

Supporting Statement for Paperwork Reduction Act Submissions
Section 3 Sample Certification Forms PRA Supporting Statement
(OMB# 2501-New)

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

This collection is to provide new sample certification forms pursuant to HUD's Section 3 regulation codified at 24 CFR Part 75, which is the current regulation published pursuant to requirements in 12 USC 1701u. 24 CFR § 75.31 outlines the ways a worker can be certified as a Section 3 worker or Targeted Section 3 worker. These sample certification forms address these options.

2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

In order to meet the regulatory recordkeeping requirements, the sample certification forms may be used by HUD funding recipients, subrecipients, contractors, or subcontractors to certify or confirm employee or resident status as a Section 3 worker or Targeted Section 3 worker or by low- and very low-income individuals to self-certify Section 3 worker and Targeted Section 3 worker status.

These sample certification documents can be used by the eligible Section 3 worker, business, or grant recipient to maintain record of worker certification.

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.

These sample certification forms will be available in a fillable format that can both be printed or saved on a computer.

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.

There is no duplication of information. It is anticipated that the most Section 3-related entities that use this sample form will already be collecting information on labor hours worked for payroll and possibly Davis-Bacon requirements, but that information would not

capture specific information on Section 3 worker and Targeted Section 3 worker certification status required to accurately report under 24 CFR Part 75.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.

This collection does not impose a significant burden on Small Entities. These forms are samples that can be used by the entities if they help to ease administrative burden. Other methods of certification can be used. They are not required to start tracking labor hours if they do not already do so for other reasons.

6. Describe the consequence 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.

There is no consequence if the collection is not conducted, the forms are sample forms and as noted in #2, there are multiple ways a worker can be certified.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- requiring respondents to report information to the agency more than quarterly; **N/A**
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; **N/A**
- requiring respondents to submit more than an original and two copies of any document; **N/A**
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **N/A**
- in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study; **N/A**
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; **N/A**
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or **N/A**
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law. **N/A**

There are no circumstances requiring deviation from 5 CFR 1320.6 as these circumstances are not applicable because the information will not be collected by HUD.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency'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 agency in response to these comments. Specifically address comments received on cost and hour burden.
 1. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.
 2. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained.

This information is collected in a manner that is consistent with guidelines of 5 CFR 1320.8(d). The Federal Register announcing this collection of information was posted on August 23, 2021 (Volume 86, Number 160, Page 47135). One (1) comment has been received by David Weber, PHADA. Comments were responded to via email (copy of response included).

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This information collection does not involve any payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation or agency policy.

There is no assurance of confidentiality to respondents on the sample certification forms. HUD may review these forms as part of monitoring compliance but will not collect the forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the 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.

No information collection requests information of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

1. indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices;
2. if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
3. provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. 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 13.

Information Collection	Number of Respondents	Frequency of Response	Responses per Annum	Burden hour per response	Total Burden Hours	Hourly per response	Annual Cost
HUD Form 4736 – PH/Section 8 Certification Form	150	1	150	0.5	75	\$49.83	\$3,737.25
HUD Form 4736A – Employer HCD Certification	500	1	500	0.5	250	\$45.80	\$11,450.00
HUD Form 4736B- Employer Certification PHA	500	1	500	0.5	250	\$45.80	\$11,450.00
HUD Form 4736C- Employee Self Certification HCD	500	1	500	0.5	250	\$7.25	\$1,812.50
HUD Form 4736D- Employee Self-Certification PHA	500	1	500	0.5	250	\$7.25	\$1,812.50
Total	2,150.00		2,150.00	2.5	1,075.00		\$30,262.05

- Employee Certifications (HUD Forms 4736C and 4736D) are set at the federal minimum wage as the target audience is low- and very low-income workers.
- *The employer certifications (HUD Forms 4736A and 4736B) are primarily utilized by small business owners and construction managers with an annual wage of \$45.80(<https://www.bls.gov/oes/current/oes119021.htm>)
- The PH Certification (HUD Form 4736) will be completed by the Housing Authority and is set at the median hourly rate of a General Operation Manager, per OES, <https://www.bls.gov/oes/>.

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).
 1. The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities;
 2. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10) utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate. Generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

The estimates provided above include time spent for recordkeeping, completing both information collections, and review by HUD officials performing compliance reviews.

14. Provide estimates of annualized cost to the Federal government. Also, provide description of the method used to estimate cost, which should include quantification of hours, operational 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.

Information Collection	Number of Respondents	Frequency of Response	Responses per Annum	Burden hour per response	Total Burden Hours	Hourly per response	Annual Cost
HUD Form 4736 – PH/Section 8 Certification Form	150	1	150	0.5	75	\$38.08	\$2,856.00
HUD Form 4736A – Employer HCD Certification	500	1	500	0.5	250	\$38.08	\$9,520.00
HUD Form 4736B- Employer Certification PHA	500	1	500	0.5	250	\$38.08	\$9,520.00
HUD Form 4736C- Employee Self Certification HCD	500	1	500	0.5	250	\$38.08	\$9,520.00
HUD Form 4736D- Employee Self-Certification PHA	500	1	500	0.5	250	\$38.08	\$9,520.00
Total	2,150.00		2,150.00	2.5	1,075.00		\$40,936.00

Hourly Rate equivalent to base GS-13, Step 1. HUD officials are throughout field offices.

15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the OMB Form 83-I.

This is a new collection.

16. For collection 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.

Information collected on the certification sample forms will be analyzed by HUD staff to determine the overall effectiveness of the Department’s enforcement of the regulatory requirements at 24 CFR § 75.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

This information collection is not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.