

**SUPPORTING STATEMENT FOR
RENEWAL SUBMISSION OF AVAILABILITY OF EDUCATIONAL, LICENSING, AND
CERTIFICATION RECORDS
(OMB 2900-0696)**

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

This collection of information is necessary for the Department of Veterans Affairs (VA) to apply the statute, 38 U.S.C. 3690(c) and to verify that the payments of educational assistance under the programs administered by VA are correct. The law requires that educational institutions offering approved courses and licensing and certification organizations offering approved tests, must make available to authorized government representatives records and accounts pertaining to eligible veterans and other eligible persons and the records of other students and individuals taking tests that are necessary to ascertain institutional compliance with the chapters in the U.S. Code containing the education programs VA administers.

The following statutes and regulations require this information collection:

- a. 38 U.S.C. 3034, 3241, 3323, 3689, 3690
- b. 10 U.S.C. 16136
- c. 38 C.F.R. 21.4209

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

VA uses this information to decide whether beneficiaries of educational assistance have been properly paid, and whether educational institutions and organizations or entities offering approved licensing and certification tests are in compliance with the applicable sections of the U.S. Code.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Many educational institutions and licensing and certification organizations store this information electronically. However, VA has no authority to require these organizations to store this information electronically. Personal visits by a VA employee are useful so that these organizations may assist any reporting or

recordkeeping problems. We seek to continue having personal visits with these organizations .

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

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. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collection will not have significant impact on a substantial number of small entities. Some education institutions and organizations or entities offering licensing and certification tests qualify as small entities as that term is defined in the Regulatory Flexibility Act. However, these institutions and entities would maintain student and candidate records in the normal course of business. The impact of this requirement is not significant.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

If VA does not collect this information, it would be impossible to know if payments of educational assistance have been made correctly.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study and require the use of a statistical data classification that has not been reviewed and approved by OMB.

There is no special circumstance requiring collection in a manner inconsistent with 5 CFR 1320.6 guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in

response to that notice and describe actions taken by the sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The Department notice was published in the Federal Register on July 22, 2016 , Volume 81, No. 141, pages 47860-47861. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts to respondents have been made under this collection of Information.

10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Unless the documents reviewed show that veterans and other eligible persons were paid incorrect amounts of educational assistance, VA would not retain any documents reviewed. However, if the evidence shows that incorrect payments were made, VA would use that information to process awards correcting the payments. After this processing is complete, VA will retain any written documents in an education folder. Education folders are destroyed periodically. If the education folder is destroyed, the documents on which the information is collected will be destroyed also. Our assurance of confidentiality is covered by 38 U.S.C. 3680 and 3684, and our Systems 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. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent

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

12. Estimate of the hour burden of the collection of information:

Estimate of Information Collection Burden.

- a. Number of Responses: VA estimates approximately 11,600 education institutions (includes licensing and certification organizations) will maintain records in accordance with proposed 38 CFR 21.4209 . However, these records are records the institutions use and maintain in the normal course of their operations. They would do so even if VA did not have this regulation. Thus, VA is not estimating any additional recordkeeping burden for maintaining the records. However, in item (b) we do estimate a burden for those institutions that a Government official will visit during a compliance visit.
- b. Frequency of Response: VA (including the State Approving Agency representatives acting on behalf of VA) averages 5,700 compliance visits per year to educational institutions. We estimate that it would take financial aid personnel at the typical educational institution 2 hours to prepare records the VA employee would review. (5,700 x 2 = 11,400)
- c. Annual Burden Hours: 11,400
- d. Estimated Completion Time: 2 hours
- e. According to the May 2015 Bureau of Labor Statistics National Occupational Employment and Wage estimates, the respondent population is composed of School or Career Counselors (Code 21-1012). They are performing this function at an Median Hourly Wage of \$25.80, making the total cost to the respondents \$294,120 (11,400 burden hours x \$25.80 per hour).
https://www.bls.gov/oes/current/oes_nat.htm#21-0000

The estimated annual burden for the collection of this information is 11,400 hours based on VA estimates that it will take an individual at the typical educational institution or organization or entity offering licensing and certification tests an average of 2 hours to prepare the records needed for review. Assuming that the individual's time is valued at \$25.80 per hour, total cost to prepare the record review is 11,400 x \$25.80 = \$294,120.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

The records required by this information collection would be kept for that educational institutions' and licensing and certification organizations' own purposes in the normal course of business as explained in 12(a). However, in 12(b) we did estimate some costs for information gathering (burden) for compliance visits.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should

include quantification of hours, operation expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Estimated Costs to the Federal Government:

a. Processing/Analyzing costs **\$834,480**

The annual cost to the Government for administering the form is estimated to be **\$834,480** based on 5,700 reviews of educational institutions' records. This cost is determined as follows:

- a. We estimate the processing cost based on an a GS-10/5 employee reviewing the educational institutions' records. The salary for such an employee is \$29.28 per hour. We estimate that it will take 5 hours to complete this review at the typical educational institution. For a total processing cost of **\$834,480**. [5700X5X\$29.28](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/16Tables/html/RUS_h.aspx)
- b. There are no administrative costs associated with forms for this information collection because it does not require the use of a VA form.

15. Explain the reason for any burden hour changes since the last submission.

The requested burden estimate is 11,400 hours which has increased due to the increased number of compliance visits being made to the increased number of educational institutions and licensing and certification organizations offering approved courses and tests.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information collection is not for publication or tabulation use.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are not seeking approval to omit the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-I.

This submission does not contain any exceptions to the certification Statement.

B. Collection of Information Employing Statistical Methods

This collection of information does not employ statistical methods.