

**SUPPORTING STATEMENT TO ELECT THE BEGINNING ELIGIBILITY DATE FOR  
DEPENDENT'S EDUCATIONAL ASSISTANCE (DEA)  
CHAPTER 35, VA Form Letter 22-909  
RIN: (2900-0703)**

**Justification.**

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

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 beginning date of their eligibility period under the Survivors' and Dependents' Educational Assistance (DEA) program.

**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.**

VA will use the information collected to 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. 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.**

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. 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 which 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.**

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. 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 is no special circumstance requiring collection in a manner inconsistent with 5 CFR 1320.6 guidelines.

**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 Jul 6, 2016, Volume 81, Number 129, page 44095. No comments were received in response to this notice

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

No payments or gifts to respondents have been made under this collection of information.

**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 Form Letter 22-909 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. 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.**

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

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

Estimate of Information Collection Burden.

- a. Number of Respondents: 384
- a. Frequency of Response: Once During Benefit Period
- b. Annual Burden Hours: 96
- c. Estimated Completion Time: 15 minutes

- d. The respondent population consists of veterans who are pursuing approved programs of education. VBA cannot make further assumptions about the population of respondents because of the variability of factors such as educational background and wage potential of respondents. Therefore, VBA used general wage data for “All Occupations” to estimate the respondents’ costs associated with completing the information collection.

The Bureau of Labor Statistics gathers information on full-time wage and salary workers. Accordingly, the median weekly earnings of full-time wage and salary workers is \$929.20. Assuming a forty (40) hour work week, the median hourly wage is \$23.23.

The general wage code of “00-000-0000 for “All Occupations” may be found by clicking this link: [https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm), as of May, 2015.

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.

## **CALCULATIONS:**

The estimated annual burden for the collection of this information is 96 hours.

VA projects that for FY 2016 – 2019, an average of 384 individuals will apply for DEA benefits over the course of the four years.

This figure represents the number of annual responses 384 multiplied by 15/60 minutes which is the time required by the dependent to determine his/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 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 \$2400 based on 384 responses ( $384 \times .25 = 96$  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  $\$2400 = (\text{number of responses of } 384 \times 15/60 = 96 \times \$25.00 = \$2400)$ .

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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 record keeping costs for the individual costs.

**14. Provide estimates of annual cost to the 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 Costs to the Federal Government:**

- a. Processing/Analyzing costs = \$1729
- b. Forms are available on the VA inter/intranet forms websites.
- c. Printing and production cost = \$0
- d. Total cost to government = \$1729

The annual total cost to the government to administer these requests is estimated at \$1702 based on 384 annual responses.

**This cost is composed of the following:**

- a. The processing cost is based on the salary of a claims examiner as of January 1, 2017 at level GS-9 step 5 with an hourly salary of \$27.02, and a processing time of 10 minutes per response ( $384 \times \$27.02 \times 10/60$ ) = \$1729. The hourly salary is based on the Federal General Scale (GS) salary for the "Rest of the United States" as of January 1, 2017. Please click [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/RUS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/RUS_h.pdf) to access the OMP GS Payment Scale.
- b. There is no administrative and printing costs associated with this collection.

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

The decrease in burden hours is due to a decrease in the number of responses that are projected to be received over the course of the next four years (2016; 2017; 2018 and 2019) based on the latest President's Budget Submission.

**16. For collections of information whose results will be 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 the collection of information, completion of report, publication dates, and other actions.**

The information collection is not for publication or tabulation use.

**17. If seeking approval to not display 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. The expiration date placeholder has been added to the form.

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

This submission does not contain any exceptions to the certification statement.

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

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