is sent a system-generated due process letter with another VA Form 21-8938. VA Form 21-8938-1 is used by the REPS Processing Unit in St. Louis, MO if another copy of the form is needed by a respondent.

3. VA Form 21-8938-1 is available on the One-VA web site in a fillable electronic format. VA Form 21-8938 is identical to VA Form 21-8938-1; however, it is generated only from VA's central computer. VBA is currently hosting VA Form 21-8938-1 on a secure server and does not currently have the technology in place to allow for the complete submission of the form. 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. VA has not developed an online enrollment verification system, similar to WAVE, for this form because funding is not available. Also, this is very low usage form. Unlike the over one million responses received through WAVE each year for VA Form 22-8979 (2900-0465), only 5,300 respondents complete VA Form 21-8938 and 21-8938-1 a year.

Veterans Online Applications (VONAPP) allows applicants to view, print, and submit applications electronically to VBA. However, VA Form 21-8938-1 is not one of the forms currently scheduled to be added to VONAPP because estimated total usage of this form is low and resources are limited. 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. If the collection were not conducted, VA would be unable to verify continued school attendance and continued entitlement to REPS benefits. If the collection were conducted less frequently than annually, it would be ineffective in identifying individuals who were no longer attending school. REPS benefits would not be properly paid, and substantial 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 July 25, 2011, page 44401. 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 58VA21/22/28, "Compensation, Pension, Education, and Rehabilitation Records—VA" 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 5,300 per year.
 - b. Frequency of Response is annually.
 - c. Annual burden is 1,767 hours.
 - d. The estimated completion time of 20 minutes is based on review by staff personnel and previous usage of this form.
 - e. The total estimated cost to respondents is \$26,505 (1,767 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 \$43,659
 - (GS-9/5 @ \$28.04 x 5,300 x 15/60 minutes = \$37,153)
 - (GS-3/5 @ \$14.73 x 5,300 x 5/60 minutes = \$ 6,506)
 - b. Printing and production cost \$540

c. Total cost to government \$44,199

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 21-8938 and VA Form 21-8938-1, may be reproduced and/or stocked by the respondents and veterans service organizations. The 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 21-8938 and VA Form 21-8938-1.

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.