

Supporting Statement for VA Forms 21-534 and 21-534a
Application for Dependency and Indemnity Compensation, Death Pension and Accrued
Benefits by a Surviving Spouse or Child (Including Death Compensation if Applicable)
Application for Dependency and Indemnity Compensation by a Surviving Spouse or
Child - In-Service Death
(2900-0004)

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. Information is requested by this form under the authority of 38 U.S.C. 1310 through 1314 and 1532 through 1543.

2. VA Form 21-534 is used to gather the necessary information to determine the eligibility of surviving spouses and children for dependency and indemnity compensation (DIC), death pension, accrued benefits, and death compensation. VA Form 21-534a is an abbreviated application for DIC that is used only by surviving spouses and children of veterans who died while on active duty service.

3. VA Form 21-534 is available on the One-VA Website in a fillable electronic format. VBA is currently hosting these forms on a secure server and does not currently have the technology in place to allow for the complete submission of the forms. 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. Veterans Online Applications (VONAPP) allows applicants to view, print, and submit applications electronically to VBA. VA Form 21-534 is not currently available in VONAPP; however, the form is scheduled to be added to VONAPP when the resources become available.

VA Form 21-534a is completed by Military Casualty Assistance Officers who are assisting surviving spouses and children in filing claims for death benefits. To avoid misuse of this form by claimants who should be using VA Form 21-534, this form is not available on the One-VA Website. A faxed copy of a properly signed VA Form 21-534 or 21-534a may be accepted if there are no questions as to its validity.

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. The VA compensation and pension programs require proof of age and/or relationship for payment of benefits and additional benefits for dependents. Income information is also necessary to determine entitlement to death pension. 38 U.S.C. 5101 states that when a claimant files a claim for death benefits VA must consider entitlement to all death

benefits. Therefore, VA Form 21-534 requests all the information needed to determine eligibility for DIC, death pension, accrued benefits, and death compensation. Very few applicants are entitled to death compensation. If entitlement to both DIC and death pension is established, VA pays the greater benefit.

VA Form 21-534a requests only the information that is needed from the claimant in order to process a claim based on in-service death. When a service member dies in service, the surviving spouse and/or children are entitled to DIC. Accrued benefits and death compensation are not payable in these cases, and DIC is always a greater benefit than death pension. Additionally, service and death information are provided to VA by the Department of Defense, so VA Form 21-534a also does not request this information from the claimant.

Without this collection of information, entitlement to benefits could not be determined.

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 July 25, 2011, pages 44402-44403. 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 "Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records-VA (58VA21/22/28)," published at 74 FR 29275 (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 60,909 per year for VA Form 21-534 and 2,400 per year for VA Form 21-534a.

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

c. Annual burden is 76,736 hours.

d. The estimated completion time of 1 hour, 15 minutes for VA Form 21-534 and 15 minutes for VA Form 21-534a is based on review by staff personnel and previous usage of these forms.

e. The total estimated cost to respondents is \$1,151,040 (76,736 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 \$5,918,210

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(GS-11/5 @ \$33.92 x 37,700 x 20/60 minutes = \$ 426,261)
(GS-10/5 @ \$30.88 x 37,700 x 108/60 minutes = \$2,095,516)
(GS-3/5 @ \$14.73 x 37,700 x 19/60 minutes = \$ 175,851)

(GS-12/5 @ \$40.66 x 23,209 x 50/60 minutes = \$ 786,398)
(GS-11/5 @ \$33.92 x 23,209 x 20/60 minutes = \$ 262,416)
(GS-10/5 @ \$30.88 x 23,209 x 160/60 minutes = \$1,911,183)
(GS- 3/5 @ \$14.73 x 23,209 x 26/60 minutes = \$ 148,143)

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(GS-11/5 @ \$33.92 x 2,400 x 20/60 minutes = \$27,136)
(GS-10/5 @ \$30.88 x 2,400 x 60/60 minutes = \$74,112)
(GS- 3/5 @ \$14.73 x 2,400 x 19/60 minutes = \$11,194)

- b. Printing and production cost \$2,800
- c. Total cost to government \$5,517,096

The processing times for each form and type of claim differ, so the costs are calculated separately. Processing and analyzing costs for VA Form 21-534 are based on 37,700 claims for death pension and 23,209 claims for service connection for cause of death, the breakdown of VA Forms 21-534 received. Processing and analyzing costs for VA Form 21-534a are based on the 2,400 claims for service connection for cause of death received.

15. The reporting burden remains the same.

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

17. The collection instruments, VA Form 21-534 and 21-534a, may be reproduced and/or stocked by the respondents and veterans service organizations. These VA forms do not display an expiration date, and if required to do so would result in unnecessary waste of existing stocks of these forms. These forms are 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 21-534 and 21-534a.

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.