

**SUPPORTING STATEMENT FOR VA FL22-909, DEPENDENT'S
EDUCATIONAL ASSISTANCE (DEA) ELECTION REQUEST
2900-0703**

A. Justification.

1. Pursuant to 38 U.S.C. 3512(a) and 3512(b), the Department of Veteran's Affairs (VA) is required to provide eligible dependent children and in some cases a dependent spouse the opportunity to elect the begin date of their eligibility period under the Survivors' and Dependents' Educational Assistance (DEA) program.
2. VA will use the information collected determine when to begin their payment. It is mandatory VA notify the dependent child under 38 U.S.C. 3512(a) the opportunity to make an election. Under 38 U.S.C. 3512(b) it is not mandatory VA provide spouses the opportunity to make an election, but they may also elect a begin date.
3. Currently there is no means to collect the election electronically. The dependent is sent a letter of eligibility along with a notice to inform them to choose their begin date. While it is mandatory for VA to request an election date from certain dependents, it is not mandatory for the dependent to provide an election date. However, if the dependent chooses to elect a begin date, he/she will provide the date on the form which is sent with the eligibility letter, and return the form to VA. Dependents may also provide election information to a customer service representative at the Education Call Center by dialing toll-free 1-888-442-4551.
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 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 begin date of their eligibility period. The statute also requires VA to notify eligible children of their right to elect the begin date. Under 38 U.S.C. 3512(b), eligible spouses are given the opportunity to make an election. An election is the only way for VA to obtain the dependent's choice of the begin date of his or her eligibility period.
7. The collection of this information does not require any special circumstances.

8. The Department notice was published in the Federal Register on March 22, 2013, Volume 78, Number 56, page 17778. No comments were received in response to this notice.

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

10. VA FL22-909 is retained permanently in the claimant's education folder. Our assurance of confidentiality is covered by 38 U.S.C. 5701 and our System of Records, Compensation, Pension, Education and Vocational Rehabilitation and Employment Records – VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2011 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 184 hours.

VA projects that for FY 2013 – 2015, an average of 735 individuals will apply for DEA benefits over the course of the three years.

The estimated annual burden of 184 hours was determined by multiplying the projected number of responses, 735, by 15 minutes, which is the amount of time VA believes it will take a dependent to choose his or her desired begin date for DEA benefits and to complete the request. We project that a respondent will only submit this information once during their benefit period. We did not conduct a special survey to determine this estimate.

The annual gross cost to the public is \$2760 based on 735 responses ($735 \times 15/60 = 184$ hours). VA estimates it will take the dependent an average of 15 minutes to complete the election request. The public cost of information collection activity is estimated to be \$2760 ($184 \text{ hours} \times \$15.00 = \$2760$).

13. This submission does not involve any record keeping costs.

14. The annual total cost to the government to administer these requests is estimated at \$3157 based on 735 annual responses.

This cost is composed of the following:

a. The processing cost is based on the salary of a claims examiner (GS-9 step 5 with an hourly salary of \$25.77, and a processing time of 10 minutes per response ($735 \times \$25.77 \times 10/60$) = \$3157.

b. There is no administrative and printing costs associated with this collection.

15. There is a decrease in burden costs and hours due to a decrease in the number of individuals applying for DEA benefits.

16. VA does not publish this information or make it available for publication.

17. The collection instrument, VA FL22-909, may be reproduced and/or stocked by respondents and Veterans organizations. Requiring VA to display an expiration date on the form would result in unnecessary waste of existing stocks. Inclusion of the expiration date could also result in a delay of the Department's action on the benefit being sought (respondent trying to obtain a newer version, while VA would have accepted the older version). For the reasons stated, VA continues to seek an exemption 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.