



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7109-N-10; OMB Control No.: 2577-0295]

60-Day Notice of Proposed Information Collection: Restriction on Assistance to Noncitizens and Authorization to Release Information/Privacy Act

AGENCY: Office of the Assistant Secretary for Public and Indian Housing (PIH), HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: Comments Due Date: [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to www.regulations.gov. Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Eva Fulton, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Eva Fulton, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410; email Eva Fulton at PIH-PRAPublicComments@hud.gov; telephone (202) 402-5847. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication

disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Copies of available documents submitted to OMB may be obtained from Eva Fulton.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Restriction on Assistance to Noncitizens and Authorization to Release Information/Privacy Act.

OMB Approval Number: 2577-0295.

Type of Request: Extension of currently approved collection.

Form Number: HUD-9886-A

Description of the need for the information and proposed use: This is a request for an extension of a currently approved collection for HUD to require applicants and tenants to sign form HUD-9886-A. The information collected will assist public housing agencies (PHAs) in eligibility determinations for applicable HUD-assisted housing programs and assist HUD in managing and monitoring these programs. Applicants and tenants applying for or receiving assistance in the Housing Choice Voucher and Public Housing Programs are required to sign the Authorization for the Release of Information/Privacy Act Notice—Public and Indian Housing form HUD-9886.

Further, section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a), prohibits HUD from making financial assistance available to persons who are ineligible for assistance with respect to citizenship or non-citizen immigration status and applies to both applicants for assistance and persons already receiving assistance under: (1) section 235 of the National Housing Act (the Section 235 Program); (2) section 236 of the National Housing Act (tenants paying below market rent only) (the Section 236 Program); (3) section 101 of the Housing and Urban Development Act of 1965 (the Rent Supplement

Program); and the United States Housing Act of 1937 - (i) HUD's Public Housing Programs; (ii) Section 8 Housing Assistance Programs; and (iii) the Housing Development Grant Programs (with respect to low income units only).

Respondents: Public Housing Agencies.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
Restriction on Assistance to Noncitizens*							
New tenant admissions in Public & Indian Housing and Section 8 Programs	3,645	23	83,835	0.16	13,413.60	\$30.49	\$408,980.66
Annual recertification of tenants' eligible immigration status in Public & Indian Housing and Section 8 Programs	3,645	11	40,095	0.08	3,207.60	\$30.49	\$97,799.72
<i>Subtotal</i>	<i>3,645¹</i>	<i>34</i>	<i>123,930</i>	<i>0.24</i>	<i>16,621.20</i>	<i>\$30.49</i>	<i>\$506,780.39</i>
Authorization of Release of Information/Privacy Act**							
New tenant admissions of adult members in Public Housing and Housing Choice Voucher Programs	144,920	1	144,920	0.16	23,187.20	\$30.49	\$706,977.73
Execution of form HUD-9886-A by household members that turn 18 years old	36,488	1	36,488	0.08	2,919.04	\$30.49	\$89,001.53
<i>Subtotal</i>	<i>181,408</i>	<i>2</i>	<i>181,408</i>	<i>0.24</i>	<i>26,106.24</i>	<i>\$30.49</i>	<i>\$795,979.26</i>
Total	185,053	36	305,338	0.48	42,727.44	\$30.49	\$1,302,759.65

¹ Since the respondents for both information collections related to Restriction on Assistance to Noncitizens are not unique, the subtotal remains at 3,645.

Data is from HUD's Inventory Management System/PIH Information Center (IMS/PIC).

*For Restriction on Assistance to Noncitizens, data is from FY 2022, 2023, and 2024 averages. New tenants that are citizens or have permanent eligible immigration status must submit verification only once.

** For Authorization of Release of Information/Privacy Act, the data is from CY 2024. Note: Prior to January 1, 2024, participants signed and submitted consent forms at each regularly scheduled income reexamination. On or after January 1, 2024, a participant must sign and submit consent forms at their next interim or regularly scheduled income reexamination. After all applicants or participants over the age of 18 in a family have signed and submitted a consent form once on or after January 1, 2024, family members do not need to sign and submit subsequent consent forms at the next interim or regularly scheduled income examination except under the following circumstances: (i) When any person 18 years or older becomes a member of the family, that family member must sign and submit a consent form; (ii) When a member of the family turns 18 years of age, that family member must sign and submit a consent form; or (iii) As required by HUD or the PHA in administrative instructions.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

- (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- (2) The accuracy of the agency's estimate of the burden of the proposed collection of information;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority: Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Eva Fulton,
Acting Director,
Office of Policy, Program, and Legislative Initiatives.