

SUPPORTING STATEMENT – PART A
OMB Control Number 0704-0229 – Defense Federal Acquisition Regulation Supplement
(DFARS) Part 225, Foreign Acquisition and Related Clauses

- There is no change in the burden hours for this renewal period. The only change is in the estimated cost to the public and to the Government based on using 2023 estimated rates.

1. Need for the Information Collection

This justification supports renewal of Office of Management and Budget (OMB) Control Number 0704-0229. This information collection pertains to information that an offeror/contractor must submit to the Department of Defense (DoD) in response to the requirements of the provisions and clauses related to DFARS part 225, except for data requirements relating to the Synchronized Predeployment and Operational Tracker (SPOT) web-based system, which is covered by OMB Control Number 0704-0460. In general, this information collection requirement implements the laws and policies relating to international acquisition, such as—

- The Buy American statute (41 U.S.C. chapter 83 and Executive Order (E.O.) 10582);The Trade Agreements Act (19 U.S.C. 2501-2515), including the World Trade Organization Government Procurement Agreement and various free trade agreements;
- Advance notification of contract performance outside the United States and Canada (10 U.S.C. 4603);
- Defense memoranda of understanding and related agreements (10 U.S.C. 4851);
- Determination of public interest under the Buy American statute (10 U.S.C. 4861);
- Restrictions on specialty metals (10 U.S.C. 4863);
- Restrictions on contractor utilization of foreign photovoltaic devices (section 858 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015);
- Preference for products or services from Afghanistan (section 886 of the NDAA for FY 2008, as amended by section 842 of the NDAA for FY 2013); and
- Defense Trade Cooperation Treaties with the United Kingdom and Australia (Pub. L. 111-266).

The specific information collection requirements covered by this OMB Control Number are as follows:

a. Buy American statute, Balance of Payments Program, Trade Agreements, Preference for Products or Services from Afghanistan representations and certifications:

i. DFARS 252.225-7000, Buy American—Balance of Payments Program Certificate, as prescribed in 225.1101(1), requires the offeror to identify in its proposal supplies that do not meet the definition of domestic end product, separately listing qualifying country and other foreign end products. The Buy American statute does not apply to acquisitions of commercial information technology.

ii. DFARS 252.225-7020, Trade Agreements Certificate, as prescribed in 225.1101(5), only requires listing of nondesignated country end products. This provision is used in

solicitations for all acquisitions subject to the World Trade Organization Government Procurement Agreement.

iii. DFARS 252.225-7023, Preference for Products or Services from Afghanistan, as prescribed in DFARS 225.7703-4(a), requires offerors to identify products or services that are not products or services from Afghanistan.

iv. DFARS 252.225-7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate, as prescribed in 225.1101(9), requires separate listing of qualifying country (except Australia), FTA country, or other foreign end products. Alternate I, as prescribed in 225.1101(9)(ii), requires listing of qualifying country or other foreign end products. The Buy American statute no longer applies to acquisitions of commercial information technology.

b. DFARS 252.225-7021, Alternate II, Trade Agreements, as prescribed in DFARS 225.1101(6)(ii), in order to comply with a condition of the waiver authority provided by the United States Trade Representative to the Secretary of Defense, requires contractors from a South Caucasus/Central or South Asian state to inform the government of its participation in the acquisition and also advise their governments that they generally will not have such opportunities in the future unless their governments provide reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services.

c. DFARS 252.225-7003, Report of Intended Performance Outside the United States and Canada—Submission with Offer, and 252.225-7004, Report of Intended Performance Outside the United States and Canada—Submission after Award, as prescribed in DFARS 225.7204(a) and (b) respectively, require offerors and contractors to submit a Report of Contract Performance Outside the United States for subcontracts to be performed outside the United States. The reporting threshold is \$700,000 for contracts that exceed \$13.5 million. The contractor may submit the report on DD Form 2139, Report of Contract Performance Outside the United States, or a computer-generated report that contains all information required by DD Form 2139.

