

SUPPORTING STATEMENT

Revision For Information Collection Renewal (ICR)

“Dependents’ Application for VA Education Benefits”

VA FORM 22-5490

OMB CONTROL #2900-0098

Summary: Dependents’ Application for VA Education Benefits

- This information collection is currently approved by the Office of Management and Budget (OMB), and the agency submits this renewal revision for approval past the current 3-year expiration date. This renewal is considered a revision, as there has been an increase to the burden from the previous submission. This collection renewal covers calendar years 2021 and 2022 for the number of claimants who applied for “Dependents’ Educational Benefits (DEA)”, available under the chapter 35 program, and the “Marine Gunnery Sergeant John David Fry Scholarship (FRY)”, which is available under the chapter 33 program.
- In 2023, VA has made significant revisions to the VA Form 22-5490. The major purpose for the revisions were due to the “Digital-GIB (DGIB) Modernization and Automation” efforts the agency has recently implemented to automate original claims processing through the new VA.gov electronic application submission portal, as was recently also part of the agency’s burden decrease initiative reported to OMB. Applicants will be able to use the VA.gov portal to provide answers to only the most pertinent questions necessary for the agency to render faster eligibility determinations on original claims for benefits. The VA.gov portal automatically pre-fills information into the application based on the answers the claimant provides. With the use of this system, certain questions such as asking for previous education, training, and employment information, application history, or previous benefit and type of education or training, for example, are no longer necessary to render a VA eligibility determination.
- This ICR is being submitted as a Revision due to an increase in burden.
- There were no comments received in response to the Federal Register Notices.

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 Service members must submit an application 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 Service members who die in the line of duty while on active duty, or while a member of the Armed Forces, or from a service connected death while serving as a member of the Selected Reserve, 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) which further extends 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.

The VA's Veterans Claims Examiners use the information from this collection to help determine whether a claimant qualifies for DEA or Fry Scholarship benefits. The information on the form can be obtained only from the claimant, and an eligibility 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 available using the new Va.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 these systems helps to reduce the burden while continuing to enable the dependent to submit the application directly to the Regional Processing Office (RPO) with jurisdiction over the claim, thus reducing potential errors and accelerating 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.

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 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 Fry Scholarship and DEA, available under chapter 33 and chapter 35, respectively.

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 delineated 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 Friday, September 29, 2023. The 60-Day FRN citation is Volume 88, FRN No 188, Pages 67452-67453. No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice (FRN) for the collection published on Thursday, November 30, 2023. The 30-Day FRN citation is Volume 88, FRN No 229, Page 83640.

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 22-5490 is retained in the claimant's electronic education file. Our assurance of confidentiality is covered by 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. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB 83-I. Provide estimates of annual cost to respondents for the hour burdens for collections of information. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14 of the OMB 83-I.

Estimation of Respondent Burden:

VA Form 22-5490

[Dependents' Application for VA Education Benefits]

The average number of annual respondents who submitted an application for DEA or FRY educational assistance benefits for the periods 2021 and 2022 is 83,972. This figure results in 48,983 burden hours.

- a. Number of Respondents: 83,972
- b. Frequency of Responses: Once – Each applicant has the option of filing this form either electronically or on paper. Currently, it takes 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 41,986.
- c. Annual Burden Hours: **31,489** (41,986 X 45 min. / 60 min = 31,489)

Annual Burden Hours: **17,494** (41,986 X 25 min. / 60 min = 17,494)

Total Burden Hours = 48,983

- d. Estimated Completion Time: 45 min. (**paper**); 25 min. (**electronic**)
- e. The respondent population for the VA Form 22-5490 consists of dependents 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 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 \$1,457,734.08 (48,983 burden hours x \$29.76 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).

There are no annualized costs to respondents other than the labor costs addressed in Section 12 of this document to complete this collection.

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 Labor Cost to the Federal Government: \$759,736.67

VA Form 22-5490

[Dependents' Application for VA Education Benefits]

Grade	Step	Burden Time	Hourly Rate	Cost Per Response	Total Responses	Total
09	05	20 min. (paper processing)	\$31.02	\$10.34	41,986	\$434,135.24
09	05	15 min. (electronic processing)	\$31.02	\$7.75	41,986	\$325,601.43
--	--	--	--	--	--	--
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					41,986 X \$31.02 X 20 / 60	\$434,135.24
					41,986 X \$31.02 X 15 / 60	And \$325,601.43
Printing and Production Cost						\$0
Total Cost to Government						\$759,736.67

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

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 increased since the previous approval due to an increase in the number of claimants who applied for “Dependents’ Educational Benefits (DEA)”, available under the chapter 35 program, and the “Marine Gunnery Sergeant John David Fry Scholarship (FRY)”, which is available under the chapter 33 program.

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 does not employ statistical methods.