

**STATEMENT OF DETERMINATION**  
**DFARS Case 2007-D001, Carriage Vessel Overhaul, Repair, and Maintenance**

1. In accordance with 5 CFR 1320.13, the senior official, or designee, of the Department of Defense has determined that this collection of information is needed prior to the expiration of the time periods under 5 CFR 1320, and that it is essential to the mission of the agency. The agency cannot reasonably follow the normal clearance procedures under 5 CFR 1320, since such procedures would delay compliance with section 1017 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364).

2. The Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics/Defense Acquisition Regulations System is submitting the subject requirement for emergency review and approval. This emergency submission is necessary and appropriate to implement section 1017 of Public Law 109-364. Section 1017 requires the Secretary of Defense to issue an acquisition policy that establishes, as a criterion required to be considered in obtaining carriage of cargo by vessel for the Department of Defense, the extent to which an offeror of such carriage has had overhaul, repair, and maintenance work for covered vessels performed in shipyards located in the United States or Guam. In addition, section 1017 requires the Department to submit an annual report to the congressional defense committees regarding overhaul, repair, and maintenance performed on covered vessels of each offeror to which the acquisition policy applies. The implementing amendments to the Defense Federal Acquisition Regulation Supplement will provide for collection of information from offerors, under solicitations for carriage of cargo by vessel for the Department of Defense, to permit evaluation of offers and submission of annual reports to Congress as required by section 1017 of Public Law 109-364. If this data collection is not approved under an emergency process, it will impede the Department's ability to comply with the statutory requirements.

3. The information that is requested is the minimum necessary to comply with the provisions of section 1017 of Public Law 109-364. A notice will be published in the Federal Register prior to the submission of a subsequent information collection package to the Office of Management and Budget under regular processing timeframes.