

## Supporting Statement

### Fund Transfers to Other Agencies and Among Title 23 Programs

**Introduction:** This is an extension of a currently-approved information collection entitled “Fund Transfers to Other Agencies and Among Title 23 Programs” (2125-0620).

#### **Part A. Justification.**

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

The Fixing America’s Surface Transportation (FAST) Act, Public Law 114-94, continues the ability of States to transfer highway funds to other States and agencies and among programs/projects. These authorities are codified in sections 104 and 126 of title 23, United States Code, as amended by the FAST Act. Transferability under the FAST Act is generally similar to that allowed under previous authorization acts such as the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

This notice establishes requirements for initiating the transfer of apportioned funds (funds distributed among States and programs by statutory formula) to carry out these provisions of law. This information collection will allow each party in the transfer process—States, Federal Highway Administration (FHWA) Division Offices, and FHWA Headquarters—to be involved in the process as well as ensure that the State’s fund transfer requests are accurately executed and that the requests are allowable by law.

This transfer form (FHWA-1575C) submitted for approval is similar to the currently approved transfer forms (FHWA-1575 and FHWA-1576) that have been utilized for the past five years. The main improvement is that this transfer form combines what were previously two forms (one for transfers within State or to another State and one for transfers to other agencies) into a single form. The new 1575C transfer form includes drop-down boxes that will allow States to select the type of transfer and other information. This new form will streamline the transfer request process for States by allowing them to use the single form for all types of transfers of apportioned funds rather than having to select the appropriate form.

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

The information collected will be used by States to transfer apportioned highway funds to other States and agencies and among programs/projects.

State departments of transportation will initiate the transfer process by filling out the form, selecting the type of transfer request from the drop-down menu and completing the remaining information needed to process the transfer. The corresponding Division Office will then concur with the State’s transfer request and send it to FHWA Headquarters for processing in FHWA’s grants management system and/or accounting system as appropriate. The information on the form will be used to process the fund transfer. The form will provide a consistent accurate process for which to request and make these transfers, as well as to provide documentation as to what was requested/processed for historical and auditing purposes.

##### **3. Extent of automated information collection:**

Manual collection of the information via the form is necessary since it is dependent on the specific transfers being requested by the individual States. To the extent possible, FHWA has

streamlined the information collection, including using a fillable PDF form and utilizing drop-down boxes for information with a limited number of appropriate values.

**4. Describe efforts to identify duplication:**

Similar information does not exist. These transfers are initiated by the State when there is a need for a funding transfer.

**5. Efforts to minimize the burden on small businesses:**

The required information for “Fund Transfers to Other Agencies and Among Title 23 Programs” will be from the State DOTs only. This collection of information will not impact any small businesses.

**6. Impact of less frequent collection of information:**

The frequency of this collection depends upon the State’s need to transfer funding. This frequency can vary from State to State and from year to year. Each time a fund transfer is requested, the transfer form associated with this information collection must be filled out to ensure accuracy in the fund transfer as well as provide documentation for historical and auditing purposes.

**7. Special circumstances:**

Two thousand responses provided by 52 respondents would average out to 38 responses per respondent per year. However, because the respondents will initiate this process based on their individual needs, some States may not transfer funding at all in a given year, and larger States such as California may submit more than the average.

The end result of this process is an allotment to transfer funding. The information below states the record retention period for allotments and all supporting documentation. This information was taken from the FHWA Records Disposition Schedules for Washington Headquarters at <https://www.fhwa.dot.gov/legisregs/directives/orders/ocfo-hq.cfm>

**CFO 5 Allotment Files.** Consist of Forms FHWA-370, Advance of Funds Available for Obligations, used to document all allotments (obligation availability) of funds and correspondence used for supporting documents. The form shows the initial administrative allotments, initial allotment of construction funds by fiscal year quarters, increase of an allotment of construction funds by periods other than quarterly or annually and an increase of an allotment of funds in one amount for the fiscal year (GRS 1.1, item 010).

**DISPOSITION:** Destroy 6 years after final payment or cancellation.

**8. Compliance with 5 CFR 1320.8:**

The 30-day Federal Register notice was published on November 4, 2020. There were no comments received.

**9. Payments or gifts to respondents:**

Payments or gifts will not be provided to State DOTs for submitting their forms.

**10. Assurance of confidentiality:**

The information to be collected is not considered to be confidential.

**11. Justification for collection of sensitive information:**

This information collection will not involve questions of a sensitive nature.

**12. Estimate of burden hours for information requested:**

We anticipate 52 respondents (50 State Transportation Departments, the District of Columbia, and Puerto Rico) to provide approximately 2,000 responses annually on an as-needed frequency, with an average burden per response of 15 minutes. A total of 2,000 responses annually at 15 minutes each equals 500 annual burden hours. Estimated cost to the respondents is based on an average wage rate of \$36.50 per hour, which would equal a total of \$18,250 annually.

**13. Estimate of total annual costs to respondents:**

There will be no capital/start-up or operation/maintenance costs to the respondents.

**14. Estimate of cost to the Federal government:**

It will take an average of two and one-half hours to process each transfer request. The estimated cost to the Federal government is based on an average wage rate of \$36.44 per hour, which would equal \$91.10 to process each transfer request. Based on approximately 2,000 transfer requests annually, the cost to the Federal government would equal a total of \$182,200 annually.

**15. Explanation of program changes or adjustments:**

The new transfer form is not reflective of any program changes but is being implemented to streamline the transfer request process and eliminate the need for distinct forms for different types of transfers of highway funding. The number of responses varies based on State determinations to transfer funds as allowed per title 23, United States Code, with the burden estimate based on the approximate number of transfer requests submitted in recent fiscal years.

**16. Publication of results of data collection:**

No plans to publish.

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

There is no such request for this information collection.

**18. Exceptions to certification statement:**

There are no exceptions to the certification statement for this collection.

