

SUPPORTING STATEMENT FOR
YELLOW RIBBON AGREEMENT (Under title 38 U.S.C. Chapter 33), VA Form 22-0839
(2900-NEW)

A. Justification

1. Public Law 110-252 authorizes the Department of Veterans Affairs (VA) to administer a new education benefit program known as the Post-9/11 GI Bill. Section 3317 of title 38, United States Code, establishes the Yellow Ribbon G.I. Enhancement Program, referred to as the "Yellow Ribbon Program." The Yellow Ribbon Program allows institutions of higher learning (IHLs) to voluntarily enter into an agreement with VA to waive a portion of the outstanding amount of established charges not otherwise covered under the Post-9/11 GI Bill. VA will match the amount waived by the IHL; however, VA's portion will not exceed fifty percent of the total outstanding amount of established charges. IHLs wishing to participate in the Yellow Ribbon Program are required to submit the Yellow Ribbon Program Agreement (VA Form 22-0839) indicating the dates of the academic year for which contributions will be waived, the maximum number of students that will receive benefits under the program, and the maximum dollar amount of outstanding established charges that will be waived for each student based on student status (i.e., undergraduate, graduate, doctoral) or subelement (i.e., college or professional school). Additionally, the revised form allows IHLs to notify VA of the type of contributions that will be made (e.g., direct grant, scholarship, or otherwise) rather than limiting the means of contributing to a "waiver."

Title 38 U.S.C. 3317 necessitates this collection of information.

2. VA will use the information collected to determine which IHLs will be participating in the Yellow Ribbon Program, the maximum number of individuals for whom the IHL will make contributions in any given academic year, and the maximum dollar amount of outstanding established charges that will be waived for each student based on student status (i.e., undergraduate, graduate, doctoral) or subelement (i.e., college or professional school).
3. At this time, information technology cannot be used to reduce the burden. VA does not have the technology to obtain signatures electronically and cannot require all schools to use information technology to submit this information.
4. VA is not aware of any duplication of this information collection.
5. Collection of this information will not have an impact on small businesses or other small entities. Participation in the Yellow Ribbon program is voluntary; therefore, IHLs are not required to submit this information to VA.
6. If the information is not collected, VA will not be able to administer the provisions of the Yellow Ribbon Program as mandated by statute.

7. The collection of information does not require any special circumstances.
8. The Department notice for public comments was published in the Federal Register on November 3, 2008, Page 65449. There were no comments received in response to this notice. On December 23, 2008, the proposed rule for the Post-9/11 GI Bill was published in the Federal Register, Pages 78876-78910. We received several comments regarding the Yellow Ribbon Program and we are making adjustments in the final rule to address these comments. These adjustments are reflected in the Yellow Ribbon Program Agreement (VA Form 22-0839).
9. VA does not provide any payment or gifts to respondents.
10. The form used to collect information does not require any sensitive or private data. Title 38 U.S.C. 3317 requires that the information collected be made available to the public via a website; therefore, there is no implied assurance of confidentiality. Information provided on the form will be available for viewing via a link at VA's Education Service website (www.GIBILL.va.gov).
11. None of the information collected is of a sensitive nature.
12. The total estimated burden to the public for this information collection is 750 hours, with submissions by 4,500 respondents. The estimated cost to the public is \$11,250. VA calculated the number of respondents, burden hours, and costs as follows:

Of the 9,000 domestic IHLs eligible to participate, we estimate 4,500 (approximately 50%) of those IHLs will enter into a Yellow Ribbon Agreement with VA.

VA estimates that a respondent would need approximately 10 minutes to read and complete the Yellow Ribbon Agreement form. Based on a cost of \$15.00 per hour for 750 hours, the cost to the public is estimated to be \$11,250.

13. This submission does not involve any record keeping costs.
14. The estimated cost to the Federal government is \$93,353. VA calculated this amount as follows:

Yellow Ribbon Agreement Mailed to Respondents:

VA has a standing contract with a private company that will mail the agreements for a total cost of \$3,600.00 (based on \$.40 for each of the 9,000 IHL schools).

Completed Agreement Forms Processed by VA:

We estimate the processing time for each Yellow Ribbon Agreement will be 30 minutes by a GS 13/1 employee in Washington, DC with an hourly wage of \$39.89.

The burden hours for processing 4,500 agreements will be 2,250 hours. The cost will be \$89,753.

15. While there is no change in burden during the period since the six month emergency approval of this collection, the layout and information on the form has changed. The changes in the form are due to changes influenced by comments made during the comment period, changes in interpretation of the new regulations based on statute, and interpretation of statute by general counsel.
16. VA will mail the Yellow Ribbon Agreements to IHLs the first week of January in each calendar year. The deadline for completed agreements to be received by VA is February 15th of each calendar year (or the next business day if the 15th is a Saturday or Sunday). VA will publish the terms of the agreement via a link at www.GIBILL.gov by April 1st of each calendar year.
17. The collection instrument, the Yellow Ribbon Agreement (VA Form 0839), will be reproduced and/or stocked by respondents. This form will be submitted to OMB every three years for approval. Reprinting of this form to show an expiration date would result in unnecessary waste of existing stocks of this form and unnecessary burden on the respondents, possibly delaying agency action on the benefit being sought. By not displaying the expiration date on this form, VA also seeks to minimize the cost of collecting, processing, and using this form. For these reasons, VA seeks an exemption from displaying the expiration date on this form.
18. This information collection fully complies with all the requirements of 5 CFR 1320.8(b)(3) and 1320.9.

B. Collection of Information Employing Statistical Methods

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