

Supporting Statement for Paperwork Reduction Act Submissions
Semi-Annual Labor Standards Enforcement Report
Local Contracting Agencies (HUD Programs)
OMB# 2501-0019

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.

The Department of Labor (DOL) requires all Federal agencies administering programs subject to Davis-Bacon wage provisions under 29 CFR Part 5, Section 5.7(b) to submit a semi-annual report of all new covered contracts/projects and all enforcement activities. For HUD to comply, HUD collects data from state, tribal, and local agencies that administer HUD-assisted programs subject to Davis-Bacon requirements. HUD requires these agencies to complete and submit a Semi-annual Labor Standards Enforcement Report every six months. Respondents and HUD must retain a copy of the Semi-annual Labor Standards Enforcement Report in their files for at least three years.

This collection is not related to the Patient Protection and Affordable Care Act (PPACA, PL 111-148 and 111-152;) (Affordable Care Act).

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.

This is a revision of a currently approved collection.

HUD uses the information collected to compile the semi-annual report to DOL required by 29 CFR 5.7(b):

Semi-annual enforcement reports. To assist the Secretary in fulfilling the responsibilities under Reorganization Plan No. 14 of 1950, Federal agencies shall furnish to the Administrator by April 30 and October 31 of each calendar year semi-annual reports on compliance with and enforcement of the labor standards provisions of the Davis-Bacon Act and its related acts covering the periods of October 1 through March 31 and April 1 through September 30, respectively. Such reports shall be prepared in the manner prescribed in memoranda issued to Federal agencies by the Administrator. This report has been cleared in accordance with FPMR 101-11.11 and assigned interagency report control number 1482-DOL-SA.

To be in compliance with the new Davis Bacon regulations above, HUD has edited its form HUD-4710, Semi-Annual Labor Standards Enforcement Report - Local Contracting Agencies (HUD

Programs), to match the template provided in [DOL AAM 189](#).¹ HUD consolidates the data collected from respondents and submits the data to DOL in its report. HUD has also updated the corresponding instruction form HUD-4710i to match the changes made to form HUD-4710.

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.

Reports were collected from state, tribal, and local agencies via email, fax, and mailed to HUD. During the second reporting period in 2023, HUD implemented an automated reporting system that eliminated state and local agencies emailing, faxing and mailing their reports. DocuSign is currently being used and will continue to be used to receive Semi-Annual Labor Standards Enforcement Reports nationwide. By automating this process, it reduces the time required to respond to each item from two hours to one hour. Because of the platform change, the data is automatically summarized on a nationwide basis for all state, tribal, and local agencies responding. HUD uses the information collected to submit the semi-annual report to DOL required by 29 CFR 5.7(b).

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.

HUD cannot collect the information from respondents using existing data sources.

5. If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.

Small businesses and other small entities are not adversely impacted by this collection.

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.

HUD will violate DOL semi-annual reporting requirements under the Davis-Bacon Act if the information is not collected.

¹ DOL AAM 189: https://iae-wdol-sam-gov.s3.amazonaws.com/WDOL_MEMORANDUM/AAM189.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Date=20240827T172016Z&X-Amz-SignedHeaders=host&X-Amz-Expires=10&X-Amz-Credential=AKIAY3LPYEEXYSOFBWGG%2F20240827%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Signature=3cf00e62e3583dc890c882f6921bb483537e1a48738712fef2441d0ab5c74881

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; **Not applicable.**
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; **Not applicable.**
- requiring respondents to submit more than an original and two copies of any document; **Not applicable.**
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years; **Not applicable.**
- 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; **Not applicable.**
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; **Not applicable.**

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 **Not applicable.**

- 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. **Not applicable.**

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.

- 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.

HUD consulted with state and local agencies to obtain feedback regarding updated reporting procedures.

- 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.

HUD consulted representatives who compile the information.

In accordance with 5 CFR 1320.8(d), the agency's notice announcing this collection of information appeared in the Federal Register on June 11, 2024 (89 FR 49182). The public was given until August 12, 2024, to submit comments on the proposed information collection. No comments or questions were received.

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

There are no 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. If the collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Respondents have no assurance of confidentiality.

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.

This collection has no questions of a sensitive nature.

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

- 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;
- If this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in chart below; and
- 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	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
HUD 4710 Semi-annual Labor Standards Enforcement Report – Local Contracting Agencies	4,565	2	9,130	1	9,130	\$45.49*	\$415,323.70
HUD 4710i Instruction to fill out the above form	0	0	0	0	0	0	0
Total	4,565	2	9,130	1	9,130	\$45.49	\$415,323.70

* The estimated costs to the respondents are based on an estimated labor rate of \$45.49 which is the mean wage estimates for Labor Relations Specialists according the Bureau of Labor Statistics Occupational Employment and Wages, May 2023 (<https://www.bls.gov/oes/current/oes131075.htm>)

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 already reflected on the burden worksheet shown in Items 12 and 14).
- 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;
 - 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.

There are no additional burden costs for respondents or recordkeepers other than the costs outlined in Question 12.

14. Provide estimates of annualized cost to the Federal government. Also, provide a 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	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
HUD 4710 Semi-annual Labor Standards Enforcement Report – Local Contracting Agencies	4,565	2	9,130	.333	3,040	\$49.55	\$150,632.00
HUD 4710i Instruction to fill out the above form	0	0	0	0	0	0	0
Total	4,565	2	9,130	.333	3,040	\$49.55*	\$150,632.00

* The estimated costs to the Federal government are based on an estimated labor rate of \$49.55 (GS-13, Step 1, for the Office of Personnel Management’s (OPM’s) General Schedule pay table for 2024 for the “Rest of United States” (reflecting the geographic dispersity of the reviewers of the forms) (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS_h.aspx).

15. Explain the reasons for any program changes or adjustments reported in Items 12 and 14 of the Supporting Statement.

Adjustments were made to items 12 and 14. The number of respondents changed from 4,870 to 4,565 which is substantiated by a reduced number of agencies receiving HUD funding subject to the Davis-Bacon and Related Acts (DBRA) labor standard requirements. Due to the process being automated, the response time for both state and local agencies and HUD staff was reduced from 2.5 hours to 1 hour for state and local agencies, and from 1 hour to 20 minutes (0.333) for HUD staff. Finally, hourly wage rates changed since this collection was last approved.

To be in compliance with the new Davis Bacon regulations above, HUD has edited its form HUD-4710, Semi-Annual Labor Standards Enforcement Report - Local Contracting Agencies (HUD Programs), to match the template provided in [DOL AAM 189](#).² HUD consolidates the data collected from respondents and submits the data to DOL in its report. HUD has also updated the corresponding instruction form HUD-4710i to match the changes made to form HUD-4710.

² DOL AAM 189: https://iae-wdol-sam-gov.s3.amazonaws.com/WDOL_MEMORANDUM/AAM189.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Date=20240827T172016Z&X-Amz-SignedHeaders=host&X-Amz-Expires=10&X-Amz-Credential=AKIAY3LPYEEXYSOFBWGG%2F20240827%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Signature=3cf00e62e3583dc890c882f6921bb483537e1a48738712fef2441d0ab5c74881

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.

HUD will not publish the information gathered from this collection.

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.

HUD is not seeking approval to avoid displaying the expiration date for this information collection.

18. Explain each exception to the certification statement identified in item 19.

There are no exceptions to the Certification Statement identified in item 19 of the OMB 83-1. The certification provisions identified in items a through j have been satisfied within this supporting statement; therefore, there are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

There are no statistical methods used in this collection.