
Supporting Statement for Paperwork Reduction Act Submissions
Indian Housing Block Grants (IHBG) Program Reporting

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 Native American Housing Assistance Self-Determination Reauthorization Act of 2008 (NAHASDA) is the statute that provides funds to aid Native Americans, Alaska Natives and Native Hawaiians with affordable housing development, management and operation including new housing construction and rehabilitation for sale and rent as well as infrastructure development and other forms of housing assistance. Eligible recipients include Federally-recognized tribes and individuals and tribally-designated housing entities. NAHASDA is a formula-driven program whereby eligible recipients receive an equitable share of funds as appropriated by Congress.

Recipients of IHBG funds are required to submit an annual *Indian Housing Plan (IHP)* (HUD-52735) that provides a series of goals and objectives for the recipient to accomplish with the IHBG funds to provide affordable housing for its low- to moderate-income tribal members (NAHASDA § 102).

IHBG recipients are required to submit a quarterly *Federal Financial Report (SF-425)* that provides a snapshot of the grant funds drawn from the recipient's line of credit. The reports are used to monitor cash transfers to the recipients and obtain expenditure data from the recipients.

At the end of each 1-year period the recipient is to submit an *Annual Performance Report (APR)* (HUD-52735-AS) to (1) describe the use of grant funds; (2) compare relationship of grant fund use to the IHP goals and objectives; (3) discuss program accomplishments; and (4) describe how the recipient would change its program delivery and implementation based upon the recipient's experience (NAHASDA § 404).

IHBG recipients are responsible for notifying HUD of changes to the Formula Current Assisted Stock (FCAS) component of the IHBG formula. HUD is notified of changes in the FCAS through the *Formula Response Form* (HUD-4117). IHBG recipients or HUD may challenge the data from the U.S. Decennial Census or provide an alternative source of data by submitting the Guidelines for Challenging U.S. Decennial Census Data Document. Census challenges are due to HUD by March 30th of each fiscal year, as stipulated at 24 CFR § 1000.336.

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.

IHBG recipients (tribes and tribally designated housing entities) are required to submit periodic information to demonstrate compliance with eligibility and other requirements of NAHASDA and for HUD's annual report to Congress. The information collected allows HUD to audit the program accurately and to allocate funds under the IHBG program. The quality assurance of data reported is a very important issue in maintaining HUD's databases used to monitor a recipient's performance, determine program compliance, and to ensure fair and equitable IHBG allocations. In some cases, the updated FCAS information addressing the conveyances and conversion of units has resulted in the recouping of funds.

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.

Signature of Senior Officer or Designee:

Date:

X
Wayne Eddins, Departmental Reports Management Officer,
Office of the Chief Information Officer

Approximately 60 percent of respondents provide the information via electronic means. Electronic submission of the SF-425 and HUD-52735-AS may only be accomplished by sending the document as a facsimile or by scanning the document and attaching the document to electronic mail. Once the form has been approved ONAP plans to commence working with a contractor to automate the revised IHP/APR (contract has already been executed). The planned format will use an Excel base and will include dropdown boxes and automatic population, as appropriate. We plan to have the automated format available for use by no later than July 2012.

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.

There is no duplication of information. IHBG recipients must submit an IHP annually describing the recipient's goals and objectives for the grant funds, an APR annually describing how the grants are being used and goal and objective accomplishments, and a SF-425 quarterly showing that grant funds are expended in a timely manner. There are no other sources of information that are being submitted to HUD that duplicate the information of IHP, APR, or SF-425. IHBG recipients do not have to challenge formula data and, if a recipient opts not to challenge the formula data, HUD will rely on the currently available data for determining a recipient's allocation.

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.

Most IHBG recipients are small in population numbers. HUD has minimized the burden on all recipients by allowing the recipient to determine the complexity of the program being offered within their area of responsibility. The program offered by the recipient determines the complexity of the IHP and APR. HUD has provided extensive training for recipients on how to design a program and complete the IHP and APR. Additionally, ONAP staff is available to provide one-on-one assistance if needed. The SF-425 is the same report form used throughout the Federal Government for grant programs. If a recipient opts to challenge the formula data, HUD will make every effort to provide guidance and technical assistance to the recipient on how to challenge and/or correct the formula data as easily as possible while still maintaining the integrity of the data.

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.

The IHP and APR are required by NAHASDA to be submitted annually. If the IHP or APR is not submitted as required, then the recipient may be denied grant funds for that year, prohibited from expending prior grant funds, and denied future grants. Given the quality of the data being used, if a recipient cannot or does not make corrections or challenge the formula data, it will decrease the fairness of the formula allocation system. In addition, HUD, the recipient, and the grant beneficiary are involved with program monitoring and auditing activities. HUD has the responsibility to challenge the validity of data used to allocate IHBG funds.

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.

