

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3331

To provide funding to enable institutions of higher education to establish a grant program to bridge the gap between laboratory discovery and commercially viable research.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2005

Mr. MILLER of North Carolina (for himself and Mr. BISHOP of New York) introduced the following bill; which was referred to the Committee on Science

---

## A BILL

To provide funding to enable institutions of higher education to establish a grant program to bridge the gap between laboratory discovery and commercially viable research.

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. PRECOMPETITIVE INNOVATION INVESTMENT.**

4       The Stevenson-Wydler Technology Innovation Act of  
5       1980 (15 U.S.C. 3701 et seq.) is amended by adding at  
6       the end the following new section:

7       **“SEC. 24. PRECOMPETITIVE INNOVATION INVESTMENT.**

8       “(a) **DEFINITIONS.**—In this section:

1           “(1) INSTITUTION OF HIGHER EDUCATION.—

2           The term ‘institution of higher education’ has the  
3           meaning given that term in section 101(a) of the  
4           Higher Education Act of 1965 (20 U.S.C. 1001(a)).

5           “(2)           PRECOMPETITIVE.—The           term  
6           ‘precompetitive’ means the period after completion  
7           of basic research but before completion of proof of  
8           concept.

9           “(b) GRANT PROGRAM.—The National Science Foun-  
10          dation shall establish a program of grants to institutions  
11          of higher education to enable them to bridge the gap be-  
12          tween laboratory discovery and commercially viable re-  
13          search.

14          “(c) USE OF GRANT AMOUNTS.—Amounts provided  
15          in a grant under this section may be used for the estab-  
16          lishment of precompetitive technology transfer centers,  
17          which can be used to advance inventions made at the insti-  
18          tution of higher education that have market potential to  
19          the point where they can attract other private or public  
20          funding, through—

21                  “(1) enlisting the assistance of commercializa-  
22                  tion specialists to assist the institution of higher  
23                  education in areas such as the formation of a small  
24                  business, licensing, or other method of commer-  
25                  cialization;

1 “(2) establishing proof-of-concept;

2 “(3) technology feasibility studies;

3 “(4) concept analysis;

4 “(5) market assessment or study;

5 “(6) development and testing of a basic proto-  
6 type;

7 “(7) patenting and licensing expenses; or

8 “(8) development of a business plan.

9 “(d) APPLICATION REQUIREMENT.—An applicant for  
10 a grant under this section shall establish to the satisfac-  
11 tion of the National Science Foundation its ability to carry  
12 out the activities described in subsection (c) for which the  
13 grant will be used.

14 “(e) SELECTION PREFERENCES.—The National  
15 Science Foundation shall give preference in the selection  
16 of grantees under this section to—

17 “(1) institutions of higher education that work  
18 with outside agencies such as State and local govern-  
19 ment, businesses, and economic development organi-  
20 zations;

21 “(2) institutions of higher education that match  
22 Federal funds used in grants made under the pro-  
23 gram; and

24 “(3) institutions of higher education that work  
25 with other institutions of higher education, including

1 institutions too small to have their own technology  
2 licensing office.

3 “(f) EQUAL ACCESS TO GRANTS.—The National  
4 Science Foundation shall strive to ensure equal access to  
5 grants under this section for Historically Black Colleges  
6 and Universities, and Minority Serving Institutions.

7 “(g) LIMIT ON NUMBER OF GRANTS.—No institution  
8 of higher education shall receive a grant under this section  
9 for more than 4 years.

10 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
11 are authorized to be appropriated to the National Science  
12 Foundation for carrying out this section—

13 “(1) \$10,000,000 for fiscal year 2006; and

14 “(2) such sums as may be necessary for fiscal  
15 years 2007 through 2010.”.

○