d. DFARS 252.225-7005, Identification of Expenditures in the United States, as prescribed in DFARS 225.1103(1), requires contractors incorporated or located in the United States to identify, on each request for payment under contracts for supplies to be used, or for construction or services to be performed, outside the United States, that part of the requested payment representing estimated expenditures in the United States.

e. DFARS 252.225-7010, Commercial Derivative Military Article—Specialty Metals Compliance Certificate, as prescribed at DFARS 225.7003-5(b), requires the offeror to certify that it will take certain actions with regard to specialty metals if the offeror chooses to use the alternative compliance approach when providing commercial derivative military articles to the Government.

f. DFARS 252.225-7013, Duty-Free Entry, prescribed at DFARS 225.1101(4), requires the contractor or an authorized agent to provide information on shipping documents and customs forms regarding those items that are eligible for duty-free entry.

g. DFARS 252.225-7018, Photovoltaic Devices—Certificate, as prescribed at DFARS 225.7017-4(b), requires offerors to certify that no photovoltaic devices with an estimated value exceeding the micro-purchase threshold will be utilized in performance of the contract or to specify the country of origin.

h. DFARS 252.225-7025, Restriction on Acquisition of Forgings, as prescribed in DFARS 225.7102-4, also requires contractor retention of records showing compliance with the restrictions until 3 years after final payment. The contractor agrees to make the records available to the contracting officer upon request. The contractor may request a waiver in accordance with DFARS 225.7102-3.

i. DFARS 252.225-7032, Waiver of United Kingdom Levies—Evaluation of Offers, and 252.225-7033, Waiver of United Kingdom Levies, as prescribed in DFARS 225.1101(7) and (8) respectively, require United Kingdom offerors and prime contractors, and offerors and prime contractors with subcontracts of a dollar value exceeding \$1 million with United Kingdom firms, to provide certain information necessary for DoD to obtain a waiver of United kingdom levies.

j. DFARS 252.225-7046, Exports of Approved Community Members in Response to the Solicitation, as prescribed at DFARS 225.7902-5(a), 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. Use of the Information

Some of the information obtained through the clauses associated with DFARS part 225 is used to ensure contractor compliance with restrictions on the acquisition of foreign products. These restrictions are imposed by statute or policy to protect the defense industrial base. Other information is required to enable compliance with our trade agreements, memoranda of understanding, and Defense Trade Cooperation treaties which promote reciprocal trade with our allies. DoD also provides information to the Department of Commerce with regard to the Balance of Payments Program. The United States Trade Representative (USTR) requirement that contractors from South Caucasus/Central and South Asian states provide information to their government is intended to influence their governments to provide reciprocal procurement opportunities to U.S. products and services and suppliers of such products and services.

3. Use of Information Technology

Information technology is used to collect the information (100%). Where offerors/contractors have automated systems that contain the information needed to report these requirements, offerors/contractors may submit the information or report in formats that are compatible with the automated systems.

4. Non-duplication

As a matter of policy, DoD reviews the Federal Acquisition Regulation to determine if adequate language already exists. The requirements in DFARS part 225 apply solely to DoD and

are not duplicative of the requirements in FAR part 25. This information is not readily available from other sources.

5. Burden on Small Business

The collection of this information is not expected to have a significant impact on a substantial number of small businesses or other small entities. The burden applied to small business is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. Less Frequent Collection

The frequency for collecting this information was reviewed by the DoD specialists who are most knowledgeable of the requirements and the need for the information. Every attempt has been made to keep the frequency of collection to a minimum. The requirements for the information collection are included in the solicitation package that is made available to prospective contractors. The information must then be provided by offerors or contractors as follows:

