

## **SUPPORTING STATEMENT FOR REQUEST FOR OMB REAPPROVAL OF DBE REPORT OF AWARD AND COMMITMENTS**

This statement supports reapproval under the Paperwork Reduction Act (PRA) of the Report of Awards and Commitments in the Department of Transportation rule (49 CFR Part 26) implementing the disadvantaged business enterprise (DBE) program. report referenced above).

### **Justification for Information Collections in 49 CFR Part 26**

1. Circumstances that make the collection of information necessary.

The Department's DBE program is mandated by statute, including SAFETEA-LU and 49 U.S.C. 47113. The Department's final regulation implementing these statutes is 49 CFR Part 26. The program is implemented primarily by recipients (state highway agencies, transit authorities, and airports). To carry out its oversight responsibilities, the Department must obtain information from the recipients about the DBE participation they obtain in their programs. This form relates to DOT organizational goals including mobility and organizational effectiveness.

2. How, by whom, and for what purposes are the information collections to be used?

The report form is collected from recipients by FHWA, FTA, and FAA, and is used to enable DOT to conduct program oversight of recipients' DBE programs and to identify trends or problem areas in the program.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic technology.

Most recipients already use computer systems for many of these information collection tasks, such as the reporting requirements on the achievements of DBE firms in contract awards. FAA has developed an electronic system that airports now use for reporting DBE achievements that airports now use. FHWA and FTA are considering adapting the FAA system to their programs. All modes are encouraging recipients to reduce burdens on contractors through the use of electronic filing of certification and good faith efforts information.

4. Identify efforts to eliminate duplication

In the 2003 revision to the form, reporting frequencies were reduced.

5. Minimizing information collection burden on small businesses and other small entities.

FTA and FAA have funding thresholds that exempt their smaller recipients from the DBE program requirements, including this report. As noted above, reporting frequencies have been reduced as well.

6. Describe the consequences to Federal program or policy activities if the collections are not conducted or are conducted less frequently.

Without this information collection, there would no way to determine whether the program's objectives were being met, it would be impossible to determine whether the program was being administered consistent with legal and constitutional requirements, and there would be no accountability for any participants. This would be a really bad idea.

7. Explain special circumstances that would cause the information collections to be inconsistent with 5 CFR 1320.6.

These information collection requirements are consistent with this and other applicable laws and regulations.

8. Summarize public comments in response to the Federal Register 60-day notice.

The Department has been working to obtain final clearance of revised information collection requirements which will result in a simplified reporting form and reduction of the paperwork burden associated with DBE Awards and Commitments.

A 60- day notice of the extension of the information collection was placed in the Federal Register on Thursday, November 2, 2006 (Vol. 71, No. 202, page 64605). No comments have been received concerning the notice.

9. Explain any decision to provide payment or gifts to respondents.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents.

The information on provided in this report is aggregated data that does not involve confidential information.

11. Provide additional justification for any questions of a sensitive nature.

Not applicable.

12. Provide estimates of burden hours and costs.

See attached form 83-I. The burden was estimated by taking the estimate from prior PRA approvals and adjusting for program changes (e.g., less frequent response requirement).

13. Provide an estimate of the total annual cost burden to respondents not reported in other items.

Not applicable.

14. Provide annualized estimates of costs to the Federal government.

The Department estimates that its tasks related to the information requirements cited in this request that are submitted to us for review (i.e., report of accomplishments) will result in 500 hours and \$217,570 of burden for the Department.

15. Explain the reasons for any program or adjustments reported in Items 13 or 14 of OMB Form 83-1

The difference in the hours between the previous and current collections is that, in the interim, we reduced the reporting frequency for recipients went from the original quarterly reports to twice a year in FHWA and FTA and once a year in FAA and also streamlined the form in some minor ways.

16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis, and publication.

Not applicable.

17. Approval not to display the expiration date for OMB.

Not applicable.

18. Exception to certification statement.

Not applicable.

Attachment

