

**SUPPORTING STATEMENT FOR THE REVISION OF VA
FORM 22-5281
Application for Refund of Educational Contributions
(OMB Control Number 2900-0261)**

Summary: This collection is currently approved by the Office of Management and Budget (OMB), and the agency submits this renewal for approval past the current 3-year expiration date. This renewal is considered a revision, as there has been an increase in the burden from the previous submission. The data used for this renewal consists of the average number of dis-enrollment refund payments made over the periods, 2019, 2020, 2021 and 2022.

The increase in responses were as a result of the following:

- VA has recently identified all Veterans with remaining chapter 32 funds and therefore has conducted a project in 2022 to reach out to those Veterans. Our letter included VA Form 22-5281 which advised the individual to request a refund by returning the form since they're no longer eligible to use chapter 32 benefits.
- The Program Office also made efforts to locate eligible Veterans through Google searches based on their last known address on file with VA. This action generated some responses. However, many of the addresses were over 30 years old.
- Lastly, to help reduce the burden, we are directing identified Veterans to access the GI Bill Website to request their refund by letter. This effort should help to reduce the burden significantly when the next renewal becomes due. The last time anyone could join the chapter 32 benefit program was prior to June 1985. If less than 10 respondents occur, the Program Office will seek to discontinue the form and the Information Collection OMB control number.

A. Justification.

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

Public Law 94-502 established the Post-Vietnam Era Educational Assistance Program (VEAP). The VEAP program account is jointly funded by the eligible participant and the Department of Defense. The fund provides educational assistance payments to eligible participants who entered the service after December 31, 1976, and before July 1, 1985, and are pursuing training under chapter 32, title 38 U.S.C.

The Application for Refund of Educational Contributions, VA Form 22-5281, is required to process a refund of contributions made by eligible participants who wish to disenroll from the program. If a participant stops enrollment from the program prior to discharge or release from active duty, such participant's contributions will be refunded on the date of the participant's discharge or release from active duty, or within 60 days of receipt of notice by the Secretary of the participants' discharge.

If a participant stops enrollment from the program after discharge or release from active duty, the participant's contributions shall be refunded within 60 days of receipt of an application for a refund from the participant.

VA records show that although there are only 12 active participants receiving chapter 32 benefits, there remains approximately 62,000 previous chapter 32 participants with inactive banking records with remaining contributions on file.

In an effort to reach out to previous chapter 32 participants based on their last known address on file to make refunds, VA recently began a special project by sending out letters and attaching the VA Form 22-5281 advising the participant to request a refund by returning the form since they are no longer eligible to use the benefit. VA refunded 14,480 previous participants and continue to use other measures such as Google search to locate the remaining population of participants with inactive chapter 32 records and remaining contributions. As a result of this effort, it created an increase in the number of responses received for this renewal period covering periods 2019, 2020, 2021 and 2022.

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.

The VA uses the information collection to properly identify and refund remaining chapter 32 contributions to any inactive chapter 32 participant.

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.

The VA Form 22-5281 is available in an electronic fillable format available on the Internet. However, the form cannot be submitted electronically because a signature is required.

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.

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This information collection does not impose a significant economic impact on a substantial number of 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.

Without the information submitted on VA Form 22-5281, VA would be unable to refund the participant the amount which is currently being held in the chapter 32 Post-Vietnam Era Veterans Education account.

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.

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5(d)(2).

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.

A 60-Day Federal Register Notice (FRN) for the collection published on Thursday, June 1, 2023. The 60-Day FRN citation is Volume 88, Federal Register Number 105, Page 36000. No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice (FRN) for the collection published on Wednesday, August 16, 2023. The 30-Day FRN citation is Volume 88, Federal Register Number 157, Page 55824.

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

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

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.

The VA Form 22-5281 is retained permanently in the claimant's education folder. Our assurance of privacy is covered by 38 U.S.C. 5701 and our System of Records, Compensation, Pension, Education and Veteran Readiness and Employment Records - VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2012 Compilation.

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

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

No questions considered sensitive are being asked in this collection.

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

The estimated annual burden to the public for this information collection is 603 burden hours. During the periods 2019, 2020, 2021 and 2022, there were approximately a total of 14,480 responses received requiring refunds, resulting in an annual average of 3,620 submissions from respondents.

1. Application for Refund of Educational Contributions, VA Form 22-5281

- a. Number of Respondents: 3,620
- b. Frequency of Response: Once. [$3,620 \times 10 / 60 = 603$ annual burden hours].
- c. Annual Burden Hours: 603
- d. Estimated Completion Time: 10 minutes

e. The respondent population for the VA Form 22-5281 for this collection were composed of Veterans that were chapter 32 participants with banking records of remaining contributions. The VBA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, VBA used general wage data 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 weekly earnings of full-time wage and salary workers are \$1,190.40. Assuming a forty (40) hour work week, the **mean hourly wage is \$29.76 based on the BLS wage code – “00-0000 All Occupations.” (\$29.76 X 40 hours)**. This information was taken from the following website: https://www.bls.gov/oes/current/oes_nat.htm May 2022.

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. VBA estimates the total cost to all respondents to be \$17,945.28 (603 burden hours x \$29.76 per hour).

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.

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: Application for Refund of Educational Contributions, VA Form 22-5281.

<u>Grade</u>	<u>Step</u>	<u>Burden Time Employee</u>	<u>Hourly Wage Rate</u>	<u>Cost per Response</u>	<u>Total Responses</u>	<u>Gov. Cost</u>
09	05	5min	\$31.02	\$2.58	3,620	\$9,357.70 (3,620 X \$31.02 X 5 / 60)
Overhead at 100%. Overhead costs are 100% of salary and are also the same as the wage listed above; and						

	the amount is included in the total.	-0-
	<u>Processing / Analyzing Cost</u>	<u>-0-</u>
	<u>Printing and Production Cost</u>	<u>-0-</u>
	<u>Total Cost to Government</u>	\$9,357.70

Note: The hourly wage information above is based on the hourly 2023 General Schedule (Base) Pay. https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/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.

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

- The burden has increase since the previous approval as a result of the following, which includes data used for this renewal, consisting of the average number of annual dis-enrollment refund payments made over the periods, 2019, 2020, 2021 and 2022.
- VA has recently identified all Veterans with remaining chapter 32 funds and therefore has conducted a project in 2022 to reach out to those Veterans. Our letter included the VA Form 22-5281 which advised the individual to request a refund by returning the form since they're no longer eligible to use chapter 32 benefits.
- The Program Office also made efforts to locate eligible Veterans through Google searches based on their last known address on file with VA. However, many of the addresses were over 30 years old.
- Lastly, to also help reduce the burden, we are directing identified Veterans to access the GI Bill Website to request their refund by letter. This effort should help to reduce the burden significantly when the next renewal becomes due. If less than 10 respondents remain with open chapter 32 refunds accounts, the Program Office will seek to discontinue the form and the Information Collection OMB control number. The last time anyone could join the chapter 32 benefit program was prior to June 1985.

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 results of this information collection will not be published.

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 display of the expiration date of the OMB approval on the collection instrument.

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

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.

B. Collection of Information Employing Statistical Methods.

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