- a. DFARS 252.225-7000/7020/7023/7035 – With the offer.
- b. DFARS 252.225-7021, Alt II – After contract award; less frequent collection would not comply with the USTR requirements.
- c. DFARS 252.225-7003 and 252.225-7004 – Under the provision -7003, with the offer. Under the clause -7004, when the information is known and, to the maximum extent practicable, at least 30 days before subcontract award.
- d. DFARS 252.225-7005 – On each request for payment.
- e. DFARS 252.225-7010 – With the offer.
- f. DFARS 252.225-7013 – On the shipping documents and customs form when foreign items enter the country.
- g. DFARS 252.225-7018 – With the offer.
- h. DFARS 252.225-7025 – Upon request of the contracting officer or when the contractor requests a waiver.
- i. DFARS 252.225-7032 and 252.225-7033 – With the offer or before award of a subcontract offer of \$1 million to a United Kingdom firm.
- j. DFARS 252.225-7046 – With the offer.

7. Paperwork Reduction Act Guidelines

There are no special circumstances for collection. Collection of this information is consistent with the guidelines at 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

a. Public Notice

i. Public comments were solicited in the *Federal Register* on March 30, 2023 ([88 FR 19099](#)). No public comments were received.

ii. A notice of submission to OMB for clearance of this information collection was published in the *Federal Register* on June 23, 2023 ([88 FR 41088](#)).

b. Consultation

The Contract Policy Directorate was consulted with regard to some of the burden estimates for which supporting data is not available in the Federal Procurement Data System.

9. Gifts or Payment

DoD will not provide a payment or gift 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 statutory requirements, current regulations, and prudent business practices. No assurance of confidentiality is provided to respondents. A Privacy Act Statement is not required for this collection because DoD is not requesting individuals to furnish personal information for a system of records. The collection of information does not include any personally identifiable information; therefore, no Privacy Impact Assessment or Privacy Act System of Records Notice is required.

11. Sensitive Questions

No sensitive questions are involved in the information collection.

12. Respondent Burden and its Labor Costs

a. DFARS 252.225-7000, Buy American—Balance of Payments Program Certificate; DFARS 252.225-7020, Trade Agreements Certificate; DFARS 252.225-7023, Preference for Products or Services from Afghanistan, and DFARS 252.225-7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate.

The estimated respondent burdens and labor costs for these provisions are shown in the following table and a discussion of the burdens is provided below the table.

Burden estimates:	22.225-7000	252.225-7020	252.225-7035	252.225-7023
Number of respondents	18,697	309	13,826	50
Responses per respondent	10	3	10	2
Number of responses	186,977	928	138,268	100
Hours per response	0.25	0.25	0.25	0.25
Estimated hours (responses multiplied by hours per response)	46,744	232	34,567	25
Cost per hour (hourly wage) – <i>Note (1)</i>	\$51.13	\$51.13	\$51.13	\$51.13
Annual public burden (hours multiplied by cost per hour)	\$2,390,033.50	\$11,862.16	\$1,767,410.71	\$1,278.25

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

Only one of these provisions is used in a solicitation (except 252.225-7023 is used with 252.225-7020 if the World Trade Organization Government Procurement Agreement applies). If the items being acquired are subject to trade agreements (listed at DFARS 225.401-70) and another exception does not apply, then DFARS 252.225-7035 is used in acquisitions from \$25,000 to less than \$182,000, and DFARS 252.225-7020 is used in acquisitions of \$182,000 or more.

The Buy American statute does not apply unless an acquisition exceeds the micro-purchase threshold. It also does not apply to acquisitions of commercial information technology. Further, commercially available off-the-shelf (COTS) items manufactured in the United States are considered domestic, regardless of component content. In FY 2019 the Federal Procurement Data System indicated the following number of contract awards for DoD supplies:

- 199,851 awards valued between the micro-purchase threshold and \$25,000, not including commercial information technology.
- 49,452 awards over \$25,000 for products not in a Federal Supply Group subject to trade agreements and not including commercial information technology.
- 30,929 awards over \$182,000 for products in FSGs subject to trade agreements.
- 131,684 awards between \$25,000 and \$182,000 for products in Federal Supply Groups subject to trade agreements with 10,322 unique respondents.