There are no special circumstances that would cause the information collection to be conducted more often than quarterly. IHBG recipients may submit the *Formula Response Form* or the *Guidelines for Challenging the U.S. Decennial Census* document to challenge or make corrections at any time. Recipients receive a copy of the data at least 30 days before the recipient needs to make corrections or submit a challenge that would be acceptable for that fiscal year's formula allocation. IHBG recipients are not required to submit more than the original information collection document. Financial and programmatic records, supporting documents, and statistical records of the recipient must be retained for a period of 3 years according to 24 CFR § 1000.550. IHBG recipients may submit data to challenge the U.S. Decennial Census data, but by regulation, that information must be collected in a uniform manner that be confirmed and verified (24 CFR § 1000.330). Data must be gathered, evaluated, and presented in a manner acceptable to HUD and the standards for data acceptability must be applied consistently (24 CFR § 1000.334). IHBG recipients are not requested 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.

A notice was published in the Federal Register, volume XX, number XX, page XXXXX, dated XXXXX, announcing the intent to submit the proposed information collection to the Office of Management and Budget and invited comments. No comments were received in response to the Federal Register notice (VERIFY). HUD convenes consultations and negotiated rule making with tribes on an on-going basis and currently is conducting negotiated rule making to discuss the recent reauthorization of NAHASDA and its amendments.

The Department held eight tribal consultation meetings from January through May 2005. A tribal workgroup consisting of 12 tribal representatives worked with Department staff to incorporate suggestions gathered at the tribal consultations into a revised form for the IHP and APR. The draft combined IHP/APR was presented to tribal leaders at HUD's Native American Homeownership Summit in September 2005 and at the National American Indian Housing Council Convention in May 2007. The draft form was a discussion topic at the five Negotiated Rulemaking meetings held from March 30 through August 19, 2010, and tribal representatives expressed support for the improved form. The proposed rule that is now undergoing review includes references to the combined IHP/APR form.

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

There are no provisions to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

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

The information collection is public information; therefore, there is no assurance of confidentiality.

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 to be collected.

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 native entities throughout the country, which includes tribes, pueblos, Alaska Native Regional Corporations, Alaska Native Villages, and Hawaiian Home Lands. The native entities may designate a housing entity to oversee all of their housing programs. These designated housing entities may represent one or many native entities. It is these 366 housing entities that are funded through the IHBG program.

Each of the 366 recipients is required to submit an IHP and an APR for a total of 732 responses. Allowing for variations in the recipient's program to provide and maintain low-income housing, HUD anticipates that the simplification of the IHP will reduce the average estimated hours from approximately 120 to 89 hours to complete the IHP section of the IHP/APR. With the simplification of the APR and combining it with the IHP so that data does not have to be repeated, as well as the elimination of the need to report on multiple open grants in each APR, it is estimated that the average time will be reduced from 120 to 49 hours to complete the IHP/APR for submission after the end of the program year. HUD anticipates 15 tribes a year challenging the data at an average burden of 150 hours per challenge. The total number of responses including the IHP, APR and the Census challenge and correction forms is estimated to be 1,113.

In total, this request will have an annual reporting burden of **52,941** hours. The table below provides estimates on the number of respondents, frequency of submissions, total responses, and the estimated annual burden. The estimates are based on field office experience.

Type of Submission	Number of Respondents	Frequency of Submissions	Total Responses	Estimate Average Time (Hrs)	Estimate Annual Burden (Hrs)
IHP (form 52735)	366	1	366	89	32,574
APR (form 52735-AS)	366	1	366	49	17,934
Federal Financial Report (SF-425)*	366				
Corrections (form 4117)	366	1	366	0.5	183
Challenges (form 4119)	15	1	15	150	2,250
Total	366		1,113		52,941

*Burden housing 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.

The table below shows the estimated cost burden to respondents and is based on an average annual salary of \$37,000.

<i>Type of Submission</i>	<i>Number of Hours</i>	<i>Cost per Hour</i>	<i>Total Cost</i>
IHP (HUD-52735)	32,574	\$18	\$586,332
APR (HUD-52735-AS)	17,934	\$18	\$322,812
Federal Financial Report (SF-425)*			
Formula Correction (HUD-4117)	183	\$18	\$3,294
Formula Challenge (HUD-4119)	2,250	\$18	\$40,500
Total	52,941		\$952,938

*Burden housing included in SF-425 Paperwork Reduction Act submission.

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.

There are no additional costs to the Federal Government.

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

The number of burden hours to complete an IHP has been revised downward from 120 to 89 hours and an APR has been revised downward from 120 to 49 hours. The total reduction in annual burden hours is 40,367.

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.

Section 407 of NAHASDA requires the Secretary to prepare an annual report to Congress; the information collected in the APR will be used to prepare that report. The Secretary is required to include a description of the progress made in accomplishing the objectives of NAHASDA and to summarize the use of funds during the preceding 12-month period.

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 number and expiration date of the information collection will be displayed on the forms.

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

There are no exceptions to the certification identified in Item 19 of the OMB 83-i.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not applicable for this recordkeeping requirement.