

SUPPORTING STATEMENT
United States Patent and Trademark Office
National Medal of Technology and Innovation Nomination Application
OMB CONTROL NUMBER 0651-00xx

A. JUSTIFICATION

1. Necessity of Information Collection

In 2007 the Technology Administration of the Department of Commerce was abolished, and the administration and nomination processing for the National Medal of Technology has been officially transferred by the Secretary of Commerce to the United States Patent and Trademark Office (USPTO). The title of the medal has changed to include “innovation.”

The USPTO is requesting the approval of an updated version of the formerly approved nomination application form, used in the past by the Technology Administration.

The National Medal of Technology and Innovation (formerly known as the National Medal of Technology) is the highest honor for technological achievement bestowed by the President of the United States on America’s leading innovators.

Established by the Stevenson-Wydler Technology Innovation Act of 1980, the Medal was first awarded in 1985. On August 9, 2007, the President signed the America COMPETES (Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science) Act of 2007. The Act amended Section 16 of the Stevenson-Wydler Technology Innovation Act of 1980, changing the name of the Medal to the “National Medal of Technology and Innovation.”

The purpose of the National Medal of Technology and Innovation is to recognize those who have made lasting contributions to America’s competitiveness, standard of living, and quality of life through technological innovation, and to recognize those who have made substantial contributions to strengthening the Nation’s technological workforce. By highlighting the national importance of technological innovation, the Medal also seeks to inspire future generations of Americans to prepare for and pursue technical careers to keep America at the forefront of global technology and economic leadership.

Nominees are evaluated and selected by the National Medal of Technology and Innovation Nomination Evaluation Committee, a distinguished independent committee appointed by the Secretary of Commerce. The committee makes its recommendations for Medal candidates to the Secretary of Commerce who, in turn, makes recommendations to the President for final selection. The National Medal of Technology and Innovation Laureates are announced by the White House and the Department of Commerce once the Medalists are notified of their selection.

Table 1 identifies the proposed statutory and regulatory provisions that require the USPTO to collect this information:

Table 1: Information Requirements for the National Medal of Technology and Innovation Nomination Application

Requirement	Statute	Rule
National Medal of Technology and Innovation Nomination Application (includes six letters of recommendation)	15 U.S.C. 3711	No rule cite

2. Needs and Uses

The public uses the National Medal of Technology and Innovation Nomination Application to recognize through nomination an individual's or company's extraordinary leadership and innovation in technological achievement. The application must be accompanied by at least six letters of recommendation or support from individuals who have first-hand knowledge of the cited achievement(s).

The Information Quality Guidelines from Section 515 of Public Law 106-554, Treasury and General Government Appropriations Act for Fiscal Year 2001, apply to this information collection and comply with all applicable information quality guidelines, i.e., OMB and specific operating unit guidelines.

This proposed collection of information will result in information that will be collected, maintained, and used in a way consistent with all applicable Office of Management and Budget (OMB) and USPTO Information Quality Guidelines.

Table 2 outlines how this information is used by the public and by the USPTO:

Table 2: Needs and Uses for the National Medal of Technology and Innovation Nomination Application

Form and Function	Form #	Needs and Uses
National Medal of Technology and Innovation Nomination Application (includes six letters of recommendation) (Ref. A)	No PTO form number associated	<ul style="list-style-type: none"> Used by the public to recognize through nomination an individual's or company's extraordinary leadership and innovation in technological achievement. Used by the USPTO to assist in the administration of the nomination process.

3. Use of Information Technology

Information about the program, nomination guidelines, and instructions are electronically posted on the USPTO Web site. Interested parties can review criteria and informational requirements at their convenience. The nomination form is a fillable Word document, can be downloaded from the USPTO Web site, and is available for electronic submission to the USPTO via e-mail at <http://www.uspto.gov/nmti/index.html>. Alternatively, letters of recommendation may be sent by electronic mail, fax, or overnight delivery.

4. Efforts to Identify Duplication

This information is collected for an annual award event. It does not duplicate information or collection of data found elsewhere.

5. Minimizing the Burden to Small Entities

This collection of information does not impose a significant economic impact on small entities. The same information is required of every individual entering a nomination and is not available from any other source.

6. Consequences of Less Frequent Collection

This information is collected annually and only as required to enter a nomination for that year's National Medal of Technology and Innovation. It is not collected elsewhere. Therefore, this collection of information could not be conducted less frequently. If this information were not collected, the National Medal of Technology and Innovation Nomination Evaluation Committee, a distinguished, independent committee appointed by the Secretary of Commerce, would not be able to review and evaluate the merit of all candidates and the President would not be able to bestow the honor upon the recipients.

7. Special Circumstances in the Conduct of Information Collection

There are no special circumstances associated with this collection of information.

8. Consultation Outside the Agency

The 60-Day Federal Register Notice was published on October 2, 2008 [73 Fed. Reg. 57337]. The public comment period ended on December 1, 2008. No public comments were received.

