

SUPPORTING STATEMENT FOR 38 U.S.C. § 21.4253(d)
Submission of School Catalog to the State Approving Agency
(2900–0568)

A. Justification.

1. The Department of Veterans Affairs (VA) is authorized to pay educational benefits to veterans, persons on active duty, reservists, and eligible persons pursuing approved programs of education under chapters 30, 32, and 35, title 38, United States Code, chapter 1606 and 1607, title 10, United States Code, and sections 901 and 903 of Public Law 96-342. These programs are approved by divisions of State governments, known as State Approving Agencies (SAA), pursuant to a contract with VA. 38 U.S.C. 3675 requires accredited educational institutions, with the exceptions of elementary and secondary schools, to submit copies of their catalog to the SAA when applying for approval of a new course. 38 U.S.C. 3676 requires non-accredited institutions to submit at least two copies of their catalog to the SAA when applying for approval of a new course. The SAA cannot approve such a course until the catalog is submitted. 38 CFR, sections 21.4253, Accredited Courses and 21.4254, Non-accredited Courses serves to restate this statutory requirement in the Code of Federal Regulations.

The following statutes and regulations require this information collection:

- a. 38 U.S.C. 3675 and 3676
- b. 38 Code of Federal Regulations 21.4253 and 21.4254

2. State approving agencies use the catalogs to determine what courses can be approved for VA training. The catalogs are collected approximately once a year (unless the facility publishes a catalog for multiple years). Without this information, the SAA cannot determine what courses could be approved.

3. The statute requires that the school submit copies of the catalog. The wording of the statute is broad enough to allow electronic submission of these copies. Approximately 25 percent of schools send their catalog to the SAA using electronic means.

4. VA is not aware of any duplication of this information collection.

5. The school catalogs are the only source the SAA has available to determine course approval. This information collection will not have a significant impact on a substantial number of small entities. The burden cannot be reduced for these entities. The information must be provided for courses being considered for approval, and must be consistent regardless of the size of the educational institution.

6. If schools do not submit their catalogs, the SAA will be unaware of what new courses the schools are offering, and consequently, would be unable to approve them

for educational claimants receiving VA education benefits. Educational claimants may not receive VA educational assistance for pursuit of unapproved courses.

7. The collection of this information does not require any special circumstances.

8. The public was informed of the right to submit comments on this information collection on page 52200 of the Federal Register dated September 12, 2007. No comments were received.

VA maintains continuous contact with the schools and their national organizations and holds several briefings with them yearly. The national organizations have particular interest in what information schools have to submit for approval of their courses. It is through the national organizations that the schools (the affected public) are informed of the opportunity to submit comments. VA considers this the most effective means of notifying the affected public of their right to submit comments on this proposal to extend the current information collection.

The current regulation doesn't specify the means for submitting the catalog. Since there are no Federal barriers to an educational institution's submitting the catalog electronically, the school can either send the catalog by mail or electronically. However, we are aware that in a Federal system, such as ours, the States play an important role in education.

SAA's can receive electronic submission of catalogs. None of the SAA's has had any difficulty in receiving catalogs submitted electronically.

The method of collecting the information is the most efficient and causes the least burden on the public. When the educational institution wants an approval for a new course, it submits a catalog, either by sending the paper copy of the catalog, or by submitting an electronic version where permitted by the SAA.

9. Neither VA nor any of the SAA provides any payment or gifts to respondents.

10. School catalogs are kept by the SAA. These catalogs do not have any confidential information. Schools develop catalogs to give students and prospective students' knowledge of school rules, regulations and courses offered.

11. Catalogs do not contain information considered to be of a sensitive nature.

12. The estimated annual burden for the collection of this information is 2,000 hours, submitted by 8,000 respondents (schools). We averaged the number of schools that had veterans or other eligible claimants in training during the last two and one half years to get this figure of 8,000 schools.

Whether or not a school chooses to submit catalogs in paper or electronic version, we continue to consider that an employee of a school will need an average of 15 minutes

(one fourth of an hour) to send a catalog to a SAA. If a school chooses to send a paper catalog, that school will package and mail its catalog.

