

**SUPPORTING STATEMENT FOR VA FORMS 22-8864 AND 22-8865**  
APPLICATION AND TRAINING AGREEMENT FOR  
APPRENTICESHIP AND ON-THE-JOB TRAINING PROGRAMS  
(OMB Control Number 2900-0342)

A. Justification.

1. The Department of Veterans Affairs is authorized by 38 U.S.C. 3677 and 3687 to provide training assistance allowance to veterans, reservists, and other eligible persons under chapters 30, 32, 33, and 35 of title 38, U.S.C., chapters 1606 and 1607 of title 10 U.S.C., Section 903 of Public Law 96-342, the NCS (National Call to Service) under 10 U.S.C., and chapter 31 section 510. Currently, VA regional offices approve apprenticeship and on-the-job training programs in four states. In all other states, there are State Approving Agencies (SAAs), under the authority of 38 U.S.C. 3671 and 3672, that perform this approval function.

The figures in Item 12c of the Supporting Statement has been adjusted to comply with the 30 day Federal Register Notice for the burden hours and the number of responses. The figures have been corrected accordingly. See corrections in Item #12.

In most cases, rather than use the VA Forms, the SAAs collect the same information as required in 38 CFR 21.4261 and 21.4262 using their own tool. The following administrative and legal requirements necessitate the collection:

- a. 10 U.S.C. 16131(d), 16136, 16166 and section 510 of chapter 31.
- b. 38 U.S.C. 3034(a)(1), 3241(a)(1), 3323(a), 3534(a), 3671, 3672, 3687(a).
- c. 38 C.F.R. 21.4150(c), 21.4261(b) and (c), 21.5250(a), 21.7220(a), 21.7720.

2. Each on-the-job trainee must receive a training agreement in accordance with statutory and regulatory requirements. VA form 22-8864 (or the training agreement provided by the SAA) is used to meet these requirements. VA Form 22-8865 (or the equivalent tool provided by the SAAs) is used to ensure that training programs meet the statutory and regulatory requirements for approval.

3. VA Forms 22-8864 (training agreement) and 22-8865 (employer's application to provide job training) are available on the internet in an electronic fillable format.

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

5. The information collection does not have a significant impact on a substantial number of small businesses or other small entities. The information collection is required by statute for approval of apprenticeship and on-the-job training programs and payment of training assistance. The information required is not dependent on the size of the business or entity.

6. VA cannot approve an apprenticeship or on-the-job training program for VA education benefits or issue payment for training in such programs if the application for approval or the training agreement is not provided.

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

8. The Department notice was published in the Federal Register on November 8, 2013, Volume 78, Number 217, page 67222. No comments were received in response to this notice.

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

10. VA Forms 22-8864 and 22-8865 are retained permanently in the claimant's education folder. Our assurance of confidentiality is covered by 38 U.S.C. 5701 and our System of Records, Compensation, Pension, Education and Vocational Rehabilitation and Employment Records - VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2011 Compilation.

11. None of the questions on this form are considered to be of a sensitive nature.

12.

a. VA estimates it will receive approximately 10,253 applications for approval of job training (VA Form 22-8865 or its equivalent). VA estimates that an employer takes 90 minutes (1.5 hours) to complete the application; **[10,253 X 1.5 hours = 15,380 hours]**

b. VA estimates that two respondents will submit training agreements for each of the approximately 4,441 programs approved for a total of 8,881 responses. VA estimates that the trainee and employer will complete the training agreement (VA Form 22-8864 or its equivalent) in 30 minutes; **[8,881 X 30 min divided 60 min. = 4,441]**. The average response time to complete the two (2) forms is 75 minutes; (75 minutes X 19,134 respondents divided by 60 minutes = 23,918 hours).

c. Estimated annual burden is 23,918 hours.

d. VA estimates that an employer takes 90 minutes (1.5 hours) to complete the application.

e. According to the U.S. Bureau of Labor Statistics Average Hourly Earnings, the cost to the respondent is \$24, making the total cost to the respondents an estimated \$473,640 (19,735 burden hours x \$24 per hour).

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

14. The estimated annual cost to the Federal government is \$2,293,229. VA calculated the amount as follows:

VA estimates that it takes approximately 7 hours to review an Employer's application to provide job training (VA Form 22-8865 or its equivalent). Multiplying 10,253 applications received for fiscal years '2010, '2011 and '2012, by 7 hours yields 71,771 hours. Each application is processed by a VA education liaison representative (GS 11, step 5 with an hourly salary of \$31.17) or an SAA (generally with an equivalent salary). 71,771 hours times \$31.17 per hour yields a processing cost of \$2,237,102.

VA estimates that it takes a veteran claims examiner (GS 9, step 5 paid with an hourly salary of \$25.77) one-half hour to process VA Form 22-8864. Multiplying 4,441 training agreements by .5 hours yields 2,221 hours, resulting in a cost to the government of \$57,235 (2,221 X \$25.77). The SAAs do not have a cost associated with processing this form.

15. The increase in cost to the government is attributed to the increase in the number of respondents for these forms for fiscal years, 2010, 2011 and 2012. The expiration date placeholder has been added to the forms.

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 complies with all requirements under 5 CFR 1320.8(b)(3).

**B. Collection of Information Employing Statistical Methods**

This collection of information by the Department of Veterans Affairs does not employ statistical methods.