

**SUPPORTING STATEMENT**  
**HOMELAND SECURITY ACQUISITION REGULATION (HSAR)**  
**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.

**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)). These forms can be filled in electronically and can be submitted via emailed or facsimile devices to the specified government person. Since the responses must meet specific timeframes to the specified contracting officer, a centralized mailbox or website would not be an expeditious or practical method of submission. The use of email or facsimile to the specified contracting officer is the best solution and commonly used in the government. The information requested by these forms is required by the FAR requirements as implemented in the HSAR. The forms are prescribed for use in the closeout of applicable contracts, as specified in (HSAR) 48 CFR 3004.804-570: (a) DHS Form 0700-01, Cumulative Claim and Reconciliation Statement. (See (HSAR) 48 CFR 3004.804-570(a)(1).) (b) DHS Form 0700-02, Contractor's Assignment of Refunds, Rebates, Credits and Other Amounts. (See (HSAR) 48 CFR 3004.570(a)(2).) (c) DHS Form 0700-03, Contractor Release. (See (HSAR) 48 CFR 3004.804-570(a)(3).)

- 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**

Information collection may or may not involve small business contractors. The burden applied to small business is the minimum consistent with the goals of ensuring responsiveness to Government requirements. To reduce burden on small business and entities the HSAR is continuously reviewed to determine whether the requirements remain valid.
  
- 6. Consequences of Collecting the Information Less Frequently**

Less frequent incidence of collecting such information would result in inadequate closeout data. The office administering the contract would not have the necessary information to determine settlement of indirect costs and/or to adequately closeout cost-reimbursement, time-and-materials, and labor-hour contracts. 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**

A 60-day Federal Register Notice inviting public comments was published on November 15, 2010, 75 FR 69688. No comments were received.

A 30-day Federal Register Notice inviting public comments was published on February 24, 2011, 76, FR 10385. No comments were received.
  
- 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. Additionally, disclosure/non-disclosure of information is handled in accordance with the Freedom of Information Act.
  
- 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 8,635 hours.

Based on current activity, we expect an estimated 718 respondents.

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

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

Table A.12: Estimated Annualized Burden Hours and Costs

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Contractor	DHS Form 0700-01	718	1	1	718	\$27.36	\$19,644.48
Contractor	DHS Form 0700-02	718	1	1	718	\$27.36	\$19,644.48
Contractor	DHS Form 0700-03	7168	1	1	7168	\$27.36	\$196,116.48
Contractor	DHS Form 0700-04	31	1	1	31	\$27.36	\$848.16
Total		8,635			8,635		\$236,253.60

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 Other Total Annual Cost Burden to Respondents and Record Keepers**

There are no record keeping, capital, start-up or maintenance costs associated with this information collection.

**14. Annualized Cost to the Federal Government**

There are no annualized costs to the federal government for this information collection.

**15. Explanation for Program Changes or Adjustments**

There has been an increase in the estimated annual burden hours previously reported for this collection. An adjustment in annual burden is necessary at this time in the amount of 1534 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. Although, there is an increase in the estimated burdened hours, there is no change in the information being collected.

**16. Plans for Tabulation and Publication**

This information collection will not be published for statistical purposes.

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

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

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

DHS does not request an exception to the certification of this information collection.

**COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.