

VA Form 21-4170, *Statement of Marital Relationship*
Comment on Information Collection Extension
May 20, 2021

Docket: VA-2021-VACO-0001

Commenter: Ms. Katie Talley (no organization/affiliation)

VBA received a comment from Ms. Katie Talley, stating the following concerns/questions:

Question 1:

The information asked for in VA Form 21-4170 is needed and useful but should be obtained through documented evidence. This would save time and prove validity. If there is documented evidence, there is not a need to describe the information on those documents on an extra form. If there is no documented evidence, then the form should be used.

VBA Response 1:

A signature on the form is a certification that the claimant is acknowledging the information they have provided is true and correct to the best of their knowledge and belief. VA would never expect a signatory to certify any information they did not specifically provide. Also, any additional documented evidence a claimant provides along with the form will enhance the processing of their claim.

Question 2:

Any collection of information by two people is going to take longer than 25 minutes. Aside from basic information, this four-paged form is asking for multiple dates and locations of past living situations. Also, multiple questions are open-ended and require multiple sentences for a proper response. Responses would be discussed between spouses if applicable- making response times much longer for some couples. The form asks for any documents to be attached that would help prove marital status. Collecting these documents would take much longer than 25 minutes to obtain. So, I would change the estimated burden of time.

VBA Response 2:

The general rule for VBA forms is 5 minutes per page. However, this estimate can be increased or decreased due to the topic/sensitivity of the form to accommodate the claimant. VA Form 21-4170 is currently 4 pages. The estimated time of completion of 25 minutes has already accounted for any additional time the claimant may need to properly complete the form. Also, the form was previously formatted prior to this proposed reinstatement to provide additional space should the claimant need to use it; however, this portion of the form is not a requirement. Thusly, the current estimated time of completion will remain 25 minutes.

Question 3:

One way for this collection of information to seem less burdensome is a verified list of options of acceptable documents that could be sent in as proof. Giving individuals a visual list with *mandatory* and *requested* choices would simplify the process.

VBA Response 3:

The form already includes examples of acceptable documents in the Important Information box above Section I. This is the language provided:

IMPORTANT INFORMATION: Submit any documents that show the veteran and the spouse or surviving spouse as husband and wife; for example, lease agreements, joint bank statements, utility bills, tax returns, insurance forms, employment records, and any other documents showing marital status. Please be advised that original documents will not be returned to you. We highly encourage you to submit certified copies instead.

Question 4:

Common law marriage is only recognized by the VA if it is valid in the state where the citizen resides- these states where it is considered valid should be listed on the form.

VBA response:

Common law marriage laws are passed and maintained by individual states and can change at any time. The VA is not responsible for providing this information.