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GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0188; Docket No. 2021-0053; Sequence No. 3]

Submission for OMB Review; Combating Trafficking in Persons

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

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division has submitted to the Office of Management and Budget (OMB) a request to review and approve a revision and renewal of a previously approved information collection requirement regarding combating trafficking in persons.

DATES: Submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*.]

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under Review - Open for Public Comments" or by using the search function.

Additionally, submit a copy to GSA through <http://www.regulations.gov> and follow the instructions on the site. This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments.

Instructions: All items submitted must cite OMB Control No. 9000-0188, Combating Trafficking in Persons. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check

www.regulations.gov, approximately two-to-three days after submission to verify posting.

If there are difficulties submitting comments, contact the GSA Regulatory Secretariat Division at 202-501-4755 or *GSARegSec@gsa.gov*.

FOR FURTHER INFORMATION CONTACT: Zenaida Delgado, Procurement Analyst, at telephone 202-969-7207, or *zenaida.delgado@gsa.gov*.

SUPPLEMENTARY INFORMATION:

A. OMB control number, Title, and any Associated Form(s): 9000-0188, Combating Trafficking in Persons.

B. Need and Uses

This clearance covers the information that offerors contractors must submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

52.222-50, Combating Trafficking in Persons.

Notification. Paragraph (d) of this clause requires contractors to notify the contracting officer and the agency Inspector General of—

- Any credible information they receive from any source that alleges a contractor employee, subcontractor, or subcontractor employee, or their agent has engaged in conduct that violates the policy in paragraph (b) of the clause 52.222-50; and
- Any actions taken against a contractor employee, subcontractor, subcontractor employee, or their agent pursuant to this clause.

Compliance Plan and Annual Certification. Paragraph (h) of the clause contains an additional requirement for contracts for supplies (other than commercially available off-the-shelf (COTS) items) to be acquired outside the United States and contracts for services to be performed outside the United States, with an estimated value exceeding \$550,000, where the contractor is to maintain a compliance plan during the performance of the contract. This compliance plan must include an awareness program, a process for employees to report activity inconsistent with the zero-tolerance policy, a recruitment and

wage plan, a housing plan, and procedures to prevent subcontractors from engaging in trafficking in persons.

- Contractors are required to provide the compliance plan to the contracting officer upon request.
- Contractors are required to submit a certification to the contracting officer annually after receiving an award, asserting that they have the required compliance plan in place and that there have been no abuses, or that appropriate actions have been taken if abuses have been found.
- For those subcontractors required to submit a certification (see next bullet on flow down), contractors shall require that submission prior to award of the subcontract and annually thereafter.

Portions of this clause flows down to all subcontractors. The requirements related to the compliance plan only flow down to subcontracts exceeding \$550,000 for supplies (other than COTS items) acquired and services performed outside the United States.

This clause applies to commercial item acquisitions, except the portions related to the compliance plan do not apply to acquisitions of COTS items.

52.222-56, Certification Regarding Trafficking in Persons Compliance Plan.

This provision requires apparently successful offerors to submit a certification, prior to award, that they have implemented a compliance plan and that there have been no abuses, or that appropriate actions have been taken if abuses have been found.

The provision requires this certification for the portion of contracts exceeding \$550,000 for supplies (other than COTS items) acquired and services performed outside the United States.

This provision applies to commercial item acquisitions, except acquisitions of COTS items.

FAR 52.222-50, paragraph (d) - Notification. The Government uses this notification of potential violations of trafficking in persons requirements to investigate and take appropriate action if a violation has occurred.

FAR 52.222-50, paragraph (h) - Compliance Plan. The Government uses the compliance plan to ascertain compliance with the Trafficking Victims Protection Act (22 U.S.C. 7104), Executive Order 13627, or any other applicable law or regulation.

FAR 52.222-50, paragraph (h) and FAR 52.222-56 - Certification. The Government uses the certification to obtain reasonable assurance that the contractor and its subcontractors are aware of and complying with the requirements of the Executive Order and statute.

C. Annual Burden

Respondents/Recordkeepers: 5,876.

Total Annual Responses: 11,702.

Total Burden Hours: 164,154. (25,722 reporting hours + 138,432 recordkeeping hours))

D. Public Comment

A 60-day notice was published in the *Federal Register* at 86 FR 8360, on February 5, 2021. No comments were received.

OBTAINING COPIES: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202-501-4755 or emailing GSARegSec@gsa.gov.

Please cite OMB Control No. 9000-0188, Combating Trafficking in Persons.

Janet Fry,
Director,
Federal Acquisition Policy Division,
Office of Governmentwide Acquisition Policy,
Office of Acquisition Policy,
Office of Governmentwide Policy.

BILLING CODE: 6820-EP

