

Supporting Statement
For Paperwork Reduction Act Submission
9000-0155, PROHIBITION OF ACQUISITION OF PRODUCTS PRODUCED BY
FORCED OR INDENTURED CHILD LABOR

A. Justification.

1. **Administrative requirements.** This is a request for an OMB approval of a new information collection requirement under a new Federal Acquisition Regulation subpart 22.15 and related clauses. We plan to issue this requirement as a proposed rule under FAR Case 99-608. As prescribed in the proposed rule, the Contracting Officer must include the provision at 52.222-18 in all solicitations expected to exceed the micropurchase threshold for end products (regardless of country of origin) of a type identified by country on the DoL List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor.

This information collection requirement pertains to the certification required by the offeror that the offeror will not supply an end product on the List from a country identified on the List for that product, or the offeror will supply such product, but certifies that the offeror made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any product furnished under the contract and is unaware of any such use of child labor.

This new requirement is necessary to comply with Executive Order 13126, Prohibition on Acquisition of Products Produced by Forced or Indentured Child Labor, signed by President Clinton on June 12, 1999.

2. **Uses of information.** This information is used by Government contracting officers to ensure that a good faith effort has been made to determine whether forced or indentured child labor was used to mine, produce, or manufacture any product on the List furnished under the contract.

3. **Consideration of information technology.** We use improved information technology to the maximum extent practicable. Where both the Government agency and contractors are capable of electronic interchange, the contractors may submit this information collection requirement electronically.

4. **Efforts to identify duplication.** This requirement is being issued under the Federal Acquisition Regulation (FAR) which has

been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

5. If the collection of information impacts small businesses or other entities, describe methods used to minimize burden. The collections associated with small businesses are the minimum consistent with applicable DoL regulations and prudent business practices.

6. Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently. This information is collected on occasion, only when an item being is acquired on the DoL list. Collecting this information less frequently would render the requirement of the Executive Order unenforceable.

7. Special circumstances for collection. We will not collect the information in a manner that requires an explanation of special circumstances.

8. Efforts to consult with persons outside the agency. This rule implements DoL guidance to all Government contracting agencies of the Federal Government and the District of Columbia concerning the prohibition on acquisition products produced by forced or indentured child labor. A notice in the *Federal Register* at 72 FR 67920, December 3, 2007, made this requirement available to the public and requested comments. No major problems regarding this requirement were reported.

9. Explanation of any decision to provide any payment or gift to respondents, other than reenumeration of contractors or guarantees. Not applicable.

10. Describe assurance of confidentiality provided to respondents. The information collected will be disclosed only to the extent consistent with prudent business practices, current regulations, and in accordance with the requirements of the Freedom of Information Act. No assurance of confidentiality is provided to respondents.

11. Additional justification for questions of a sensitive nature. No sensitive questions are involved.

12 & 13. Estimated total annual public hour and burden.

We based the estimated hour burden of the collection of information and the estimated annualized cost to respondents on information obtained from subject matter experts familiar with the approximate number of solicitations/contracts likely to contain this clause and the range of processing times, depending on the complexity of the contract. The burden addressed in this

information collection requirement is the burden of conducting the good faith effort and completing the certification.

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| Estimated respondents/yr. | 500 |
| Annual responses | <u>1</u> |
| Total annual responses | 500 |
| Estimated hrs/response | <u>X.50</u> |
| Estimated total burden/hrs | 250 |
| Cost per hour | x <u>\$27</u> |
| Estimated cost to public | \$6,750 |

The estimated cost of \$27.00 per hour is based on the equivalent of a GS-11, step 5 salary plus 32.45 percent burden

14. Estimated cost to the Government.

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|--------------------------|---------------|
| Total annual responses | 500 |
| Total hours per response | <u>.25</u> |
| Total burden hours | 125 |
| Average wages | x <u>\$27</u> |
| Total cost to Government | \$3,375 |

The cost of \$27.00 per hour is based on GS-11, step 5 salary plus 32.45 percent burden.

15. Explain reasons for program changes or adjustments reported in Item 13 or 14. This submission requests an extension of OMB approval of an information collection requirement in the FAR. The information collection requirement in the FAR remains unchanged.

16. Outline plans for published results of information collections. We will not publish the results of this information collection.

17. Approval not to display expiration date. Not applicable.

18. Explanation of exception to certification statement. Not applicable.

B. Collections of Information Employing Statistical Methods. Statistical methods are not used in this information collection.