

OMB #2900-0098

VA Form 22-5490	Renewal Submission of Dependents' Application for VA Education Benefits
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A. Justification

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

Spouses, surviving spouses, and children of Veterans or Servicemembers must submit an application in order to establish basic eligibility and entitlement to Survivors' and Dependents' Educational Assistance (DEA) under chapter 35 of title 38, United States Code. Additionally, surviving spouses and children of deceased Servicemembers who die in the line of duty while on active duty must submit an application in order to establish basic eligibility and entitlement to Post-9/11 GI Bill benefits under the Marine Gunnery Sergeant John David Fry Scholarship provisions of chapter 33 of title 38, U. S. C. (The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146) further extended eligibility to the spouse of members of the Armed Forces who die in line of duty while on active duty after September 10, 2001). VA Form 22-5490 serves as the procedural requirement for applicants to apply to the Department of Veterans Affairs (VA) for these benefits.

The following statutes and regulations require this information collection:

- a. 38 U. S. C. §§ 3311 (as amended by P.L. 113-146, section 701, effective August 7, 2014), 3513, 3697A, 5113, 5101, 5102, and 5103.
- b. 38 CFR 21.3030 and 21.9510.

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 claims examiners use the information from this collection to help determine whether an applying individual qualifies for DEA or Fry Scholarship benefits. The information will also be used to determine if the program of education the applicant wishes to pursue is approved for educational assistance. The information on the form can be obtained only from the claimant, and a determination cannot be made without the information.

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.

Information technology is helping to reduce the burden. The online electronic collection is made via the Vets.gov portal which has been implemented using algorithms that now helps guide the applicant more thoroughly toward completing the application based on their responses to the questions being asked. The implementation and use of Vets.gov helps to reduce the burden while continuing to enable the Veteran to submit the application directly to the Regional Processing Office (RPO) with jurisdiction over the claim, thus reducing potential errors and speeding up the application process.

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.

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

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.

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

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.

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

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 February 27, 2018, Volume 83, No. 39, Pages 8572-8573. 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.

VA does not provide any payment or gift to respondents.

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 22-5490 is retained 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 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 questions on this form are considered to be of a sensitive nature.

12. Estimate of the hour burden of the collection of information. Please show mathematical calculations:

Note: The number of claimants who submitted an application for DEA or FRY educational assistance benefits for the periods FY '2014, '2015 and '2016 were 50,981 respondents annually.

Estimate of Information Collection Burden

- a. Number of Respondents: 50,981
- b. Frequency of Responses: Once – Each applicant has the option of filing this form either electronically or on paper. We estimate it will take approximately 45 minutes for the average applicant to complete and return the paper version of VA Form 22-5490, and approximately 25 minutes for the average applicant to complete and submit the electronic version of the form. The average number of respondents who will complete the form on paper is one half of the total number of respondents at 25,491.
- c. Annual Burden Hours: 19,118 ($25,490.5 \times 45\text{min} / 60 = 19,118$)

Annual Burden Hours: 10,622 ($25,490.5 \times 25 / 60 = 10,621$)

Total Burden Hours = 29,740

- d. Estimated Completion Time: 45min (**paper**); 25min (**electronic**)
- e. The respondent population for the VA Form 22-5490 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 (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the mean hourly wage is \$24.34 based on the BLS wage code – “00-0000 All Occupations.” This information was taken from the following website:

(https://www.bls.gov/oes/2017/may/oes_nat.htm, May 2017).

Legally, respondents may not pay a person or business for assistance in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total cost to all respondents to be \$723,872 (29,740 burden hours x \$24.34 per hour).

13. Provide an estimate of the total annual cost burden to respondents or record-keepers 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..

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, 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:

Grade	Step	Burden Time	Hourly Rate	Cost Per Response	Total Responses	Total
09	05	19,118	\$27.48	20min (paper processing)	25,491	\$233,498
09	05	10,622	\$27.48	15 min (electronic processing)	25,491	\$175,124
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Overhead at 100% Salary						
Overhead costs are 100% of salary and are the same as the wage listed above; and the amount is included in the total.						
Processing / Analyzing Costs					25,491 X \$27.48 X 20 / 60	\$233,498
					25,491 X \$27.48 X 15 / 60	And 175,124
Printing and Production Cost						\$0
Total Cost to Government,						\$408,622

Note: The hourly wage information above is based on the hourly '2017 General Schedule (Base) Pay https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/RUS_h.pdf. This rate does not include any locality adjustment as applicable.

The processing time estimates above are based on the actual amount of time employees of the grade level spend to process to completion a claim received on this form.

REPORTING FEE INFORMATION: There is no cost to schools because VA pays each school that furnishes training under the various VA education programs a fee for processing all required VA reports or certifications for each veteran or other claimant. VA refers to these fees as "school reporting fees" which help schools to defray the costs of processing paperwork required to be submitted to VA. The reporting fee is in lieu of any other compensation or reimbursement. Reporting fees were established by Public Law 90-77 effective August 31, 1967 and are in 38 U. S. C. 3684

Estimated Costs to the Federal Government: \$408,622

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

The estimated burden for this collection has decreased due to a decrease to the number of respondents.

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.

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 does / does not employ statistical methods.