

## **SUPPORTING STATEMENT**

### **Various Homeland Security Acquisitions Regulations Forms**

**(OMB No. 1600-0002)**

This justification supports a request for an extension of approval of OMB Control Number 1600-0002 to collect information under the Homeland Security Acquisition Regulation (HSAR), the agency acquisition regulatory supplement to the Federal Acquisition Regulation (FAR).

#### **A. JUSTIFICATION**

##### **1. Circumstances Making the Collection of Information Necessary**

This information collection under the HSAR is necessary in order to implement applicable parts of the FAR (48 CFR). The four forms under this collection of information request are used by offerors, contractors, and the general public to comply with requirements in contracts awarded by the Department of Homeland Security (DHS). The four forms are DHS Form 0700-01, Cumulative Claim and Reconciliation Statement; DHS Form 0700-02, Contractor's Assignment of Refund, Rebates, Credits and Other Amounts; DHS Form 0700-03, Contractor's Release; and DHS Form 0700-04, Employee Claim for Wage Restitution. These four forms will be used by contractors and/or contract employees during contract administration. A fifth form, DHS Form 0700-05, Contractor's Report of Government Property, which was included with initial clearance and approval for this OMB control number 1600-0002 in September 2004, is obsolete due to recent changes in the FAR 48 CFR Chapter 2.

##### **2. Purpose of Use of the Information Collection**

The information will be used by DHS contracting officers to ensure compliance with terms and conditions of DHS contracts and to complete reports required by other Federal agencies such as the General Services Administration and the Department of Labor. If this information is not collected, the DHS could inadvertently violate statutory or regulatory requirements and the DHS's interest concerning inventions and contractor's claims would not be protected.

##### **3. Use of Improved Information Technology and Burden Reduction**

The applicable four DHS forms will be available on the DHS Homepage ([www.dhs.gov](http://www.dhs.gov)). The information requested by these forms is required by the FAR requirements as implemented in the HSAR.

##### **4. Efforts to Identify Duplication and Use of Similar Information**

Efforts to avoid duplication of these requirements are accomplished by: (1) monitoring of the acquisition processes and procedures of the various DHS Components; (2) reviewing proposed and published changes to the FAR; and (3) providing one location for the final review and approval of all proposed acquisition

regulations for DHS.

**5. Impact on Small Business or Other Small Entities**

The HSAR is continuously reviewed to determine whether the requirements remain valid. The FAR recent changes to Part 45, Government Property affected the agency reporting requirement to the extent that the DHS Form 0700-05, Contractor's Report of Government Property was determined obsolete.

**6. Consequences of Collecting the Information Less Frequently**

DHS's ability to meet requirements imposed by statutes and Federal regulations would be negatively impacted without these forms.

**7. Special Circumstances Relating to the Guidelines of 5CFR 1320.5**

There are no special or identifiable circumstances that would cause or require the collection of information in a manner inconsistent with these guidelines.

**8. Efforts to Consult Outside the Agency**

The notice of proposal to request an extension of OMB Control Number 1600-0002 was published in the Federal Register on August 23, 2007 at 72 FR 48290. Comments were due on October 22, 2007, and none were received from the public in response to the notice.

**9. Explanation of Payments and Gifts to Respondents**

There will be no payment or gifts made to respondents.

**10. Assurance of Confidentiality Provided to Respondents**

There are FAR and HSAR clauses that require protection of rights in data and proprietary information if requested and designated by an offeror or contractor.

**11. Justification for Sensitive Questions**

There are the necessary assurances for these forms and the collection of private information or confidentiality for the respondents as provided in the FAR, HSAR and agency directives on the safeguarding of proprietary, confidential and sensitive information.

**12. Estimates of Annualized Burden Hours and Costs**

Annual Estimated Burden: The annual estimated burden is 7,101 hours.

Nature of Burden	Total annual paper burden (number of respondents x estimated time per respondent x frequency) = total burden hours.	
Formula	R = number of respondents T = time per respondent F = frequency B = Burden	$R \times T \times F = B$

- \* Submit forms to provide the data required by various FAR clauses to facilitate contract closeout:

Form	Formula > R x T x F =	Burden> B
DHS Form 0700-01	589 x 1 x 1	589
DHS Form 0700-02	589 x 1 x 1	589
DHS Form 0700-03	5,898 x 1 x 1	5,898

- \* Submit claim form for nonpayment of wages. Information needed to seek restitution, via the Government Accountability Office (GAO) for contractor employees:

Form	Formula > R x T x F =	Burden> B
DHS Form 0700-04	25 x 1 x 1	= 25

The asterisk (\*) denotes that the requested information is, in the strictest sense of the word, contract administration data. It is not data of a general nature solicited from the public at large. This information is furnished to the Government by contractors who are being paid to meet all the terms and conditions of the contract.

### 13. Estimates of Annualized Capital and Start-up Costs

There are no annualized capital or start-up costs for this collection or additional costs to the respondents.

### 14. Annualized Cost to the Federal Government

There are no annualized costs to the federal government.

### 15. Explanation for Program Changes or Adjustments

An adjustment in annual burden is necessary at this time in the amount of 3673 actions and hours. The initial annual burden was based on a lower number of contract actions which related to the fact that DHS was a new agency with consolidated acquisition procedures, processes, and policies.

DHS Form 0700-05 has been removed from the collection. A pending HSAR change will include designation of the DHS Form 0700-05, Contractor Report of Government Property as obsolete. DHS Form 0700-04, Employee Claim for Wage Restitution, requires an amendment to reflect a name change. The office designated for receipt of the claim currently appears as "The General Accounting Office" but the name has changed to "The Government Accountability Office". No other amendments to the DHS HSAR forms are planned.

### 16. Plans for Tabulation and Publication

There is no planned publication of information for statistical use.

### 17. Reason(s) Display of OMB Expiration Date is Inappropriate

DHS/ OCPO is not seeking an exception to not display the expiration date.

**18. Exceptions to the Certificate of the Paperwork Reduction Act Submissions**

There are no exceptions to the certification statement.

**COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.