

**Supporting Statement for Paperwork Reduction Act Submissions  
(Fair Housing Initiatives Program and Grant Application and Monitoring Reports)  
(OMB# 2529-0033)**

**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 Fair Housing Initiatives Program Division in HUD Headquarters will use the information provided in FHIP grant applications to objectively evaluate applicants on how well they meet the selection criteria set out in the Notice of Funding Opportunity (NOFO), and rate/rank the highest quality applicants for funding. Information collection is also necessary to monitor selected grantees for compliance and effectiveness and to measure performance. This Paperwork Reduction Act (PRA) submission is an extension to an existing approved collection that allows the Fair Housing Initiatives Program (FHIP) to collect grant applications from organizations who are applying for grant awards under the FHIP. (see 24 CFR 125.105). The collection is used to assist the Department in selecting the highest ranked applications for funding awards to carry out fair housing enforcement and/or education and outreach activities in support of the Office of Fair Housing and Equal Opportunity (FHEO) mission. The collection also allows the FHIP staff to monitor grantee performance through the collection requirement of quarterly performance report submissions and a final report.

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 collection is used to assess the qualifications of applicants for funding under the FHIP to carry out fair housing enforcement and/or education and outreach activities under the following initiatives: Education and Outreach, the Private Enforcement Initiatives, and the Fair Housing Organizations Initiative, or as further determined under the appropriate notices of funding opportunity. Information is also collected to monitor grants and grant funds through the requirement of quarterly and final annual reporting.

The collected data is used by a Technical Evaluation Panel (TEP) and other HUD officials assigned to evaluate FHIP NOFO applications, as well as Senior Management officials tasked with making final funding decisions. Eligible applicants submit electronic applications (unless waived in accordance with established NOFO procedures) to the Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Fair Housing Initiatives Program Division in accordance with the requirements described in the NOFO, for which applicants are rated and ranked, and selections made accordingly. Additionally, the data will be used by Headquarters to assess performance measures of awarded grantees.

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.

Electronic forms were implemented for the 2005 fiscal year under the E-Grants initiatives and will be continued, as this electronic application submission process is used throughout most agencies in the Federal Government. The FHIP developed supplemental report forms to capture enforcement activity outcomes that happen outside of the general reporting. These forms cover outcomes of grant activity when the FHIP agencies settle, conciliate, or reach some other type of outcome. This information allows FHIP to monitor activities associated with the grant.

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. FHIP used various methods to assure that there is no duplication for this information collection. Included in this duplication process is the Departmental Clearance process; a 2023 Federal Register Notice seeking comments from the public including prospective FHIP NOFO applicants and grantees; and how the FHIP works closely with the Grants Management and Oversight Division to improve NOFO processes including streamlining duplication.

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

The collection of information involves Qualified Fair Housing Organizations (QFHOs); Fair Housing Organizations (FHOs); public or private non-profit organizations or institutions and other public or private entities that are working to prevent or eliminate discriminatory housing practices; State and local governments; and Fair Housing Assistance Program agencies. Typically, public and private non-profit fair housing organizations are small entities. Therefore, we have attempted to minimize the burden by limiting the information requested necessary for evaluating and certifying that FHIP funds will not be used to settle a claim, satisfy a judgment, or fulfill a court order in any defensive litigation. In addition, applicants may provide up to a 10-page Rating Factor response (requested by the applicants); HUD has eliminated one rating factor to minimize the burden on small entities however, the minimum page limit for the rating factors is at the applicant's discretion. The suggested formats for quarterly and/or final reports, enforcement logs, and supplemental outcome information continues the reduction of the amount of narrative information, and the reduction of the duplication of previous submissions.

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.

Without benefit of the information requested and certified from applicants, the Department would have no means for distinguishing proposals with a high probability for success in carrying out projects, activities and tasks to increase compliance with the Fair Housing Act and with

substantially equivalent State and local fair housing laws from those which may prove to be troublesome. In addition, the Department could not ensure a fair competition for funding or certify that FHIP funds are used in accordance with statutes and regulation.

Without record-keeping, progress and financial reports, the Department would have no means to measure how successful individual organizations are in carrying out their projects and managing FHIP funds. In addition, without record-keeping, the Department would not be able to assess the performance of the program overall in delivering services to enforce fair housing law and provide education and outreach on fair housing rights and responsibilities and to ensure transparency of the program's activities.

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; **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 than 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
  - 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. **Not Applicable**

There are no special circumstances that would cause these information collections to be conducted inappropriately.

8. If applicable, provide a copy and identify the date and page number of publications 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 60-Day Notice of Proposed Information Collection Comment Request Fair Housing Initiatives Program Grant Application and Monitoring Reports (Docket No. FR-7067-N-01) was issued in the Federal Register on April 3, 2023. No comments were received regarding this information request.

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

This information collection does not involve any payment or gift to respondents.

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

Applicants are advised in the Notice of Funding Opportunity that their proposals are subject to disclosure under the provisions of the Freedom of Information Act (FOIA), and as such may be released in whole or in part, depending on the Department's determination of what information must be released. Applicants are permitted to indicate which portions of an application they believe should not be released and the basis for that belief, but the Department retains the right to make an independent evaluation as to releasing the requested information.

