

SUPPORTING STATEMENT FOR VA FORM 22-5490
Application for Survivors' and Dependents' Educational Assistance
(2900-0098)

Justification

1. Spouses, surviving spouses, and children of veterans or servicemembers must submit evidence to establish basic eligibility for and entitlement to Survivors' and Dependents' Educational Assistance (DEA) under chapter 35, title 38, U. S. C. VA Form 22-5490 serves as the procedural requirement for these applicants to apply to the Department of Veterans Affairs (VA) for DEA benefits.

The following statutes and regulations require this information collection:

a. 38 U. S. C. §3513, 5113, 5101, 5102, and 5103.

b. 38 Code of Federal Regulations 21.3030.

2. VA claims examiners use the information from this collection to help determine whether an applying individual qualifies for DEA benefits. The information on the form can be obtained only from the claimant, and a determination cannot be made without the information.

3. Information technology is helping to reduce the burden. This method of collection is the most efficient and continues to increase as more claimants become aware of its existence. Approximately, thirty percent of DEA claims are filed electronically. The electronic collection is made via an internet-based application called Veterans Online Application (VONAPP) that collects the same information as the printed VA Form 22-5490. VONAPP allows applicants to submit information directly to the Regional Processing Office (RPO) with jurisdiction over the claim, reducing error potential and speeding the application process.

4. VA is not aware of any duplication in the collection of this information.

5. This collection involves only DEA claimants. There is no impact on education institutions or small businesses.

6. Without this information, VA would not have any basis to make determinations of eligibility for DEA benefits. The information is collected only when the claimant requests DEA benefits.

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

8. The Department notice was published in the Federal Register on September 23, 2008, pages 54898-54899. There were no comments received in response to this notice.

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

10. VA Form 22-5490 is retained permanently in the claimant's education folder. The confidentiality of the information entered on this form is required by our System of Records, Compensation, Pension, Education and Vocational Rehabilitation Records - VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2001 Compilation.

11. None of the questions on this form are considered to be of a sensitive nature.

12. The estimated annual burden hours for the collection of the information is 22,566 hours. It will take approximately 45 minutes for information to be collected and the form completed by the respondent. Each respondent will submit only one response. The number of respondents that will complete the form is 30,088. (30,088 respondents x 45 minutes divided by 60 equals 22,566 hours).

The annual cost to the public is estimated at \$338,490. The 22,566 hours required to complete the form, at \$15 per hour equals \$338,490.

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

14. The annual cost to the government for administering this form is estimated at \$814,433. This is based on the following:

Processing includes \$14.26 per hour for TIMS clerk processing. Based on 22,566 hours, this cost will be \$321,788. In addition, processing includes \$21.61 per hour for adjudication (claims examiner) processing. Based on 22,566 hours, this cost will be \$487,645. The total of these two costs will be \$809,433.

The administrative costs are \$5,000. This is the total for development, design, printing, and distribution of 30,088 forms and associated administrative costs at \$.22 per piece.

Summary of Annual Cost to Federal Government:

+	\$ 809,433	VA Form 22-5490 (clerk and adjudication processing)
+	\$ 5,000	Administrative costs
	\$ 814,433	Total Government Cost

15. The public burden in hours has decreased because the average number of respondents (based on an average from fiscal years 2005, 2006, and 2007) has decreased.

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

17. The collection instrument, VA Form 22-5490, may be reproduced and/or stocked by the respondents and veterans service organizations. This VA form does not display an expiration date and if required to do so, it would result in unnecessary waste of existing stocks of this form. As these forms are submitted to OMB for approval every three years, 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 the cost of collection, processing, and using the information in not displaying the expiration date. For these reasons, VA continues to seek an exemption that waives the displaying of the expiration date on VA Form 22-5490.

18. This information collection fully complies with all the requirements of 5 CFR 1320.9 and 1320.8(b)(3).

B. Collection of Information Employing Statistical Methods

This data collection does not employ statistical methods.