

SUPPORTING STATEMENT FOR REQUEST FOR APPROVAL UNDER
THE PAPERWORK REDUCTION ACT AND 5 CFR 1320

SECTION A. JUSTIFICATION

1. Need for the information collection.

Federal Acquisition Regulation (FAR) Subpart 4.13 – Personal Identity Verification states that agencies must follow FIPS PUB 201 “Personal Identity Verification of Federal Employees and Contractors” and Office of Management and Budget (OMB) Guidance M-05-24, dated August 5, 2005, “Implementation of Homeland Security Presidential Directive (HSPD) 12-Policy for a Common Identification Standard for Federal Employees and Contractors” for personal identity verification. Agencies must include their implementation of FIPS PUB 201 as amended, and OMB guidance M-05-24 in solicitations and contracts that require the contractor to have routine physical access to a federally-controlled facility and/or routine access to a Federally-controlled information system.

USAID Acquisition Regulation (AIDAR) is published at 48 CFR Chapter 7. This rule revises the clause at AIDAR Clause 752.204-72 Access to USAID facilities and USAID's information systems to include submission of monthly staff reports to better implement Homeland Security Presidential Directive-12 (HSPD-12) (August 27, 2004) and Personal Identity Verification (PIV) procedures at USAID.

The AIDAR clause is prescribed for use in contracts and solicitations when the contract requires the contractor (or contractor employees) to have routine physical access to USAID-controlled facilities in the U.S. (i.e., will need an ID for regular entry to USAID space), or have logical access to USAID's information systems and the solicitation and contract contains (48 CFR) FAR 52.204-9, Personal Identity Verification of Contractor Personnel.

Paragraph (c)(3)(ii) of the revised AIDAR clause requires:

“(d) The Contractor must send a staffing report to the COR by the fifth day of each month. The report must contain the listing of all staff members with access who were separated or hired under this contract in the past sixty (60) calendar days. This report must be submitted even if no separations or hiring occurred during the reporting period. Failure to submit the ‘Contractor Staffing Change Report’ each month may, at USAID’s discretion, result in the suspension of all logical access to USAID information systems and/or facilities access associated with this contract. USAID will provide the contractor the format for this report.”

The clause further requires that the Contractor or its Facilities Security Officer must return USAID PIV/FAC cards and remote authentication tokens issued to Contractor

employees to the Contracting Officer's Representative (COR) prior to departure of the employee or upon completion or termination of the contract, whichever occurs first.

The information collection requirement that USAID is proposing to add to the AIDAR clause is necessary to ensure the Agency's compliance with HSPD-12 and the accompanying OMB Memorandum; specifically, Agency procedures for the return of Personal Identity Verification (PIV) products shall ensure that Government contractors account for all forms of Government-provided identification issued to Government contractor employees under a contract.

Typically, the period of performance for affected Agency awards is five years with the personnel potentially changing several times during the award. The staff reporting will allow the Agency to exercise proper oversight and timely management of the USAID PIV/FAC cards assigned to contractor personnel for the duration of the award.

2. Use of the Information

The information collection will be submitted by all affected contractors to the Contracting Officer's Representative (COR). The COR will use the reports to: 1) coordinate the process of assigning PIV/FAC cards to new contractor staff, and 2) confirm that all departing contractor staff have returned PIV cards as required by the clause in the contract, or coordinate with the contractor as necessary. The COR is responsible for returning the identification cards to the Office of Security and maintaining documentation in the COR contract files to verify that the identification cards were appropriately returned, per Agency policy.

The Agency has not collected this data previously.

3. Use of Information Technology

Information technology may be applied to the maximum extent possible. The COR will establish the required format and is not prevented from accepting any staffing plans electronically, i.e., via e-mail.

4. Non-duplication

This rule implements agency specific policy and procedures to comply with FAR Subpart 4.13, FIPS PUB 201 as amended, and OMB Guidance M-05-24; it is not duplicative of requirements in the FAR. Similar information, specifically, names of all contractor personnel with associated hiring dates/termination dates, is not otherwise available to the COR or Contracting Officer.

5. Burden on Small Business

The collection of the information does not have significant impact on a substantial number of small businesses or other small entities.

6. Less frequent collection

If conducted less frequently than monthly, this information collection will not be useful for the purposes described above. Timely return of PIV/FAC cards and effective oversight of this process is essential for security reasons; specifically, control of both logical access to USAID information systems and facilities access.

