
19. Certification for Paperwork Reduction Act Submissions

On behalf of the U.S. Department of Housing and Urban Development, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

Note: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320/8(b)(3) appear at the end of the instructions. The certification is to be made with reference to those regulatory provisions as set forth in the instructions.

The following is a summary of the topics, regarding the proposed collections of information that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of the information;
 - (iii) burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to collected (see note in item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in item 18 of the Supporting Statement.

Signature of Program Official:

Date:

Signature of Senior Officer or Designee:

Date:

X
Lillian Deitzer, Departmental Reports Management Officer,
Office of the Chief Information Officer

Supporting Statement for Paperwork Reduction Act Submissions

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 “American Recovery and Reinvestment Act of 2009” (Recovery Act) was enacted on February 17, 2009 to provide economic stimulus for the U.S. economy. The Recovery Act appropriated \$510 million for “Native American Housing Block Grants,” (NAHBG) as authorized under Title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) 25 U.S.C. 4101 *et seq.* (copy attached) to remain available until September 30, 2011. The Department of Housing and Urban Development (HUD), Office of Public and Indian Housing (ONAP), was directed by the Recovery Act to provide \$242,250,000 of this amount for competitive grants to eligible entities that receive NAHASDA funds. Eligible entities are comprised of approximately 579 tribes throughout the country, which includes Indian tribes, pueblos, Alaska Native Regional Corporations, and Alaska Native Villages. These tribes may designate a housing entity to oversee all of their housing programs. These designated housing entities may represent one or more tribes. Currently, there are 366 tribally designated housing entities funded through the Indian Housing Block Grant (IHBG) program eligible to apply for the NAHBG competitive grants created by the Recovery Act. NAHBG provides competitive funding to these eligible entities for the development and operation of low-income housing in Indian areas with priority given to projects that will spur construction and rehabilitation and will create employment opportunities for low-income and unemployed persons. HUD funded 102 of the 327 applications received for this competitive program. Applicants were selected based on the information provided in the application in response to the Notice of Funding Availability (NOFA). The application submission process is now complete and the application forms in the previous collection are no longer required.

The collection of reporting information is essential for HUD to monitor grants and ensure that grantees are making proper use of federal funding. The Recovery Act requires the submission of standard program reports, in addition to a quarterly report developed by the Office of Management and Budget for all Recovery Act grantees.

The following forms will be used for the grantee reporting requirements, in addition to the OMB reporting forms specific for the Recovery Act programs:

SF 425, Federal Cash Transactions Reports

HUD 52735-AS, Annual Performance Report

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.

HUD ONAP will use the information to ensure that statutory and regulatory requirements are met. Respondents are eligible Indian tribes or tribally designated housing entities (TDHEs). The collection of reporting data will enable the Office of Native American Programs to monitor each grantee’s performance according to their projected budget and implementation schedules.

- 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.

Electronic submission of the SF-425 and HUD-52735-AS may only be accomplished by scanning the document and submitting attached to electronic mail or facsimile transmission.

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.

This program does not duplicate any existing government program. No similar information is available.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.

The NAHBG program does not involve small businesses or other small entities.

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.

If the requested application information in the previous collection was not collected during the application process, HUD would not have qualitative and quantitative criteria for selecting applicants with the capacity to implement the Recovery Act projects in a timely manner. If reporting information is not collected for monitoring purposes, HUD would not be able to ensure that federal dollars were being spent wisely and appropriately and in accordance with the NAHBG Recovery Act criteria to obligate 100 percent of their funds within 1 year of the date the funds are made available, expend at least 50 percent of such funds within 2 years of fund availability and expend 100 percent of such funds within 3 years of fund availability.

Information collected pursuant to submitting applications was requested only once as this was a one-time funded program. Information collected for monitoring purposes is submitted quarterly during the three year grant performance period. To require less frequent submission would mean that no action could be taken to correct administrative problems before the end of the grant period nor would timely information on project progress be made available for Recovery Act reporting purposes.