Since we have not gathered information as to the average time a school would need to send the electronic version of its catalog to a SAA, we have used the same average of 15 minutes for the paper copy. 8,000 respondents divided by 4 equals the current estimated annual burden of 2,000 hours.

We estimate that approximately 25% of schools will choose to send their catalogs using electronic means. 25% of the total of 8,000 schools equals 2,000 schools that we estimate will send catalogs electronically. This leaves 6,000 schools that will send paper copies of catalogs.

Summary of Submissions

2,000	Electronic Submissions
6,000	Paper Submissions
8,000	Total Submissions

We estimate that the annual cost to the public for this information collection is \$52,000 based on 8,000 responses. This cost is broken down into a completion cost of \$40,000 and a mailing cost of \$12,000.

\$40,000	Completion Cost
\$12,000	Mailing Cost
\$52,000	TOTAL

We estimate that each school will need approximately 15 minutes to either submit a paper catalog or the electronic version of its catalog. Multiplying 8,000 responses at 15 minutes each gives 2,000 hours. Multiplying 2,000 hours by \$20 per hour of completion time gives \$40,000 completion cost.

Only schools that send paper copies will have a mailing cost. Schools that send their catalogs electronically will not have a mailing cost. We estimate that 6,000 schools will mail paper copies of their catalogs. We estimate that each mailing will cost \$2. Multiplying 6,000 responses by \$2 for each mailing gives \$12,000 total mailing costs.

13. This submission does not involve any recordkeeping costs.

14. The estimated cost to the Federal government is NONE. SAA's collect this information as part of their course approval responsibilities. There are no direct costs to VA associated with this information collection. VA contracts with each SAA for their course approval services and so the costs of this information collection are covered under contract.

These costs can be determined as follows:

VA estimates that a SAA takes an average of 15 minutes to collect a school's catalog. If a school submits the paper version of a catalog, this includes the time of a clerk to open the package that the catalog arrives in. Regardless of whether the catalog is received electronically or in a paper version, the SAA must then distribute it to the appropriate employee and conduct an initial review by the professional staff to assure that everything in the catalog is in order. This time does not include the time that the catalog is in use by the SAA while it determines if a school's courses should be approved. This approval process is not part of this information collection (38 CFR 21.4253).

The hourly pay of a SAA employee varies from State to State and from employee to employee. However, the average hourly pay for a SAA employee, including fringe benefits, is \$25.00. This is the average hourly pay for both clerks and professional staff. The cost to the SAA is \$50,000. This is based on 8,000 catalogs being received annually, at an hourly pay rate of \$25.00 and needing 15 minutes (1/4 hour).

15. There is no change in the number of burden hours since the last submission of this collection.

16. VA does not publish this information or make it available for publication. Schools publish their catalogs. Neither VA nor the SAA republish these catalogs, nor do these agencies make the catalogs available for republishing. This is the same, regardless of whether schools submit the catalogs electronically or in paper.

17. The public can find the affected part of the Code of Federal Regulations by searching for the OBM information collection number (2900-0568). 38 CFR 21.4253 shows the OMB information collection number but does not contain an expiration date. This information collection will be submitted to OMB every three years for approval. Revising and reprinting the affected pages of these regulations to show an expiration date would result in a costly waste of existing stock and would delay Department action on the benefit being sought. By requesting an exemption from displaying the expiration date in these regulations, VA can minimize the cost to itself. VA seeks a continued exemption from displaying the expiration date on the pages of 38 CFR 21.4253.

18. This information collection fully complies with the requirements of 5 Code of Federal Regulations 1320.8(b)(3), except as follows:

This regulation does not state the burden estimate of the information collection; it does not state the nature and extent of confidentiality of the information collection; and it does not state the need to display a valid OMB control number.

VA requests an exemption from providing the above information as part of the regulation for the following reasons:

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

To put all this information in a regulation would make that regulation unnecessarily long. This is contrary to the President's goal, expressed in section 1(b)(12) of Executive Order 12866, that regulations be simple.

B. Collection of Information Employing Statistical Methods.

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