

**OMB No. 0704-0390**  
**Supporting Statement**

**DFARS Part 229-Taxes**

**A. Justification**

**1. Requirement.** This is a request for extension of the expiration date of the information collection requirement currently approved in the amount of 300 hours under OMB Control Number 0704-0390, Taxes-Defense Federal Acquisition Regulation Supplement (DFARS) Part 229 and related clauses at 252.229. OMB Control Number 0704-0390 expires October 31, 2011.

The clause at DFARS 252.229-7010, Relief from Customs Duty on Fuel (United Kingdom), is prescribed in DFARS 229.402-70(j), for use in solicitations issued/contracts awarded in the United Kingdom that require the use of fuels (gasoline or diesel) and lubricants in taxis or vehicles other than passenger vehicles (TAB A). This clause implements an agreement between the United States Government and Her Majesty's (HM) Customs and Excise of the United Kingdom. The clause requires the contractor to submit to the contracting officer evidence that an attempt to obtain relief from customs duty on fuels and lubricants has been initiated.

**2. Purpose.** This information, that the contractor has initiated an attempt to obtain relief, is used by Government contracting officers to determine adjustments to the contract price. If an attempt to obtain relief has been initiated, then the contracting officer will await the decision of HM Customs and Excise before appropriately adjusting the contract price. If the contractor does not attempt to obtain relief within the time specified, the contracting officer may deduct from the contract price the amount of relief that would have been allowed if HM Customs and Excise had favorably considered a request for relief.

**3. Information Technology.** Improved information technology is used to the maximum extent practicable. This information collection complies with the Government Paperwork Elimination Act, Pub. L. 105-277, Title XVII.

**4. Duplication.** As a matter of policy, DoD reviews the Federal Acquisition Regulation (FAR) to determine if adequate language already exists. This request for information applies solely to DoD and does not duplicate any other requirement. Similar information is not already available to the Government.

**5. Small business.** The burden applied to small business is the minimum consistent with applicable laws, Executive orders, regulations and prudent business practices. These collections are not expected to have a significant economic impact on a substantial number of small entities because the burdens imposed are not significant and most contractors to which the rule applies are not "small entities" as defined in 5 U.S.C. 601.

**6. Consequences for noncollection.** This collection of information is conducted on an occasional basis as the need arises to obtain tax relief. Less frequent collection or no collection of information would result in increased costs for the Government.

**7. Special circumstances.** The information will not be collected in a manner that requires an explanation of special circumstances. Collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

**8. Public comments and consultation.** This information collection is consistent with the guidelines in 5 CFR 1320.5(d). Public comments were solicited in the *Federal Register* (76 FR 36095) on June 23, 2011 (TAB D). No public comments were received.

**9. Payment to respondents.** No payments or gifts will be provided to respondents to this information collection requirement, other than remuneration to contractors under their contracts.

**10. Confidentiality.** This information is disclosed only to the extent consistent with prudent business practices, current regulations, statutory and Freedom of Information Act requirements. No assurance of confidentiality is provided to respondents. A Systems of Records notice is not required as information collected is business related.

**11. Sensitive questions.** No sensitive questions are involved.

**12. Estimate of public burden.**

Number of respondents	Note (1)	75
Responses per respondent	(1)	1
Total annual responses		75
Hours per response	(1)	4
Total hours		300
Cost per hour	Note (2)	\$24.24
Total annual cost to public		\$7,332

Notes:

(1) Historical data from previous information collection approvals were used to estimate the number of responses, the average time per response, and the equivalent GS level of the contractor personnel performing the effort.

(2) Based on GS-7, step 5 hourly rate (\$18.45) for calendar year 2011 plus 32.45 percent burden (\$5.99), equals \$24.24 per hour.

**13. Estimated nonrecurring costs.** Estimates of annualized public cost burden, other than costs associated with burden hours: None.

**14. Estimated cost to the Government.**

Total annual responses	Note (1)	75
Hours per response	(2)	1
Total annual hours		75
Cost per hour	(3)	\$36.17
Total annual cost to Government		\$2,713

Notes:

(1) See Item 12, above.

(2) The estimated 1 hour per response is based on the time required for the Government to receive, review, and analyze the information submitted by the contractor.

(3) Based on GS-11, step 5 hourly rate (\$27.31) for calendar year 2011 plus 32.45 percent burden (\$8.86), equals \$36.17 per hour.

**15. Program changes.** The changes in Items 12 and 14, above, are due to using more current cost per hour data.

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

**17. Expiration date.** We do not seek approval not to display the expiration date 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.