

SUPPORTING STATEMENT FOR VA FORM 22-0803  
Application for Reimbursement of Licensing or Certification Test Fees  
38 CFR 21.1030(b), 21.7140(c)(4)  
(2900-0695)

**A. Justification.**

1. Statute requires that an individual who desires a benefit that the Department of Veterans Affairs (VA) administers must apply to VA for that benefit (38 U.S.C. 5101(a)). The collection of information is necessary to apply that section and 38 U.S.C. 3689 (which is applicable pursuant to 38 U.S.C. 3034(a), 3241(a), 3471, 3513) to claims for educational assistance for licensing or certification tests under the various educational assistance programs VA administers. The information collection in proposed 38 CFR 21.1030(b) and 21.7140(c)(4) is also authorized by 38 U.S.C. 501(a). The Application for Reimbursement of Licensing or Certification Test Fees, VA Form 22-0803, provides for individuals a means for applying to VA for reimbursement for licensing or certification test fees.

2. VA will use the information collection specific to licensing and certification test fee reimbursement to decide whether the claimant should be paid educational assistance for taking a licensing or certification test and, if he or she should be paid, the amount to be paid to the claimant. The maximum payment per test is \$2,000. There is no limitation on the number of tests that may be taken except that an individual may not exceed his or her maximum entitlement. Due to an oversight resulting from an effort to expedite claims processing, VA has collected this information without OMB approval.

3. If this application is the individual's first application for educational assistance, it can be filed electronically using VA's online application (VONAPP). Subsequent applications, however, must still be filed on paper. Although it would be possible to provide a system where claimants file supplemental claims electronically, the information VA is asking for in these supplemental claims is so small that it has a lower priority than providing systems to file for other claims electronically. An electronic fillable format of this form will be provided on the VA website. Our ultimate goal is to allow for all claims to be filed electronically.

The applications an individual uses the first time he or she claims educational assistance are approved under OMB control numbers 2900-0154 and 2900-0098. These applications are the applications VA uses to determine basic eligibility under the educational assistance programs VA administers. The collection described in the Application for Reimbursement of Licensing or Certification Test Fees, VA Form 22-0803, and in 38 CFR 21.1030(b)(2) and 21.7140(c)(4) is the requirement to provide information specific to licensing and certification testing and the cost of such testing.

We revised (and OMB approved) the application form used by the majority of first-time claimants, VA Form 22-1990 (OMB control number 2900-0154), to include a block that shows an individual is claiming educational assistance for licensing or certification test/s. We revised (and OMB approved) VA Form 22-5490 (OMB control number 2900-0098) used by spouses, surviving spouses, and children under the Survivors' and Dependents' Educational Assistance program to contain a block and instructions specifically asking about licensing and certification tests, although very few of these beneficiaries request reimbursement for tests as their first claim for educational assistance.

4. VA is not aware of any duplication of this information collection.
5. The collection of information will not have a significant impact on a substantial number of small entities. Only individuals will supply this information.
6. If VA does not collect this information, it would be impossible to know who is eligible for educational assistance for taking licensing and certification tests, and the amount that should be paid to those who are eligible.
7. The collection of this information does not require any special circumstances.
8. The Department notice was published in the Federal Register on April 9, 2007, pages 17628-17629, and on July 10, 2007, pages 37576-37577. Eligible persons who use the form, and school officials, have a continuing opportunity to comment on this information collection. There were not comments received.
9. VA does not provide any gifts to respondents.
10. After processing, VA will retain any written documents in an education folder. Education folders are destroyed periodically. If the education folder is destroyed, the documents on which the information is collected will be destroyed also. Our assurance of confidentiality is covered by our System of Records, Compensation, Pension, Education and Rehabilitation Records - VA(58VA21/22) which is contained in the Privacy Act Issuances, 1999 Compilation.
11. None of the information collected is of a sensitive nature.

12. The estimated annual burden for the collection of this information is 1,590 hours. The frequency of response is on occasion. VA estimates that it would take 15 minutes to apply for this benefit. The annual cost to respondents is \$26,522. This estimate is determined as follows:

a. VA has tracked the number of individuals to whom it has made reimbursement for licensing and certification tests. In fiscal year 2004, 4,387 individuals applied for and received this benefit. Approximately 45% of the respondents submit more than one application. VA receives approximately 6,361 responses annually. Therefore 6,361 responses at 15 minutes each equal the estimated annual burden of 1,590 hours.

Number of Respondents	4,387
Number of Responses Annually	6,361
Time per Response	15 minutes
Annual Respondent Burden	1,590 hours

b. We value a claimant's time at \$15 per hour.  $1,590 \times \$15 = \$23,850$ . In addition there would be postage costs of \$.39 per application and \$.03 per envelope.  $6,361 \times \$0.42 = \$2,672$ .

Summary of Costs to Respondents

\$23,850	Completion Costs
<u>\$ 2,672</u>	Postage
\$26,522	Total Costs to the Public

13. This information collection does not involve any record keeping costs.

14. VA estimates that the total annualized cost to the government to collect the information required by proposed §§ 21.1030(b) and 21.7140(c)(4) and VA Form 22-0803 is \$43,948.

The processing cost of \$43,948 is based on an estimate that a GS 9/5 employee will have to review each application. The salary for such an employee is \$20.73 per hour. We estimate that it will take 20 minutes to review each claim.  $6,361 \times 20 \text{ minutes} = 3,120 \text{ hours}$ .

$3,120 \times \$20.73 = \$43,948$ .

15. This is a collection in connection with an application for reimbursement for newly allowable educational benefits (reimbursement for cost of licensing or certification tests).

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

17. VA seeks exemption from displaying the expiration date for this information collection. If the information collection in §§ 21.1030(b) and 21.7140(c)(4) is approved, VA will not indicate the expiration date of approval in the Code of Federal Regulations. Generally, OMB approvals are for three years or less. If VA displayed the expiration date, we would be routinely revising regulations just for dates. VA will show the OMB control number. VA Form 22-0803 may be reproduced or stocked. VA does not display an expiration date on these forms. These forms will be to OMB every three years for approval. Revisions and reprinting of these forms to show an expiration date would result in a costly waste of existing stock, and would delay agency action on the benefit being sought. By requesting an exemption from displaying the expiration date, VA can minimize the cost to itself of collecting, processing, and using these forms.

18. This information collection complies with the requirements of 5 CFR 1320.9, and complies with the requirements of 5 CFR 1320.8(b)(3) except as follows. The proposed rule does not contain in its text the estimated burden of the information collection. The proposed rule does not state the confidentiality of the collected information. If an OMB number is assigned to the proposed rule, it will be displayed, but the proposed rule does not explain the need to do so.

VA requests an exemption from providing the above information as part of the regulation. To publish as part of the regulation all the information required by 5 CFR 1320.8(b)(3) would mean that each time the information required by that rule changed, for example, the estimate of the burden hours, the proposed rule would have to go through the regulatory process again even though the purpose of the proposed rule would be unchanged. This is contrary to the purpose of the Code of Federal Regulations.

Secondly, to put all this information in a regulation would make the proposed rule unnecessarily long.

Finally, VA has published in the Federal Register the burden hours and explanation of the need to display the approval number. If a respondent wishes to know this information, he or she can be referred to the appropriate Federal Register. The information collection in VA Form 22-0803 fully complies with all the requirements of 5 CFR 1320.9 and 1320.8(b)(3).

#### **B. Collection of Information Employing Statistical Methods.**

This collection of information does not employ statistical methods.