

### Technical Assistance Grants

We also are establishing a mechanism for providing technical assistance grants. Section 5 of Pub. L. 107-95, codified at 38 U.S.C. 2064 authorizes VA to provide grants to entities or organizations with expertise in preparing grant applications relating to the provision of assistance for homeless veterans. The recipients are to use the grants to provide technical assistance to those nonprofit community-based groups with experience in providing assistance to homeless veterans in order to help such groups apply for grants under 38 CFR part 61 or apply for other grants from any source for addressing the problems of homeless veterans. To meet this mandate VA would provide grants for:

- (a) Group or individual seminars providing general instructions concerning grant applications;
- (b) Group or individual seminars providing instructions for applying for a specific grant; or
- (c) Group or individual instruction for preparing analyses to be included in a grant application.

Under the interim final rule, when funds are made available for technical assistance grants, VA would publish a Notice of Fund Availability in the **Federal Register** stating the estimated amount of funding available and the particulars for applying for a technical assistance grant, including the submission of a technical assistance grant application package. This corresponds with the process that the interim final rule continues to provide for capital grants.

The interim final rule sets forth minimum threshold criteria by limiting technical assistance grants to those entities that are eligible for a technical assistance grant and that demonstrate that they would use the grant productively. Those meeting the threshold criteria would then be rated based on criteria designed to identify those who would use the grant to provide the strongest programs. Technical assistance grants would be allocated to the highest-ranked applicants in descending order until funds are expended. These provisions are designed to help ensure that the technical assistance grants would be awarded for quality projects.

### Nonprofit Entities

The provisions of 38 U.S.C. 2011 also state that only public and nonprofit entities are eligible for assistance under the VA Homeless Providers Grant and Per Diem Program. We are amending the definition of "nonprofit organization" to

include the requirement that the organization must be recognized as a nonprofit organization by the United States Internal Revenue Service. This will help ensure that only nonprofit organizations will be recognized as such and should eliminate disputes regarding such status.

### Funding Priorities

The provisions of 38 U.S.C. 2011 state that awards shall not result in the duplication of ongoing services and to the maximum extent practicable shall reflect appropriate geographic dispersion and an appropriate balance between urban and nonurban locations. We are establishing provisions in the form of funding priorities to meet the statutory mandate.

### Service Centers

The regulations retain provisions requiring service centers for which assistance is awarded under the VA Homeless Providers Grant and Per Diem Program to provide services to homeless veterans for a minimum of 40 hours per week over a minimum of 5 days per week, as well as provide services on an as-needed, unscheduled basis. However, we are changing the regulations to specifically provide that the calculation of minimum hours would include travel time for mobile service centers. This is necessary because a substantial portion of work time for mobile service centers consists of travel time.

We also are requiring fixed site service centers to prominently post at or near the entrance to the service center their hours of operation and contacts in case of emergencies. Further, we are requiring mobile service centers to take some action reasonably calculated to provide in advance a tentative schedule of visits. This will help ensure that homeless veterans know when and where they can obtain assistance.

### Default Under Previously Awarded Grant

We are adding provisions to state that to receive assistance under the interim final rule, an entity must not be in default by failing to meet requirements under any previously awarded grant. This is intended to help ensure that program objectives are met by those receiving assistance.

### Resident Rent

The regulations previously provided that each resident of supportive housing may be required to pay as rent an amount determined by the recipient, which could not exceed the highest of:

- (1) 30 percent of the resident's monthly adjusted income (adjustment

factors include the number of relatives in the family residing with the veteran, medical expenses, and child care expenses);

- (2) 10 percent of his or her family's monthly income; or

- (3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments, adjusted in accordance with the family's actual housing costs, is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated.

We have changed the regulations to provide instead that each resident of supportive housing may be required to pay as rent an amount determined by the recipient, except that such rent may not exceed 30 percent of the resident's monthly income after deducting medical expenses, child care expenses, court ordered child support payments, or other court ordered payments. This is intended to provide a system that is administratively feasible, that allows for significant help for covering operating expenses, and that would allow veterans to retain sufficient funds to help prepare for a successful transition to independent living.

### Summaries of Certain Requirements

We are deleting summaries of certain non-VA federal requirements since the source material should be used to determine those requirements.

### Paperwork Reduction Act

OMB assigns a control number for each collection of information it approves. Except for emergency approvals under 44 U.S.C. 3507(j), VA may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The interim final rule at §§ 61.11, 61.15, 61.17, 61.20, 61.31, 61.41, 61.51, 61.55 and 61.70 contains collections of information under the Paperwork Reduction Act (44 U.S.C. 3501-3521). Accordingly, under section 3507(d) of the Act, VA has submitted a copy of this rulemaking action to OMB for its review of the collections of information. We have requested OMB to approve the collection of information on an emergency basis by April 3, 2003. If OMB does not approve the collections of information as requested, we will immediately remove §§ 61.11, 61.15, 61.17, 61.20, 61.31, 61.41, 61.51, 61.55 and 61.70 or take such other action as is directed by OMB.

We are also seeking an approval of the information collection on a non-emergency basis. Accordingly, we are also requesting comments on the