

OMB Case 0704-0441
SUPPORTING STATEMENT

A. Justification

1. Requirement. This is a request for extension of OMB Control Number 0704-0441 that will expire on June 30, 2010. DoD proposes that OMB extend its approval for use through June 30, 2013, with no change in the substance or method of collection. The information collection includes the requirements relating to DFARS Part 246, Quality Assurance, and related clause.

a. DFARS 246.371, Notification of Potential Safety Issues, prescribes use of the clause at DFARS 252.246-7003, Notification of Potential Safety Issues, to require DoD contractors to provide timely notification to the Government of any nonconformance or deficiency that could impact the safety of items acquired by or serviced for the Government. DFARS 252.246-7003 is required in solicitations and contracts for the acquisition of:

(1) Repairable or consumable parts identified as critical safety items;

(2) Systems and subsystems, assemblies, and subassemblies integral to a system; or

(3) Repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system.

b. DFARS 212.301(f)(xi) requires use of DFARS 252.246-7003 as prescribed in DFARS 246.371 for solicitations and contracts for the acquisition of commercial items.

c. DFARS 244.403 requires the use of DFARS 252.244-7000, Subcontracts for Commercial Items and Commercial Components (DoD Contracts), in solicitations and contracts for supplies or services other than commercial items that contain the clause at DFARS 252.246-7003. DFARS 252.244-7000 requires that contractors include DFARS 252.246-7003 when applicable in subcontracts for commercial items or commercial components awarded at any tier under the contract.

2. Purpose. DoD needs this information to ensure that the Government receives timely notification of item non-conformances or deficiencies that could impact safety. The Procuring Contracting Officer (PCO) and the Administrative Contracting Officer (ACO) use the information to ensure that the customer is aware of potential safety issues in delivered products, has a

basic understanding of the circumstances, and has a point of contact to begin addressing a mutually acceptable plan of action.

3. Information Technology. The nature of the reporting requirement renders it not conducive to automated collection. No specific notification method is mandated in order to provide contractors maximum flexibility to ensure rapid notification to contracting offices. There are no forms associated with the reporting requirement.

4. Duplication. As a matter of policy, we review the Federal Acquisition Regulation to determine if adequate language already exists. The language in DFARS Part 246 applies solely to DoD and is not considered duplicative of the language in FAR Part 46. Again, due to the nature of the reporting requirement being contract specific, similar information is not readily available.

5. Small Business. The collection of this information is not expected to have a significant impact on a substantial number of small businesses or other small entities. The requirements for information collection are only occasional as the circumstances dictate. The burden applied to small business is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. Consequences for Non-collection. The consequence of not collecting this information is the potential of incurring serious safety repercussions. DFARS 252.246-7003 requires notification where any failure or malfunction of critical safety items could result in death, permanent total or partial disability, injury, or occupational illness requiring hospitalization, loss of a weapon system, or property damage exceeding \$1,000,000.

7. Special Circumstances. There are no special circumstances for collection. Collection of this information is consistent with the guidelines at 5 CFR 1320.5(d)(2).

8. Public Comments and Consultation. Collection is consistent with the guidelines in 5 CFR 1320.6. Public comments were solicited in the Federal Register (FR 75, 10790) March 9, 2010. No comments were received in response to this notice.

9. Payment to Respondents. No payment or gift will be provided to respondents, other than remuneration of contractors under their contracts.

10. Confidentiality. This information is disclosed only to the extent consistent with prudent business practices, and current regulations and statutory requirements.

11. Sensitive Questions. No sensitive questions are involved.

12. Estimates of Public Burden Hours and Associated Annualized Cost. The estimate of public burden was based on safety problems experienced in Naval aviation. A maximum of 100 notifications are expected annually. The estimated annual cost to the public is as follows. Please note that all extrapolations are rounded and are not exact.

	Note	252.246-7003
Number of Respondents		100
Responses to Respondents		1
Annual Responses		100
Hours Per Response		1
Total Hours		100
Cost Per Hour	(1)	\$38
Total Annual Cost to Public		\$3,800

Note (1): The cost per hour is based on mid-point of Professional/Analytical (YA) Pay Band 2 salary for 2009 plus 21.0% Other Defense Agencies civilian personnel fringe benefit rate for 2009 ($\$31.70 \times 121\% = \38.35 rounded to \$38).

13. Estimated Nonrecurring Costs. None.

14. Estimated Annual Cost to the Government. The time required for Government review is based on receiving, reviewing, and notifying affected parties of the information submitted by the contractor. Required Government actions are clear cut and require a minimum investment of time to provide notice and obtain points of contact which would consist of telephone interaction or notice by email. PGI 246.371, Notification of Potential Safety Issues, requires the following actions:

a. The PCO must advise the affected program office(s) or integrated materiel manager(s) and request a points of contact from those offices;

b. The ACO must confirm that potentially affected program offices, integrated materiel managers, and other contract management offices that may be recipients of the suspect items are aware of the situation, and identify points of contact.

c. For replenishment parts, the integrated materiel manager must identify any potentially affected programs or equipment, and request engineering assistance from affected engineering support activities.

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15. Program Changes. This is a request for extension of a currently approved collection. The changes to Items 12 and 14, above, are due to using more current cost per hour data.

16. Publication. Results of this collection will not be published.

17. Expiration Date. We do not seek approval to not display the expiration dates for OMB approval of the information collection.

18. Certification. There are no exceptions to the certification accompanying this Paperwork Reduction Act submission.

B. Collections of Information Employing Statistical Methods.

Statistical methods will not be employed.