

Supporting Statement for Paperwork Reduction Act Submissions

Title: Certification of Tribal Housing Counselors Registration

OMB Control Number: 2502-NEW

Forms: None

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 Dodd-Frank Wall Street Reform and Consumer Protection Act amended the Housing and Urban Development Act of 1968 to improve the effectiveness of the housing counseling program by, among other things, requiring that entities and individual counselors be certified by HUD as competent to provide such counseling services. In 2016, HUD implemented these requirements for most HUD programs but agreed to conduct consultation with Tribes before implementing the new housing counselor certification requirement for those providing counseling under or in connection with the Indian Housing Block Grant (IHBG) and the Indian Community Development Block Grant (ICDBG) programs. After consulting with Tribes, HUD is implementing a housing counselor certification option, including a tailored examination, for employees of Tribes, Tribally Designated Housing Entities (TDHE), and other Tribal entities conducting housing counseling required or provided in connection with IHBG and the ICDBG programs.

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.

The information will be collected electronically on the Office of Housing Counseling (OHC), HUD's Housing Counselor Certification Training and Examination website and with the housing counselor's completion and electronic submission of their information through the website, www.HUDHousingCounselors.com, it will be transferred to the HUD's Federal Housing Administration Connection (FHAC). The information collected will be used to certify Tribal Housing Counselors. The information collected will be used to update the certified Housing Counselor database that HUD OHC staff uses to verify that Tribes, Tribally Designated Housing Entities, and other Tribal organizations providing counseling under or in connection with ICDBG and/or IHBG employ HUD certified Housing Counselors.

General registration on the HUD's Housing Counselor Training and Examination website will require name, city, state, telephone number, email address, occupation, the name of the Tribe, Tribally Designated Housing Entity, or other Tribal organization that employs the counselor. In addition to the information needed for general registration, the certification exam requires the counselor's full mailing address, social security number, language(s) spoken by the counselor when providing counseling services, optional questions regarding demographic data (race, ethnicity, gender), need for special accommodations, and information on pre-exam training taken. Collection of social security numbers is required for

linking the individual's information to HUD's FHAC system, so HUD can verify applicants are employed by Tribes, Tribally Designated Housing Entities, and other Tribal organizations.

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.

Interested parties will be able to register for HUD's Tribal Housing Counselor Certification Training and Examination at www.HUDHousingCounselors.com. This will be the only location available for the online training and examination registration. The collection of information is performed electronically through the secure website at www.HudHousingCounselors.com. OHC is working with HUD's OCIO so that starting in FY 2025 the website will be available to the public as www.HUDHousingCounselors.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.

The Housing Counseling Tribal Certification Training and Examination is unique, no similar information for the same group of individuals is available. The website www.hudhousingcounselors.com was launched on June 4, 2015 and began collecting site registration information on June 1, 2017. The application for the HECM Roster requests similar information but only for those Counselors who have passed the HECM Exam and want to be placed on the HECM Roster. HUD makes every effort to ensure that there is no duplication of information being collected.

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.

There is no impact on small business or other small entities as the potential respondents are individuals.

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 information is not collected, housing counselors will not be able to take the Certification Exam necessary to become a HUD certified housing counselor or HUD certified tribal housing counselor and the HUD Housing Counseling program will not meet the statutory requirements in Section 106.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner: (PLEASE ANSWER EACH BULLET SEPARATELY)

* requiring respondents to report information to the agency more often than quarterly;

Not applicable.

* requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

Not applicable.

* requiring respondents to submit more than an original and two copies of any document;

Not applicable.

* requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

Not applicable.

* 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;

Not applicable.

* requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

Not applicable.

* 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

Not applicable.

* 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.

Not applicable.

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 on 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 may preclude consultation in a specific situation. These circumstances should be explained.

HUD published a burden table with its proposed rule, “Certification of Tribal Housing Counselors” on January 26, 2023 (88 FR 4923) and received [sixteen public comments](#). No comments addressed the Paperwork Reduction Act section of the proposed rule. Throughout the past five years, OHC has conducted a variety of outreach activities including three tribal consultations, stakeholders’ webinars, and conferences to ascertain stakeholder concerns.

Additionally, HUD has engaged with stakeholders taking the standard certification exam that applies to counseling provided under or in connection with all other HUD programs. Over the course of three years, OHC received some comments on Biometrics and LEP. OHC addressed the Biometric and LEP issues and plans to do the same for the tribal certification exam, by eliminating the keystroke recognition, removing the requirement for a special camera, and providing more time for LEP candidates. Our respondents are counselors for Tribes, Tribally Designated Housing Entities, and other Tribal organizations. We consult with these Office of Native American grant program participants throughout the year.

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

There is no offer of monetary or material value for this information collection.

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

There is Personally Identifiable Information (PII) requested in this OMB collection. On the certification website there is a privacy statement regarding the collection of PII. Because the certification website is maintained outside of HUD a Privacy Impact Assessment (PIA) is not required for the website, per HUD’s Chief Privacy Officer. The data collected from the website is transmitted into HUD’s Federal Housing Administration (FHA) system. This collection of data from the certification website is captured in the PIA for the Federal Housing Administration Connection (FHAC) system.

