

SUPPORTING STATEMENT – PART A

OMB 2900-0098

Dependents' Application for VA Education Benefits

VA FORM 22-5490

Summary of Changes from Currently Approved Collection

- The ICR is associated with rulemaking RIN 2900-AQ88
- Updated Total Cost to all Respondents
- Updated Cost to the Federal Government

1. Need for the Information Collection

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. Use of the Information

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. Use of information Technology

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. Non-Duplication

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

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

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. Paperwork Reduction Guidelines

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

8. Consultation and Public Comments

Part A

The associated proposed rule, RIN 2900-AQ88, was published in the Federal Register on May 24, 2023, Volume 88, Number 100, page 33672. No comments pertaining to the collections of information were received in response to this notice.

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. No comments were received during the 30-Day Comment Period.

Part B

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payments

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

10. Confidentiality

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. Sensitive Questions

None of the questions on the application are of a sensitive nature.

12. Respondent Burden and its Labor Costs

- 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** ($41,986 \times 45 \text{ min.} / 60 \text{ min} = 31,489$)

Annual Burden Hours: **17,494** ($41,986 \times 25 \text{ min.} / 60 \text{ min} = 17,494$)

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 hourly wage is \$31.48 based on the BLS wage code – 00-0000 All Occupations.” This information was taken from the following website:
https://www.bls.gov/oes/current/oes_nat.htm.

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 \$1,982,579 (83,972 responses x 45/60 x \$31.48 per hour).

13. Respondent Costs other than Burden Hour Costs

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

14. Cost to Federal Government

VA Form 22-5490 - Dependents’ Application for VA Education Benefits

Grade		Burden Time	Hourly Rate	Cost Per Response	Total Responses/Form s	Total
09	05	20 min	\$32.56	\$10.85	83,972	\$911,376
Overhead at 100% Salary						\$911,376
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						\$911,376
Printing and Production Cost						\$0
Total Cost to Government						\$911,376

Note: The hourly wage information above is based on the hourly 2024 General Schedule Pay. https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS_h.aspx

15. Reasons for Change in Burden

The burden has not changed since the previous approval.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

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