i. DFARS 252.225-7000. A response to 252.225-7000 is not required if the offeror is proposing a domestic end product. DoD estimates that for acquisitions subject to the Buy American statute, if no trade agreements applicable, about 75 percent of the products offered are domestic. The number of responses for 252.225-7000 is therefore calculated as 199,851 + 49,452 = 249,303 solicitations x 3 (responses per solicitation) x 0.25 (% offering foreign end products) = 186,977. An estimate of 10 responses per respondent (18,698 respondents) and 0.25

hours per response, results in estimates of a total of 46,744 hours per year associated with responses to 252.225-7000.

ii. DFARS 252.225-7020. A response to 252.225-7020 is required only if the product is not U.S.-made, qualifying, or designated. Such response should be rare, because the offeror of such products is unlikely to receive an award. DoD estimates only 928 responses to 252.225-7020 (30,929 solicitations x 3 responses per solicitation x 0.01).

iii. DFARS 252.225-7035. A response to 252.225-7035 is not required if the offeror is proposing a domestic end product. DoD estimates that for acquisitions subject to the Buy American statute and free trade agreements, about 65 percent of the products offered are domestic. The number of responses for 252.225-7035 is therefore calculated as 131,684 solicitations x 3 (responses per solicitation) x 0.35 (% offering foreign end products) = 138,268. An estimate of approximately 10 responses per respondent and 0.25 hours per response, results in estimates of 13,826 respondents and a total of 34,567 hours per year associated with responses to 252.225-7035.

iv. DFARS 252.225-7023. While the United States conducts operations in Afghanistan, when acquiring products in support of operations in Afghanistan, this provision may be used in lieu of 252.225-7000 or 252.225-7035, or in addition to 252.225-7020, if the acquisition is providing a preference for the products or services from Afghanistan. If acquiring services in support of operations in Afghanistan, use of this provision creates an additional burden, because the Buy American and trade agreements provisions only address the acquisition of products. A response to 252.225-7023 is required only if offering products or services not from Afghanistan, except that if 252.225-7020 is applicable, no listing is required for products listed in paragraph (c)(2) of 252.225-7020. For services, DoD estimates only 50 respondents/100 responses per year that will offer services not from Afghanistan, when the solicitation expresses a preference for a product or service from Afghanistan.

b. DFARS 252.225-7021, Alternate II: The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.209-7021, Alternate II	
Number of respondents	100
Responses per respondent	1
Number of responses	100
Hours per response	0.25
Estimated hours (number of responses multiplied by hours per response)	25
Cost per hour (hourly wage) – <i>Note (1)</i>	\$72.88
Annual public burden (estimated hours multiplied by cost per hour)	\$1,822

Note (1): The cost per hour is based on the OPM GS-13, Step 5, base hourly rate for CY 2020 (\$53.49) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$19.39) equals \$72.88).

This clause only applies if the contract is subject to the World Trade Organization Government Procurement Agreement, the acquisition is of end products in support of operations in Afghanistan, and the contractor is from a South Caucasus/Central or South Asian state. DoD does not estimate any change to the currently approved information collection requirements of 100 respondents, 1 response per respondent, 100 responses, and 0.25 hours per response, for a total of 25 hours.

c. DFARS 252.225-7003, Report of Intended Performance Outside the United States and Canada—Submission with Offer; and 252.225-7004, Report of Intended Performance Outside the United States and Canada—Submission after Award: The estimated respondent burdens and labor costs for this provision and clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7003 and 252.225-7004	
Number of respondents	17
Responses per respondent – <i>Note (1)</i>	8.7
Number of responses	148
Hours per response	1
Estimated hours (number of responses multiplied hours per response)	148
Cost per hour (hourly wage) – <i>Note (2)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$7,567.24

Note (1): This is a weighted average (responses/respondents)

Note (2): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

DoD received an average of 103 reports per year, from about 11 respondents. DoD estimated that an additional 45 reports from 6 additional respondents are submitted with the offers.

