

of subcontracts that exceed the simplified acquisition threshold.

DFARS 252.225-7010, Commercial Derivative Military Article—Specialty Metals Compliance Certificate, as prescribed at 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.

DFARS 252.225-7013, Duty-Free Entry, as prescribed in 225.1101(4), requires the contractor to provide information on shipping documents and customs forms regarding products that are eligible for duty-free entry.

DFARS 252.225-7018, Photovoltaic Devices—Certificate, as prescribed at 225.7017-4(b), requires offerors to certify that no photovoltaic devices with an estimated value exceeding \$3,000 will be utilized in performance of the contract or to specify the country of origin.

DFARS 252.225-7020, Trade Agreements Certificate, as prescribed in 225.1101(5), requires an offeror to list the item number and country of origin of any nondesignated country end product that it intends to furnish under the contract. Either 252.225-7020 or 252.225-7022 is used in any solicitation for products subject to the World Trade Organization Government Procurement Agreement.

DFARS 252.225-7021, Alternate II, Trade Agreements, as prescribed in 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.

DFARS 252.225-7023, Preference for Products or Services from Afghanistan, as prescribed in 225.7703-5(a), requires an offeror to identify, in its proposal, products or services that are not products or services from Iraq or Afghanistan.

DFARS 252.225-7025, Restriction on Acquisition of Forgings, as prescribed in 225.7102-4, requires the contractor to retain records showing compliance with the requirement that end items and their components delivered under the contract contain forging items that are of domestic manufacture only. The

contractor must retain the records for 3 years after final payment and must make the records available upon request of the contracting officer. The contractor may request a waiver of this requirement in accordance with DFARS 225.7102-3.

DFARS 252.225-7032, Waiver of United Kingdom Levies—Evaluation of Offers, and 252.225-7033, Waiver of United Kingdom Levies, as prescribed in 225.1101(7) and (8), require an offeror to provide information to the contracting officer regarding any United Kingdom levies included in the offered price, and require the contractor to provide information to the contracting officer regarding any United Kingdom levies to be included in a subcontract that exceeds \$1 million, before award of the subcontract.

DFARS 252.225-7035, Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payments Program Certificate, as prescribed in 225.1101(9), requires an offeror to list any qualifying country, NAFTA country, or other foreign end product that it intends to furnish under the contract. The Buy American Act no longer applies to acquisitions of commercial information technology.

DFARS 252.225-7046, Exports of Approved Community Members in Response to the Solicitation, 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.

**Manuel Quinones,**

*Editor, Defense Acquisition Regulations System.*

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

[Docket Number DARS-2013-0035]

#### Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Organizational Conflict of Interest in Major Defense Acquisition Programs

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Notice and request for comments regarding a proposed extension of an approved information collection requirement.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection requirement for use through December 31 2013. DoD proposes that OMB extend its approval for use for three additional years.

**DATES:** DoD will consider all comments received by December 23, 2013.

**ADDRESSES:** You may submit comments, identified by OMB Control Number 0704-0477, using any of the following methods:

○ *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

○ *Email:* [dfars@osd.mil](mailto:dfars@osd.mil). Include OMB Control Number 0704-0477 in the subject line of the message.

○ *Fax:* (571) 372-6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Annette Gray, OUSD(AT&L)DPAP(DARS), 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Ms. Annette Gray, (571) 372-6093. The information collection requirements addressed in this notice are available on the World Wide Web at: <http://www.acq.osd.mil/dpap/dars/dfars/index.htm>. Paper copies are available from Ms. Annette Gray, OUSD(AT&L)DPAP(DARS), 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

#### SUPPLEMENTARY INFORMATION:

*Title and OMB Number:* Defense Federal Acquisition Regulation Supplement (DFARS) subpart 209.5, Organizational and Consultant Conflicts of Interest, and related provision at DFARS 252.209-7008, Notice of

Prohibition Relating to Organizational Conflict of Interest-Major Defense Acquisition Program; OMB Control Number 0704-0477.

**Needs and Uses:** This information collection requires an offeror to submit a mitigation plan if requesting an exemption from the statutory limitation on future contracting. This information will be used to resolve organizational conflicts of interest arising in a systems engineering and technical assistance contract for an MDAP, as required by section 207 of WSARA.

**Affected Public:** Businesses or other for-profit and not-for-profit institutions.

**Annual Burden Hours:** 3,000.

**Number of Respondents:** 25.

**Responses per Respondent:** 3.

**Annual Responses:** 75.

**Average Burden per Response:** 40 hours.

**Frequency:** On occasion.

### Summary of Information Collection

This information collection includes requirements of DFARS subpart 209.5, Organizational and Consultant Conflicts of Interest, and the related provision at DFARS 252.209-7008, Notice of Prohibition Relegating to Organizational Conflict of Interest-Major Defense Acquisition Program. DFARS subpart 209.5, Organizational and Consultant Conflicts of Interest, implements section 207 of the Weapons system Acquisition Reform Act of 2009 (Pub. L. 111-23). The provision at DFARS 252.209-7008 paragraph (d) requires an offeror to submit a mitigation plan if requesting an exemption from the statutory limitation on future contracting.

