

PUBLIC SUBMISSION

As of: 11/5/24, 4:23 PM
Received: November 05, 2024
Status: Posted
Posted: November 05, 2024
Tracking No. m34-uoqw-j6li
Comments Due: November 12, 2024
Submission Type: Web

Docket: VA-2024-VACO-0001
Notices Requesting Comments

Comment On: VA-2024-VACO-0001-0489
Agency Information Collection Activities; Proposals, Submissions, and Approvals: 35 Percent Exemption Request from 85/15 Reporting Requirement

Document: VA-2024-VACO-0001-0616
Comment on ICR-35% Exemption Request from 85_15 Reporting Requirement; Mike Panaro

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General Comment

Public Law 117-174 states that “(6) The Secretary shall ensure that an educational institution that meets the requirements of paragraph (4) or (5) submits information to the Secretary on a biennial basis to verify meeting such requirements. During such biennial period in which an educational institution is covered by such verification, the Secretary may not require the educational institution to submit information with respect to meeting the requirements of paragraph (1).”

This states, in contradiction to a passed and signed Public Law, that schools with an approved exemption are required to provide the complete 85/15 data during regular, periodic compliance survey reviews by VA.

- 1) The proposed collection of information is illegal, and it is absolutely unnecessary for the performance of VBA functions. For those institutions with 35% exemptions, it will have ZERO practical utility.
- 2) The VBA's estimate of the burden of the proposed collection of information has no basis in reality and is wildly inaccurate. The 85/15 ratio must be calculated by program, and it is based on students who are taking a full time course load. School Certifying Officials at institutions with hundreds of approved programs will spend days, if not weeks, going program by program, determining how many full time equivalent students there are, and then determining how many of those students are supported either by the institution or by the VA. They then have to spend days entering this collected data into an atrocious OMB approved .pdf form and its continuation pages. The fact that VBA believes this takes 30 minutes shows every School Certifying Official in the country that the VA's Education Service has no idea what it takes to administer their programs.
- 3) There is no way to enhance the quality, utility, and clarity of the information to be collected. It is

unnecessary and it will not prevent the VA from paying benefits (which a veteran earned and is limited by time) in error.

4) The best way to minimize the burden of collection on respondents is to follow the law.