



OFFICE OF THE UNDER SECRETARY OF DEFENSE

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ACQUISITION
AND SUSTAINMENT

Dominic Mancini
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Mancini:

In accordance with 5 CFR 1320.13, "Emergency Processing," the Department of Defense (DoD) requests emergency processing and approval of a new public information collection requirement in the Defense Federal Acquisition Regulation Supplement (DFARS).

This collection is tied to a rule that is being reviewed by OIRA: *Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region (DFARS Case 2022-D008)*. This rule and DoD's request for a new information collection implement section 848 of the National Defense Authorization Act for Fiscal Year 2022 (Pub. L. 117-81), which requires offerors to certify that they have made a good faith effort to determine that forced labor from the Xinjiang Uyghur Autonomous Region in the People's Republic of China (XUAR) was not or will not be used in the performance of a contract. Section 848 prohibits DoD's use of funds to knowingly procure any products mined, produced, or manufactured wholly or in part by forced labor from XUAR or from an entity that has used labor from within or transferred from XUAR as part of any forced labor programs. There is an urgent need for DoD to immediately begin collecting the disclosures in order to avoid unknowingly funding the use of forced labor from XUAR. If DoD remains unaware of the entities that are involved in furthering the abuses against the Uyghurs, appropriated funds may be used to cause irreparable harm to the Uyghurs.

Additional information is provided by the enclosures. The Determination for Emergency Processing is at Enclosure 1. The Supporting Statement is at Enclosure 2. The *Federal Register* notice for the rulemaking that imposes the information collection is at Enclosure 3. The collection instrument (DFARS text) is at Enclosure 4.

Use of the normal OMB process would preclude the collection of the information in a timely manner. DoD requests emergency approval by December 9, 2022.

John M. Tenaglia
Principal Director,
Defense Pricing and Contracting

Enclosures:
As stated