

**Department of Transportation  
Office of the Chief Information Officer**

**SUPPORTING STATEMENT**

Relocation Assistance and Real Property Acquisition Regulations  
for Federal and Federally Assisted Programs

**General Instructions**

A Supporting Statement, including a copy of the published notices to the public required by 5 CFR 1320.5(a)(1)(iv) and its actual date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

**INTRODUCTION**

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, **{Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs}** (OMB Control No. 2105-0508, which is currently due to expire on **{December, 31, 2007}**).

**Part A. Justification.**

**1. Circumstances that make collection of information necessary.**

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, names the Department of Transportation (DOT) (by Secretarial delegation the Federal Highway Administrator), Lead Agency for implementation of the Uniform Act on behalf of all Federal government agencies. Section 213 of the Statute sets forth the duties of the Lead Agency which include periodic reports to Congress, as appropriate, issuing regulations, and establishing procedures to assure compliance with the Statute. Further amendments to the Uniform Act were made by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA).

Several amendments to the Uniform Act, 42 U.S.C. 4601–4655, were made by Public Law 105–117, enacted on November 21, 1997. Those amendments provide that an alien not lawfully present in the United States shall not be eligible to receive relocation payments or any other

assistance provided under the Uniform Act unless such ineligibility would result in exceptional and extremely unusual hardship to the alien's spouse, parent, or child and such spouse, parent, or child is a citizen or an alien admitted for permanent residence.

This information collection supports the DOT Strategic Goal of Human and Natural Environment.

2. How, by whom, and for what purpose is the information used.

This collection allows local, state and Federal agencies to comply with the law by requesting information from each displaced person, business, farm or non-profit organization to certify that they are eligible to receive relocation benefits under the Uniform Act.

The certifications and records maintained are used by local, state and Federal agencies to provide evidence that owners of real property and displaced persons are receiving the entitlements provided by the law. In addition, as lead agency for the Federal government, the Federal Highway Administration (FHWA) has an obligation to be aware of changes in the level of activity and expenditures, and to measure the impact on grantee agencies and affected families and businesses of the Uniform Act regulation. Other DOT and other Federal agencies may also use the information for the same purpose. Such data adds to the potential pool of available information and assists in assessing the universe of people affected by the law and regulation.

3. Extent of automated information collection.

Almost all State highway agencies are using computers and information management systems in their daily operations including the record keeping necessary to comply with the law. The same is true of local public agencies but to a lesser extent depending on the size and complexity of the local government. The primary obstacle to improved information technology continues to be the limited resources available to an agency for this purpose.

The record keeping required for each parcel of land acquired and for each displaced person includes the retention of documents, specifically the required certification of eligibility, working papers, numerical data, and support for payments.

The required certification must be acknowledged in writing by the displaced person, business, farm or non-profit organization. Current technology allows the preparation and retention of the certifications.

4. Efforts to identify duplication.

The matters addressed herein are specific to particular properties, owners, or occupants. There is only one acquiring agency for each parcel. Duplication of effort is not an issue and there is no other information available to meet this request.

5. Efforts to minimize the burden on small businesses.

The information required of a small business, or any business, is cursory in nature and as such does not require any expense beyond the several minutes it may take to answer some basic questions.

6. Impact of less frequent collection of information.

By law, the certification is required of every displaced person, business, farm or non-profit organization impacted by Federal or federally assisted programs or projects.

7. Special circumstances.

There are no special circumstances related to this information collection.

8. Compliance with 5 CFR 1320.8:

A 60-day notice was published in the Federal Register Vol. 72, No. 204, page 60051, on October 23, 2007 (copy attached). No comments have been received.

9. Payments or gifts to respondents.

No gifts or payments will be made to respondents.

10. Assurance of confidentiality:

This is addressed in 49 CFR Section 24.9(b) of the regulation. For most of the DOT funded acquisitions, the acquiring agency is a grantee at the State or local government level and State law controls.

