

**DEPARTMENT OF COMMERCE****Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Small Business Innovation Research (SBIR) Program Application Cover Sheet**

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice of information collection, request for comment.

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before December 4, 2023.

**ADDRESSES:** Interested persons are invited to submit written comments by mail to Maureen O'Reilly, Management Analyst, NIST at [PRAComments@doc.gov](mailto:PRAComments@doc.gov). Please reference OMB Control Number 0693-0072 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or specific questions related to collection activities should be directed to Jacqueline Gray, NIST SBIR Program Office, 301-975-2522, [jacqueline.gray@nist.gov](mailto:jacqueline.gray@nist.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The SBIR program was originally established in 1982 by the Small Business Innovation Development Act (Pub. 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 (Pub. 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 SBIR Cover Sheet is the first page of each application that responds to the annual NIST SBIR Federal Funding Opportunity (FFO). The information collected in the Cover Sheet provides identifying information and demographic data for use in NIST's annual report to the SBA on the program.

**II. Method of Collection**

The information will be collected as part of the application process and will be submitted through [grants.gov](https://grants.gov).

**III. Data**

*OMB Control Number:* 0693-0072.

*Form Number(s):* None.

*Type of Review:* Extension of a current information collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 100.

*Estimated Time per Response:* 30 minutes.

*Estimated Total Annual Burden Hours:* 50 hours.

*Estimated Total Annual Cost to Public:* \$0.

*Respondent's Obligation:* Mandatory.

**IV. Request for Comments**

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.*

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**DEPARTMENT OF COMMERCE****Bureau of Industry and Security****In the Matter of: Leonel Molina, Jr., Inmate Number: 83797-509, FCI Three Rivers, Federal Correctional Institution, P.O. Box 4200, Three Rivers, TX 78071; Order Denying Export Privileges**

On March 2, 2023, in the U.S. District Court for the Southern District of Texas, Leonel Molina, Jr. ("Molina") was convicted of violating 18 U.S.C. 554(a). Specifically, Molina was convicted of smuggling from the United States to Mexico Wolf 7.62x39mm caliber ammunition, without a license or written approval from the United States Department of Commerce. As a result of his conviction, the Court sentenced Molina to 46 months of imprisonment, three years of supervised release, and a \$100 assessment.

Pursuant to section 1760(e) of the Export Control Reform Act ("ECRA"),<sup>1</sup> the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security ("BIS") licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Molina's conviction for violating 18 U.S.C. 554. As provided in section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), BIS provided notice and opportunity for Molina to make a written submission to BIS. 15 CFR 766.25.<sup>2</sup> BIS has not received a written submission from Molina.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its

<sup>1</sup> ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2022).