

August 27, 2012. No comments were received.

**DATES:** Submit comments on or before April 25, 2013.

**ADDRESSES:** Submit comments identified by Information Collection 9000-0097, Taxpayer Identification Number Information, by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0097, Taxpayer Identification Number Information". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0097, Taxpayer Identification Number Information" on your attached document.

- *Fax:* 202-501-4067.
- *Mail:* General Services

Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000-0097, Taxpayer Identification Number Information.

*Instructions:* Please submit comments only and cite Information Collection 9000-0097, Taxpayer Identification Number Information, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Curtis E. Glover, Sr., Procurement Analyst, Contract Policy Division, GSA, (202) 501-1448 or email at [curtis.glover@gsa.gov](mailto:curtis.glover@gsa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

In accordance with 31 U.S.C. 7701(c), a contractor doing business with a Government agency is required to furnish its Tax Identification Number (TIN) to that agency. 31 U.S.C. 3325(d) requires the Government to include, with each certified voucher prepared by the Government payment office and submitted to a disbursing official, the TIN of the contractor receiving payment under the voucher. 26 U.S.C. 6050M, as implemented in the Department of Treasury, Internal Revenue Service (IRS) regulations at Title 26 of the Code of Federal Regulations (CFR), requires heads of Federal executive agencies to report certain information to the IRS. 26 U.S.C. 6041 and 6041A, as implemented

in 26 CFR, in part, requires payors, including Government agencies, to report to the IRS, on form 1099, payments made to certain contractors.

To comply with the requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the IRS in 26 CFR, FAR clause 52.204-3, Taxpayer Identification, requires a potential Government contractor to submit, among other information, its TIN. The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the contractor's relationship with the Government. A contractor is not required to provide its TIN on each contract in accordance with FAR clause 52.204-3, Taxpayer Identification, when FAR clause 52.204-7, Central Contractor Registration, is inserted in contracts. FAR clause 52.204-7 requires a potential Federal contractor to provide its TIN in the Central Contractor Registration (CCR) system.

##### **B. Annual Reporting Burden**

The annual reporting burden decreased from what was published in the **Federal Register** at 73 FR 20613, on April 16, 2008. The decrease is attributed to a revised estimate of the respondents and hours per response. A potential federal contractor is required to complete a one-time registration in CCR to provide basic information in order to be awarded a Federal Government contract. Part of a potential Federal contractor's CCR registration includes providing its TIN in accordance with FAR 52.204-7. It is estimated that a significant number of Federal contractors will not be required to submit their TIN under this collection at FAR 52.204-3, due to the requirement to submit their TIN during the registration process. Based on Federal procurement Data Systems (FPDS) data, 193,397 unique contractors were awarded Federal Government contracts in Fiscal Year 2011 (FY11). We estimate that fifteen percent of the FY11 unique vendors, responding on average to three solicitations per year, are required to provide their TIN in accordance with FAR 52.204-3. In addition, based on the TIN being readily available business information within contractor's system, the estimated hours per response is decreased to .10. The revised estimate of the annual reporting burden requirements is reflected below.

*Respondents:* 29,010.

*Responses per Respondent:* 3.

*Total Responses:* 87,030.

*Hours per Response:* .10.

*Total Burden Hours:* 8,703.

*Obtaining Copies of Proposals:* Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0097, Taxpayer Identification Number Information, in all correspondence.

Dated: March 20, 2013.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

[FR Doc. 2013-06859 Filed 3-25-13; 8:45 am]

**BILLING CODE 6820-EP-P**

## **DEPARTMENT OF DEFENSE**

### **GENERAL SERVICES ADMINISTRATION**

#### **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000-0130; Docket 2012-0076; Sequence 14]

#### **Federal Acquisition Regulation; Submission for OMB Review; Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning the Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate. A notice was published in the **Federal Register** at 77 FR 43081, on July 23, 2012. One comment was received.

**DATES:** Submit comments on or before April 25, 2013.

**ADDRESSES:** Submit comments identified by Information Collection 9000-0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by

searching “Information Collection 9000–0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate” under the heading “Enter Keyword or ID” and selecting “Search”. Select the link “Submit a Comment” that corresponds with “Information Collection 9000–0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate”. Follow the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “Information Collection 9000–0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate” on your attached document.

