

Supporting Statement for Paperwork Reduction Act Submissions
Continuum of Care Program Homeless Assistance Application—ESG Recordkeeping
OMB Number: 2506-0089

Introduction

This submission is to request a reinstatement of a currently approved collection for the recordkeeping burden associated with program requirements that Emergency Solutions Grants (ESG) program recipients will be expected to implement and retain. This submission is limited to the recordkeeping burden under the ESG program, which is covered by OMB control number 2506-0089. The requirements regarding ESG Reporting fall under the approved Consolidated Plan PRA Collection.

A1 Need and Legal Basis

Why is this information necessary? Identify any legal or administrative requirements that necessitate the collection.

On May 20, 2009, Congress passed the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act). The HEARTH Act revises the Emergency Shelter Grants program and renames the program the ESG program. The change in the program's name reflects the change in the program's focus from addressing the needs of homeless people in emergency or transitional shelters to assisting people in quickly regaining stability in permanent housing after experiencing a housing crisis and/or homelessness. The key changes that reflect this new emphasis are the expansion of the homelessness prevention component of the program and the addition of new rapid re-housing assistance components.

The statutory provisions and the implementing interim regulations found at 24 CFR 576 that govern the program require recordkeeping requirements first captured in the 6-month clearance package approved in June 2012 and recorded in this current submission.

The ESG program places an emphasis on targeted and coordinated use of local resources. The implementing interim regulations require that ESG recipients consult with local Continuums of Care within their geographic areas (§ 576.400(a)) and requires recipients and subrecipients to coordinate ESG assistance to program participants with other targeted homeless services (§ 576.400(b)) and other mainstream resources available within the community (§ 576.400(c)).

All persons who receive ESG assistance must have an initial evaluation and periodic re-evaluations (every three months for homelessness prevention assistance and annually for rapid re-housing assistance) to ensure that they meet HUD's eligibility criteria (§ 576.401(a) and (b)). The implementing regulations for the ESG program also require recipients to develop written standards to determine, among other things, the amount and type of assistance each eligible individual or family may receive when they present for assistance (§ 576.400(d)).

Once an individual or family becomes a program participant, the ESG recipient or subrecipient must connect the program participant to other mainstream resources to help the individual or

family obtain and maintain housing stability (§ 576.401(d)), develop a housing retention plan (§ 576.401(e)), and ensure that the individual or family is residing in a unit or shelter that meets habitability standards (§ 576.401(d)).

The recipient must establish termination of assistance procedures and must follow them before terminating assistance to any program participant receiving ESG assistance (§ 576.402).

To ensure that programs carried out with ESG funds meet the needs of homeless persons and persons at risk of homelessness within the geographic area, ESG recipients and subrecipients, not including States, must have a homeless or formerly homeless person serve on the board or other decision making body (§ 576.405).

The recipient and subrecipient must keep records verifying that all of the program requirements have been met (§ 576.500) and ensure that these records are maintained in a secure and confidential manner. Recipients must monitor subrecipients to ensure that program requirements are being met and take sanctions against subrecipients if the requirements are not being met (§ 576.501(c)).

Due to the repeal of Section 443 of the McKinney-Vento Homeless Assistance Act, ESG recipients initially had to follow the environmental review procedures under 24 CFR part 50, which assigns HUD all environmental review responsibilities. However, the President signed into law H.R. 4348 on July 6, 2012, which corrects certain provisions of the HEARTH Act, including the requirement that ESG recipients follow 24 CFR part 50. As a result, recipients and subrecipients assume environmental review responsibilities under 24 CFR part 58. This does not affect the burden hours calculation, as neither part 50 nor part 58 are under the purview of the regulations that govern this program. As a result of this and further clarification, however, we have removed the Environmental Review form from the collection package.

A2 Information Users

How is the information collected and how is the information to be used?

This submission is a request for the reinstatement of a currently approved collection of the ESG Program PRA package.

HUD requires recipients of ESG funds to carry out certain program requirements and maintain records that the program requirements were carried out. HUD Field Offices, HUD Headquarters, and ESG recipients use this information to track compliance with the statutory and regulatory provisions. If HUD identifies that the recipient has not been meeting the requirements of this program, it may take the remedial actions set forth in § 576.501(b). Burden hours per response mainly for reporting and recording all responses related to regulations needed to be followed.

A3 Improved Information Technologies

Describe whether, and to what extent, the collection of information is automated (item 13b1 of OMB form 83-i). If it is not automated, explain why not. Also describe any other efforts to reduce burden.

HUD does not require the use of any form to document compliance with program regulations; however, the implementing interim regulation allows communities to maintain documentation by microfilming, photocopying, or other similar methods, including electronic. HUD expects that some communities will maintain paper records, while others will maintain electronic records.

