

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
Pre-Authorized Debit Account Brochure and Application

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section¹. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

The Preauthorized Debit Account (PDA) payment option allows individuals with defaulted federal education debts (student loans or grant overpayments) held by the U.S. Department of Education's (the Department's) Federal Student Aid Default Resolution Group to have their payments automatically debited from their checking or savings accounts and sent to the Department. Individuals who choose to use the PDA option to make their payments must authorize the Department to debit their bank accounts. The PDA Brochure and Application (PDA Application) explains the PDA payment option and collects the applicant's authorization for electronic debiting of payments and the bank account information needed by the Department to debit the applicant's account. This automatic debiting process will continue through the full repayment of the debt or until the individual contacts the Department's Default Resolution Group to cancel this service.

The authority for the PDA option is provided under the Deficit Reduction Act of 1984, P.L. 98-368, and 31 C.F.R. 202, Depositories and Financial Agents of the Government. Operating rules and regulations approved and published by the National Automated Clearing House Association (NACHA) and 31 C.F.R. 210 also govern the use of the PDA Application. Finally, Regulation E, issued and maintained by the Board of Governors of the Federal Reserve System, implements Title IX of the Consumer Credit Protection Act, as amended in 15 U.S.C. 1601. This regulation is designed to implement the act, which primarily serves to protect the interests of the individual consumer participating in electronic transfers.

The Department is requesting an extension of the currently approved collection with no changes to the format. The Department has updated the web address for additional information about the PDA program to www.studentaid.ed.gov.

¹ Please limit pasted text to no longer than 3 paragraphs.

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

Any individual included in the Department's Default Resolution Group database who is in a voluntary payment status may choose to have their debt payments made through the PDA option. Individuals who wish to use the PDA payment option must complete the PDA Application and return it to the Department with the required documentation.

The Department then uses the information collected on the approved PDA Application, along with the required documentation, to establish electronic debiting for individuals who have requested to have their defaulted federal education debt payments debited from their bank accounts. The PDA Application will continue to be used for this purpose.

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

This collection of information involves the use of automated and electronic technology in order to provide the most convenient means for an individual to repay a defaulted federal education debt. The benefit of this payment option is that the required payment amount is automatically debited from the individual's checking or savings account. This reduces burden on the individual, since he or she does not have to write a check every month or spend money on postage. In addition the PDA option ensures that payments will always be made on time

Debited funds are electronically transmitted to the U.S. Treasury. The U.S. Department of the Treasury's Financial Management Service in Kansas City (FMS-KC) transmits data regarding these transactions to the Department and the payment information is posted to individual accounts.

Because the application requires a signature and accompanying documentation the application process remains paper-based.

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.

There is no information available from other sources that can be used for the purposes described in Item 2.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed

to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

No small businesses are affected by this information collection.

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 the Department did not collect the data requested in the PDA Application, we would not have the information needed to implement the PDA payment option. The PDA option provides a more convenient and less burdensome means for individuals with defaulted federal education debts to make their payments and helps to ensure that payments are made on time.

Generally, an individual is required to complete a PDA Application only one time. An individual may be required to complete a PDA Application more than once if (1) banking information changes or (2) the individual was participating in the PDA option, stopped participating, and then wants to participate in the PDA option again.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to 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 than can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This information collection does not involve any of the conditions listed in 5 CFR 1320.5(d)(2).

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as 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 agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In developing the current PDA Application, the Department consulted with our contractor that deals directly with PDA applicants and processes the applications. The clearance process provides the public with two opportunities to comment on the revised PDA Application during comment periods announced by notices published in the Federal Register. Two comments were received based on 60-day notice for public comment. Both of those comments were outside the scope of this information collection. This is the request for the 30-day public comment period notice.

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

No payments or gifts will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided.² If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If

² Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information)

there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.

The form includes a Privacy Act Notice that (1) informs applicants of the statutory authority for the information collection, (2) explains that disclosure of the information is voluntary, but is required if the applicant wishes to have payments made through the PDA option, and (3) identifies the third parties to whom the information may be disclosed, and explains the circumstances under which such disclosures may occur.

In addition, the assurance of confidentiality is stated in the Memorandum of Understanding (MOU) between the Department and Treasury, and by contract between the Department and its contractor.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the 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.

This collection does not include any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

The total estimated annual hour burden for this collection is 138 hours. The hour burden and cost estimates are calculated as follows:

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|---|---|------------------|
| Estimated annual number of respondents: | | 1,667 |
| Number of responses per borrower: | x | 1 |
| Hours per response: | x | 0.08 (5 minutes) |
| Annual hour burden: | | 138 hours |

The estimated annual number of respondents and responses remains 1,667 x 0.08 hour for a total of 138 burden hours.

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

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

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|---------------------------------------|---|---|
| Total Annualized Capital/Startup Cost | : | 0 |
| Total Annual Costs (O&M) | : | 0 |
| Total Annualized Costs Requested | : | 0 |

There are no capital/startup costs to respondents, nor are there any annual costs to respondents associated with operating or maintaining systems or purchasing services.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational 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.

The total estimated annual cost to the Federal Government is \$175,100 for the collection and processing of the data by the Department's data by FMS-KC. Estimated annualized cost is based upon the maximum support personnel needed to do the initial input processing of the preauthorized debit application information that will be submitted to FMS-KC for Electronic Funds Transfer (EFT), any computer processing and the monthly maintenance and routing to the Federal Reserve Bank. This estimated cost also includes the amount the Department pays to its contractor under the terms set forth in the contractual agreement to service and maintain its portfolio of defaulted loans.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

This is a request for an extension of the current information collection. There is a slight increase of 67 in total respondents and responses and a 5 hour increase in total burden. The burden estimate for completion and submission of the application remains 5 minutes per applicant. The estimated annual number of respondents and responses is now 1,667 x 0.08 hour for a total of 138 burden hours.

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 results of this collection will not be published.

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.

The Department is not seeking this approval.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

The Department is not requesting any exceptions to the “Certification for Paperwork Reduction Act Submissions” of OMB Form 83-I.