

108TH CONGRESS  
2D SESSION

# H. R. 5385

To authorize the establishment of a Centennial Challenge Prize Program  
at the National Aeronautics and Space Administration.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2004

Mr. BOEHLERT introduced the following bill; which was referred to the  
Committee on Science

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## A BILL

To authorize the establishment of a Centennial Challenge  
Prize Program at the National Aeronautics and Space  
Administration.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CENTENNIAL CHALLENGE PRIZE.**

4       Title III of the National Aeronautics and Space Act  
5       of 1958 (42 U.S.C. 2451 et seq.) is amended by adding  
6       the following new section:

7               “CENTENNIAL CHALLENGE PRIZE

8       “SEC. 316. (a) PRIZE PROGRAM.—The Adminis-  
9       trator may carry out a Program, to be known as the Cen-  
10      tennial Challenge Program (referred to in this section as

1 ‘the Program’), to award competitive prizes for innova-  
2 tions with the potential for application to the space and  
3 aeronautical goals and activities of the Administration.

4 “(b) PROGRAM REQUIREMENTS.—(1) The Program  
5 shall use a competitive process for the selection of prize  
6 recipients. The Program shall widely advertise and solicit  
7 participation in prize competitions.

8 “(2) No individual or entity shall participate in a  
9 prize competition unless the individual or entity has reg-  
10 istered with the Program in accordance with requirements  
11 established by the Administrator. At a minimum those re-  
12 quirements shall—

13 “(A) limit participation in Program competi-  
14 tions to—

15 “(i) individuals who are citizens of the  
16 United States;

17 “(ii) entities organized or existing under  
18 the laws of the United States or a State; and

19 “(iii) entities organized or existing under  
20 the laws of a foreign country if the controlling  
21 interest (as defined by the Administrator) is  
22 held by an individual or entity described in  
23 clause (i) or (ii);

24 “(B) require any individual or entity that reg-  
25 isters for a Program competition to assume any and

1 all risks arising from participation in the competi-  
2 tion, and to waive any and all claims against the  
3 United States Government for damages arising from  
4 participation in the competition, including any and  
5 all claims for injury, death, damage or loss of prop-  
6 erty, or loss of revenue or profits, whether direct, in-  
7 direct, or consequential, whether through negligence  
8 or otherwise, except in the case of willful mis-  
9 conduct; and

10 “(C) require any individual or entity that reg-  
11 isters for a Program competition to waive claims  
12 against any non-Federal entity involved with the  
13 Program (such as a private contractor managing a  
14 competition for the Program) to the extent the Ad-  
15 ministrator believes is necessary to protect the inter-  
16 ests of the United States Government.

17 “(c) AVAILABILITY OF FUNDS.—(1) Any funds ap-  
18 propriated to carry out this section shall remain available  
19 until expended.

20 “(2) Funds appropriated to carry out this section  
21 shall not be available for any other purpose and shall not  
22 be subject to reprogramming.

23 “(d) LIMITATIONS.—(1) No prize competitions under  
24 this section may be commenced after Sept. 30, 2006.

1       “(2) No prize offered by the Program may exceed  
2 \$1,000,000.

3       “(e) RELATIONSHIP TO OTHER AUTHORITY.—The  
4 Administrator may exercise the authority in this section  
5 in conjunction with or in addition to any other authority  
6 of the Administrator to acquire, support, or stimulate in-  
7 novations with the potential for application to the space  
8 and aeronautical goals and activities of the United States.

9       “(f) REPORTS.—(1) The Administrator may not ac-  
10 cept any registrations for a competition under the Pro-  
11 gram until 30 days after the Administrator has submitted  
12 a description of the competition to the Committee on  
13 Science of the House of Representatives and the Com-  
14 mittee on Commerce, Science, and Transportation of the  
15 Senate. The description shall include eligibility criteria for  
16 registrants, criteria for selecting a winner, and the amount  
17 of the prize to be awarded.

18       “(2) In the proposed budget for the fiscal year begin-  
19 ning October 1, 2005, the Administrator shall include an  
20 estimate of the amounts proposed to be expended on the  
21 Program and a list of the competitions proposed for that  
22 fiscal year.

23       “(3) Not later than December 31, 2006, the Adminis-  
24 trator shall submit to the Committee on Science of the  
25 House of Representatives and the Committee on Com-

1 merce, Science, and Transportation of the Senate an ac-  
2 counting of previously appropriated Program funds, in-  
3 cluding an accounting of administrative costs, of amounts  
4 remaining that are allocated to pending prize competi-  
5 tions, and of amounts remaining that are not yet so allo-  
6 cated.”.

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