

Department of Transportation
Federal Highway Administration
Annual Right-of-Way Acquisition Data
Supporting Statement A
OMB Control No. 2125-0661

Introduction:

This is a reinstatement of an existing information collection regarding each state's general residential and non-residential acquisition and relocation information through the Statistical Report Form in appendix B to part 24 of title 49 of the Code of Federal Regulations (49 CFR part 24).

Part A. Justification.

1. Circumstances that make collection of information necessary:

The Federal Highway Administration (FHWA) Office of Real Estate Services (HEPR) develops and implements regulations, polices, and guidance that help to ensure that right-of-way needed for the construction or improvement of transportation infrastructure is made available in a timely fashion and in compliance with applicable laws and regulations. One of the HEPR's primary functions is to ensure that right-of-way acquired for federally funded projects and programs is acquired in a manner that complies with the requirements of The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 *et seq.*) (Uniform Act). HEPR also serves as Lead Agency for the government-wide promulgation and implementation of Uniform Act rules and policies. These Uniform Act requirements apply to the real estate acquisition and relocation assistance programs and projects of 18 Federal Agencies.

Moving Ahead for Progress in the 21st Century Act (Public Law 112-141) (MAP-21) amended the Uniform Act¹ to require that each Federal agency subject to the Uniform Act submit an annual report describing activities conducted by the Federal agency. The format of the report is found in appendix B to 49 CFR part 24. The FHWA believes that such a report that details activity provides a good indication of program health and scope.

The primary focus of this information collection is to obtain accurate information for more effective implementation monitoring of the Uniform Act. The information provided by the State agencies will be published to the FHWA website as a source for residential and non-residential acquisition and relocation information featuring summary reports and a searchable database of historic acquisition and relocation statistics.

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

The information will be collected electronically from the State Transportation and Highway Agencies. Each State agency will submit the information to the FHWA Office of Real Estate

¹ [42 U.S.C. 4633\(b\)\(4\)](#).

Services via an electronic form that uses the Statistical Report Form in appendix B to 49 CFR part 24 as a template. Most, if not all, of these agencies use computer program management software that automatically captures this information as they carry out their program or project.

There are 56 respondents, including 50 State Transportation Departments, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, and American Samoa. The information provided by the respondents will include data on subrecipient programs and projects for which the respondents have oversight responsibilities. Each respondent will submit one report with state-specific acquisition data to the Office of Real Estate Services.

The primary purpose of this information collection is to report the real property acquisition and relocation activities under Federal or federally assisted programs or projects subject to the Uniform Act. This information assists the FHWA in fulfilling its designated lead agency role to monitor the implementation and enforcement of the Uniform Act and “report to Congress, as appropriate, on any major issues or problems with respect to any policy or other provision of this Act” as codified in 42 U.S.C. 4633(a)(5).

3. Extent of automated information collection:

The information will be collected using the electronic Statistical Report Form. Agencies will use computer software and existing database technology that captures the information.

4. Efforts to identify duplication:

No similar information is available.

5. Efforts to minimize the burden on small businesses:

There is no burden on small businesses. The information will be collected from State and local public agencies that acquire real property and provide relocation assistance under the Federal-Aid Highway Program.

6. Impact of less frequent collection of information:

The collection allows FHWA to fulfill its lead agency role as required under 42 U.S.C. 4633) and 49 CFR 24.9(c), which includes an annual requirement to collect this information, see 42 U.S.C. 4633(b)(4). This will not be possible with less frequent collections.

7. Special circumstances:

Not applicable.

8. Compliance with 5 CFR 1320.8:

This data collection is in compliance with 5 CFR 1320.8. The FHWA published a Federal Register notice on December 3, 2024, soliciting public comments for a 60-day period. The document citation is 2024-28303 (89 FR 95897). There were no comments received.

FHWA published the 30-day notice to the Federal Register on DATE, at [90 FR XXXXX], to notify the public this information collection will be submitted to OMB.

9. Payments or gifts to respondents:

Not applicable. There are no "payments or gifts".

10. Assurance of confidentiality:

Not applicable. No confidential information will be collected.

11. Justification for collection of sensitive information:

No sensitive information will be collected.

12. Estimate of burden hours for information requested:

There are 56 respondents, including 50 State Transportation Departments, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, and American Samoa. Every October, each respondent will be asked by their FHWA Division Office to send an annual report to the FHWA Office of Real Estate Services which outlines state-specific acquisition data.

The estimated average burden per respondent to collect the data required and to fill out the report is approximately 5 hours per response. The total burden for respondents is estimated to be approximately 280 hours (5 hours per response times 56 respondents).

Total annual cost to respondents is estimated to be \$20,291.60, based on an average hourly wage rate of \$72.47² for a state or local government worker in the professional and related labor category (280 hours x \$72.47 per hour = \$20,291.60).

13. Estimate of total annual costs to respondents:

There are no additional costs to the respondents other than the time needed to respond to the report as described above.

14. Estimate of cost to the Federal government:

The total hourly compensation for a civilian Federal worker to collect, review, and comment on the final reports is estimated to be \$85.91. This is based on an estimated hourly wage rate for a Federal worker identified on the 2025 General Schedule (GS) for a Level 12, Step 5 in Washington, DC being \$55.07.³ Multiplying the hourly pay rate by an assumed loading factor of 1.56 to reflect Federal fringe benefits and overhead, the loaded hourly rate of FHWA staff is \$85.91, which represents the total hourly cost to the Federal government. (55.07 x 1.56 = \$85.91).

It is estimated that each report will require approximately 2 hours to process, for a total of 112 hours (2 x 56 = 112). Therefore, the Federal personnel cost is estimated to be \$10,279.36 (112 hours x \$85.91/hr. = \$9,621.92).

15. Explanation of program changes or adjustments:

There are no adjustments.

16. Publication of results of data collection:

² [Employer Costs for Employee Compensation – Table 3 - September 2024 \(bls.gov\)](#)

³ [Pay & Leave: Salaries & Wages 2025 - DCB - OPM.gov.](#)

Information will be published to the Right-of-Way Statistics Searchable Database⁴ on the FHWA Office of Real Estate Services website.

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

Not applicable.

18. Exceptions to certification statement:

Not applicable.

⁴ [FHWA Annual Right-of-Way Statistics Dashboard and Data.](#)