- *Fax:* 202–501–4067.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000–0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate.

*Instructions:* Please submit comments only and cite Information Collection 9000–0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Ms. Cecelia L. Davis, Procurement Analyst, Contract Policy Division, GSA, (202) 219–0202 or via email at [cecilia.davis@gsa.gov](mailto:cecilia.davis@gsa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

Under the Free Trade Agreements Act of 1979, unless specifically exempted by statute or regulation, agencies are required to evaluate offers, over a certain dollar limitation, to supply an eligible product without regard to the restrictions of the Buy American Act. FAR provision 52.225–4, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, requires an offeror to certify that the offered products are domestic end products and Free Trade Agreement (FTA) end products. The provision also requires an offeror to identify foreign end products.

Contracting officers use the information to give domestic and FTA country end products a preference during the evaluation of offers. Items having components of unknown origin are considered to have been mined, produced, or manufactured outside the United States.

##### **B. Analysis of Public Comments**

A notice was published in the **Federal Register** at 77 FR 43081, on July 23, 2012. One respondent submitted public comments on the extension of the previously approved information collection. The analysis of public comments is summarized as follows:

*Comment:* The respondent commented that the extension of the information collection would violate the fundamental purposes of the Paperwork Reduction Act because of the burden it puts on the entity submitting the information and the agency collecting the information.

*Response:* In accordance with the Paperwork Required Act (PRA), agencies can request an OMB approval of an existing information collection. The PRA requires that agencies use the **Federal Register** notice and comment process, to extend the OMB’s approval, at least every three years. This extension, to a previously approved information collection, pertains to implementation of FAR 25.406 and the provision at FAR 52.225–4, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, in accordance with the terms of the Free Trade Agreements Act of 1979. Under the Free Trade Agreements Act of 1979, unless specifically exempted by statute or regulation, agencies are required to evaluate offers (over a certain dollar limitation) to supply an eligible product, without regard to restrictions of the Buy American Act. Offerors identify covered Free Trade Agreement (FTA) country end products and other foreign end products on this certificate in accordance with the FAR provision at 52.225–4. The contracting officer uses the information to identify covered FTA country end products. Offers are evaluated by giving a preference to domestic and covered FTA country end products over other products, as provided for by law and treaty.

*Comment:* The respondent commented that the agency did not accurately estimate the public burden challenging that the agency’s methodology for calculating it is insufficient and inadequate and does not reflect the total burden. For this reason, the respondent provided that the agency should reassess the total burden hours and revise the estimate upwards to be more accurate, as was done in FAR Case 2007–006. The same respondent also provided that the burden of compliance with the agency’s information collection requirement greatly exceeds the agency’s estimate

and outweighs any potential utility of the extension.

*Response:* Serious consideration is given, during the open comment period, to all comments received and adjustments are made to the paperwork burden estimate based on reasonable considerations provided by the public. This is evidenced, as the respondent notes, in FAR Case 2007–006 where an adjustment was made from the total preparation hours from three to 60. This change was made considering particularly the hours that would be required for review within the company, prior to release to the Government.

The burden is prepared taking into consideration the necessary criteria in OMB guidance for estimating the paperwork burden put on the entity submitting the information. For example, consideration is given to an entity reviewing instructions; using technology to collect, process, and disclose information; adjusting existing practices to comply with requirements; searching data sources; completing and reviewing the response; and transmitting or disclosing information. The estimated burden hours for a collection are based on an average between the hours that a simple disclosure by a very small business might require and the much higher numbers that might be required for a very complex disclosure by a major corporation. Also, the estimated burden hours should only include projected hours for those actions which a company would not undertake in the normal course of business.

