

SUPPORTING STATEMENT – PART A

Application for Approval of an Institution of Higher Learning Facility; Institution of Higher Learning – Program Submission List; Application for Approval of Organizations Other Than Institutions of Higher Learning – OMB 2900-0932

Summary of Changes from Currently Approved Collection

- The ICR is associated with rulemaking RIN 2900-AQ88
- Updated Total Cost to all Respondents

1. Need for the Information Collection

Pub. L. 117-333 Section 11, enacted January 5, 2023, amended title 38 U.S.C. Section 3672, “Approval of Courses”. This provision of the law required VA to create and design two new uniform applications and any accompanying documentation for approval of courses of educational programs, and for those forms to be available for use by October 1, 2023. The Program Office created those four forms to meet the amended criteria of 38 U.S.C. Section 3672.

These forms are completed by educational institutions, training establishments and other organizations seeking approval of one or more programs of study for the payment of VA Education benefits rendered to eligible beneficiaries. The institutions submit the forms to the State Approving Agencies (SAAs) of jurisdiction for their review. By law, each SAA has the authority to make such approvals in their respective state. VA contracts with SAAs in each state for this approval assessment work.

Prior to the new legislative requirement, each SAA used their own application form(s), making it difficult for training institutions operating in more than one state to readily complete the process, as different states required different information. The amendment to title 38 U.S.C. Section 3672 now ensures uniformity in the program approval process across all states.

This collection of information is associated with the rulemaking, RIN 2900-AQ88.

2. Use of the Information

The uniform SAA applications are used by educational and training institutions to apply for initial approval of their programs for payment of VA benefits; to make revisions of existing program approvals, or to submit withdrawals of approved programs no longer being offered. The institutions complete either the VA Form 22-10287, or the VA Form 22-10288, based on the type of training offered at their institution.

Institutions of Higher Learning (IHLs) will use the VA Form 22-10287 exclusively, and all other types of educational training establishments will use the VA Form 22-10288. Each institution may use the associated “Program List”, VA Form 22-10287a or VA Form 22-10288a to add, revise, or remove any program offered. In some cases, institutions may use their own documentation to make administrative revision(s) such as changes of address, banking information, or ownership changes, when all program offerings remain the same.

The VA Forms 22-10287 and 22-10288, and any associated program list or documentation are submitted by the educational or training institution to the SAA of jurisdiction for review. Currently the educational institution sends the requests for program approval to the SAAs either via email, direct mail, an SAA portal, or as directed by the SAA. The SAA makes an approval decision and notifies the institution accordingly. The SAA then sends the approval package to the VA Education Liaison Representative (ELR) of jurisdiction. Program reviews will be conducted in the near future to determine the availability of advanced automation technology for submitting the applications between educational and training institutions, SAAs and VA, which may help to reduce future burdens.

The approval package includes the application/form received from the training institution, the SAA’s findings, and any additional related information that supports payment of GI Bill benefits, as well as a copy of the notification sent to the training institution. The VA Education Liaison Representative (ELR) reviews the approval package for completeness, or requests additional information, if required. After the package is deemed complete, the ELR processes the package by entering the required information into VA’s internal “Web Enabled Approval Management System (WEAMS)”. The ELR provides the report to the training institution, which contains the final approval information. The ELR then sends a copy to the SAA of jurisdiction. Finally, the approval data entered in WEAMS by the ELR is then used by Veterans Claims Examiners to adjudicate education benefit claims.

3. Use of Information Technology

Educational and training institutions uses the approval information received from the ELR and SAA to report the students’ enrollment certification using the new automated VA electronic technology reporting system, “Enrollment Manager” (EM). The student’s enrollment data is entered into EM to make payments to eligible Veterans and their beneficiaries. The EM is the modernized platform that replaced VA-ONCE.

4. Non-Duplication

There is some duplication of collection information found in the currently approved OMB 2900-0051 “State Approving Agency Reports and Notices” as required by 38 CFR 21.4154, 4250(b), 21.4258 and 21.4259. However, there wasn’t an official uniform application available for use by all stakeholders; educational institutions, training establishments and SAAs to ensure the information collected was the same based on

the type of educational institution seeking program and course approval. Therefore, as mandated by Pub. L. 117-333 Section 11, the creation of the two new forms will allow all entities access to the same collection of information, thus making the approval assessment and enrollment certification process more efficient.

