

**1Supporting Statement for Paperwork Reduction Act Submissions**  
**OMB Control Number 1076-0084**  
**U.S. DOI BIA Housing Improvement Program, 25 CFR 256**

Note: The proposed notice awaited signature due to possible elimination of the Housing Improvement Program, therefore, the document did not move forward in a timely manner. The Division of Human Service intends to begin collection activities 12 months in advance of next expiration date. In addition, Indian Affairs is proposing to revise the process for approval by delegating the signature authority to a lower level and eliminating the Office of Solicitor for review of these routine documents.

**Terms of Clearance:** None

**General Instructions**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a) (i) (IV) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When statistical methods are used, Section B “Collection of Information Employing Statistical Methods” must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

**Specific Instructions**

**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 copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

**The information is collected to determine applicant eligibility for housing services based upon the criteria referenced in 25 CFR Part 256.9 and 256.10, as outlined in 25 CFR Part 256.4.**

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. (Be specific. If this collection is a form or a questionnaire, every question needs to be justified.)

**Section A: The first 7 questions on the application establish the identity of the**

respondent, tribal affiliation and marital status. Questions 8 through 11 establish the identity of the spouse for identification purposes.

**Section B:** Establishes the size of the respondent's family or family composition or for determining the minimum number of bedrooms needed for this family.

**Section C:** Questions 12 through 14 establish the financial resources available to the respondent and family and for determining whether or not this family meets the program income guidelines.

**Section D:** Questions 15 through 24 provides a general description of the home or for determining the category of service.

**Section E:** Questions 25 through 27 provides a legal description and location of house or for establishing ownership of the house.

**Section F:** Questions 28 through 33 provide pertinent information about respondent or for determining whether or not the applicant meets the regulatory requirements of the program.

**Section G:** Is the certification by the respondent that the statements and information included with the applicant are true.

**Enrolled members of federally recognized tribes, who live within a tribe's designated and approved service area, submit information which determines who will be the beneficiaries of this program, the neediest of needy. The Housing Improvement Program (HIP) application form that was developed for this program has been in existence since 1975 and is the instrument used to screen, identify, document and select individual American Indian families for this program.**

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 [and specifically how this collection meets GPEA requirements.].

**Due to the lack of computer technology and individual ownership of computer equipment by our clients, the thought of installing individual computer terminals at each remote BIA agency/tribal office for public access was considered; but due to the remoteness, the low level of computer literacy of the general reservation service population and high start-up and maintenance costs, this option is presently not viable; so, we continue to use the paper generated HIP application for this program. Based upon the small number of individual HIP applications received and approved each fiscal year, and the inability of the public to access the HIP application electronically because of the Cobell litigation in which the court has prohibited the BIA from using the internet as a communication's source, we presently cannot comply with GPEA.**

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.

**Much of the data collected is unique to the program. This form establishes a paper trail and documents individual eligibility for a federally funded grant program. We have approached other Federal, state, local and private agencies, such as HUD, VA, IHS, USDA, FEMA, Red Cross, other private organizations and lenders to explore the idea of adopting a single application for collecting data from the tribe's general service population; to date, we have not gained any support to establish and use a single application form to determine eligibility for even general individual housing program services.**

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

**The information on the form does not come from small businesses, but from individuals seeking housing assistance. However, we recognize that the information collected does affect businesses, and therefore, we continue to recommend to tribes and local BIA field offices to develop a single bid document or solicitation for completing all their individually funded projects identified in their reservation-wide annual work plan to reduce the paperwork a subcontractor would have to review in order to respond or bid on any contract work generated by the funds that are made available through this program each fiscal year.**

6. Describe the consequence 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.

**Due to the nomadic nature of our clients because of the severe lack of employment opportunities on many of our reservations, the information that is needed to properly assess an individual for housing services frequently changes each calendar year; so, the need to update an individual's HIP applicant's file each fiscal year is necessary. The consequences for not updating the information on at least an annual basis would mean that we would not only be serving ineligible applicants but individuals who are ranked lower on the reservation-wide priority waiting list and would be bypassing individuals who would be rated higher or considered more in need for individual housing services.**

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;

**We only require a yearly update of information, although an applicant who moves may wish to voluntarily update the information more frequently or as needed.**

- \* requiring respondents to prepare a written response to a collection of information in

fewer than 30 days after receipt of it;

**Respondents are not asked for any other information than that submitted annually on the form.**

- \* requiring respondents to submit more than an original and two copies of any document;

**Only one copy is required although respondent may wish to have a copy for their personal records. At the end of our form we have a statement about the record keeping and duplication of this document.**

- \* requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

**Respondents are not required to retain records regarding their application.**

- \* 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;

**We do not use information for a statistical survey.**

- \* requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

**We do not use information for a statistical survey.**

- \* 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 which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

**Our pledge of confidentiality would be covered by the Privacy Act, as stated on our form.**

- \* 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.

