

SUPPORTING STATEMENT
U.S. Department of Commerce
National Institute of Standards and Technology
Small Business Innovation Research (SBIR) Program Application Cover Sheet
OMB Control No. 0693-0072

SUPPORTING STATEMENT PART A

Abstract

The SBIR program was established under the Small Business Innovation Development Act of 1982 (P.L. 97-219) for the purpose of strengthening the role of innovative small business concerns in Federally funded research and development (R&D).

The SBIR program makes awards to qualified small business applicants using a competitive solicitation that selects innovative technical ideas and solutions submitted by the applicants that helps solve problems or that enhances specific areas of research currently being conducted at NIST. Each SBIR solicitation contains an application cover page that the applicant is required to complete and attach to their solicitation application. The information provided by applicants is used for internal program administration to prevent fraud, waste, and abuse; used by internal evaluators to identify any potential conflict of interest prior to reviewing the full application; and provided as required in NIST's annual report to the SBA.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The SBIR program was originally established in 1982 by the Small Business Innovation Development Act (P.L. 97-219), codified at 15 U.S.C. 638. It was then expanded and extended by the Small Business Research and Development (R&D) Enhancement Act of 1992 (P.L. 102-564) and received subsequent reauthorization and extensions that include Public Law 112-81, extending SBIR through September 30, 2022. The US Small Business Administration (SBA) serves as the coordinating agency for the SBIR program. It directs the agency implementation of SBIR, reviews progress, and reports annually to Congress on its operation.

The NIST Small Business Innovation Research (SBIR) Cover Sheet is for use by small businesses responding to the NIST SBIR Notice of Funding Opportunity (NOFO). It is the first page of each application and provides identifying information, demographic data, and a project summary. The information is necessary to meet the requirements of the Small Business Administration's (SBA) SBIR Policy Directive, Appendix VIII: Annual Report Database (http://sbir.gov/sites/default/files/sbir_pd_with_1-8-14_amendments_2-24-14.pdf).

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

All information is collected annually and is used in the following ways:

Identifying information is used internally by NIST and is necessary to administer the evaluation and award process.

Demographic data is used in NIST's annual report to the SBA on the program. The technical abstract and potential commercial application have multiple purposes:

- Used internally for program administration to prevent fraud, waste, and abuse by providing NIST with a means to compare with applications to and awards by other agency SBIR programs.
- Used by internal evaluators to identify any potential conflict of interest prior to reviewing the full application.
- Awardee abstracts and commercial applications, along with some identifying information, are posted on the NIST SBIR website. These postings provide useful information on program outcomes and knowledge of NIST priorities and areas of interest to the general public and non-awardees.

Demographic information is included in the DoC annual report as required by SBA. Project summary with company and award information is posted on the NIST SBIR website.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The information will be collected as part of the application process and may be submitted electronically through grants.gov or by paper.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

All forms that are part of the required application process have been examined to reduce duplication as much as feasible.

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

Duplication of information is minimized and only requested when necessary to provide information required to administer the application evaluation process.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Lack of identifying information would make administration of the application evaluation and award process problematic.

Without collection of demographic information, the NIST SBIR Program Office would not be able to provide SBA with required information. Data in subsequent SBA reports on the overall SBIR program, including reports to Congress, would be incorrect.

Without project summary information, NIST would lose one of its tools to safeguard against fraud, waste, and abuse; application evaluators could be faced with conflict of interest issues, and SBIR applicants and the public would be less informed on NIST SBIR awards.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner: requiring respondents to report information to the agency more often than quarterly; requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; requiring respondents to submit more than an original and two copies of any document; requiring respondents to retain records, other than health, medical, government contract; grant-in-aid, or tax records, for more than three years; in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study; requiring the use of a statistical data classification that has not been reviewed and approved by OMB; that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The collection will be conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A 60-Day Federal Register Notice (FRN) soliciting public comment was published on October 4, 2023, Vol. 88, No. 191, page 68565. No comments were received.

A 30-Day Federal Register Notice (FRN) soliciting public comment was published on January 5, 2024, Vol. 89, No. 4, page 751.

NIST regularly consults with representatives of those from whom information is obtained.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There will be no payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Information collected includes PII (such as name / contact information), however the data is referential in nature only. Records will not be retrieved by a personal identifier; therefore, this is not a Privacy Act System of Records and does not require a SORN or Privacy Act Statement.

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature in this collection.

12. Provide estimates of the hour burden of the collection of information.

Estimated number of annual respondents: 138

Estimated time per response: 30 minutes

Estimated total annual burden: 69 hours

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

There is no estimated annual cost burden to the respondents or record keepers.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of

information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

NIST SBIR staff members may spend up to 69 hours per year (.5 hour per applicant) to manage the efforts of this information collection. The estimated cost is \$4,140.00.

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.

There are no changes to the collection instrument since last OMB approval. The number of annual respondents has increased since the previous approval and estimates of burden of the collection were adjusted accordingly.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Results will not be published.

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

The expiration date for the OMB approval will be displayed.

18. Explain each exception to the topics of the certification statement identified in "Certification or Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.