

**SUPPORTING STATEMENT FOR VA FORM LETTER 22-909,  
DEPENDENTS' EDUCATIONAL ASSISTANCE  
(DEA) ELECTION REQUEST**

**A. Justification.**

1. The Department of Veterans Affairs (VA) is required under 38 U.S.C. 3512(a) to provide certain eligible dependents (children) the opportunity to elect the beginning date of their eligibility period under the Survivors' and Dependents' Educational Assistance (DEA) program. Under 38 U.S.C. 3512(b), certain eligible dependents (spouses) can also elect their beginning date under the DEA program.

2. VA will use the information collected to determine the beginning date of the dependent's eligibility period, if the dependent responds. It is mandatory that VA notify the affected children under 38 U.S.C. 3512(a) of their opportunity to make an election. Under 38 U.S.C. 3512(b) it is not mandatory that VA provide the spouses with the opportunity to make an election, but they may also elect a beginning date.

3. There is currently no means to collect the election electronically. The dependent is sent the notice informing them they may choose their beginning date. The dependent returns the election, which contains his or her signature and the beginning date he or she chooses. It is not mandatory for the dependent to respond to the letter or elect the date.

4. VA is not aware of any duplication of this information collection. The election is specific to the DEA benefit provided under 38 U.S.C. chapter 35 and only applies in certain cases. This is a collection required due to a change in the law requiring VA to notify certain dependents that they have the right to elect the beginning date of their DEA eligibility period.

5. The information collection does not have a significant impact on a substantial number of small entities. Only specific individuals seeking DEA benefits will be requested to supply this information.

6. If this information is not collected, VA would be in violation of 38 U.S.C. 3512(a), which provides that certain eligible dependents must be given the opportunity to elect the beginning date of their eligibility period. The statute requires VA to notify the eligible children of their right to elect the beginning date. Under 38 U.S.C. 3512(b), eligible spouses are given the opportunity to make an election. The dependent's election is the only way for VA to obtain the dependent's choice of the beginning date of his or her eligibility period.

7. The collection of this information does not require any special circumstances.

8. The public was informed of the right to submit comments on this information collection. The notice is contained on page 8073 of the Federal Register dated February 22, 2007 and page 35302 of the Federal Register dated June 27, 2007. We have not received any comments in response to this notice.

9. VA does not provide any payment or gift to respondents.

10. If the dependent responds, VA will retain a scanned image of the dependent election in an electronic education folder. Our assurance of confidentiality is covered by our System of Records, Compensation, Pension, Education and Rehabilitation Records - VA (58VA21/22) which is contained in the Privacy Act Issuances, 2001 Compilation.

11. None of the information collected is considered to be of a sensitive nature.

12. The estimated annual burden for the collection of this information is 5,718 hours.

This figure represents the number of annual responses (22,872) multiplied by 15 minutes, the time required by the dependent to determine his desired beginning date for DEA benefits and complete the request. We project that a respondent will only submit this information once during their benefit period. We based the estimate of 15 minutes on our experience. We did not conduct a special survey to determine this estimate.

The annual gross cost to the public is \$95,374 based on 22,872 responses. By assigning a value of \$15.00 per hour to the time, it will take the dependent to complete the beginning date election request and with an average completion time of 15 minutes. The cost of information collection activity is estimated to be \$85,768. The cost of the envelope and mailing the request for election is estimated at \$9,606 based on 22,872 responses at \$.42 each.

Summary of cost to the public:

	\$ 85,768	Completion of Beginning Date Election
<b>Plus</b>	\$ 9,606	Total Mailing Cost (Postage and Envelope)
	\$ 95,374	Total Public Cost

12. This submission does not involve any record keeping costs for the individual costs.

14. The annual cost to the government for administering these requests is estimated at \$98,767 based on 22,872 annual responses.

This cost is composed of the following:

a. A processing cost of \$ 88,932 based on the salary of a claims examiner (GS-9 step 5 with an hourly salary of \$23.33) and a processing time of 10 minutes per response.

b. Administrative and printing costs totaling \$9,835.

Summary of costs to the Federal Government:

\$ 88,932	Processing cost for Information Request (GS 9/5)
\$ 9,835	Administrative and printing costs
\$ 98,767	TOTAL GOVERNMENT EXPENSE

- 15. This is a new submission. There are no changes or adjustments from the previous period.
- 16. VA does not publish this information or make it available for publication.

17. The collection instrument is produced by regional offices requesting the information. This request does not display an expiration date, and if required to do so, would result in unnecessary changes. As this request will be submitted to OMB for approval every three years, this date requirement would result in added costs to the agency and would delay VA action on the benefit being sought. VA seeks to minimize the cost to itself of collecting, processing, and using the information, by not displaying the expiration date. For these reasons, VA seeks an exception that waives the displaying of the expiration date.

18. This information collection fully complies with the requirements of 5 CFR 1320.8(b)(3).

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

This collection of information by the Veterans Benefits Administration does not employ statistical methods.