

SUPPORTING STATEMENT A

**LEGAL SERVICES FOR HOMELESS VETERANS AND
VETERANS AT-RISK FOR HOMELESSNESS (LSV) GRANT PROGRAM**

OMB Control Number: 2900-NEW

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify legal or administrative requirements that necessitate the collection of information.

Public Law 116-315, Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, provided authority for VA's Homeless Programs Office (HPO) to grant funding to eligible organizations that will coordinate or provide legal services to Veterans who are homeless or at risk of homelessness. Several sections, including section 4202, of the Act were created to better serve veterans who are struggling with homelessness or housing insecurity. Requests for funding by applicants are likely to exceed the amount of funding appropriated to the VA for these grants. The VA must collect data to prioritize applicants for funding. The legal authority for this data collection is found under 38 USC, Part I, Chapter 5, Section 527 that authorizes the collection of data that will allow measurement and evaluation of the Department of Veterans Affairs Programs, the goal of which is to improve health care and services for Veterans. This information collection includes grant eligibility criteria, application requirements, scoring criteria, constraints on the allocation and use of the funds, and other requirements necessary to implement this grant program.

2. Indicate how, by whom, and for what purposes the information is to be used; indicate actual use the agency has made of the information received from current collection.

HPO will use information collected to determine if an applicant is eligible to receive grant funding. HPO will also obtain information necessary to ensure that federal funds are awarded to applicants who are financially stable and have the capacity to conduct the program for which a grant is awarded. HPO could not perform its statutory obligation to administer the program if this data were not collected.

The following forms will be used to collect data for the Legal Services for Homeless and At-Risk Veterans grant program:

VA Form 10-318a, Application for Legal Services Grant: This form will be used to collect data from eligible entities that are applying to be Legal Services for Homeless and At-Risk Veterans grant recipients. The items required in this application are used to determine if an applicant can provide legal services to Veterans.

VA Form 10-318b, Renewal Application for Legal Services Grant: This form will be used to collect data from existing grantees that were previously awarded Legal Services for Homeless and At-Risk Veterans grants.

VA Form 10-319a, Quarterly Grantee Performance Reports for Legal Services Grant: HPO will collect this information to ensure that grantees comply with program requirements described in 38 CFR part 79 and their grant agreements.

VA Form 10-319b, Program or Budget Changes and Corrective Action Plans for Legal Services Grant:
This information is needed for a grantee to inform HPO of significant changes that will alter their approved grant program. HPO may require grantees to initiate and develop corrective action plans, and submit to VA for approval.

This is a new collection to support authority for a new grant program; VA has not undertaken this collection in the past.

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.

The forms used to collect data may be accessed and downloaded from the VHA Legal Services Grants website (<https://www.va.gov/homeless/lsg.asp>). This site is to be created once forms are approved. Electronic versions of the Legal Services for Homeless and At-Risk Veterans Grants Applications and Compliance Forms will be available through links at the Legal Services Grants site. Applicants and existing grantees may complete these forms online and sign them electronically to decrease the applicant's burden. The Applications also will be made available on grants.gov.

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.

Because of the narrow scope of the required data, the information collected does not duplicate any existing data.

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

Every effort has been made to minimize the burden to small businesses by keeping questions simple and to an absolute minimum.

6. Describe the consequences 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.

VA could not collect information needed to review and provide funding for the grant program and could not perform its statutory obligation to administer the program if data were collected less frequently.

7. Explain any special circumstances that would cause an information collection to be conducted more often than quarterly or require respondents to prepare written responses to a collection of information in fewer than 30 days after receipt of it; submit more than an original and two copies of any document; 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 and require the use of a statistical data classification that has not been reviewed and approved by OMB.

There are no such special circumstances.

8. a. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the sponsor'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 sponsor in responses to these comments. Specifically address comments received on cost and hour burden.

The notice of Proposed Information Collection Activity is included in Interim Final Rule RIN 2900-AR33 that was published the Federal Register on June 1, 2022 (Volume 87, Number 105, Pages 33025-33047). VA received __ comments in response to this notice.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure or reporting format, and on the data elements to be recorded, disclosed or reported. Explain any circumstances which preclude consultation every three years with representatives of those from whom information is to be obtained.

Outside consultation is conducted with the public through publication of the interim final rule, as well as 60- and 30-day Federal Register notices.

As required in PL 116-315, Section 4202, HPO consulted with Veterans Service Organizations, the Equal Justice Works AmeriCorps Veterans Legal Corps, and other legal service provider organizations to obtain views on available data and collection and reporting. HPO also consulted with other VA programs with experience operating VA grant programs to review forms that the other programs used. HPO determined that some of the documents that other VA grant programs were using could be adapted and used for the HPO grant program.