d. DFARS 252.225-7005, Identification of Expenditures in the United States: The estimated respondent burdens and labor costs for this provision are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7005	
Number of respondents	1,751
Responses per respondent	13.87
Number of responses	24,287
Hours per response	0.25
Estimated hours (number of responses multiplied hours per response)	6,072
Cost per hour (hourly wage) – <i>Note (1)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$310,448.58

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

The information is required in order to comply with Chapter 13 of the DoD Financial Management Regulation. The clause does not apply to (1) contractors that are incorporated concerns not incorporated in the United States or (2) unincorporated concerns not having principal place of business in the United States. This estimate remains unchanged for this cycle.

e. DFARS 252.225-7010, Commercial Derivative Military Article—Specialty Metals Compliance Certificate: The estimated respondent burdens and labor costs for this provision are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7010	
Number of respondents	50
Responses per respondent	1
Number of responses	50
Hours per response	200
Estimated hours (number of responses multiplied hours per response)	10,000
Cost per hour (hourly wage) – <i>Note (1)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$511,300.00

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

The information collection requirement at 252.225-7010 is currently approved at 50 respondents; 50 responses; and 10,000 hours. Based on consultation with subject matter experts, we do not estimate a change in the estimated burden hours from those currently approved, except for the updated cost per hour.

f. DFARS 252.225-7013, Duty-Free Entry: The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7013	
Number of respondents	4,200
Responses per respondent – <i>Note (1)</i>	7.5
Number of responses	31,500
Hours per response	0.28
Estimated hours (number of responses multiplied hours per response)	8,820
Cost per hour (hourly wage) – <i>Note (2)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$450,966.60

Note (1): This is a weighted average (responses/respondents)

Note (2): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

There is no change in the estimated burden. The information requested in 252.225-7013 supplements the information requested under FAR clause 52.225-10 and is required only if the contractor is requesting duty-free entry. Data indicates an average of approximately 31,500 duty-free entry certificates a year on supplies for DoD.

g. DFARS 252.225-7018, Photovoltaic Devices—Certificate: The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7018	
Number of respondents	16
Responses per respondent	3
Number of responses	48
Hours per response	0.25
Estimated hours (number of responses multiplied hours per response)	12
Cost per hour (hourly wage) – <i>Note (1)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$613.56

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

This clause is required for use in solicitations for a contract that is expected to exceed the simplified acquisition threshold is an energy savings performance contract, a utility service

contract, or a private contract housing awarded by DoD that may result in DoD ownership of photovoltaic devices, by means other than DoD purchase as end products. The offeror is required to certify that no photovoltaic devices are to be utilized in the performance of the contract or, depending on dollar value of the photovoltaic devices, may be required specify the country of origin. Based on information from subject matter experts, DoD estimates no change to the currently approved estimates.

h. DFARS 252.225-7025, Restriction on Acquisition of Forgings. The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7025	Responses	Records	Total
Number of respondents /record keepers	85	85	
Responses per respondent	3		
Number of responses	255		
Hours per response /record	0.25	3	
Estimated hours (number of responses multiplied hours per response)	64	255	319
Cost per hour (hourly wage) – <i>Note (1)</i>			\$51.13
Annual public burden (estimated hours multiplied by cost per hour)			\$16,297.69

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

There are no changes to the currently approved estimates. This clause restricts ship propulsion shafts (excluding service and landing craft), periscope tubes, and ring forgings for bull gears greater than 120 inches in diameter. Based on discussions with Navy contracting professionals, we estimate the number of record keepers to be 103, the estimated number of shipbuilders and per year having open contracts that contain the clause 252.225-7025, and which require any of the restricted forging items as components. We further estimate that it will take each contractor an average of approximately 3 hours per year to keep records showing the domestic source of these components. The number of respondents is estimated at 6 (40 percent of record keepers, as in the current clearance). The estimate of 1.5 responses per respondent and 0.5 hours per response also remains unchanged.