11. Justification for collection of sensitive information:

Questions of a sensitive nature are not a part of the certification or record keeping requirements.

12. Estimate of burden hours for information requested:

Number of respondents

Federal programs and projects initiated by federal, state and local agencies may require persons, businesses, farms and non-profit organizations to relocate. The total annual hour burden estimate includes relocations for all programs and projects.

52 State highway agencies  
 16 Transit agencies  
 175 Airport agencies  
 17 Other Federal Agencies  
1200 Local government agencies  
 1460 Total agencies

Frequency of Response

The frequency of response is dependant on the number of relocations caused by Federal and federally assisted programs and projects. One response is required per displacement. Approximately 8,000 relocations per year occur under State and local highway agency projects. Approximately 12,000 relocations per year occur under other Federal and federally assisted programs.

Annual hour burden

Respondent Burden

We estimate that the average time to complete and sign the certification will be one-quarter hour or less.

Approximately 20,000 relocations per year

20,000 relocations x 0.25 hours per certification = 5,000 hours total

Government Agency Burden – File Record Keeping

The record keeping and documentation requirements can be met with the required certifications. Such record keeping is inherent in the process of public acquisition of private land, and does not vary with the size of an agency but with the number of government projects and programs requiring relocation. Constitutional requirements for the payment of just compensation, relocation benefits and the attendant record keeping are universal.

In order to establish an annual estimate for file record keeping, the annual statistics for recent FHWA reports and selected other Federal agencies with the largest acquisition programs were reviewed. After our review, the average number of relocations per year was approximately 20,000. We estimate one hour of record keeping time per certification.

20,000 x 1 hour = 20,000 hours per year

20,000 Record keeping burden hours  
5,000 Respondent burden hours  
 25,000 Total burden hours

The foregoing reflects that all records be maintained for a minimum of 3 years.

## Annualized costs

### Respondents

No cost to persons, businesses, farms or non profit organizations associated with completing the certification. The cost to agencies to secure the completed certifications is estimated to be equal to the respondent's time to complete the certification or one-quarter hour per certification.

### Record Keeping

It is necessary for any public agency acquiring private real property to generate documents which must be identified, organized and filed. This is not a result of this regulation or requirement for certification, but is inherent in the activity itself. We estimate that professional and clerical time of up to one hour per file may be necessary to identify Federal-aid project relocations, to assure that all relevant documents for each relocation are located together, and to maintain the file for the required time period.

25,000 total burden hours x \$15 per hour\* = \$375,000

\* estimated rate for a mix of clerical and professional staff

Total annualized cost to all agencies of \$375,000 per year.

### 13. Estimate of total annual costs to respondents.

There is no other annual cost burden to respondents and record keepers other than the burden costs detailed in question numbers 12 and 14.

### 14. Estimate of cost to the Federal government.

Inherent in Federal funding agency programs and projects is the requirement for oversight and monitoring of program recipients. The FHWA will require periodic reports from the 52 State highway agencies due to the volume and nature of State highway agency activities and the Lead agency responsibility. Even though other Federal agencies currently are not requiring reports, they do have active programs that are subject to the regulation requirements. We have, therefore, included minimal estimated annual oversight and monitoring burden for statistical review and analysis for these agencies.

Following is the estimate of cost for government personnel to monitor and review program recipients to insure compliance with the regulation. Record maintenance will not generate any costs for Federal agencies.

100 hours annually per Federal Agency x 18 Federal Agencies = 1,800 hours

1,800 hours x \$27.50 per hour\* = \$49,500

\*estimated average rate for professional staff

15. Explanation of program changes or adjustments.

No program changes or adjustments are necessary for this renewal.

16. Publication of results of data collection.

There will be no publication of the certifications collected.

17. Approval for not displaying the expiration date of OMB approval.

This question is not applicable as we are not seeking approval.

18. Exceptions to certification statement.

We will be able to comply with statements identified in Item 19, listed on OMB form 83-I.

ATTACHMENTS:

None

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

There are no statistical analysis considerations involved in this request.