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.

This information collection does not contain requests for information 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 covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in chart below; 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.

<b>Information Collection</b>	<b>Number of Respondents</b>	<b>Frequency of Response</b>	<b>Responses Per Annum</b>	<b>Burden Hour Per Response</b>	<b>Annual Burden Hours</b>	<b>Hourly Cost Per Response</b>	<b>Annual Cost</b>
Application Development	<b>400</b>	<b>1</b>	<b>400</b>	<b>71.20</b>	<b>28,480</b>	<b>\$30.00</b>	<b>\$854,400</b>
Quarterly Report	<b>142</b>	<b>4</b>	<b>568</b>	<b>19</b>	<b>10,792</b>	<b>\$30.00</b>	<b>\$323,760</b>
Supplemental Outcome Report	<b>142</b>	<b>1</b>	<b>142</b>	<b>19</b>	<b>2,698</b>	<b>\$30.00</b>	<b>\$80,940</b>
Enforcement Log	<b>98</b>	<b>4</b>	<b>392</b>	<b>7</b>	<b>2,744</b>	<b>\$30.00</b>	<b>\$82,320</b>
Final Report	<b>142</b>	<b>1</b>	<b>142</b>	<b>20</b>	<b>2,840</b>	<b>\$30.00</b>	<b>\$85,200</b>
Recordkeeping	<b>142</b>	<b>1</b>	<b>142</b>	<b>21</b>	<b>2,982</b>	<b>\$30.00</b>	<b>\$89,460</b>
<b>Total</b>	<b>1066</b>	<b>12</b>	<b>1,786</b>	<b>157.20</b>	<b>50,536</b>	<b>\$30.00</b>	<b>\$1,516,080</b>

Estimates are for quarterly and annual reports, enforcement logs, and record-keeping. Supplemental outcome reports, and final reports are based on approximately one hundred four (142) applications, estimate based upon the average of the number of submissions for NOFO years 2019 to current and given that this number fluctuated from a low of 135 to a high of 149 applications. The 142 average respondents are required to report 4 times annually (or quarterly reports) on program performance and financial status.

Ninety-eight (98) of the 142 applicants are projected to be funded under the Private Enforcement Initiative under future funding rounds and require completion and submission of an enforcement log. In addition to the Enforcement Log, the Department also requires supplemental input into HEMS using (Forms HUD-904A (Types of Closures), B (Bases and Issues in Tests) and C (Bases and Issues of Reports of Discrimination) which are used to collect complaint information, which provides data on the complainants' and the respondents' vital statistics, basis of discrimination, date of violation and outcomes outside of those referred to the Department. This data is used by the Fair Housing Initiative Program agencies to track the number of complaints and assist HUD in determining whether grantees are honoring the mandatory referral requirement as prescribed in the NOFO.

The Quarterly Reports are required of approximately 142 applicants. The Quarterly Reports provide the Department with grid reporting and narrative reporting of the status of program tasks and deliverables. These outcomes of activity require grantee information on Types of Closures, Bases and Issues of Tests and Bases and Issues of Discrimination on settlements, conciliations, and judgments not reported on the Enforcement Logs. The report process assists HUD in evaluating performance and providing early intervention to grantees if needed. The Final Report is a compilation of activities for the prescribed grant period and is required within 90 days of the close of grant activities for each grant. It provides HUD with a summary that includes objectives, accomplishments, and results; complaint and testing activities that summarize the number of complaints filed by basis and issue, relief and/or complaint outcomes, and filing status.

Hours per response are averages based on grantee estimates of time to review instructions, search existing data sources, gather and maintain the data needed, and complete or respond to and review the collection of information. Actual time will vary because of differences in activity, size, or complexity of grant, and depending on whether grantee automates format. Total costs are calculated (rounded to the nearest dollar): Total Burden Hours = 50,536 x professional hourly rate of \$30.00.

13. Provide an estimate of the total annual cost burden to respondents for 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 records for the government, or (4) as part of customary and usual business or private practices.

This information collection does not result in an additional annual cost burden to respondents.

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 will not be any additional cost to the Federal Government as a result of this information collection beyond the usual personnel costs to review and select applications, award funding, and monitor performance of grantees.

15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the Supporting Statement.

This proposed collection is an extension to a currently approved collection, OMB Control Number 2529-0033, and reflects a burden change from the 2019 approval to reflect an abstract reporting function, and the elimination of one rating factor.

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.

The Department will publish an annual Notice of Funding Opportunity (NOFO) for which applicants submit application proposals for funding in accordance with this collection. The NOFO publication date is dependent upon the publication date of the Department's General Section to HUD's Fiscal Year NOFO for Discretionary Program. Therefore, the publication date varies annually. Grant award durations ranged from 12-36 months. Funded applicants are required to complete quarterly reports throughout the duration of individual grant, and grant start and closure dates vary. Quarterly reports are used to extract information to support future funding, grantee achievements and other information as part of the Department's Annual Report to Congress and under the Transparency requirements. All dates vary annually.

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.

There is no request seeking approval to not display the expiration date for OMB approval of the information collection.

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

There are no exceptions to the certification statement identified in Item 19

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## **B. Collections of Information Employing Statistical Methods**