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 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 which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - requiring respondents to submit proprietary trade secret, 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.

Respondents are not required to report information to the agency more than quarterly;

Respondents are not required to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

Respondents are not required to submit more than an original and two copies of any document;

Respondents are not required to retain records other than health, medical, government contract, grant-in-aid or tax records for more than three years;

The information collection does not require the use of statistical survey that is not designed to produce valid and reliable results than can be generalized to the universe of study;

The information collection does not require the use of a statistical data collection that has not been reviewed and approved by OMB;

The information collection does not include a pledge of confidentiality not supported by statutory or regulatory authority *et al*;

The information collection does not require respondents to submit proprietary trade secrets or other confidential information.

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 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 instructions and recordkeeping disclosure, or reporting format (if any) and 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 preclude consultation in a specific situation. These circumstances should be explained.

In accordance with 5 CFR 1320.8(d), the agency's notice soliciting public comments was announced in the *Federal Register* on September 23, 2009 (Vol. 74, No. 184, page 4852). No comments were received.

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

No payments or gifts will be made to respondents.

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

HUD ONAP does not have unique confidentiality policies or other privacy policies applicable to the collection of this information. There is no assurance of confidentiality. This information is available under the Freedom of Information Act.

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.

There are no questions of a sensitive nature included in the information collection.

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;
 - if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
 - 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.

There are approximately 579 tribes throughout the country, which includes tribes, pueblos, Alaska Native Regional Corporations and Alaska Native Villages. Tribes may designate a housing entity to oversee all of their housing programs. These designated housing entities may represent one or many tribes. In FY 2008, there were 366 housing entities funded through the Indian Housing Block Grant (IHBG) program that were eligible to apply for the NAHBG competitive grants created by the Recovery Act.

HUD received a total of 327 applications for the Recovery Act NAHBG competitive grants. 102 grants were awarded.

1) Post-Award

OMB has developed Recovery Act reporting requirements for the Recovery Act programs. In addition, HUD is requiring that reports required by NAHASDA continue to be submitted. HUD estimates that each grantee will spend approximately 170 hours a year maintaining records. HUD estimates that each grantee will spend approximately 50 hours a year preparing financial reports and 120 hours during each funding cycle's preparing the annual performance report (including the final report). Clerical staff will prepare the Post-Award reports. HUD estimates the applicable hourly rate at \$18. The computation is as follow: 102 grantees x 150 hours x \$18 an hour = \$275,400.

Description of Information Collection	Number of Respondents	Responses per Year	Total Annual Responses	Burden Hours	Total Hours
Federal Cash Transactions Reports (SF-425)	102*				
Annual Performance Reports (HUD-52735-AS) including the final report	102	1	102	120	12,240
Total	102		102		12,240

* Burden hours included in SF-425 Paperwork Reduction Act Submission.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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 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 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.

There is no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

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.

1) Post-Award

HUD awarded 102 grants pursuant to NAHBG Notice of Funding Availability. With annual reporting, HUD would receive 102 progress reports for each grant cycle, requiring a total review time of 120 hours per grant per report, for a total of 12,240 hours. Assuming a GS-12 (step 5) conducts the reviews, the cost is computed as follows: 120 hours x 102 reports x \$32.36 an hour = \$396,086.40.

15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the OMB Form 83-I.

This is a revision to a currently approved collection. The burden hours are decreased because the application portion of this collection is not longer applicable. The collection is for reporting only.

16. For collection 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 1989 Reform Act requires that all funding awards be published in the Federal Register.

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 OMB approval number and the expiration date will be shown on all the HUD forms.

18. Explain each exception to the certification statement identified in item 19.

There are no exceptions to the certification statement, item 19 of OMB Form 83i.

B. Collections of Information Employing Statistical Methods

The information collection will not use statistical methods.