i. DFARS 252.225-7032/7033, Waiver of United Kingdom Levies: The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7032 and 252.225-7033	Reporting	Records	Total
Number of respondents	10	10	
Responses per respondent	1	1	
Number of responses	10	10	20
Hours per response	1	1	1
Estimated hours (number of responses multiplied hours per response)	10	10	20
Cost per hour (hourly wage) – <i>Note (1)</i>			\$51.13
Annual public burden (estimated hours multiplied by cost per hour)			\$1,022.60

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

This information is currently approved at 20 hours (10 for reporting, 10 for recordkeeping). Contracting personnel in the United Kingdom estimate no more than 10 respondents/record keepers per year.

j. DFARS 252.225-7046, Exports of Approved Community Members in Response to the Solicitation: The estimated respondent burdens and labor costs for this clause are shown in the following table and a discussion of the burden is provided below the table.

Estimation of Respondent Burden: 252.225-7046	
Number of respondents	110
Responses per respondent	1
Number of responses	110
Hours per response	0.1
Estimated hours (number of responses multiplied hours per response)	11
Cost per hour (hourly wage) – <i>Note (1)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$562.43

Note (1): The cost per hour is based on the Office of Personnel Management (OPM) General Schedule (GS) 11, Step 5, base hourly rate for calendar year (CY) 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

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 does not estimate any change in the approved burden. 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.

k. Total Respondent Burden: OMB Control Number 0704-0229. The total estimated respondent burdens and labor costs for all provisions and clauses described in paragraphs 12.a. through 12.j are shown in the following table.

Estimation of Total Respondent Burden:			
OMB Control Number 0704-0229	Responses	Recordkeeping	Total
Number of respondents /record keepers *	39,221	95	
Responses per respondent	9.76	1	
Number of responses/records **	382,781	95	382,876
Hours per response/record, approx.	0.28	2.789	0.279
Estimated hours (number of responses/records multiplied hours per response/record)	106,730	265	106,995
Cost per hour (hourly wage rounded)			\$51.13
Annual public burden (estimated hours multiplied by cost per hour)			\$5,471,185.32

* The number of respondents includes the recordkeepers. When the respondent is also a recordkeeper, the respondent is only reported once.

** The number of responses provided annually includes the number of recordkeepers.

13. Respondent Costs Other Than Burden Hour Costs

DoD does not estimate any annual cost burden apart from the hourly burden in Item 12 above.

14. Cost to the Federal Government

The time required for the Government review of the mitigation plans follows:

Estimation of Costs to the Federal Government:	
Number of responses	382,781
Hours per response (rounded)	0.28
Estimated hours (number of responses multiplied hours per response)	106,730
Cost per hour – <i>Note (1)</i>	\$51.13
Annual public burden (estimated hours multiplied by cost per hour)	\$5,457,104.90

Note (1): The cost per hour is based on the OPM GS-11, Step 5, base hourly rate for CY 2023 (\$37.53) plus the 36.25% civilian personnel full fringe benefit rate from OMB Memo M-08-13 (\$13.60), equals \$51.13.

15. Reasons for Change in Burden

The respondent burden and cost estimates are revised based on use of current data as described in sections 12.a. through 12.j. of this justification and current cost per hour data from OPM for calendar year 2020. There is a notable increase in the number of contract awards for some categories and the wage rates increased due to inflationary adjustments; subsequently resulting in an increase to the respondent burden overall.

Change in Burden	2020	2023	Difference
Number of respondents	39,221	39,221	0
Number of record keepers	95	95	0
Responses/respondent	10	10	0
Total annual responses	382,876	382,876	0
Total hours	106,995	106,995	0
Cost per hour (rounded)	\$47.36	\$51.13	+\$3.77
Total Costs	\$5,067,786.45	\$5,471,185.32	+\$403,398.87

16. Publication of Results

Results of this collection will not be published.

17. Non-Display of OMB Expiration Date

DoD does not seek approval to not display the expiration dates for OMB approval of the information collection.

18. Exceptions to “Certification for Paperwork Reduction Submissions”

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