

## 1 Supporting Statement A

### Bureau of Indian Affairs Housing Improvement Program, 25 CFR 256

#### OMB Control Number 1076-0084

This is a request for extension of the OMB approval.

**Terms of Clearance:** None.

#### **Justification**

##### **1. Explain the circumstances that make the collection of information necessary.**

The information is collected to determine applicant eligibility for housing services based upon the criteria referenced in 25 CFR § 256.9 (repairs and renovation assistance) and § 256.10 (replacement assistance). The applicant must be a member of a federally recognized tribe, live in an approved tribal service area, meet annual income requirements, and meet other requirements in addition to the eligibility requirements in §§ 256.9 and 256.10. See 25 CFR § 256.6.

##### **2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.**

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. The application form requests the following information:

- 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.

**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.

**4. Describe efforts to identify duplication.**

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;**
  - \* 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 that 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 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.**

There are no special circumstances that will apply to this collection that would require exceptions to 5 CFR 1320.5(d)(2). 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. Our pledge of confidentiality would be covered by the Privacy Act, as stated on our form.

- 8. Provide 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.**

A 60 day comment period was announced in the **Federal Register** on April 18, 2011 (76 FR 21778), giving interested parties an additional opportunity to comment on the form. The Bureau of Indian Affairs, Indian Services did not receive any comments in response.

**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 information collections for the Housing Improvement Program with Mr. Dennis Daniels, Deputy Director, National American Indian Housing Council, 900 2nd Street, NE., Suite 107 Washington, DC 20002. Phone # 202-789-1754.

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 or [Leslie.Jensen@bia.gov](mailto:Leslie.Jensen@bia.gov).

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

No payment or gift is being given to respondents.

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

The information collected is subject to the system of records notice "Indian Housing Improvement Program, Interior, BIA-10." 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.**

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.**

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. Therefore, the total annual estimated burden is 8,000 hours.

The estimated total salary cost for each applicant is 1 hour x \$25.03 per hour, which is an average of the hourly wages for civilian and private industry, as shown below.

	Salary per hour	Legally required Benefits	Health	Total
Civilian*	20.91	2.33	2.53	25.77
Private Industry*	19.85	2.31	2.12	24.28
Total				50.05
				/2
Averaged				25.03

\*Table 1, Wages & Salaries – All Workers, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group, March 2011.

\*\* Wages & Salaries – All Workers, Table 5, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Private industry workers, by major occupational group and bargaining unit status, March 2011.

These cost estimates are 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, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—March 2011 (released June 8, 2011), USDL 11-0849, as a guide for our estimates. See [www.bls.gov/news.release/pdf/ecec.pdf](http://www.bls.gov/news.release/pdf/ecec.pdf). We determined that the average of all civilian workers and all private industry workers 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. Applicants who earn minimum wage are ineligible for this program because their income exceeds the guidelines. Therefore, the total cost burden on the public is \$25.03 x 8,000, which totals \$200,240. No individual is reimbursed for completing the application nor guaranteed services under this Program.

**13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.**

There is no non-hour cost burden to respondents.

**14. Provide estimates of annualized cost to the Federal government.**

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 2011 it was \$1,100,000; in FY 2010 it was \$1,600,000; in FY 2009 it was \$1,600,000. HD encompasses 4 distinct tasks:

- A. Verification of HIP eligibility applicants represents 25 % of the federal employee cost,
- B. Review and approval 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: \$275,000.

**15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

Previously, a non-hour cost burden of \$180,620 had been reported. This estimated cost was based on the amount of money spent by tribes operating the housing program to assist applicants. The tribes who operate the housing program do so under Self-Determination contracts or Compacts. As such, they are performing federal functions, rather than acting as respondents, so including their non-hour cost burden was an error. For this reason, there is a reduction in non-hour cost burden of \$180,620.

**16. For collections of information whose results will be published, outline plans for tabulation and publication.**

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.**

We intend to display the OMB Control Number and the expiration date.

**18. Certification.**

We are not seeking any exceptions to the certification statement.