



May 21, 2012

Eric Eide, Innovation and Technology Analyst
Office of Technology
Small Business Administration
409 3rd Street, 6th Floor
Washington, D. C. 20416

Re: Federal Register Notice, Volume 77, Number 54
New and/or currently approved information collection

Mr. Eide, et al.:

SBA's notice of March 20 asks for comments whether

- 1) the proposed information collection is necessary for the proper performance of the function of the agency;
- 2) the burden estimates are accurate; and
- 3) if there are ways to minimize the estimated burden and enhance the quality of the collection.

With regard to the first issue, The SBIR and STTR Reauthorization language in the National Defense Reauthorization Act of 2012 mandates the collection and reporting of data and information. This data and information will provide an accurate commercialization metric to measure of the value of SBIR and STTR Phase III awards, not just for the programs of the awarding agencies but to the economy as a whole. The data will also help measure the value of the public's investment in the SBIR and STTR programs. To lessen the burden on SBIR companies, the reporting could be limited as in the Commercialization Achievement Index (CAI), to companies who have been awarded a certain number of Phase II awards.

As for the second issue regarding burden estimates, the accuracy of the estimates can only be determined by how SBA administers Sec. 5144 of the Act which states in brief that, while taking into account the needs of each Federal Agency, the rules should standardize the overall collection process to "...reduce the paperwork and regulatory compliance burden on small business concerns applying to and participating in the SBIR program or STTR program." Because some of the data will be from third parties (licensees and purchasers of technology), estimates should be allowed in reporting Phase III activity by the company.

The new reporting requirement on the large prime contractors and agencies official are critical to evaluate their performance in meeting the goals and commercialization of SBIR technology. Prime contractors and the government already report on contracts with small business, minority business, HUBZones, and veterans. The additional reporting of SBIR contracts, subcontracts and dollars will not be a significant additional burden.

Likewise requiring the Venture Capital, hedge funds and private equity funds to report on their ownership and commercialization is critical to comply with the law, and evaluate their performance. Doing business with the Government is a privilege, not a right; it is not unreasonable to ask organizations wishing to do business with the government to provide the information needed to help the government more effectively and efficiently conduct business.

There are two criteria that should govern SBA's administration of the data collection programs as it applies to small business concerns:

- 1) extend DOD's Commercialization Achievement Index (CAI) to all non-DOD agencies to ensure uniformity of the data collected; and
- 2) accept one-stop reporting whether to TECH-NET or to the expanded CAI

From a small business perspective, small businesses should only have to report standardized data whether to TECH-NET or CAI or some other entity designed by SBA.

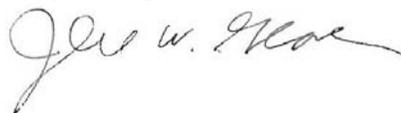
We understands that the data collection required by the Reauthorization Act establishes criteria for measuring the commercialization value of SBIR and STTR awards. As such, it provides an incentive for small business to collect and report the data. Collecting the data is not the concern. It is clearly in small business's interest to do so. That said, small business companies should only have to submit:

- 1) standardized data to a requesting agency;
- 2) be assured that the data will be shared with all SBIR and STTR awarding agencies, and be incorporated into one government information source; and
- 3) that companies will not be required to respond to different data requests from agencies. There should be no duplication of reporting. The company should never have to report the same data to second agency.

Since much of the information and data to be collected are confidential, steps must be taken to insure that the confidential and trade secret information are keep confidential and access to the data is limited. Most of the data can be aggregated to prevent disclosure of individual company information.

The Small Business Technology Council is grateful for the opportunity to comment on this SBA initiative and that SBA will craft its regulation to avoid duplication and redundant burdens on small business reporting on the commercialization of its SBIR and STTR awards.

Respectfully,



Jere W. Glover

Executive Director
Small Business Technology Council