

SUPPORTING STATEMENT
U.S. Department of Commerce
Bureau of Industry and Security
Application for NATO International Competitive Bidding
OMB Control No. 0694-0142

A. JUSTIFICATION

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

All U.S. firms desiring to participate in the NATO International Competitive Bidding (ICB) process under the NATO Security Investment Program (NSIP) must be certified as technically, financially, and professionally competent. The U.S. Department of Commerce provides the Declaration of Eligibility that certifies these firms. Any such firm seeking certification is required to submit a completed Form BIS-4023P along with a current annual financial report and a resume of past projects in order to become certified and placed on the Consolidated List of Eligible Bidders.

Pursuant to Section 401 (10) of Executive Order 12656 (November 18, 1988), the Department of Commerce is the lead agency representing the United States in industry-related international (NATO and allied) civil emergency preparedness planning and related activities. In addition, the Department's organic authority, 15 U.S.C. Section 1512, provides the Department with broad authority to "foster, promote, and develop the foreign and domestic commerce..." and the Reorganization Plan No. 3 of 1979 provides the Department with general operation responsibility for major nonagricultural international trade functions of the United States government, including export development. These authorities also authorize a broad range of trade-related activities.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Applications are submitted to the U.S. Department of Commerce's Office of Strategic Industries and Economic Security, Defense Programs Division where the contents are reviewed for completeness and accuracy by the NATO Program Specialist. The application is a one-time effort. The information provided on the BIS-4023P form is used to certify the U.S. firm and place it in the bidders list database.

The Section 515 Information Quality Guidelines apply to this information collection and comply with all applicable information quality guidelines, i.e., OMB, Department of Commerce, and specific operating unit guidelines.

3. Describe whether, and to what extent, the collection of information involves the

use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

BIS has developed a form-fillable .PDF version of the BIS-4023P to enable electronic submission of this form. The form is available at the following URL:

<http://www.bis.doc.gov/index.php/other-areas/strategic-industries-and-economic-security-sies/nato-related-business-opportunities>

Completed applications and supporting documentation may be submitted electronically via e-mail.

4. Describe efforts to identify duplication.

There is no other information collection effort that duplicates the filing of an application for NATO certification.

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

The collection of information does not impose a significant burden on small businesses. All firms, any size, are required to provide the same information.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Only companies from NATO member nations can compete for NATO projects and all companies must be certified by their respective governments. If the collection of information were not conducted, the NATO Program Specialist would not be able to certify a U.S. firm's eligibility. This would hinder American companies' ability to compete for NATO infrastructure projects.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

There are no special circumstances that require the information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The notice requesting public comment was published in the Federal Register on March 25, 2024, (89 FR 20633). No public comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no plans to provide any payment or gift to respondents.

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

Not applicable.

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.

There are no questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

The total estimated burden of this collection is **70 hours**.

It is estimated that 70 applications will be submitted each year. The average amount of time needed to complete and process the application is estimated to be 1 hour. The estimated average annual respondent labor cost for this collection of information is \$70 per form/per hour = **\$4,900**.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

There are no annualized costs associated with this collection of information.

14. Provide estimates of annualized cost to the Federal government.

It is estimated that the annual cost to the Federal Government is approximately **\$4,900**. This cost is based on an average processing time of 1 hour per application at an hourly rate of \$70 per hour.

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

Increased cost of labor and increase in number of applications submitted, also, updates to BIS form 4023P.

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

There are no plans to publish this information.

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

Not applicable.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable. Statistical methods will not be used.