

SUPPORTING STATEMENT  
REQUEST FOR DETERMINATION OF LOAN GUARANTY ELIGIBILITY -  
UNMARRIED SURVIVING SPOUSES  
OMB 2900-0055  
VA FORM 26-1817

A. JUSTIFICATION

**1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.**

In certain circumstances, unmarried surviving spouses are eligible for the VA home loan benefit. See 38 U.S.C. 103(c); 38 U.S.C. 3701(b)(2), (3), and (6); 38 U.S.C. 3702(c); 38 CFR 3.50; 3.55; 3.805.

VA Form 26-1817 is used by VA to determine an unmarried surviving spouse's eligibility for Loan Guaranty benefits, and the amount of entitlement available. Each completed form is normally accompanied by proof of the deceased Veteran's military service and is submitted by the applicant to the appropriate VA office. If eligible, VA will issue the applicant a Certificate of Eligibility (COE) to be used in applying for Loan Guaranty benefits.

This form is also used in restoration of entitlement cases. Generally, if an applicant has used all or part of their entitlement, it may be restored if (1) the property has been sold and the loan has been paid in full or (2) a qualified Veteran-transferee agrees to assume the balance on the loan and agrees to substitute their entitlement for the same amount of entitlement originally used by the applicant to get the loan. The buyer must also meet the occupancy and income and credit requirements of the law. Restoration is not automatic; an applicant must apply for it by completing VA Form 26-1817.

The Secretary is required by 38 U.S.C. 3702 (a), (b), and (c) to determine the applicant's eligibility for Loan Guaranty benefits, compute the amount of entitlement, and document the certificate with the amount and type of guaranty used and the amount, if any, remaining.

**2. Indicate how, by whom, and for what purposes the information is to be used; Indicate actual use the agency has made of the information received from current collection.**

Section 3702(c) of Title 38, U.S.C. states that any Veteran may apply to the Secretary for a Certificate of Eligibility (COE). A completed VA Form 26-1817 constitutes a formal request by an unmarried surviving spouse of a deceased Veteran for a COE. The information furnished on VA Form 26-1817 is necessary for VA to make a determination of whether or not the applicant is eligible for Loan Guaranty benefits. Lenders may also electronically submit an application for a determination of eligibility on behalf of a surviving spouse. Upon receipt of an electronic application from the lender or VA Form 26-1817 from the surviving spouse, the application is processed by Loan Guaranty personnel for determination

of eligibility. The information collected on the form provides the essential information necessary for VA to make a proper determination.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

VA continues to enhance information technology solutions for the eligibility process. Our enhancements now permit a lender to submit an application electronically on behalf of an unmarried surviving spouse. Applicants who have not selected a lender complete VA Form 26-1817 and submit directly to Loan Guaranty Service. Presently, it is not mandatory that lenders use the electronic application feature; therefore, they may submit VA Form 26-1817 to request a COE.

VA Form 26-1817 also requires very specific information that is collected from the applicant. The form requires the applicant to provide identifying information about the deceased Veteran which may not always be contained at the time of application in VA data systems.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

Program reviews were conducted to identify potential areas of duplication; however, none were found to exist. There is no known Department or agency that maintains the necessary information, nor is it available from other sources within our Department.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The collection of information does not involve small businesses or entities.

- 6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.**

This information collection is not a recurring or repetitive report. It is accomplished on a one-time basis per applicant.

- 7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be**

**generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.**

There are no special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor’s notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.**

The Department notice was published in the Federal Register on June 7, 2022, Volume 87, No 109, pages 34761.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

Decisions to provide any payment or gift to respondents does not apply.

- 10. Describe any assurance of privacy to the extent permitted by law provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses identified in the VA system of records, 55VA26, Loan Guaranty Home, Condominium and Manufactured Home Loan Applicant Records, Specially Adapted Housing Applicant Records, and Vendee Loan Applicants Records – VA, and published in the Federal Register 2014 Compilation.

- 11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual’s mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

No questions of a sensitive nature are contained on the form.

- 12. Estimate of the hour burden of the collection:**

Description of Information Collection	Frequency of Response	Total Annual Responses	Hours per Response	Annual Burden Hours	Hourly Cost	Total Annual Cost
VA Form 26-1817	1	4,250	15 min	2,125	\$28.01	\$59,521.25

VA Form 26-1817 Entry by Lender	1	4,250	15 min	2,125	\$38.74	\$82,322.50
Total		8,500		4,250		\$141,843.75

Estimate of Information Collection Burden

- a. Number of respondents is estimated at 8,500 per year.
- b. Frequency of response is generally one-time per loan.
- c. Annual burden is 4,250 hours.
- d. The estimated burden of 15 minutes per transaction has been determined by lenders to be an average time spent to report the information requested and no wide variance is likely.
- e. The respondent population is composed of unmarried surviving spouses of Veterans and lenders. VBA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, VBA used general wage data to estimate the surviving spouse respondents' costs associated with completing the information collection. VBA used the mortgage industry loan officers cost to estimate the respondents' costs associated with completing the information collection. VA estimates lenders make electronic entries on half of all eligibility applications made for unmarried surviving spouses.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the median weekly earnings of full-time wage and salary workers are \$1,120.40. Assuming a forty (40) hour work week, the mean hourly wage is \$28.01 based on the BLS wage code – “00-0000 All Occupations. This information was taken from the following website: ([https://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](https://www.bls.gov/oes/current/oes_nat.htm#00-0000) May 2021).

Legally, respondents may not pay a person or business for assistance in completing the information collection and a person or business may not accept payment for assisting a respondent in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total cost to all respondents to be \$59,521.25 (2,125 burden hours x \$28.01 per hour).

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the median weekly earnings of full-time wage and salary workers are \$1,549.60. Assuming a forty (40) hour work week, the mean hourly wage is \$38.74 based on the BLS wage code – “13-2072 Loan Officers. This information was taken from the following website: (<https://www.bls.gov/oes/current/oes132072.htm> , May 2021).

Legally, respondents may not pay a person or business for assistance in completing the information collection and a person or business may not accept payment for assisting a respondent in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates

the total cost to all respondents to be \$82,322.50 (2,125 burden hours x \$38.74 per hour).

**13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

This submission does not involve any recordkeeping costs.

**14. Provide estimates of annual cost to Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Estimated Annualized Cost to the Federal Government

Grade	Step	Burden Time	Fraction of Hour	Hourly Rate	Cost Per Response	Total Responses	Total
11	5	15 min.	.25	\$ 30.94	\$7.74	8,500-	\$ 65,790
Overhead at 100% Salary							\$ 65,790
0	0	0	0	0	0	0	0
Overhead at 100% Salary							
Printing and Production Cost							\$ 0
Total Cost to Government							\$ 65,790

Note: The hourly wage information above is based on the hourly 2022 General Schedule (Base) Pay ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/GS_h.pdf)). This rate does not include any locality adjustment as applicable.

The processing time estimates above are based on the actual amount of time employees of that grade level spend to process to completion a claim received on this form.

There are no printing costs. VA Form 26-1817 can be downloaded from the VA website.

**15. Explain the reason for any burden hour changes since the last submission.**

There is not any change to the form for respondent time; however, the burden hours have increased due to the increase in submitted applications.

**16. For collections of information whose results will published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of collection of information,**

**completion of report, publication dates, and other actions.**

Information collection is not for tabulation or publication use.

**17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We are not seeking approval to omit the expiration date for OMB approval.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-1.**

There is no exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-1.

**B. Collection of Information Exploring Statistical Methods**

1. This collection of information does not employ statistical methods.