

Supporting Statement

Information Collection for the Civil Legal Assistance Attorney Student Loan Repayment Program and Application to Participate and Service Agreement and Annual Certification of Employment forms

A. Justification

1. Necessity of Information Collection

The Higher Education Opportunity Act (HEOA) (Pub. L. 110-315) enacted on August 14, 2008, established the Civil Legal Assistance Attorney Student Loan Repayment Program under Section 428L of the Higher Education Act of 1965, as amended. This program is intended to encourage qualified individuals to enter and continue employment as civil legal assistance attorneys. Subject to annual appropriations by Congress, borrowers who agree to serve for three years as full-time civil legal assistance attorneys may have a portion of the outstanding balance of their eligible Federal Perkins Loan, Federal Family Education Loan, and William D. Ford Federal Direct Loan program loans repaid after each year of qualifying employment. Award commitments for loan repayment are made on a first-come, first-served basis and a borrower must fulfill a three-year service period as a civil legal assistance attorney to retain any funds awarded under the program, even if the Congress does not appropriate funds for all three years of a borrower's required service period.

While the Civil Legal Assistance Attorney Student Loan Repayment Program has been part of the statute since 2008, Congress did not appropriate funds until December 16, 2009 when \$5,000,000 for the program was included as part of the Consolidated Appropriations Act of 2010. The Department became aware of the funding in January 2010 and began the process of developing implementation plans for the program, as well as developing the Federal Register notice and the forms.

A justification for the data elements included on the Application and Annual Certification is provided at the end of this supporting statement.

The Department is requesting an emergency approval of the Civil Legal Assistance Attorney Student Loan Repayment Program Application to Participate and Service Agreement and Annual Certification of Employment forms by June 1, 2010. This is needed to ensure there is sufficient time to implement the Agreement and for the Department to review the applications submitted by borrowers and make commitments of funds by the close of the 2010 fiscal year. Under the regular clearance process, the Department would not have an approved Agreement by the end of the fiscal year end date for which appropriations have been made. The Department will submit both of the forms for the regular clearance process after receiving emergency approval.

2. Purpose and Use of Information Collected

A Civil Legal Assistance Attorney applicant must complete an Application to Participate and Service Agreement before he or she can be evaluated for participation in the program. The Application to Participate and Service Agreement also informs the

borrower of the requirements of the program and serves as the borrower's legally binding agreement to meet those requirements and to repay any loan repayment funds received as a Government debt if the applicant does not meet the Civil Legal Assistance Attorney Student Loan Repayment Program requirements. The Annual Certification of Employment will allow the borrower who has completed a year of service as a full-time civil legal assistance attorney to request loan repayment from the Department as well as provide the required employer signature as verification of the qualifying employment.

3. Consideration of Improved Information Technology

The Department will make the forms available at www.studentaid.ed.gov.

4. Efforts to Identify Duplication

There is no duplication of data as a result of the collection of this information.

5. Burden Minimization as Applied to Small Businesses

No small businesses are affected by this information collection.

6. Consequences of Less Frequent Data Collection

A Civil Legal Assistance Attorney Student Loan Repayment Program applicant must complete the Application to Participate and Service Agreement in order for the Department to confirm eligibility to participate in the program. The applicant must also complete the Annual Certification of Employment form for each of the three years of initial eligibility to retain eligibility and confirm the eligible employment was maintained in order to allow the Department to make the repayment to the student's loan(s). Without these forms, the program could not ensure that the eligible funds were properly paid out to the program participants.

7. Special Circumstances Governing Data Collection

The information collection requirements require no special circumstances.

8. Consultations Outside the Agency

The timing of the appropriations for the fiscal year 2010, did not allow for the opportunity for extensive consultations with outside entities. The program is being implemented based on the statutory language and procedures outlined in the Federal Register notice entitled "Notice of requirements, definitions, eligibility criteria, and procedures for the Civil Legal Assistance Attorney Student Loan Repayment Program for fiscal year (FY) 2010."

9. Payments or Gifts to Respondents

No payments or gifts will be provided to respondents.

10. Assurance of Confidentiality

The Agreement includes a Privacy Act Notice that (1) informs the applicant of the statutory authority for the information collection, (2) explains that disclosure of the information is voluntary, but is required in order to determine the applicant's eligibility to receive a Civil Legal Assistance Attorney Student Loan Repayment Program, and (3)

identifies the third parties to whom the information may be disclosed, and explains the circumstances under which such disclosures may occur.

