EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APR 7 1982

Honorable James C. Sanders
Administrator
Small Business Administration
Washington, DC 20416

Dear Mr. Sanders:

Mr. Norman Latker has been on assignment to the Office of Management and Budget (OMB) since February 18, 1981, from the Office of Advocacy, in order to aid the Administration in drafting implementing regulations for the Patent Amendments of 1980 (P.L. 96-517). OMB Circular No. A-124, promulgating Government-wide patent policy to implement the statute, was signed by the Director on February 10, 1982. Mr. Latker has been the primary contributor to the development of this Circular. It will become a significant part of this Administration's policies to improve productivity and innovation by encouraging the commercializaton of inventions arising from Government supported research and development by small businesses and universities. At current funding levels the Circular covers the disposition of the invention results from approximately $1.2 billion of grant and contract awards to small business and $5 billion to universities and nonprofit organizations each year.

The Circular also simplified the current regulatory framework by replacing numerous separate and diverse agency regulations and procedures (approximately 22 different requirements) with a single Government-wide policy applicable to both procurement and assistance awards. It establishes a single patent rights clause to be included in all Government grants and contracts with small businesses and nonprofits that give them the right to retain ownership of their inventions.

Also, to further encourage a uniform and effective implementation of the law, the Circular establishes a lead agency to monitor implementation, evaluate the effect of the Act on innovation, and serve as a clearinghouse of information for the Government and private sector.

While many people in and out of the Government have contributed to the passage of P.L. 96-517 and the development of the final Circular, Norman Latker's contribution has been critical. It is difficult to believe that we would be at this point of development in patent policy without Mr. Latker's perserverance and determination in resolving the many technical and policy issues needed to establish a uniform Government-wide patent policy. He is an expert in the field of patents and his efforts have been exceptional.

Accordingly, we recommend that he be considered for a Sustained Superior Performance Award for the period February 1981 to February 1982.

While this recommendation is based upon superior performance during this assignment in OMB, we recognize the high standing Mr. Latker also enjoys in the professional community because of his earlier work on the drafting of the Patent Amendments of 1980. His contribution to the patent field and in developing the current state-of-the-art in Government patent policy is widely recognized in the university and small business research community.

In summary, we urge the Small Business Adminsitration to recognize Norman Latker's superior performance over the past several months and his unique and important contribution to the field of Government patent policy.

Sincerely,

Harold I. Steinberg
Associate Director for
Management

Donald E. Sowle
Administrator, Office of
Federal Procurement Policy

cc: Norman Latker