SUPPORTING STATEMENT
U.S. Department of Commerce
National Institute of Standards and Technology
Fastener Quality Act Requirements
OMB CONTROL NO. 0693-0015

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The National Institute of Standards and Technology (NIST), a component of the Technology Administration reporting to the Under Secretary for Technology, under the Fastener Quality Act (the Act) (Pub. L. 101-592 amended by Pub. L. 104-113, Pub. L. 105-234 and Pub. L. 106-34) is required to accept an affirmation from laboratory accreditation bodies and quality system registrar accreditation bodies that they meet International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17011 (replaced ISO/IEC Guides 58 and 61). An organization having made such an affirmation to NIST may accredit either fastener testing laboratories or quality system registrars for fastener manufacturers in accordance with the applicable provisions of the Fastener Quality Act.

NIST will solicit information declarations from U.S. and foreign private accreditation bodies. The information collected will enable NIST to compile a list of accreditation bodies able to provide accreditations meeting all the requirements of the Act and of the procedures, 15 CFR Part 280. There are 12 accreditation bodies (see http://ts.nist.gov/ts/htdocs/230/235/FQA/accred-list.htm).

Section 10 of the Act requires NIST to accept petitions from persons publishing a document setting forth guidance or requirements providing equal or greater rigor and reliability compared to ISO/IEC 17025 (replaced ISO/IEC Guide 25), ISO/IEC 17011 or ISO/IEC Guide 62.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with applicable NIST Information Quality Guidelines.

Its main function is to identify accreditation programs which meet all statutory requirements and which can accredit laboratories to conduct mandatory fastener testing and accredit quality system registrars as required by the Act. It should be pointed out that the main reason the Act came into existence is that certain fasteners were manufactured and sold without regard to the standards and specifications published by the consensus standards organization and government agencies. These standards and specifications require testing, certification, and markings to identify the manufacturers. Primarily, the Act requires that the manufacturers conform to the standards and provide paperwork as an assurance to the customer that the necessary standards and

specifications have been met. Therefore, the entire purpose is to ensure that the required procedures have been followed by the manufacturers, registrar accreditors, registrars, laboratory accreditors, and laboratories. These procedures are prescribed by the standards developed by the International Organization for Standardization (ISO): ISO/IEC 17025 for laboratories, ISO/IEC 17011 for laboratory accreditors and for registrar accreditation bodies and ISO/IEC Guide 62 for quality system registration bodies.

Petitions to consider a document as an alternative to one of the ISO/IEC documents may be accepted by the Director of NIST for use provided the document provides equal or greater rigor and reliability as compared to the ISO/IEC document. In order to accredit fastener testing laboratories or quality system registrars, an accreditation program must meet all criteria specified in the Act and in the proposed 15 CFR Part 280. The proposed information collection is essential for NIST to meet NIST's and the Department's statutory responsibilities under the Act.

This information collection and dissemination will comply with the NIST CIO Information Quality Guidelines and Standards.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

At all stages of collection of information, the use of personal computers and other modern tools of information technology, such as Internet will be used. The Internet is used as a tool for NIST to provide information and necessary forms to be downloaded for self-declaration (see http://ts.nist.gov/ts/htdocs/230/235/FQA/fqa.htm). No unnecessary information requirements will be imposed. In addition, personal computers will be used to facilitate data collection, processing and analysis.

4. Describe efforts to identify duplication.

Information requirements contained in the information declaration package are specific to the Act and are not duplicated by other government programs. The major part of these requirements are those required by the standards and specifications the industry is expected to follow. The requirements of the Act are only a small portion of the total paperwork the industry is already preparing in order to conform to the standards and specifications.

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

The self-declaration by accreditors of laboratories and quality system registrars for purposes of the Act is available to private sector (domestic and foreign) accreditation bodies, regardless of

size. The criteria for self-declaration will be uniformly applied. In addition, the information collected will be the minimum required to determine an accreditation program's compliance with the requirements of the Act. Small businesses have no additional requirements to meet.

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

There are no appropriate alternatives to the information declaration. The information obtained does not exist elsewhere--only applicants can supply the necessary information. If we do not collect this information, we will be unable to carry out NIST's responsibilities under the Act.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The proposed collection of information will be consistent with the guidelines in 5 CFR 1320.8 (d), except that information must be retained for five years instead of three years as prescribed by the Paperwork Reduction Act.

The Act requires manufacturers and importers to retain a record of conformance for fasteners for a period of five years. Retaining accreditation records for less than five years would make it difficult, if not impossible, for the Secretary to determine whether the cause of any violations of the Act uncovered during that period is assignable in whole or in part to deficiencies or errors in the accreditation process and to impose appropriate civil and/or criminal penalties as required under the Act.

Retaining such records for five years also will aid the accreditation body and registrar in protecting against potential civil/criminal proceedings during that period.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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 on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice soliciting public comment was published on May 16, 2006 (attached). No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

NIST does not make any payments to any organization making a self-declaration.

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

No information considered confidential or proprietary will be disclosed pursuant to a Freedom of Information Act request except in accordance with 15 CFR Part 4, section 4.7.

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 information collection does not include questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

Estimated Burden of Information Collection:

Affirmations	
Number of Applicants	1
Frequency of Response[1]	1
Hours per Response	1.5 hours
Total Burden for Respondents	1.5 hours[2]
Petitions	
Number of Petitioners	1
Frequency of Response[3]	1
Hours per Response	20 hours
Total Burden for Respondents	20 hours[2]
Total Burden for Affirmations and Petitions	21.5 hours rounded to 22 hours

1 Applicants will normally submit only one application which remains in force until they report to NIST that they no longer meet the requirements of the applicable ISO/IEC Guide.
2 No additional record keeping requirements will be imposed under this information collection system. Record keeping burden to comply with the 5-year record keeping requirements under the Fastener Quality Act is expected to be 1 hour per year per approved applicant.
3 Petitioners will submit only one petition for a document to be considered for approval by the Director.
2

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

These costs are negligible.

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

The cost to NIST to maintain the list of accreditation bodies affirming that they meet the requirements of the applicable ISO/IEC Guide is estimated at $1,000 per year. In addition, the cost to process two submissions per year is $4,000 per year.

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

The burden hours are being changed from 21 to 22 as a result of a rounding error on prior submission. Estimate is 21.5 hours rounded to 22 hours.

16. For collections whose results will be published, outline the plans for tabulation and publication.

The information collected from the laboratory and registrar accreditation bodies is for self-declaration purposes only, and no publication is required. The list of laboratory and registrar accreditation bodies that have self-declared will be maintained on the NIST FQA web site (www.nist.gov/fqa).

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

We are not seeking OMB approval to not display the expiration date of the information collection.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions claimed.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Collection does not employ statistical methods.

In addition to OMB 83-1, the following documents are attached as part of this submission:

Attachment 1: Proposed Information Collection: Comment Request, FR Notice May 16, 2006.

Attachment 2: Information declaration to be completed by Laboratory Accreditation.

Attachment 3: Information declaration to be completed by Registrar Accreditation Body.

Attachment 4: Information declaration to be completed by a petitioner requesting the Director's approval to use another document as an alternative to the ISO/IEC Document.

Attachment 5: The Fastener Quality Act, Public Law 101-592 as amended by Public Law 104-113, Public Law 105-234 and Public Law 106-34.