

**SUPPORTING STATEMENT (2008)
2700-0052**

A. Justification.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Information is required to ensure the proper disposition of rights to inventions made in the course of NASA-funded research contracts. The requirement is codified in 48 CFR Part 1827. The legislative authorities are 42 U.S.C. 2457 et seq., and 35 U.S.C. 200 et seq.

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

The information is used by NASA legal counsel and contracting offices to ensure disposition of inventions in accordance with statutes and to determine the Government's rights in data.

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. Also describe any consideration of using information technology to reduce burden.

NASA encourages the use of computer technology and is participating in Federal efforts to extend the use of information technology to more Government processes via the Internet. For example, NASA FAR Supplement clauses for patent rights and new technology encourage the contractor to use an electronic form and provide a hyperlink to the electronic New Technology Reporting Web (eNTRe) site <http://invention.nasa.gov>. This website has been set up to help NASA employees and parties under NASA funding agreements (i.e., contracts, grants, cooperative agreements, and subcontracts) to report new technology information directly, via a secure Internet connection, to NASA. Contractors and grantees have been trained on how to use the eNTRe system. Security issues have been resolved and technical drawings and other documents can now be sent electronically through this system.

For several years, there has been an ongoing Federal initiative to create a government-wide form for the collection of this information. As directed by Public Law 106-107, The Office of Federal Financial Management is sponsoring the interagency workgroup tasked with creating the collection document and in obtaining Federal information collection clearance. NASA will use the Federal form as soon as it becomes available.

4. Describe efforts to identify duplication.

The data collected is unique to patents and copyrights resulting from inventions made in the performance of work under Agency research contracts. The data is not otherwise available.

5. If the collection of information impacts small businesses or other small entities (Item five of form OMB 83-I, the Paperwork Reduction Act Submission form), describe any methods used to minimize burden.

The burden on small business is the minimum consistent with applicable laws, Executive Orders, regulations, and prudent business practices.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If this information was not collected, or collected less frequently, it would result in a high potential for:

1. the mis-assignment of rights to data or inventions,
2. duplicate funding and payment to reproduce already existing data,
3. re-invention, and/or,
4. unavailability of data or inventions to the public.

7. Explain any special circumstances that would cause an information collection to be conducted in certain manners (as listed).

Not applicable.

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 before submission to OMB.

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

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The confidentiality of this information is governed by patent statutes, the Freedom of Information Act, and contract clauses.

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.

Not applicable.

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

- Total number of annual responses: 1,219

 - Number of negative reports: 812
10 minutes per response .166 135
 - Number of respondents providing patent/data info: 407
Hours per response 8 hours 3,256
- TOTAL HOURS 3,391

The number of respondents equals 1,016 which is the number of active R&D contracts for FY 2007, as indicated by the NASA Procurement Management System (NPMS). The total annual responses are derived by multiplying the number of respondents (1,016) by a factor of 1.2 which represents the estimated average number of reports filed per contract (five interim reports plus one final report) and reflects the average contract length of 5 years. Historically, two thirds of the total actions are negative and one third of the total actions involve the actual submission of patent data.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.

Estimated annual costs to the contractors are calculated by multiplying the estimated hours for preparation of patent reports (see item 12) by an estimated cost rate of \$54.64* per hour. This totals \$185,284. However, there is no real cost to the respondents because they are reimbursed, under the contract, for their time in responding to the collection request.

* Labor rates escalated 3 per cent per year from last ICR approval.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.

- Total number of annual responses: 1,219

● Number of negative reports: 812		
Hours of review time at GS-11 grade/rate of \$25.51*	10 min. (.166)	\$3,444
● Number of patent/data info submissions: 407		
Hours of review time at GS-14 grade/rate of \$52.97*	1 hour	\$21,559
	TOTAL HOURS	\$25,003

* 2007 General Schedule at step 5.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

There is a decrease in the total estimated burden due to a decrease in the number of contract awards made by this Agency.

16. For collections of information intended for publication, outline plans for tabulation and publication.

Not applicable.

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

Not applicable.

16. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-1.

Not applicable.

B. Collections of Information Employing Statistical Methods.

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The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the Form OMB 83-I is checked, "Yes," the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection methods to be used. Data on the

number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.

Not applicable. No respondent selection methods will be used. No statistical analysis will be conducted.

2. Describe the procedures for the collection of information including:

- * Statistical methodology for stratification and sample selection,**
- * Estimation procedure,**
- * Degree of accuracy needed for the purpose described in the justification,**
- * Unusual problems requiring specialized sampling procedures, and**
- * Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

Statistical methodology for stratification and sample selection:

Due to the subjective and individual nature of every NASA New Technology Summary Report, statistical methods are not used. Instead, each report is reviewed on a case-by-case basis.

This is an annual data collection.

3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.

Contractors performing research and development are encouraged to use information technology to prepare patent reports through a hyperlink to the electronic New Technology Reporting Web (eNTRe) site <http://invention.nasa.gov>. This website has been created to help NASA employees and parties under NASA funding agreements (i.e., contracts, grants, cooperative agreements, and subcontracts) to report new technology and patent notification directly, via a secure Internet connection, to NASA.

4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of test may be submitted for approval separately or in combination with the main collection of information.

No tests of procedures or methods are anticipated.

5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

Leigh Pomponio
NASA Senior Procurement Analyst
(202) 358-0592