

**Supporting Statement for Information Collection:
Foreign Ownership and Financing Representation for High-Security Leased Space
(OMB Control No. 3090-0324)**

A. Justification.

1. Explain the circumstances that make the collection of information necessary.

This information collection supports implementation of the Secure Federal LEASEs Act (Pub. L. 116-276) to reduce security risks in high-security leased space. Section 3 of the bill requires agencies, before entering into a lease agreement for high-security leased space, to require the contractor to identify the immediate or highest-level owner of the space, including any financing entity, and disclose whether that owner is a foreign person or entity, including the country associated with the ownership entity. The contractor shall (1) provide such identification and disclosure when first submitting a proposal in response to a solicitation; and (2) update such information annually. This information is partially implemented in the Federal Acquisition Regulation (FAR) through the provisions at FAR 52.204-3, *Taxpayer Identification*, FAR 52.204-7, *System for Award Management*, FAR 52.204-17, *Ownership and Control of Offeror*, and the clause at FAR 52.204-13, *System for Award Management Maintenance*. OMB Control Numbers 9000-0097 and 9000-0185 covers the FAR provisions and clause. However, the FAR does not account for foreign financing. This information collection covers GSA's implementation of the Act through GSAR clause 552.270-33.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The information collected will be used to identify if an offeror for high-security leased space is a foreign person or entity. If a foreign ownership disclosure is made the contracting activity will notify the Federal tenant of the building that will be used for high-security space in writing, and consult with the Federal tenant, regarding security concerns and necessary mitigation measures, if any.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

GSA uses improved information technology to the maximum extent practicable. Where both GSA and contractors are capable of electronic interchange, contractors may submit this information collection requirement electronically.

4. Describe efforts to identify duplication.

There is no similar data and no duplication of information exists under this collection. OMB Control Numbers 9000-0097 and 9000-0185 covers the burden of related FAR provisions and clauses, but does not fully account for the burden associated with lease acquisitions for high-security space.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The burden applies equally to small businesses that opt to do business with GSA. This information collected is the minimum necessary consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Not collecting this information or collecting this information less frequently would impede contracting officers from performing their administrative functions in an efficient and effective manner.

7. Explain any special circumstances.

No special circumstances exist. Collection is consistent with the guidelines in 5 CFR 1320.6.

8. Describe efforts to consult with persons outside the agency.

A 60-day notice published in the *Federal Register* at 86 FR 48143 on August 27, 2021. No comments were received. A 30-day notice published in the *Federal Register* at 86 FR 60633 on November 3, 2021.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There will be no payment or gift to respondents, other than remuneration of contractors.

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

This information is disclosed only to the extent consistent with prudent business practices, current regulations, and in accordance with the requirements of the Freedom of Information Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are involved.

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

Public burden for this collection of information through GSAR 552.270-33 is estimated based on the time to comply with the representation; reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the information.

GSA estimates that approximately 542 lessors will need to complete GSAR 552.270-33 each year.

New Procurements (6 percent HS)	76	12
New Offers (x3)	228	36
Total New Responses	228	36
Renewals (17 percent HS)	31	35
Extensions (17 percent HS)	106	35
Novations (5 percent Leases)	380	65
High-Security Space Novations (16 percent)	61	10
Total HS Novations	61	10
New HS Lease Baseline	426 (228+31+106+61)	116 (36+35+35+10)
Combined New HS Lease Baseline	542 (426 + 116)	

Given the detail required for the baseline ownership information disclosure, an estimate of 2 hours for initial disclosure and 15 minutes (0.25 hours) for annual updates was assumed for the baseline response burden. It is assumed that 10% of the new lessors (54) will respond affirmatively to the baseline representation and will be required to report additional information on the owner. Given the detail required for the additional ownership information disclosure, an estimate of 10 hours for additional initial disclosure was assumed.

1. Initial Proposal Disclosure

Baseline Representation

Estimated annual responses	542
Estimated review time per response	<u>x 2</u>
Total Review Time	1,084

Additional Representation

Estimated annual responses	54
Estimated review time per response	<u>x 10</u>
Total Review Time	540

Total Initial Response Burden Hours 1,624

Cost per hour*	<u>x \$84.16</u>
Estimated Cost Burden to the Public	\$136,676

2. Annual Updates

Estimated responses per year	542
Estimated hours per response	<u>x 0.25</u>
Total Response Burden Hours	136

Cost per hour*	<u>x \$84.16</u>
Estimated Cost Burden to the Public	\$11,446

*The estimated cost of \$84.16 per hour is based on the task being accomplished by mid-level personnel equivalent to a GS-12, Step 5 salary (using the Base Pay and Rest of US Locality Pay, Salary Table 2021-GS, Effective January 2021 of \$42.08 with fringe of 100%).

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

GSA does not estimate any annual cost burdens other than the burdens described in items 12 and 14.

14. Provide estimates of annualized costs to the Federal Government.

Government burden for this information collection is estimated based on the time required to review and evaluate the disclosure information for high-security lease proposals. Given the detail required for the baseline information disclosure contained in these proposals, an estimate of 6 minutes (0.10 hours) for a non-affirmative response was assumed as the review burden. It is assumed that 10% of the new lessors (54) will respond affirmatively to the representation. Given the detail contained in an affirmative response, an estimate of 5 hours per representation was assumed for review and to provide notification to Federal tenants (as applicable). For review of annual updates, the review time is assumed to be negligible.

Baseline Disclosure

Estimated annual responses	542
Estimated review time per response	<u>x .10</u>
Total Review Time	54

Additional Disclosure

Estimated annual responses	54
Estimated review time per response	<u>x 5</u>
Total Review Time	270

Total Disclosure Review Burden Hours 324

Cost per hour*	<u>x \$84.16</u>
Total Annual Government Cost	\$27,268

* The estimated cost of \$84.16 per hour is based on the task being accomplished by mid-level personnel equivalent of a GS-12, Step 5 salary (using the Base Pay and Rest of US Locality Pay, Salary Table 2021-GS, Effective January 2021 of \$42.08 with fringe of 100%).

15. Explain the reasons for any program changes or adjustments reported.

The cost per hour to calculate the public burden and government burden shown in this document have been updated to reflect the 2021 GS rate for a GS-12 Step 5 (using the rate for the rest of the United States) adjusted upward by 100 percent to account for fringe benefits and overhead.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

Results of this collection will not be tabulated or published. Information collected will be used for internal administration of contracts.

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.

GSA is not seeking such approval.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act Submissions”.

There are no exceptions to the certification accompanying this Paperwork Reduction Act submission.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.