

**SUPPORTING STATEMENT FOR APPLICATION FOR APPROVAL OF A
LICENSING OR CERTIFICATION TEST AND ORGANIZATION OR ENTITY;
38 CFR 21.4268
(2900-0697)**

A. Justification.

1. Statute (38 U.S.C. 3689) authorizes the Secretary of Veterans Affairs to approve licensing and certification tests for payment under the educational programs if the tests and the organizations offering them meet certain statutory requirements. To meet these requirements, the organizations must make certain certifications, and supply necessary information to assess the test. The statute further allows the Secretary to delegate the approval functions to the State approving agencies (SAAs). The Secretary has done this for almost all approvals. Thus, the organizations will have to supply these certifications and information to the SAAs, and in a few instances, to the Department of Veterans Affairs (VA).

2. SAAs and VA will use the information to decide whether the licensing and certification tests, and the organizations offering them, should be approved for use under the education programs VA administers.

3. VA did not develop an official form for this information collection since section 3689 of title 38, United States Code permitted VA to delegate the approval functions to the State Approving Agencies; and from the inception of this information collection, VA has given the State Approving Agencies the authority to approve licensing and certification tests and organizations. Consequently, the State Approving Agencies have developed their own forms to gather information they will need per their respective state laws to decide whether the licensing and certification tests and the organizations offering them should be approved. In the case of an organization seeking approval directly from VA, any information VA receives concerning the request for approval is forwarded directly to the appropriate State Approving Agency. Since SAAs have approval authority, education institutions and licensing and certification organizations supply information to the SAAs for approval in a manner specified by the SAA.

4. Program reviews were conducted to identify potential areas of duplication; however, none were found to exist. There is no known Department or agency which maintains the necessary information, nor is it available from other sources within our Department.

5. The collection of information will not have a significant impact on a substantial number of small entities. Although, some testing organizations are small entities, the burden placed upon them is minor. The collection of this information is collected because it is required by statute.

6. If the SAAs and VA do not collect this information, no licensing or certification test could be approved. The statute specifically requires certain certifications before these tests can be approved for use by the organization offering them.

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

8. The Department notice was published in the Federal Register on June 18, 2013, Volume 78, Number 117, pages 36641 and 36642. No comments were received in response to this notice.

9. VA does not provide any gifts to respondents.

10. After processing, the approving organization, either an SAA or VA, will retain any written documents. Approval folders are destroyed occasionally, usually after the approved organization no longer wishes to be approved. If the approval 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 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 of a sensitive nature.

12. The annual burden information is as follows:

- a. 531 respondents. We received an average of 483 applications annually from 2010 through 2012. We estimate that there will be a 10% increase in the application received annually during the next three years. As a result of the applications received from 2010-2012, we estimate there will be approximately 531 annual applications seeking approval of tests and testing organizations.
- b. Annual responses. Estimated 531 annual responses.
- c. 1,593 hours. The estimated annual burden is 1,593 hours.
- d. 3 hours. VA estimates that it will take a respondent an average of 3 hours to supply evidence.
- e. According to the U.S. Bureau of Labor Statistics Average Hourly Earnings, the cost to the respondent is \$20, making the total cost to the respondents an estimated \$10,620.

13. This information collection does not involve any reporting or record keeping costs above those mentioned in item 12.

14. VA estimates that the total annualized cost to the government to collect the information required by § 21.4268 is \$44,604 based on 531 responses annually. This cost is computed as follows.

- a. The processing cost of \$44,604 is based on an estimate that an SAA employee will have to review each application. The median salary for an SAA employee is \$28 per hour. We estimate that it will take 3 hours to review each claim. $531 \times 3 \text{ hours} \times \$28 / 60 = \$44,604$. VA reimburses SAAs for the work they do for the Department according to a statutory amount they receive each fiscal year.
 - b. There are no administrative costs associated with forms for this information collection because use of the form is not required.
15. We estimated there to be a slight increase in the annual respondents and responses of the licensing or certification tests and the organizations offering them.
16. VA does not publish this information or make it available for publication.
17. We are not seeking approval to omit the expiration date for OMB approval.
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 by the Veterans Benefits Administration does not employ statistical methods.