A4 Duplication of Similar Information

Is this information collected elsewhere? If so, why cannot any similar information already available be used or modified?

No similar information exists. The planning and reporting requirements for this program are already covered in the Consolidated Plan & Annual Performance Report for Grantees, which is covered by OMB control number 2506-0117.

A5 Small Businesses

Does the collection of information impact small businesses or other small entities (item 5 of OMB form 83-i)? Describe any methods used to minimize burden.

There is no burden on small businesses or other small entities.

A6 Less Frequent Data Collection

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 no records are collected on this aspect of the program, program regulatory compliance will not be able to be determined. The information is collected on a program-by-program basis to permit ESG recipients to draw down ESG funds from the U.S. Treasury and to ensure ESG funds are used for eligible purposes. It is not possible to collect the information less frequently.

A7 Special Circumstances

Explain any special circumstances that would cause an information collection to be conducted in a manner that would impose additional workload burden on recipients (see eight items listed in OMB guidance).

- response more than quarterly – NA
- response in fewer than 30 days – NA
- more than an original and two copies of any document – NA
- retain records for more than three years (other than health, medical, government contract, grant-in-aid, or tax records) – NA
- statistical surveys not designed to produce results that can be generalized to the universe of study – NA
- statistical data classification not been approved by OMB – NA
- a pledge of confidentiality that is not supported by 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 – NA
- respondents to submit proprietary trade secret, or other confidential information - NA

There are no special circumstances that would cause this information collection to be conducted in a manner that would impose one or more of the additional requirements identified under this item

A8 Federal Register Notice/Outside Consultation

Identify the date and page number of the Federal Register notice (and provide a copy) soliciting comments on the information. Summarize public comments and describe actions taken by the agency in response to these comments. Describe all efforts to consult with persons outside the agency.

In accordance with the Paperwork Reduction Act of 1995, the Department of Housing and Urban Development published a notice in the Federal Register October 11, 2019, vol 84 page 54917, announcing the agency's intention to request an OMB review of data collection activities for the ESG. The notice provided a 60-day period for public comments and no comments were received.

A9 Payment/Gift to Respondents

Explain any payments or gifts to respondents, other than remuneration of contractors or grantees.

Not applicable. No payment or gifts are provided to any respondents for any information.

A10 Confidentiality

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

§ 576.500(w) of the interim ESG regulations states that recipients and subrecipient must develop and implement procedures to ensure that all records containing personally identifying information will be kept secure and confidential; the address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project will not be made public, except with written authorization of the person responsible for the operation of shelter; and the address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.

A11 Sensitive Questions

Justify any questions of a sensitive nature, such as sexual, religious beliefs, and other matters that are commonly considered private.

Not applicable. The information collection request does not include any sensitive questions.

A12 Burden Estimate (Total Hours and Wages)

Estimate public burden: number of respondents, frequency of response, annual hour burden. Explain how the burden was estimated.

Exhibit A-1 below demonstrate how the public burden for ESG Data Collection was calculated based on estimated time and expenditures required to complete the record-keeping collection. The total burden for data collection from all recipients and subrecipients is estimated at 387,522 hours. The table estimates the amount of time required for each individual data collection activity including the number of times the activity is carried out during the year and the number of responses expected per activity. The total under number of respondents is for unique respondents and not a summary total of all individualized responses.

Exhibit A-1: Estimated Annual Burden Hours for ESG Data Collection

A	B	C	D	E	F		
Information Collection	Number of Respondents	Response Frequency (average)	Total Annual Responses	Burden Hours Per Response	Total Annual Hours	Hourly Rate **	Burden Cost Per Instrument
576.100(b)(2) Emergency Shelter and Street Outreach Cap	360.00	1.00	360.00	1.00	360.00	39.96	14,385.60
576.400(a) Consultation with Continuums of Care	360.00	1.00	360.00	6.00	2,160.00	39.96	86,313.60
576.400(b) Coordination with other Targeted Homeless Services	2,360.00	1.00	2,360.00	8.00	18,880.00	39.96	754,444.80
576.400(c) System and Program Coordination with Mainstream Resources	2,360.00	1.00	2,360.00	16.00	37,760.00	39.96	1,508,889.60
576.400(d) Centralized or Coordinated Assessment	2,000.00	1.00	2,000.00	3.00	6,000.00	39.96	239,760.00
576.400(e) Written Standards for Determining the Amount of Assistance	808.00	1.00	808.00	5.00	4,040.00	39.96	161,438.40
576.400(f) Participation in HMIS	78,000.00	1.00	78,000.00	0.50	39,000.00	39.96	1,558,440.00
576.401(a) Initial Evaluation	50,000.00	1.00	50,000.00	1.00	50,000.00	39.96	1,998,000.00
576.401(b) Recertification	20,000.00	2.00	40,000.00	0.50	20,000.00	39.96	799,200.00
576.401 (d) Connection to Mainstream Resources	78,000.00	3.00	234,000.00	0.25	58,500.00	39.96	2,337,660.00
576.401(e) Housing retention plan	50,000.00	1.00	50,000.00	.75	37,500.00	39.96	1,498,500.00
576.402 Terminating	808.00	1.00	808.00	4.00	3,232.00	39.96	129,150.72

