

SUPPORTING STATEMENT FOR VA FORM 22-1999b
Notice of Change in Student Status
(2900–0156)

A. Justification.

1. The Department of Veterans Affairs (VA) is authorized to pay educational benefits to veterans, persons on active duty, reservists, and other eligible persons pursuing approved programs of education under chapters 30, 32, 33, and 35 of title 38, United States Code; chapters 1606 and 1607 of title 10, U.S.C.; sections 901 and 903 of Public Law 96-342; the National Call to Service Provision of Public Law 107-314; and the “Transfer of Entitlement” Provisions of Public Laws 107-107 and 110-252. Benefits are not payable when pursuit of a program is interrupted or terminated, or is not completed according to the regularly established policies and regulations of the educational institutions. Educational institutions are required to report without delay to VA, in the form prescribed by VA, the interruption or termination, or a finding of unsatisfactory attendance, progress, or conduct. VA Form 22-1999b serves as this report to VA of such changes in enrollment status.

The following statutes and regulations require this information collection:

- a. 38 U.S.C. 3020, 3034(a), 3241, 3323(a), 3474, 3524, 3680(a), 3684(a);
10 U.S.C. 510, 16136(b), and 16166(b).
- b. 38 Code of Federal Regulations 21.4203, 21.5200(d), 21.5292(e)(2), 21.5812, 21.7156, 21.7656, 21.9720, and 21.9725.

2. VA uses the information collected to determine whether the eligible person’s educational benefits should be increased, decreased, or terminated, and the effective date of the change, if applicable. Without this information, VA might underpay or overpay benefits.

3. Information technology is being used to reduce the burden. VA allows schools to submit the information using VA Online Certification of Enrollment (VA-ONCE). The majority of enrollment certifications received are submitted electronically.

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

5. Educational institutions providing training are the only sources for this information. The change in this information collection will not have a significant impact on a substantial number of small entities and the existing burden cannot be reduced for these entities. The information must be provided in a uniform, consistent fashion regardless of the size of the educational institution for those students who have changes in their enrollments.

6. If this information is not collected, eligible persons may be underpaid or overpaid. If the information is collected less frequently, it would impair VA's ability to prevent overpayments and under-payments of educational benefits.

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

8. The Department notice for public comments was published in the Federal Register on November 1, 2011, pages 67556-67557. There were comments received from one member of the public in response to this notice. It was suggested by the commenter that VA partner with the "California Veterans Educational Institute" to reduce the burden of the collection. VA Form 22-1999b collects information regarding changes in the enrollment of a student in receipt of VA education benefits. Each school must report changes to VA without delay to prevent and/or reduce overpayment of VA education benefits. We believe that adding the institute as an additional reporting entity would increase the burden on the public. Additionally, VA has no authority to release student enrollment information directly to the Institute.

The commenter also suggested VA pay educational assistance for the full term of and perform a "refund" if cancellation occurs by the seventh day. Title 38 USC 3680 requires that VA pay education benefits for "pursuit" of a program of education. VA is required by law to recoup any funds paid for training during which the student did not receive credit, except in specific circumstances outline in the law.

In order to stay in compliance with the law and to keep the burden as low as possible, we have made no changes to the collection.

9. VA does not provide any payment or gifts to respondents.

10. VA Form 22-1999b is retained permanently in the claimant's electronic education folder. The confidentiality of the information entered on this form is required by our System of Records, Compensation, Pension, Education and Vocational Rehabilitation and Employment Records – VA (58VA21/22/28), which is contained in the Privacy Act Issuances, 2011 Compilation.

11. None of the information collected is considered to be of a sensitive nature.

12. The estimated annual burden for the collection of the information is 100,600 hours. There is no estimated annual cost to the public as costs incurred are offset by school reporting fees paid by VA. 38 U.S.C. 3684 directs VA to pay each institution \$11 for each student certified or \$15 for any students certified for advance payment during the calendar year.

VA received an average of 603,600 responses from approximately 9,000 schools from FY 2010 through FY 2011. VA estimates that it will take 10 minutes to complete this form.

Based on an estimated receipt of 603,600 responses as indicated above, the annual burden is 100,600 hours.

Therefore, the annual cost to schools that submit responses electronically is estimated to be \$1,509,000 based on 100,600 hours based on the respondents' cost of \$15 an hour.

13. This submission does not involve any record keeping costs.

14. The Annual Cost to the Government for administering this form is estimated at \$2,592,462. VA estimates it will take a GS 9/5 Claims Examiner (paid \$25.77 per hour) 10 minutes to process each response (603,600) equaling \$2,592,462 in administration costs.

15. The change in the annual burden is due to the increase in the number of individuals pursuing training following the implementation of the Post-9/11 GI Bill.

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

17. The collection instrument, VA Form 22-1999b, may be reproduced and/or stocked by officials at educational institutions. VA does not display an expiration date on this form. The form is submitted to OMB every three years for approval. Revising and reprinting the form 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, VA can minimize the cost to itself of collecting, processing, and using the form. VA seeks a continued exemption from displaying the expiration date on VA Form 22-1999b.

18. This information collection fully complies with all the requirements of 5 CFR 1320.8(b)(3).

B. Collection of Information Employing Statistical Methods.

This collection of information does not employ statistical methods.