The USPTO collects this information and provides administrative support to this program. The National Medal of Technology and Innovation Nomination Evaluation Committee, a distinguished, independent committee appointed by the Secretary of Commerce, reviews and evaluates the merit of all candidates nominated through an open, competitive solicitation process. The Committee makes its recommendations for Medal candidates to the Secretary of Commerce, who in turn makes recommendations to the President for final selection. The National Medal of Technology and Innovation Laureates are announced by the White House and the Department of Commerce once the Medalists are notified of their selection.

9. Payment or Gifts to Respondents

This information collection does not involve a payment or gift to any respondent.

10. Assurance of Confidentiality

This collection contains information of a confidential (personal) nature, which is subject to the Privacy Act. A System of Records Notice, "COMMERCE/PAT-TM-21 National Medal of Technology and Innovation Nominations," was published in the *Federal Register* on January 28, 2008 [73 Fed. Reg. 4850].

11. Justification for Sensitive Questions

None of the required information is considered to be of a sensitive nature.

12. Estimate of Hour and Cost Burden to Respondents

Table 3 calculates the anticipated burden hours and costs of this information collection to the public, based on the following factors:

- **Respondent Calculation Factors**
The USPTO estimates that it will receive 40 responses per year.
- **Burden Hour Calculation Factors**
The USPTO estimates that it will take the public approximately 40 hours to download the information from the USPTO Web site, prepare the nomination form, complete the contact information for the letters of recommendation or support, and submit the information to the USPTO via electronic mail or, alternatively by fax, or overnight delivery.
- **Cost Burden Calculation Factors**
The USPTO is calculating an estimated respondent hourly rate through an estimate of earnings obtained from the Bureau of Labor Statistics, Occupational Outlook Handbook, 2008-09 edition. The USPTO estimates that half of the submissions will be filed by public relations specialists and half by research engineers. The USPTO estimates that it will cost the public relations specialists \$23.68 per hour and research engineers \$45.68 per hour, for an average hourly rate of \$34.68. These are fully loaded hourly rates.

Table 3: Burden Hour/Burden Cost to Respondents the National Medal of Technology and Innovation Nomination Application

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (a) x (b) (c)	Rate (\$/hr) (d)	Total Cost (\$/hr) (c) x (d) (e)
National Medal of Technology and Innovation Nomination Form	40	40	1,600	\$34.68	\$55,488.00
TOTAL	- - - -	40	1,600	- - - -	\$55,488.00

13. Total Annualized Cost Burden

There are no capital start-up, operation, maintenance or record keeping costs associated with this information collection, as well as no filing fees.

Although it is possible for the public to submit the nominations through regular or express mail, to date no submissions have been received in this manner. The majority of recent submissions have been through electronic mail. The USPTO, therefore, is not calculating an estimate of postage costs associated with this information collection.

14. Annual Cost to the Federal Government

The USPTO estimates that it takes a GS-13, step 1, to process the items in this collection. The hourly rate for a GS-13, step 1, is currently \$39.75 according to the U.S. Office of Personnel Management's (OPM's) wage chart, including locality pay for the Washington, DC area. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the rate per hour for a GS-13, step 1, is \$51.68 (\$39.75 + \$11.93).

Table 4 calculates the processing hours and costs of this information collection to the Federal Government:

Table 4: Burden Hour/Burden Cost to the Federal Government the National Medal of Technology and Innovation Nomination Application

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (a) x (b) (c)	Rate (\$/hr) (d)	Total Cost (\$/hr) (c) x (d) (e)
National Medal of Technology and Innovation Nomination Form	6	40	240	\$51.68	\$12,403.00
TOTAL	- - - -	40	240	- - - -	\$12,403.00

15. Reason for Change in Burden

The USPTO is requesting that OMB add this new information collection to the agency's information collection inventory. The USPTO is submitting this new information collection request as a result of the transfer of the administration and nomination processing for the National Medal of Technology and Innovation from the Department of Commerce to the USPTO.

Based on historical data from the Technology Administration, the USPTO had previously estimated that there would be 26 responses per year. After reviewing the responses and activities during FY 2008, the agency is now estimating 40 responses per year. The increase estimated burden is due to a better knowledge of the resources available to support the program in FY 2009. The agency expects now that it will have a more robust program than the Technology Administration. This represents a change in estimates since the 60-Day Federal Register Notice.

And so, the USPTO estimates that this collection will have a total of 40 responses, 1,600 burden hours, and \$55,488 in respondent costs. **Therefore, the USPTO estimates that a total of 40 responses and 1,600 burden hours will be added to the USPTO's current information collection inventory as a program change.**

This new information collection has no annualized costs associated with it.

16. Project Schedule

There is no plan to publish this information for statistical use. No special publication of the items discussed in this justification statement is planned. The National Medal of Technology and Innovation Laureates are announced by the White House and the Department of Commerce once the Medalists are notified of their selection.

17. Display of Expiration Date of OMB Approval

The form in this information collection will display the OMB Control Number and expiration date.

18. Exception to the Certificate Statement

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.

List of References

A. National Medal of Technology and Innovation Nomination Form and Nomination Guidelines