

SUPPORTING STATEMENT A

**LEGAL SERVICES FOR VETERANS – LEGAL ASSISTANCE FOR ACCESS TO VA PROGRAMS (LSV-A) GRANT PROGRAM**

**[AS17]**

**VA Forms 10-366a-b and 10-367a-c**

OMB Control Number: 2900-NEW

**Summary:**

- This is a new collection and all burden hours are considered a program increase.
- This collection includes new VA Forms.
- \_\_\_ comments were received on the proposed rule for AS17.

**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 116-283 provided authority for VA's Homeless Programs Office (HPO) to establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal clinics or enhance existing legal clinics or other pro bono efforts in locations other than VA facilities. The proposed regulation (AS17) will allow VA to implement a legal services grant program as required by law, directly funding the provision of legal assistance with any VA program, with military discharge or characterization of service upgrades, and with review or correction of military records.

The grant program would serve all individuals discharged or released from Armed Forces, regardless of the component in which they served or the status of their military discharge or character of service. 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 for Veterans.

**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 Veterans - Assistance with Access to VA Programs (LSV-A) Grant Program**:

**VA Form 10-366a:** Application for LSV-A Grant

This form will be used to collect data from eligible entities that are applying to be LSV-A grant recipients. The items required in this application are used to determine if an applicant can provide legal services.

**VA Form 10-366b: Renewal Application for LSV-A Grant**

This form will be used to collect data from existing grantees that were previously awarded LSV-A grants.

**VA Form 10-367a: Budget Changes and Corrective Action Plan (CAP) for LSV-A Grant**

HPO will collect this information to ensure that grantees comply with program requirements described in 38 CFR Part 81 and their grant agreements.

**VA Form 10-367b: Quarterly Performance Report for LSV-A Grant**

HPO will collect this information to ensure that grantees comply with program requirements described in 38 CFR Part 81 and their grant agreements.

**VA Form 10-367c: Bi-Annual Finance Report for LSV-A Grant**

HPO will collect this information to ensure that grantees comply with program requirements described in 38 CFR Part 81 and their grant agreements.

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 for Veterans website ([www.va.gov/homeless/lsv.asp](http://www.va.gov/homeless/lsv.asp)) once the forms are approved. Electronic versions of the LSV-A\_Grant Applications and Reporting Forms will be available through links at the Legal Services for Veterans site. Applicants and existing grantees may complete these forms online and sign them electronically to decrease the applicant's burden. The link to the Application will also be made available on [www.grants.gov](http://www.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 PRA section of the proposed rule constitutes the requisite 60-day notice of Proposed Information Collection Activity and was published in the Federal Register on October 2, 2024 at 89 FR 80172. VA received \_\_\_ comments in response to this notice.

The PRA section of the final rule constitutes the requisite 30-day notice of Agency Information Collection Activity Under OMB review and was published in the Federal Register on XXX XX, 20XX at XX FR XXXXX

**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 PRA sections of the proposed and final rules in the Federal Register.

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 are applications for grant funds to operate legal clinics and 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:

Total Annual Number of Responses: 705  
Total Annual Time Burden: 4,630 hours

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

VA Form	No. of respondents	x No. of responses	x No. of minutes per response		Burden Hours
Application for LSV-A Grant 10-366a	100	1 = 100	1,440 = 144,000	÷ by 60 =	2,400
Renewal Application for LSV-A Grant 10-366b	85	1 = 85	1,200 = 102,000	÷ by 60 =	1,700
Budget Changes and Corrective Action Plan (CAP) for LSV-A Grant 10-367a	10	1 = 10	120 = 1,200	÷ by 60 =	20
Quarterly Performance Report for LSV-A Grant 10-367b	85	4 = 340	60 = 20,400	÷ by 60 =	340
Bi-annual Finance Report for LSV-A Grant 10-367c	85	2 = 170	60 = 10,200	÷ by 60 =	170
<b>TOTAL</b>		<b>705</b>			<b>4,630 hours</b>

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 is composed of eligible agencies that can provide legal services to Veterans under the requirements of PL 116-283, Section 548(b). VA anticipates the respondents will be attorneys working in non-profit agencies similar to those funded under the Legal Services Corporation funding stream. The mean hourly wage for similar work, Lawyers in Social Advocacy Organizations, is \$57.13, taken from current Bureau of Labor Statistics data: [www.bls.gov/oes/current/naics4\\_813300.htm](http://www.bls.gov/oes/current/naics4_813300.htm)

VA estimates the total cost for all respondents to be: **4,630 hours x \$57.13/hour = \$264,511.90.**

**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 **\$81,323.30.**

The method used to estimate cost is to estimate hourly cost of staff who will need to be hired to support the LSV-A Grant Program using the OPM Salary Table 2024-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. Amount of time to process each item is estimated based on the experience of other VHA grant programs.

**Application for LSV-A Grant:** The Federal Government's estimated cost in processing 100 applications x \$64.06/hour (GS 13, Step 5 Washington DC locality pay) x 4 hours = \$25,624.

**Renewal Application for LSV-A Grant:** The Federal Government's estimated annual cost in processing 85 applications x \$64.06/hour (GS 13, Step 5 Washington DC locality pay) x 3 hours = \$16,335.30.

**Budget Changes and Corrective Action Plan (CAP) for LSV-A Grant:** The estimated annual cost to the Federal Government in processing 10 compliance reports x \$75.70/hour (GS 14, Step 5 Washington DC locality pay) x 1 hour = \$757.

**Quarterly Performance Report for LSV-A Grant:** The estimated annual cost to the Federal Government in processing 340 compliance reports x \$75.70/hour (GS 14, Step 5 Washington DC locality pay) x 1 hour = \$25,738.

**Bi-Annual Financial Report for LSV-A Grant:** The estimated annual cost to the Federal Government in processing 170 compliance reports x \$75.70/hour (GS 14, Step 5 Washington DC locality pay) x 1 hour = \$12,869.

**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.