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.

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 for approval 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.

* 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.

Estimated Annualized Burden Hours and Costs

| Information Collection / Affected Public | Form Name / Form Number Collection Tool | Number of Respondents | Frequency of Response | Responses Per Year | Average Burden Hours Per Response | Annual Burden Hours | Hourly Cost per Response (Hourly Wage Rate) | Total Annual Respondent Cost |
|------------------------------------------|------------------------------------------------|-----------------------|-----------------------|--------------------|-----------------------------------|---------------------|----------------------------------------------------|------------------------------|
| Registration for Tribal HC examination | Website | 99 | 2.5 | 248 | .25 | 62 | \$57.99 | \$3,595.38 |
| TOTALS | | 99 | | 248 | | 62 | | \$3,595.38 |

Note: *The total annual burden hours (61.875) has been rounded up to 62 hours to be consistent with OMB’s system ROCIS.*

Instruction for Wage-rate category multiplier: Take each non-loaded “Avg. Hourly Wage Rate” from the BLS website table and multiply that number by 1.46. For example, a non-loaded BLS table wage rate of \$42.51 would be multiplied by 1.46, and the entry for the “Avg. Hourly Wage Rate” would be \$62.06.

According to the U.S. Department of Labor, Bureau of Labor Statistics website (https://www.bls.gov/oes/current/oes_nat.htm) the wage rate category for Business and Financial

Operations Occupations (Occupation Code 13-0000) is estimated to be \$57.99 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents, Housing Counselors working for a Tribe, Tribally Designated Housing Entity or other Tribal entity, is estimated to be \$3,595.38 annually.

13. Provide an estimate for 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 and 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 collections 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 are no recordkeeping, capital, start-up, or maintenance costs associated with this information collection.

14. Provide estimates of annualized costs 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 may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Annual Cost to the Federal Government

| Item | Cost (\$) |
|------|-----------|
|------|-----------|

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Contract Costs: [Describe] Previous salary of \$19,224.95 x 4.2 = \$20,032.40. Per Qiana 4.2% is the increase for next year. | \$20,032 |
| Staff Salaries* [_#_ of GS __ , step__ employees spending approximately ___% of time annually ...(description)..... for this data collection] [Show calculations for this here. For example, 1 (GS-12, Step 1) x \$81,548.00 = \$81,548.00 x 1.46 (wage rate multiplier) = \$119,060.08 (fully-loaded) x .50 (50% of time spent) = \$59,530.04] | \$22,116.00 |
| COR GS-14-7 (based on .10 FTE) The COR will approve deliverables on advice from SME and maintain contract compliance \$151,479 x .10 = \$15,148 x 1.46 = \$22,116 | \$19,236.00 |
| Subject Matter Expert, GS-13-8 (based on .10 FTE) The SME will provide technical assistance on the certification application process to counselors applying for certification, will assist with the resolution of any website issues with the contractor, and provide guidance to the contractor on website updates and monitor contract progress \$131,747 x .10 = \$13,175 x 1.46 = \$ 19,236 | \$67,322.00 |
| Subject Matter Expert GS-13-8 (based on .35 FTE) The SME will provide guidance on website updates to the contractor and provide guidance on website issues and monitor contract progress \$131,747 x .35 = \$46,111 x 1.46 = \$67,322 | \$65,503.00 |
| Subject Matter Expert GS-13-7 (based on .35 FTE) The SME will provide guidance on website updates to the contractor and provide guidance on website issues and monitor contract progress \$128,187 x .35 = \$44,865 x 1.46 = \$65,503 | \$9,097.00 |
| Subject Matter Expert GS-13-6 (based on .05 FTE) The SME will provide guidance on website updates to the contractor and provide guidance on website issues and monitor contract progress \$124,626 x .05 = \$6,231 x 1.46 = \$9,097 | |
| Facilities [cost for renting, overhead, etc. for data collection activity] | 0 |
| Computer Hardware and Software [cost of equipment annual lifecycle] | 0 |
| Equipment Maintenance [cost of annual maintenance/service agreements for equipment] | 0 |
| Travel | 0 |
| Printing [number of data collection instruments annually] | 0 |
| Postage [annual number of data collection instruments x postage] | 0 |
| Other | 0 |
| Total | \$203,306.00 |

* Note: The "Salary Rate" includes a 1.46 multiplier to reflect a fully-loaded wage rate.

15. Explain the reasons for any program changes or adjustments reported in Items 13

or 14 of the OMB Form 83-I.

This is a new collection modeled after the general HUD-certification examination. As for the Certification of Tribal Housing Counselors, the previously approved burden hours were 0 as this is a new collection and the current estimated annual hour burden is 62 hours. Therefore, the burden hours are positive program changes.

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.

HUD does not intend to employ the use of statistics or the publication thereof for this information collection.

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.

HUD will display the expiration date for OMB approval of this information collection.

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

There is no statistical methodology involved in this collection.