11. Questions of a Sensitive Nature

The Agreement does not require a borrower to provide any information that would be considered sensitive.

12. Annual Hour Burden for Respondents/Recordkeepers

The Department estimates the total annual number of respondents for this information collection (for the initial year of the Civil Legal Assistance Attorney Student Loan Repayment Program) to be 833. The estimated time required to complete an Agreement is 0.17 hours (10 minutes). Based on one response per respondent, this equates to a total estimated annual reporting burden of 142 hours. It is estimated that the same amount of time will be required annually to complete the Employment Certification in the 3 years following acceptance into the repayment program.

13. Annual Cost Burden to Respondents

The only costs to respondents will be annual first class U.S. postage stamp, 833 respondents X .44 = \$366.52 for the first year. This cost may change with any increase in first class U. S. postage.

14. Estimated Annual Cost to the Federal Government

The total estimated annual cost to the Federal government for administrative costs for this information collection is \$600,000.

15. Reasons for Changes to Burden Hours Estimated

The burden change is a result of the implementation of the statutory requirements and the completion of application and employment confirmation forms that will ensure initial and continued eligibility of applicants. A summary of annual burden is provided below.

# of Respondents	# of Responses		# of Annual Burden Hours
833	833	X .17 hours	142

16. Collection of Information with Published Results

The results of this information collection will not be published.

17. Approval Not to Display Expiration Date

The Department is not seeking this approval.

18. Exceptions to the Certification Statement

The Department is not requesting any exceptions to the “Certification for Paperwork Reduction Act Submissions”.

Justification of Data Elements	
Civil Legal Assistance Attorney Student Loan Repayment Application to Participate and Service Agreement	
<u>Data Element</u>	<u>Justification</u>
Section 1: Borrower's Information	
Name and Address	Used for record identification and for servicing/collection.
Social Security Number	Used for record identification and for determining eligibility to participate in the Civil Legal Assistance Attorney Student Loan Repayment Program.
Area Code/Telephone Number	Used to contact the student in connection with eligibility to participate in the Civil Legal Assistance Attorney Student Loan Repayment Program.
Section 2: Borrower's Certification of Eligibility To Participate and Service Agreement	
Borrower's Signature	Used to document the student's agreement to comply with the terms and conditions of the Civil Legal Assistance Attorney Student Loan Repayment Program.
Date	Used to document the date the student signs the Agreement to Serve.

Justification of Data Elements	
Civil Legal Assistance Attorney Student Loan Repayment Annual Certification of Employment	
<u>Data Element</u>	<u>Justification</u>
Section 1: Borrower's Information	
Name and Address	Used for record identification and for servicing/collection.
Social Security Number	Used for record identification and for matching records in the Civil Legal Assistance Attorney Student Loan Repayment Program.
Area Code/Telephone Number	Used to contact the student in connection with eligibility to participate in the Civil Legal Assistance Attorney Student Loan Repayment Program.
E-mail Address (optional)	Used to contact the student in connection with monitoring eligibility to participate in the Civil Legal Assistance Attorney Student Loan Repayment Program.

Section 2: Borrower’s Certification of Eligibility For Payment of Eligible Loan(s)

Borrower’s Signature	Used to document the student’s certification of compliance with the terms and conditions of the Civil Legal Assistance Attorney Student Loan Repayment Program and eligibility of payment of loans under the program.
Date	Used to document the date the student signs the Annual Certification of Employment.

Section 3: Employer’s Certification

Dates of Employment	Used to certify that the length of employment meets the requirements of the Civil Legal Assistance Attorney Student Loan Repayment Program.
Name and Address of Employer	Used to confirm that the employer meets the statutory requirements.
Name and Title of Authorized Certifying Official	Used to document the student’s certification of compliance with the terms and conditions of the Civil Legal Assistance Attorney Student Loan Repayment Program.
Area Code/Telephone Number	Used to contact the employer in connection with eligibility to participate in the Civil Legal Assistance Attorney Student Loan Repayment Program.
Signature of Authorized Certifying Official	Used to document the student’s certification of compliance with the terms and conditions of the Civil Legal Assistance Attorney Student Loan Repayment Program.
Date	Used to document the date the authorized certifying official signs the Annual Certification of Employment.