**We do not require proprietary trade secrets or any other confidential information that would not be covered by the Privacy Act.**

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency'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 in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

**A Federal Register Notice was published October 30, 2007 (72 FR 61365). No comments were received regarding the attached copy of the Federal Register notice.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

**We have discussed our Housing Improvement Program with Mr. Dennis Daniels, Native American Programs Specialist, HUD, Office of Native American Programs, 451 7<sup>th</sup> Street SW, Room 4126, Washington, DC 20410, Telephone 202-708-0614 Extension 6329**

\*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.

**Severe budget cuts to this program since 1995 have eroded the present housing support staff to 1 FTE at the Central Office and 12 FTE at the regional office levels; this doesn't allow much individual consultation with representatives of those from whom information is obtained or those who must compile records. But this doesn't preclude ongoing consultation with each individual respondent when this form is completed nor when the form is discussed at various HIP meetings and orientation sessions conducted during the course of each fiscal year by each of the twelve regional offices. When the tribes have rated and ranked the applications, their list containing only the name and ranking is sent to BIA. Because applications for the applicants are not available unless we are going to serve them through a contract, for the contact information of an applicant, please contact Mr. Leslie Jensen at 907-586-7397. His Fax Number is 907-586-7011.**

**We also use this OMB process, with its two comment periods, of extending the approval to this HIP application form, ( which expired on November 30, 2007) as another means of consultation.**

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

**We do not provide payment or a gift to respondents for completing this form.**

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

**The Privacy Act statement printed on the HIP application, BIA Form 6407, OMB Control Number 1076-0084 provides the assurance of confidentiality. This application is included in the BIA HIP Handbook or processing manual, which is provided at our annual HIP orientation sessions for both BIA and tribal housing staff who are tasked with the administration of this program; they are advised about the confidentiality and the safeguarding of the information provided by the respondents. This format may also be shared more frequently to other individuals and groups who request a presentation of this information at their meetings and workshops.**

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. This 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.

**We do not request any additional information that is not included on the HIP application and/or in the HIP regulations. A respondent's religious belief or other sensitive matters do not affect an individual's final standing for program assistance.**

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

\* Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.

**We have 7,000 *qualified* respondents annually for this program. Annually, there are an additional 1,000 applicants who do not qualify, making the total 8,000. Reading the instructions, gathering information as needed, and completing the form requires 1 hour per respondent. The estimated total salary record keeping burden cost for applicant is 1 hour x \$25.00 per hour = \$25.00.**

	Salary per hour	Legally required Benefits	Health	Leave	Total
Civilian	20.10	3.04	2.40		25.54

<b>Private Industry</b>	<b>18.32</b>	<b>2.21</b>	<b>1.84</b>	<b>22.37</b>
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**This cost estimate is based upon experience. Applicants are not necessarily employed year-round; many work part-time and are not eligible for some benefits such as leave, health insurance; some families earn their annual income following the harvest, and what they earn is what they have unless they qualify for some family assistance. For those whose income is based on harvests, no benefits are available. We have used the Bureau of Labor Statistics, USDL: 07-1434 as a guide for our estimates. Looking at table 1 (for civilian employees) and table 5 (for private industry employees), we determined that \$25 would reflect the lack of benefits for some of our applicants who may not receive health benefits or paid leave; in the former case because it may be assumed that the applicants are eligible for Indian Health Services programs. It is well to note that applicants who earn minimum wage are basically ineligible for this program because their income exceeds the guidelines. Therefore, the total cost burden on the public is \$200,000.00. No individual is reimbursed for completing the application nor guaranteed services under this Program.**

- \* If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens here.

**Only one form is used for the collection of information for this program.**

- \* Provide estimates of annualized cost to respondents for 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 13.

13. Provide an estimate of the total annual [non-hour] 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 [including filing fees paid]. 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 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 purchasing or 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.