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

Without the information submitted on the new uniform applications, VA would be less able to determine whether educational institutions and SAAs have met all of the requirements of Pub. L. 117-333 Section 11, and that they are in compliance with all applicable laws and regulations relating to the approval of programs and courses of education.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

A. Public Comments

The associated proposed rule, RIN 2900-AQ88, was published in the Federal Register on May 24, 2023, Volume 88, Number 100, page 33672. No comments pertaining to the collections of information were received in response to this notice.

A 60-Day Federal Register Notice (FRN) for the collection published on Wednesday, December 27, 2023. The 60-Day FRN citation is Volume 88, Federal Register Number 247, Page(s) 89502-89503. No comments were received during the 60-Day Comment Period.

B. Consultation

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

The quantitative data from each SAA for the approval assessment of VA Form(s) 22-10287, 22-10287a, 22-10288 and 22-10288a is shared with and concurred by the VA Education Liaison Representative (ELR) of jurisdiction. Our assurance of privacy is covered by 38 U.S.C. 5701 and our System of Records, Compensation, Pension, Education and Veteran Readiness and Employment Records - VA (58VA21/22/28), which are contained in the Privacy Act Issuances, 2012 Compilation.

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

11. Sensitive Questions

No questions considered sensitive are being asked in this collection.

12. Respondent Burden and its Labor Costs

- VA FORM 22-10287 [Application for Approval of an Institution of Higher Learning Facility]
- VA FORM 22-10287a [Institution of Higher Learning – Program Submission List]
- VA FORM 22-10288 [Application for Approval of Organizations Other Than Institutions of Higher Learning]
- VA FORM 22-10288a [Non-Institution of Higher Learning – Program Submission List]

For this new collection, VA estimates this collection to be approximately 70,400 burden hours. This figure is based on the current annual average of 8,800 approval action responses; (program lists or similar documentation included, if applicable), that were submitted by the SAAs from fiscal year 2022 through August 2023.

- a. Number of Respondents: 8,800 (17,600 / 2 years).
- b. Frequency of Response: Once.
- c. Annual Burden Hours: 70,400 [8,800 X 8 hours or 480 minutes / 60 minutes = 70,400].
- d. Estimated Completion Time: 8 hours or 480 minutes.
- e. The respondent population for the two new uniform applications, VA Forms 22-10287 and 22-10288, and the two Program Lists, VA Forms 22-10287a and 22-10288a are educational and training institutions that work coordinately

with third-party SAAs to obtain approval of their programs, courses and trainings. The annual net cost to the public for this collection is \$0. SAAs are reimbursed by VA under a contract for work performed and expenses incurred based on their review and approval determinations as authorized by title 38 U.S.C. 3674. The VBA cannot make further assumptions about the population of respondents because of the variability of factors such as the educational background and wage potential of respondents. Therefore, VBA used general wage data 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 mean hourly wage is \$31.48 based on the BLS wage code – “00-0000 All Occupations.” This information was taken from the following website: https://www.bls.gov/oes/current/oes_nat.htm

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 \$2,216,192 (70,400 burden hours x \$31.48 per hour).

13. Respondent Costs Other Than Burden Hour Costs

The VA reimburses SAAs for the work performed and expenses incurred as authorized by title 38 U.S.C. 3674. This submission does not involve any recordkeeping costs.

14. Cost to the Federal Government

Estimated Costs to the Federal Government: \$1,321,056.

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Grade-GS	Step	Burden Time Employee	Hourly Wage Rate	Cost per Response	Total Responses	Gov. Cost
(ELR) 11	05	4 hours or 240 minutes	\$37.53	\$150.12	8,800	\$1,321,056 (8,800 X \$37.53 X 240 / 60)
	Overhead at 100%. Overhead costs are 100% of salary and are also the same as the wage listed above; and the amount is included in the total.					\$1,321,056
	Processing / Analyzing Cost					-0-
	Printing and Production Cost					-0-
Total Cost to Government						\$1,321,056

Note: The hourly wage information above is based on the hourly 2023 General Schedule (Base) Pay. https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/RUS_h.pdf

This rate does not include any locality adjustment as applicable.

The processing time estimates above are based on the actual amount of time employees of the grade level spend to process to completion a claim received on the forms. The within-grade step (5) of each employee represents the average experience of employees within each grade.

15. Reasons for Change in Burden

There is no change to the burden for this submission.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to “Certification for Paperwork Reduction Act Submissions”

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.

