

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

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 organizations provide the certifications and information to the SAAs for the Department of Veterans Affairs (VA).

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.

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. 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.

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. 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 collection of information does not involve small businesses or entities.

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 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. 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 notices were published in the Federal Register on May 6, 2021, Volume 86, Number 9546. No comments were received from the public in response to this notice.

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

VA does not provide any payment or gift to respondents.

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.

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 Veteran Readiness and Employment – VA (58VA21/22/28) which is contained in the Privacy Act Issuances, 2012 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 information collected is of a sensitive nature.

12. Estimate of the hour burden of the collection of information. Please show mathematical calculations:

a. Number of Respondents: 571 (Annual Average from 2016 thru 2020)

b. Frequency of Response: Annually

c. Annual Burden Hours: 1,713 (571 X 3 hours)

d. Estimated Completion Time for Respondent: 3 hours

e. The respondent population consists of the number of SAA approved licenses and certifications. VBA cannot make further assumptions about the population of

respondents because of the variability of factors such as educational background and wage potential of respondents. Therefore, VBA used general wage data for “All Occupations” to estimate the respondents’ costs associated with completing the information collection.

The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. According to the latest available BLS data, the median weekly earnings of full-time wage and salary workers are \$1,082.80. Assuming a forty (40) hour work week, the median hourly wage is \$27.07.

The general wage code of “00-0000 All Occupations” may be found by clicking this link: https://www.bls.gov/oes/current/oes_nat.htm for “All Occupations” as of May, 2021.

Legally, respondents may not pay a person or business for assistance in completing the information collection and a person or business may not accept payment for assisting a respondent in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VBA estimates the total cost to all respondents to be \$46,370.91 (1,713 burden hours X \$27.07 per hour).

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

There are no recordkeeping/reporting fees/costs associated with this collection.

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:

Grade	Step	Burden Time	Hourly Rate	Cost Per Response	Total Responses	Total
12	3	N/A	--	--	--	N/A
Overhead at 100% Salary						\$0
9	3	N/A	--	--	--	N/A
Overhead at 100% Salary						\$0
7	3	N/A	--	--	--	N/A
Overhead at 100% Salary						\$0
Overhead costs are 100% of salary and are same as the wage listed above and the amounts are included in the total.						
Processing / Analyzing Costs (1,713 X 3hrs X \$28) Cost for SAA is capped at \$28.00.						\$143.892
Printing and Production Cost - Forms are not available on the VA inter/intranet forms websites as there is no official OMB form associated with this collection.						\$0
Total Cost to Government						\$143.892

The median SAA wage rate is capped at \$28.00 per hour. Therefore, processing cost of \$143,892 is based on an estimate that an SAA employee will have to review each application. We estimate that it will take 3 hours to review each claim (1,713 burden hours x 3 hours to complete x \$28 per hour = \$143,892).

REPORTING FEE INFORMATION: There is no cost to schools because VA pays each school that furnishes training under the various VA education programs a fee for processing all required VA reports or certifications for each Veteran or other claimant. VA refers to these fees as "school reporting fees" which help schools to defray the costs of processing paperwork required to be submitted to VA. The reporting fee is in lieu of any other compensation or reimbursement. Reporting fees were established by Public Law 90-77 effective August 31, 1967 and are in 38 U. S. C. 3684

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

There is an increase in the average number of annual responses received for the licensing or certification tests and the organizations offering them, due to the consideration and use of 5 years of data, rather than the typical 3-year use of data. The previous renewal did not account for data covering 2016 and 2017. Therefore, the data used for this renewal submission represents years 2016, 2017, 2018, 2019 and 2020 resulting in the increase in burden.

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.

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

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, "Certification for Paperwork Reduction Act Submissions," of OMB83-1.

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. If statistical methods are employed, Part B must be completed.