

**SUPPORTING STATEMENT  
HOMELAND SECURITY ACQUISITION REGULATION (HSAR)  
OMB CONTROL NO. 1600-0003  
POST-AWARD CONTRACT INFORMATION**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Department of Homeland Security (DHS) Components and the Office of the Chief Procurement Officer collect information, when necessary in administering public contracts for supplies and services. The information is used to determine compliance with contract terms placed in the contract as authorized by the Federal Property and Administrative Services Act (41 U.S.C. 251 *et seq.*) and the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1). Examples of the kinds of post-award contract information collected are identified in pertinent sections of FAR 4.803, Contents of contract files. The complete FAR can be viewed on the Internet at <http://www.arnet.gov>.

The prior information collection request for OMB No. 1600-0003 was approved through August 31, 2008 by OMB in a Notice of OMB Action on August 17, 2005.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information requested is used by the Government's contracting officers and other acquisition personnel, including technical and legal staffs to determine contractor's technical and management progress and controls of the firms holding public contracts to determine if the firms are making appropriate progress in work agreed to and are otherwise performing in the Government's best interest. Payment of a firm's invoices (or non-payment) and/or corrective action may result from such reviews. If this information were not collected, the Government would jeopardize its operations by failing to exercise its responsibility for a major internal control in its contracts' post-award phase.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any considerations of using information technology to reduce burden.**

Many sources of the requested information use automated word processing systems, databases, spreadsheets, project management and other commercial software to facilitate

preparation of material to be submitted, particularly in the submission of periodic (e.g., monthly) reports that describe contractor performance and progress of work . With Governmentwide implementation of e-Government initiatives, it is commonplace within many of DHS's Components for submissions to be electronic.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information collected from the public under this request complements but does not duplicate vendor information available to the Governmentwide acquisition community through IAE systems including the Central Contractor Registration (CCR) (collects, validates, stores, and disseminates basic vendor information relevant to procurement and financial transactions); Online Representations and Certifications Application (ORCA) (replaces contractor paper-based representations and certifications); Past Performance Information Retrieval System (PPIRS) (a web-enabled, Governmentwide application that provides pertinent contractor past performance information to the Federal acquisition community for use in making source selection decisions); and the Excluded Parties List System (EPLS) (provides a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and non-financial assistance and benefits).

DHS Components are encouraged to require only the minimum post-award contract information, essential to proper protection of the Government's interests.

**5. If the collection of information impacts small or other small entities (Item 5 of the OMB Form 83-I), describe any methods used to minimize burden.**

Information collection may or may not involve small business contractors, depending on the particular transaction. The burden applied to small businesses is the minimum consistent with the goals of achieving timely resolution of agency protests/resolution of contract claims.

**6. Describe consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Less frequent incidence of collecting such information as a contractor's progress made or its controls over Government furnished property would negatively affect the quality of products and services DHS receives from contractors. For example, firms could complete lengthy studies without providing progress reports to the Government and deliver a final report with substantive weaknesses which could have been identified and strengthened earlier. Also, contractor progress payments are contingent on such reporting, and, in the absence of reports there would be no basis for making such payments. Defective, inadequate, or over-budget contractor deliverables and contractor

failure to control Government furnished property would adversely affect DHS's mission requirements in all areas.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid or reliable results that can be generalized to the universe of study;**
- **Requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Not Applicable. There are no special circumstances that would cause an information collection to be conducted in any manner indicated above.

**8. If applicable, provide a copy and identify the date and page number of the publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-Day Notice and request for comments: Extension without change of a currently approved collection, 1600-0003 was published in the *Federal Register* on June 6, 2008, at 73 FR 32341. Comments are due by August 5, 2008. No comments have been received to date. A copy of the *Federal Register* notice is attached.

**9. Explain any decision to provide any payment or gifts to respondents, other than remuneration of contractors or grantees.**

Not Applicable. There will be no payment or gifts made to respondents.

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

Disclosure/non-disclosure of information is handled in accordance with the Freedom of Information Act, other disclosure statutes, and Federal and agency acquisition regulations.

**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 justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to the person from whom the information is requested, and any steps to be taken to obtain their consent.**

Not Applicable. Questions posed as a means of obtaining contract administration information are of a business rather than a personal or private nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of responses, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated burden Hours:

Number of Respondents .....	4,061
Number of Responses .....	12,183
Total Burden .....	170,562

The burden hour estimate is based upon Federal Procurement Data System (FPDS) data related to DHS's award of definitive contracts; an estimated average of three reports per respondent, and an estimated burden of 14 hours for the development of each response/report. However, see response to Item 13.

Use of electronic commerce and automated systems should gradually reduce the burden to contractors.

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)**

- **The cost estimated should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Such costs could not be estimated, as the size and complexity of each request for information is dependent upon the circumstances of the particular contract's requirements, e.g., information requests can range from the request for a minor invoice correction to more complex information needed, e.g., Earned Value Management

information, to assess contractor performance and progress, or final reports necessary for the close-out of a contract.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Such costs could not be estimated, as the size and complexity of each request for additional information is dependent upon the circumstances of the particular acquisition.

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

The burden estimates provided in response to Item 12 above, are based upon definitive contract award data reported by DHS and its Components to the Federal Procurement Data System (FPDS).

**16. For collection of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

There is no planned publication of information for statistical use.

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

The OMB control number and expiration date will be displayed on the information collection.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

Not applicable. There are no exceptions to the certification statement.

## **B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.