

**OMB Clearance No. 0704-04ZZ**  
**DFARS Case 2009-D012**  
**Foreign Participation in Acquisition in Support of Operations**  
**in Afghanistan**

**A. SUPPORTING STATEMENT**

**1. Need for the information collection.** This is a request for a new information collection requirement that requires submission of the information to a third party.

DoD is issuing a final rule to implement-

0 Waiver of the section 302(a) of the Trade Agreements Act of 1979, as amended, which prohibits acquisitions of products or services from non-designated countries, in order to allow acquisition from the nine South Caucasus/Central and South Asian (SC/CASA) states; and

0 Determination of inapplicability of the Balance of Payments Program evaluation factor to offers of products (other than arms, ammunition, or war materials) from the SC/CASA states to support operations in Afghanistan.

**DFARS 252.225-7021(d)** - In order to comply with a condition of the waiver authority provided by the United States Trade Representative to the Secretary of Defense, the contractors from South Caucasus/Central and South Asian states must inform their governments regarding their participation in DoD acquisitions and also to advise their governments that they generally will not have such opportunities in the future unless their governments provide reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services (TAB A).

2. The USTR requires that contractors from South Caucasus/Central and South Asian states provide this information to their government in order to influence their governments to provide reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services.

3. Improved information technology will be used to the maximum extent practicable. Offerors and contractors may submit the required information electronically.

4. As a matter of policy, DoD reviews the Federal Acquisition Regulation (FAR) to determine if adequate language already exists. This information collection does not duplicate any other requirement at this time.

5. The information collection does not impact small businesses covered by the Regulatory Flexibility Act. Only contractors will be required to submit this information.

6. Less frequent collection of the information would not permit DoD to comply with the USTR requirement that contractors from South Caucasus/Central and South Asian states provide this information to their government in order to influence their governments to provide reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services.

7. Collection is consistent with the guidelines in 5 CFR 1320.5(d). The information will not be collected in a manner that requires an explanation of special circumstances.

8. Public comments were solicited in the Federal Register (75 FR 832) on January 6, 2010, as required by 5 CFR 1320.8(d) (TAB B). There were no public comments addressing the information collection requirement.

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

10. Information will not be disclosed.

11. No sensitive questions are involved.

**12. Estimated total annual public hour burden.** The annual total burden hours are estimated as follows:

A.	Number of respondents	100
B.	Responses per respondent	1
C.	Total annual responses	100
D.	Hours per response	.25
E.	Total hours	25
F.	Cost per hour	\$50
G.	Annual cost to respondents	\$1,250

**13. Capital start-up or operational land maintenance costs.**  
None.

**14. Estimated cost to the Government.** None. This information is provided to a third party – the governments of South Caucasus/Central and South Asian states.

15. This is a new information collection requirement.

16. Results of this information collection will not be tabulated or published.

17. DoD does not seek approval to not display the expiration dates for OMB approval of the information collection.

18. 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.