Careful consideration went into assessing the estimated burden hours for this collection, and it is determined that an upward adjustment is not required at this time related to the responses per respondent. The revised estimate of two responses per respondent is based upon contractor use of the Online Representation and Certifications Application (ORCA) function in the System for Award Management (SAM) rather than the completion of representations and certifications for each solicitation/contract for which a vendor submits an offer. The ORCA function was developed to eliminate the administrative burden for contractors of submitting the same information to various contracting offices, and to establish a common source for this information to procurement offices across the Government. Prior to the ORCA function’s implementation, prospective contractors were required to submit representations and certifications in paper form for each individual contract award. Under these conditions, a higher response rate per

year per contractor as suggested by the respondent may have been necessary. However, using the ORCA function in SAM, a contractor can enter their representations and certification information once for use on all Federal contracts and solicitations. FAR 4.1201(a) requires prospective contractors to complete electronic annual representations and certifications in conjunction with required registration in the Central Contractor Registration (CCR). These requirements are met through functionality in SAM. The representations and certifications are effective until one year from the date of submission or update to the ORCA function in SAM. For purposes of this information collection, initial data entry plus one update per year was considered reasonable and was used to estimate the number of responses per respondent per year, i.e., 2 responses per respondent.

We have reassessed the hours of burden per response based on the respondent's comment, and have determined that an upward estimate of thirty minutes would provide a more accurate measure of the time required to complete or update the initial certification.

However, at any point, members of the public may submit comments for further consideration, and are encouraged to provide data to support their request for an adjustment.

## B. Annual Reporting Burden

*Respondents:* 162,000.

*Responses per Respondent:* 2.

*Annual Responses:* 324,000.

*Hours per Response:* .5.

*Total Burden Hours:* 162,000.

*Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0130, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, in all correspondence.

Dated: March 21, 2013.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

[FR Doc. 2013-06927 Filed 3-25-13; 8:45 am]

**BILLING CODE 6820-EP-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0145; Docket 2012-0076; Sequence 23]

### Federal Acquisition Regulation; Submission for OMB Review; Use of Data Universal Numbering System (DUNS) as Primary Contractor Identification

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning use of the Data Universal Numbering System (DUNS) as primary contractor identification. The DUNS number is the nine-digit identification number assigned by Dun and Bradstreet Information Services to an establishment. A notice was published in the **Federal Register** at 77 FR 56212, on September 12, 2012. Three respondents submitted comments.

**DATES:** Submit comments on or before April 25, 2013.

**ADDRESSES:** Submit comments identified by Information Collection 9000-0145, Use of Data Universal Numbering System (DUNS) as Primary Contractor Identification, by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching "Information Collection 9000-0145, Use of Data Universal Numbering System (DUNS) as Primary Contractor Identification" under the heading "Enter Keyword or ID" and selecting "Search". Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0145, Use of Data Universal Numbering System (DUNS) as Primary Contractor Identification". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0145, Use of Data Universal Numbering System (DUNS) as Primary Contractor

Identification" on your attached document.

- *Fax:* 202-501-4067.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000-0145, Transportation Requirements.

*Instructions:* Please submit comments only and cite Information Collection 9000-0145, Use of Data Universal Numbering System (DUNS) as Primary Contractor Identification, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Curtis E. Glover, Sr., Procurement Analyst, Office of Governmentwide Acquisition Policy, GSA (202) 501-1448 or via email at [curtis.glover@gsa.gov](mailto:curtis.glover@gsa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Purpose

The Data Universal Numbering System (DUNS) number is the nine-digit identification number assigned by Dun and Bradstreet Information Services to an establishment. The Government uses the DUNS number to identify contractors in reporting to the Federal Procurement Data System (FPDS). The FPDS provides a comprehensive mechanism for assembling, organizing, and presenting contract placement data for the Federal Government. Federal agencies report data on all contracts in excess of the micro-purchase threshold to the Federal Procurement Data Center which collects, processes, and disseminates official statistical data on Federal contracting. Contracting officers insert the Federal Acquisition Regulation (FAR) provision at 52.204-6, Data Universal Numbering System (DUNS) Number, in solicitations they expect will result in contracts in excess of the micro-purchase threshold and do not contain FAR 52.204-7, Central Contractor Registration. The majority of offerors submit their DUNS through CCR as required by FAR 52.204-7, and not under the FAR provision at 52.204-6.

#### II. Discussion and Analysis

Three respondents submitted public comments on the extension of the previously approved information collection. The analysis of the public comments is summarized as follows:

*Comment:* Three respondents commented that they supported the continued use of the Data Universal