**The tribes who operate the housing program do so under Self-Determination contracts or Compacts and do not receive compensation for this activity. As such, they are performing the federal function, but we are providing this explanation to show the burden for operating the program. A total annual cost burden to respondents or record keepers resulting from the collection of information is determined to be within a range of \$5.00 to \$20.00 per application opportunity. The reason for variance is attributable to geographical location, economically stressed areas and the population of tribal members. A total cost of supplying the application and posting the notice of availability of funds is relatively small compared to the screening of applications. The total cost is dependent upon the method used for the collection of information by each respective tribe entity who must verify the information of the individual respondent. Some tribes just post an annual public notice for the solicitation of individual submissions of the form in such places as tribal and district offices, BIA agency office, post office, IHS clinics or hospitals that include basic program information and places where an individual can pick up and/or drop off their completed application. Others place advertisements with the local media, such as local radio stations and newspapers. Some hire tribal staff to go door-to-door to get the form completed like the US Census Bureau does. Others just have their tribal staff schedule specific weekdays that they will be available at the local district or community building to hand out and accept individual applications like Social Security does for their clients. If we use \$10 per tribal entity as an average cost, outside of the tribal cost of reviewing applications, for all 562 tribal entities, the total cost burden would be \$5,620. Another cost to the tribes is providing a building inspection report on the dwellings that are being considered for grants. There is a general inspection of the building which is not the same as a certified building inspector (that is done after work is done and is professional). We estimate that 7,000 such preliminary inspections are done and cost about \$25.00 each. We estimate that this tribal entity costs are \$25.00/hour and that this inspection takes about 1 hour. Therefore  $\$25/\text{hr} \times 1 \text{ hour} \times 7,000 = \$175,000.00$ . This means an additional \$175,000 that is spent by tribes for a total of \$180,620.00**

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 annualized cost to the Federal government is 25 per cent of the annual budget appropriations of the total regional Housing Development (HD) funds, which in FY 2004 it was \$2,434,000 (Fedcost: \$608,500); in FY 2003 it was \$2,418,000, (Fedcost: \$604,500); in FY 2002 it was \$2,395,000 (Fedcost: \$598,750). HD encompasses 4 distinct tasks: A. Verification of HIP eligibility applicants represents 25 % of the federal employee cost, B. Review and approve of a tribe's annual work plans represents 25 %, C. Monitoring the completion of individual HIP projects represents 40% and D. Close-out of each approved and/or funded project represents 10%. Total administrative costs: \$696,000.00.**

15. Explain the reasons for any program changes or adjustments.

**Because this collection expired, all of the data is a program change. However, we have now acknowledged the applicants who did not qualify (1,000 this time) which we had not done previously. This does not change the amount of time taken to process the qualified applicants. The number of applicants has risen from 3,500 to 8,000. Part of the rise in number of applicants is due to more applications, but 1,000 reflects not counting all the applications reviewed but only the qualified. We also saw a change in the Annual Costs which went down from \$525,000 to \$180,620.00 because we inadvertently counted tribal time that was really federal when they were acting as our contractor under the Self-Determination program or Self-Governance.**

**Applicants that are not provided housing assistance by a tribal entity, may carry the application forward into the next program year as indicated in 25 CFR Part 256.14 (d) (2). "If funding is not available, you will be advised, in writing, and provided appropriate information concerning submission for the next available program year. At the option of the servicing housing office and when extenuating circumstance exist, your application can be carried forward, for one year, into the next program year. You will be advised that you must provide written confirmation that you must provide current income documentation for that application to be considered in the next program year."**

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.

**We will not use the results of the collection for any other purpose but operating the program.**

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.

**Agency intends to display the expiration date for OMB approval.**

18. Explain each exception to the certification statement identified in 5 CFR 1320.8(b)(3) and 5 CFR 1320.9.

**(a) We cannot operate the program without the information requested.**

**(b) We only require one form to avoid duplication.**

**(c) We only require one annual update, once an applicant is determined eligible, if the information is still valid the respondent only needs to sign and date Section G of the form.**

**(d) This form has been in existence since 1975, during this time period, we have received no complaints from the respondents regarding the complexity of the form.**

**(e) This form is still consistent and compatible with current reporting and recordkeeping practices.**

**(f) It is stated on the last page of the form.**

**(g) All items have been addressed in this supporting statement.**

**(h) Based upon the longevity of the program, established in 1966, it must have been developed by an office that has planned and allocated resources to manage and collect the information.**

**(i) We don't rely on statistical survey methodology but actual number of applicants applying for housing services each fiscal year.**

**(j) Based upon our respondent's capability we make appropriate use of information technology.**