

110TH CONGRESS
2D SESSION

H. R. 6661

To require the Secretary of Commerce to establish an award program to honor achievements in nanotechnology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2008

Mr. LIPINSKI (for himself and Mr. AKIN) introduced the following bill; which was referred to the Committee on Science and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Commerce to establish an award program to honor achievements in nanotechnology, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Nanotechnology Inno-
5 vation and Prize Competition Act of 2008”.

6 **SEC. 2. NANOTECHNOLOGY AWARD PROGRAM.**

7 (a) PROGRAM ESTABLISHED.—The Secretary of
8 Commerce shall establish a program to award prizes to

1 eligible persons described in subsection (b) for achieve-
2 ment in 1 or more of the following applications of
3 nanotechnology:

4 (1) Improvement of the environment, consistent
5 with the Twelve Principles of Green Chemistry of
6 the Environmental Protection Agency.

7 (2) Development of alternative energy that has
8 the potential to lessen the dependence of the United
9 States on fossil fuels.

10 (3) Improvement of human health, consistent
11 with regulations promulgated by the Food and Drug
12 Administration of the Department of Health and
13 Human Services.

14 (4) Development of consumer products.

15 (5) Advancement in the field of nanoelectronics.

16 (b) ELIGIBLE PERSON.—An eligible person described
17 in this subsection is—

18 (1) an individual who is—

19 (A) a citizen or legal resident of the
20 United States; or

21 (B) a member of a group that includes
22 citizens or legal residents of the United States;
23 or

24 (2) an entity that is incorporated and maintains
25 its primary place of business in the United States.

1 (c) ESTABLISHMENT OF BOARD.—

2 (1) IN GENERAL.—The Secretary of Commerce
3 shall establish a board to administer the program es-
4 tablished under subsection (a).

5 (2) MEMBERSHIP.—The board shall be com-
6 posed of not less than 15 and not more than 21
7 members appointed by the President, of whom—

8 (A) not less than 1 shall—

9 (i) be a representative of the interests
10 of academic, business, and nonprofit orga-
11 nizations; and

12 (ii) have expertise in—

13 (I) the field of nanotechnology; or

14 (II) administering award com-
15 petitions; and

16 (B) not less than 1 shall be from each of—

17 (i) the Department of Energy;

18 (ii) the Environmental Protection
19 Agency;

20 (iii) the Food and Drug Administra-
21 tion of the Department of Health and
22 Human Services;

23 (iv) the National Institutes of Health
24 of the Department of Health and Human
25 Services;

1 (v) the National Institute for Occupa-
2 tional Safety and Health of the Depart-
3 ment of Health and Human Services;

4 (vi) the National Institute of Stand-
5 ards and Technology of the Department of
6 Commerce; and

7 (vii) the National Science Foundation.

8 (d) AWARDS.—The board established under sub-
9 section (c) shall make awards under the program estab-
10 lished under subsection (a) as follows:

11 (1) FINANCIAL PRIZE.—The board may hold a
12 financial award competition and award a financial
13 award in an amount determined before the com-
14 mencement of the competition to the first competitor
15 to meet such criteria as the board shall establish.

16 (2) RECOGNITION PRIZE.—The board may rec-
17 ognize an eligible person for superlative achievement
18 in 1 or more nanotechnology applications described
19 in subsection (a). The award shall not include any
20 financial remuneration.

21 (e) ADMINISTRATION.—

22 (1) CONTRACTING.—The board established
23 under subsection (c) may contract with a private or-
24 ganization to administer a financial award competi-
25 tion described in subsection (d)(1).

1 (2) SOLICITATION OF FUNDS.—A member of
2 the board or any administering organization with
3 which the board has a contract under paragraph (1)
4 may solicit funds from a private person to be used
5 for a financial award under subsection (d)(1).

6 (3) LIMITATION ON PARTICIPATION OF DO-
7 NORS.—The board may allow a donor who is a pri-
8 vate person described in paragraph (2) to participate
9 in the determination of criteria for an award under
10 subsection (d), but such donor may not solely deter-
11 mine the criteria for such award.

12 (4) NO ADVANTAGE FOR DONATION.—A donor
13 who is a private person described in paragraph (2)
14 shall not be entitled to any special consideration or
15 advantage with respect to participation in a financial
16 award competition under subsection (d)(1).

17 (f) INTELLECTUAL PROPERTY.—The Federal Gov-
18 ernment may not acquire an intellectual property right in
19 any product or idea by virtue of the submission of such
20 product or idea in any competition under subsection
21 (d)(1).

22 (g) LIABILITY.—The board established under sub-
23 section (c) may require a competitor in a financial award
24 competition under subsection (d)(1) to waive liability

1 against the Federal Government for injuries and damages
2 that result from participation in such competition.

3 (h) ANNUAL REPORT.—Each year, the board estab-
4 lished under subsection (c) shall submit to Congress a re-
5 port on the program established under subsection (a).

6 (i) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated sums for the program
8 established under subsection (a) as follows:

9 (1) For administration of prize competitions
10 under subsection (d), \$750,000 for each fiscal year.

11 (2) For the awarding of a financial prize award
12 under subsection (d)(1), in addition to any amounts
13 received under subsection (e)(2), \$2,000,000 for
14 each fiscal year.

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