**Manuel Quinones,**

*Editor, Defense Acquisition Regulations System.*

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Intent To Prepare a Regional Environmental Impact Statement for Surface Coal and Lignite Mining in the State of Texas

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE) is preparing a Regional Environmental Impact Statement (REIS) to analyze the direct, indirect, and cumulative effects associated with a decision to develop

and assess data and information with waters of the United States and other relevant resources that may be potentially impacted by future surface coal and lignite mine expansions in the state of Texas within the Fort Worth District's area of responsibility. These coal and lignite mining activities may eventually require authorization from the USACE under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, as well as other federal and state permits and approvals.

**DATES:** Public scoping meetings for the REIS will be held on:

1. Tuesday, December 3, 2013, 4 p.m.-7 p.m., Uvalde, Texas.

2. Wednesday, December 4, 2013, 4 p.m.-7 p.m., Temple, Texas.

3. Thursday, December 5, 2013, 4 p.m.-7 p.m., Tyler, Texas.

**ADDRESSES:** The scoping meeting locations are:

1. Tuesday, December 3, 2013, at the Uvalde County Fairplex-Event Center, 122 Veterans Lane, Uvalde, Texas 78801.

2. Wednesday, December 4, 2013, at the Railroad and Heritage Museum, 315 W. Avenue B, Temple, Texas 76501.

3. Thursday, December 5, 2013, at the Tyler Rose Garden Center, 420 South Rose Park Drive, Tyler, Texas 75702.

**FOR FURTHER INFORMATION CONTACT:**

Questions and comments regarding the proposed action and REIS should be addressed to Mr. Darvin Messer, Project Manager, U.S. Army Corps of Engineers, Fort Worth District, P.O. Box 17300, 819 Taylor Street, Fort Worth, Texas 76102; or [Darvin.Messer@usace.army.mil](mailto:Darvin.Messer@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The USACE will be conducting public scoping meetings at three locations (see **DATES** and **ADDRESSES**) to describe the Project, preliminary alternatives, the National Environmental Policy Act (NEPA) compliance process, and to solicit input on the issues and alternatives to be evaluated and other related matters. Written comments for scoping will be accepted until December 20, 2013. The USACE has prepared a scoping announcement to familiarize agencies, the public and interested organizations with the proposed Action and potential environmental issues that may be involved. The scoping announcement describes the target resources to be assessed, the proposed areas of assessment, and the mines that may utilize the information developed through this effort. Copies of the scoping announcement will be available at the public scoping meetings or can be requested by mail.

Surface coal and lignite mining projects in the USACE Fort Worth's area of responsibility typically conduct work that results in impacts to waters of the U.S. Such work requires authorization under Section 404 of the Clean Water Act, and for projects affecting navigable waters, authorization under Section 10 of the Rivers and Harbors Act of 1899. These programs are administered by the USACE. The anticipated number of future permit applications requiring the USACE compliance with NEPA, along with agency resource constraints, could result in lengthy review times. Historic permit evaluations associated with mine expansions have required substantial time periods. These timeframes have been influenced in part by the need to develop resource information, undertake data gathering efforts, as well as coordination with various agencies and their permit review processes. The USACE also needs to ensure it can adapt and efficiently respond to multiple concurrent requests for permits that may occur in the future.

The USACE is undertaking a REIS to streamline the NEPA aspect of the Section 404/10 permitting process, as well as to develop information, data, and analyses to be used in 404(b)(1) guidelines and public interest review analyses for future coal and lignite mine expansions in Texas subject to permitting by the USACE.

The REIS is intended to provide an environmental evaluation focusing on the potential direct, indirect, and cumulative aquatic resource impacts, in addition to other relevant environmental and human resources, that could be affected by future surface coal and lignite mining within defined geographic regions in Texas. The REIS would facilitate future tiering or supplementation of the NEPA analysis in the REIS in the evaluation of future project-specific Section 404/10 permit applications. It also is intended to provide a cohesive framework for stream mitigation, establishment of sound performance metrics, and enhance project monitoring efforts associated with these types of activities. The REIS is intended to avoid duplication and provide efficiency and effectiveness with future decisions.

The REIS will be prepared according to the USACE's procedures for implementing the NEPA, as amended, 42 U.S.C. 4332(2)(c), and consistent with the USACE's policy to facilitate public understanding and review of agency proposals. As part of the REIS process, a full range of reasonable alternatives, including the proposed Action and no action, will be evaluated. The use of a third party contract