

Paperwork Burden Analysis
OMB Clearance Number 0704-XXXX

A. Justification

1. This is an emergency request for a new information collection requirement. The clearance covers Defense FAR Supplement (DFARS) subpart 225.7X, Export Control, and the provision at 252.225-70XX, Exports of Approved Community Members in Response to the Solicitation. The provision requires a representation whether exports or transfers of qualifying defense articles were made in preparing the response to the solicitation. If yes, the offeror represents that such exports or transfers complied with the requirements of the provision.

2. The information is used by contracting officers to check compliance with the requirements of the Treaty.

3. Improved information technology is used to the maximum extent practicable. This information collection requirement may be accomplished electronically where the DoD and the contractor are capable of electronic interchange.

4. As a matter of policy, DoD reviews the Federal Acquisition Regulation (FAR) to determine whether adequate language already exists. The language in DFARS subpart 225.7X and the provision at 252.225-70XX apply solely to DoD and are not duplicative of language in the FAR. Similar information is not otherwise available to contracting officers.

5. The collection of information is not expected to have a significant impact on a substantial number of small businesses or other small entities. The great majority of industry members of the Approved Community are not small businesses due to the specialized knowledge of export control regulations and the cost involved in compliance. The requirements for information collection are only occasional, as the circumstances dictate, and the burden on large and small entities is the minimum consistent with law, regulation, and prudent business practice.

6. The information is collected from offerors responding to a solicitation when export-controlled items are expected to be involved in the performance of the contract, the clause 252.204-

7008 is used, and at least one contract line item is intended to satisfy a U.S. DoD Treaty-eligible requirement. Less frequent collection would not provide the timely information required in conducting the acquisition.

7. The information will not be collected in a manner that requires an explanation of special circumstances.

8. Public comments will be solicited in the Federal Register with publication of the interim rule.

9. No payment or gift will be provided to respondents to this information collection requirement other than remuneration of contractors.

10. The information collected will be disclosed only to the extent consistent with prudent business practices, current regulations, and in accordance with the requirements of the Freedom of Information Act. No assurance of confidentiality is provided to respondents.

11. No sensitive questions are involved.

12. Estimated Cost. The public burden is estimated as follows:

a. The provision requires a representation whether exports or transfers of qualifying defense articles were made in preparing the response to the solicitation. If yes, the offeror represents that such exports or transfers complied with the requirements of the provision.

DoD estimates the number of respondents to be 110 based on an estimate of 22 solicitations per year meeting the specified requirements for use of the provision. DoD estimates it will require approximately 0.1 hours per response. Estimated public burden--

Number of Respondents	110
Responses per Respondent	x 1
Number of Responses	110
Average Hours per Response	x 0.1
Estimated Hours	11
Cost Per Hour ¹	<u>x \$36</u>
Total Annual Public Burden	\$396

¹ Based on 2011 OPM GS-11, Step 5 salary, plus 32.45% estimated overhead computed as follows:

GS-11 Step 5 Hourly Rate	\$27.31
Times Estimated Overhead	<u>32.45%</u>
Equals	<u>\$36.17</u>
Rounded to	<u>\$36.00</u>

13. There is no annual cost to respondents or record keepers other than the hourly burden shown in items 12 and 14.

14. Government review of the submissions from contractors is estimated to take eight hours per submission, assuming that electronic processes will be used. The estimated Government burden--

Number of Responses ²	110
Average Hours Per Response	<u>x.5</u>
Estimated Hours	55
Cost Per Hour	<u>x \$36</u>
Total Annual Government Burden	<u>\$1,980</u>

15. This is a new information collection requirement.

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

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

18. There are no exceptions to the certification accompanying this Paperwork Reduction Act submission. The information to respondents required by 50 CFR 1320.8(b)(3) will be provided in a separate Federal Register notice announcing the OMB approval of this collection of information.

B. Collections of Information Employing Statistical Methods.

Results will not be tabulated. Statistical methods will not be employed.

² Equals number of responses in 12d above.