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

No payment or gift is provided to respondents.

10. Describe any assurance of privacy, to the extent permitted by law, provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Information collected is confined to applications for grant funds to operate a legal services grant program, and these documents do not contain any patient-specific information.

11. Provide additional justification for any questions of a sensitive nature (Information that, with a reasonable degree of medical certainty, is likely to have a serious adverse effect on an individual's mental or physical health if revealed to him or her), such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private; include 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.

12. Estimate of the hour burden of the collection of information:

a. The number of respondents, frequency of responses, annual hour burden, and explanation for each form is reported as follows:

Total Annual Number of Responses: 485

Total Annual Time Burden: 4,070 hours

| VA Forms | No. of respondents | x No. of responses | x No. of minutes per response | ÷ by 60 = | Burden Hours |
|--|---------------------------|---------------------------|--------------------------------------|------------------|---------------------|
| Application for Legal Services Grant (10-318a) | 100 | 1 = 100 | 1,440 = 144,000 | = | 2,400 |
| Renewal Application for Legal Services Grant (10-318b) | 75 | 1 = 75 | 1,200 = 90,000 | ÷ by 60 = | 1,500 |
| Quarterly Grantee Performance Reports (10-319a) | 75 | 4 = 300 | 30 = 9,000 | ÷ by 60 = | 150 |
| Budget Changes and Corrective Action Plans (10-319b) | 10 | 1 = 10 | 120 = 1,200 | ÷ by 60 = | 20 |
| TOTAL | | 485 | | | 4070 hrs |

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13.

See chart in subparagraph 12a above.

c. Provide estimates of annual cost to respondents for the hour burdens for collections of information. 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 14.

The respondent population for this information collection is composed of eligible agencies that can provide legal services to Veterans under the requirements of PL 116-315, Section 4202. VA anticipates the respondents will be attorneys working in non-profit agencies, similar to those funded under the Legal Services Corporation funding stream.

VHA uses general wage data to estimate the respondents' costs associated with completing the information collection. The Bureau of Labor Statistics (BLS) gathers information on full-time wage and salary workers. The median hourly wage for similar work, Lawyers in Social Advocacy Organizations, is \$55.46, taken from current Bureau of Labor Statistics data (https://www.bls.gov/oes/current/naics4_813300.htm).

Legally, respondents may not pay a person or business for assistance in completing the information collection. Therefore, there are no expected overhead costs for completing the information collection. VA estimates the total cost for all respondents to be \$225,722.20 (4,070 burden hours x \$55.46 per hour).

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).

- a. There are no capital, start-up, operation, or maintenance costs.
- b. Cost estimates are not expected to vary widely. The only cost is that for the time of the respondent.
- c. There is no anticipated recordkeeping burden beyond that which is considered usual and customary.

14. Provide estimates of annual cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operation 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 estimated annual cost to the Federal Government is \$55,821.15 or ~ **\$55, 821**.

The method used to estimate cost is to estimate hourly cost of staff who will need to be hired to support the Legal Services Grant Program using the OPM Salary Table 2021-DCB Hourly Basic Rates by Grade and Step and multiply by number of hours estimated to process initial application for grant funds, renewal application for grant funds, and compliance reports. The amount of time to process each item is estimated based on the experience of other VHA grant programs.

Application for Legal Services Grant - VA Form 10-318a: The Federal Government's estimated cost is Processing 100 applications x \$56.31/hour (GS 13, Step 5 Washington DC locality pay) x 4 hours = \$22,524.00

Renewal Application - VA Form 10-318b: The Federal Government's estimated annual cost is Processing 75 applications x \$56.31/hour (GS 13, Step 5 Washington DC locality pay) x 3 hours = \$12,669.75

Quarterly Performance Reports – VA Form 10-319a: The estimated annual cost to the Federal Government is Processing 300 compliance reports x \$66.54/hour (GS 14, Step 5 Washington DC locality pay) x 1 hour = \$19,962.00

Program or Budget Changes and Corrective Action Plans – VA Form 10-319b: The estimated annual cost to the Federal Government is Processing 10 corrective action plans x \$66.54/hour (GS 14, Step 5 Washington DC locality pay) x 1 hour = \$665.40

15. Explain the reason for any burden hour changes or adjustments reported in items 13 or 14.

This is a new collection, and all burden hours are considered a program increase.

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.

VA does not intend to publish the data, except to release the list of funded awards to the public.

17. If seeking approval to omit the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

VA will include the expiration date on all forms.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB 83-I.

There are no exceptions.