7. Explain any special circumstances

The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6, with the exception of requiring respondents to report information to the agency more often than quarterly. The monthly reporting by contractors will ensure the effective oversight and increased accountability for the return of PIV/FAC cards, essential to the security of facilities and USAID information systems.

8. Consultation and public comments

USAID is publishing a Notice of Proposed Rulemaking (NPRM) in the Federal Register titled “United States Agency for International Development Acquisition Regulation (AIDAR): Security and Information Technology Requirements.” See 84 FR 10469. In this publication, USAID is soliciting public comments on the proposed rule and its accompanying information collection requirements and associated burden. USAID will respond to any comments it receives in the agency final rulemaking and accompanying information collection Supporting Justification.

9. Gift to respondents, other than remuneration of contractors or grantees.

No payment or gift will be provided to respondents, only remuneration to contractors under their contracts.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

This information is disclosed only to the extent consistent with prudent business practices and current regulations.

11. Additional justification for any questions of a sensitive nature

No questions of a sensitive nature are included in this information collection.

12. Provide estimates of the hour burden of the collection of information.

a. Estimation of Respondent Burden

The estimated cost to the public is based on the January 2019 report of A&A contracts that are currently in effect at the Agency. The estimated annual salaries were extrapolated based

on the FY2014 Staffing Report submitted to Congress by the Agency. The Staffing Report provided an analysis on estimated annual salaries which was used to develop the estimated financial burden for providing USAID with a staffing report upon award of the contract, and monthly thereafter.

We extrapolated that the on-boarding list at contract award could be developed in approximately eight (8) business hours by a mid-level human resources professional. Maintenance and updating of the contractor staffing report would require minimal effort by the contractors and if maintained should be able to be updated in approximately two (2) hours per month. USAID contracts, with option years included, may extend to 5 years. Based on a 5-year contract, we determined that over the life of the contract, the contractor would provide approximately 72 reports to the Agency. Based on that data, USAID developed an estimate annual cost to the respondents.

Estimation of Burden Hours: 752.204-9 - Reporting	
Number of respondents	138
Responses per respondent (approximately 5-year contract)	72
Number of responses	9,936
Hours per response (approximately)	2
Initial	
Monthly thereafter for Year 1, Annually thereafter for 5 years	
Total estimated hours annually	3,312
Cost per hour (hourly wage)	\$49.40
Annual public burden (reporting)	\$163,612.00

13. Respondent Costs Other Than Burden Hour Costs

No capital, start-up costs, or operation and maintenance costs are associated with this collection.

14. Cost to the Federal Government

Estimation of Burden Hours: 752.204-9 - Reporting				
Contract Award List of Proposed Contract Support	Number of Contractors	Contract Award: List of Employees Level of Effort (LOE)	Estimated One-time Financial Impact to Contractor (GS 11 - 13 hourly rate)	Estimated One-Time Financial Impact to All Contractors
	138	8 hours	$\$49.40/\text{rate} * 8/\text{hours} = \399.20	$138 * 8/\text{hours} = 1,104 \text{ hours}$
				$1,104/\text{hours} * \$49.40 = \$54,537.00$
Monthly Report to Contracting Officer	Number of Contractors	Contractor Monthly Staffing Reports LOE	Estimated Annual Financial Impact to Contractor (GS 11 - 13)	Estimated Annual public burden (reporting)
	138	24 hours annually *2 hours per month	$\$49.40/\text{rate} * 24/\text{hours} = \$1,185.60$	$138 * 24/\text{hours} = 3,312 \text{ hours}$
				$3,312/\text{hours} * \$49.40 = \$163,613.00.$
Estimated Cost to the Federal Government	Estimated Number of Contracts	Estimated level of effort for USAID	Estimated Monthly Cost to the Federal Government	Estimated Annualized Cost to the Federal Government
	138 National Industrial Security Program	1 hours per month	GS-13 Step 5: $\$40.10 * 138/\text{hours} = \$5,534.00$	GS-13 Step 5: $\$40.10 * 1,656/\text{hours} = \$66,406.00$

15. Reason for change in burden estimates from the previous approved clause.

This submission requests OMB approval for a new information collection requirement in the existing AIDAR clause.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used.

Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This information collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in item 19, "certification for paperwork reduction act submissions," on OMB Form 83-I.

There are no exceptions to the certification statement identified in item 19.