Assistance							
576.403 Habitability review	52,000.00	1.00	52,000.00	0.60	31,200.00	39.96	1,246,752.00
576.405 Homeless Participation	2,360.00	12.00	28,320.00	1.00	28,320.00	39.96	1,131,667.20
576.500 Recordkeeping Requirements	2,360.00	1.00	2,360.00	12.75	30,090.00	39.96	1,202,396.40
576.501(b) Remedial Actions	20.00	1.00	20.00	8.00	160.00	39.96	6,393.60
576.501(c) Recipient Sanctions	360.00	1.00	360.00	12.00	4,320.00	39.96	172,627.20
576.501(c) Subrecipient Response	2,000.00	1.00	2,000.00	8.00	16,000.00	39.96	639,360.00
Total	78,000.00		546,116.00		387,522.00		15,485,379.12

Annualized Cost @ \$39.96/hr (GS-12): \$15,485,379.12

A13 Capital Costs

Estimate the annual capital cost to respondents or record keepers.

There are no additional costs to the respondents (other than the cost shown in item 12 above).

A14 Cost to the Federal Government

Estimate annualized costs to the Federal government.

The cost to the government to review the records and compliance with program requirements (but not including the cost of reviewing the reports, follow-up management, or technical assistance) is estimated at \$105,152. This is an update to the last review of this PRA Package.

A	B	C	D	E	F		
Information Collection	Number of Respondents	Response Frequency (average)	Total Annual Responses	Burden Hours Per Response	Total Annual Hours	Hourly Rate **	Burden Cost Per Instrument
HUD Monitoring	118.00	1.00	118.00	24.00	2,832	39.96	\$113,116.72
Total	118.00		118.00		2,832		\$113,116.72

*this figure is based on a GS-12 salary for 2019

A15 Program or Burden Changes

Explain any program changes or adjustments in burden.

This submission is a request for the reinstatement of a currently approved collection of the ESG Program PRA package.

There have been two changes to the recordkeeping burden hours since the last submission, approved October 31, 2016. The column that contains the cost per hour for a GS-12 and the total cost: This was updated to \$39.96 and the total cost is now \$15,485,378.90. This change is now reflected in the burden hours. Additionally, A14 has been updated with the new GS-12 hourly rate.

There has been one change to the recordkeeping burden hours since the last submission, approved April 24, 2013. The row that contains the regulation: 576.500 Recordkeeping Requirements; the number of annualized hours was written as 30,009, when it should have been 30,090, an addition of 81 hours. This change is now reflected in the burden hours. Additionally, two columns have been added to the chart that were not there during the least review. The columns are for Hourly Rate and Burden Cost Per Instrument.

The package approved 7/31/12 incorporated the new name of the grant program “Emergency Solutions Grant” and referenced the newly approved rule. For the previous package, approved 4/24/13, the term “reporting” was removed from the title and the document because none of the items included in the burden calculation were related to reporting, only recordkeeping. No changes were made that affected the burden calculation from the most recent collection.

As previously noted, due to the repeal of Section 443 of the McKinney-Vento Homeless Assistance Act, ESG recipients initially had to follow the environmental review procedures under 24 CFR part 50, which assigns HUD all environmental review responsibilities. However, the President signed into law H.R. 4348 on July 6, 2012, which corrects certain provisions of the HEARTH Act, including the requirement that ESG recipients follow 24 CFR part 50. As a result, recipients and subrecipients assume environmental review responsibilities under 24 CFR part 58. This does not affect the burden hours calculation, as neither part 50 nor part 58 are under the purview of the regulations that govern this program. As a result of this and further clarification, however, we have removed the Environmental Review form from the collection package.

A16 Publication and Tabulation Dates

If the information will be published, outline plans for tabulation and publication.

HUD does not intend to publish any information as a result of this collection.

A17 Expiration Date

Explain any request to not display the expiration date.

HUD is not seeking approval to not display the expiration date for OMB approval of the information collection.

A18 Certification Statement

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

There are no exceptions to the signed certification.