

114TH CONGRESS
1ST SESSION

H. R. 1622

To provide a Federal charter to the Fab Foundation for the National Fab Lab Network, a national network of local digital fabrication facilities providing community access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Mr. FOSTER (for himself, Mr. HULTGREN, Ms. NORTON, Mr. POCAN, and Mr. MASSIE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide a Federal charter to the Fab Foundation for the National Fab Lab Network, a national network of local digital fabrication facilities providing community access to advanced manufacturing tools for learning skills, developing inventions, creating businesses, and producing personalized products.

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 “National Fab Lab Net-
5 work Act of 2015”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Scientific discoveries and technical innova-
4 tions are critical to the economic and national secu-
5 rity of the United States.

6 (2) Maintaining the leadership of the United
7 States in science, technology, engineering, and math-
8 ematics will require a diverse population with the
9 skills, interest, and access to tools required to ad-
10 vance these fields.

11 (3) Just as earlier digital revolutions in commu-
12 nications and computation provided individuals with
13 the Internet and personal computers, a digital revo-
14 lution in fabrication will allow anyone to make al-
15 most anything, anywhere.

16 (4) These creations include communications de-
17 vices, solar powered housing, consumer products,
18 and new kinds of machines and tools for advanced
19 manufacturing.

20 (5) The Center for Bits and Atoms of the Mas-
21 sachusetts Institute of Technology (CBA) has con-
22 tributed significantly to the advancement of these
23 goals through its work in creating and advancing
24 digital fabrication facilities, or “fab labs” in the
25 United States and abroad.

1 “(b) DEFINITION OF FAB LAB.—In this chapter, the
2 term ‘fab lab’ refers to a facility that is—

3 “(1) equipped with a standard integrated suite
4 of fabrication tools that can convert digital designs
5 into functional physical things;

6 “(2) equipped with scanning tools to convert
7 physical things into digital designs; and

8 “(3) made freely accessible to the general pub-
9 lic, allowing for necessary fees.

10 **“§ 301102. Purposes and goals**

11 “The purposes and goals of the NFLN are—

12 “(1) to create a national network of connected
13 local fab labs to empower individuals and commu-
14 nities in the United States;

15 “(2) to foster the use of distributed digital fab-
16 rication tools to promote science, technology, engi-
17 neering and math skills, increase invention and inno-
18 vation, create businesses and jobs, and fulfill per-
19 sonal, professional, and community needs;

20 “(3) to serve as a resource to assist stake-
21 holders with the effective operation of fab labs;

22 “(4) to provide a platform for education, re-
23 search, and for catalyzing new methods in STEM
24 education;

1 “(5) to create new ways of educating the work-
2 force that will enable workers to compete in a 21st
3 Century global marketplace; and

4 “(6) to seek to establish at least one fab lab per
5 every 700,000 individuals in the United States in
6 the first ten years of its operation, corresponding to
7 availability in all 435 Congressional districts and to
8 provide guidelines for their sustainable operation.

9 **“§ 301103. Membership and organization**

10 “Except as provided in this Act, eligibility for mem-
11 bership in the NFLN and the rights and privileges of
12 members are as provided in the constitution and bylaws
13 of the NFLN.

14 **“§ 301104. Governing body**

15 “Directors, officers, and other staff of the NFLN,
16 and their powers and duties are as provided in the bylaws
17 of the NFLN.

18 **“§ 301105. Powers**

19 “The NFLN may—

20 “(1) coordinate the creation of a national net-
21 work of local fab labs in the United States;

22 “(2) issue guidelines for the sustainable oper-
23 ation of fab labs;

24 “(3) serve as a resource for organizations and
25 communities seeking to create fab labs by providing

1 information, assessing suitability, advising on the lab
2 lifecycle, and maintaining descriptions of prospective
3 and operating sites;

4 “(4) accept funds from private individuals, cor-
5 porations, government agencies, or other organiza-
6 tions;

7 “(5) distribute funds to other non-profit organi-
8 zations to establish and operate fab labs as members
9 of the NFLN;

10 “(6) facilitate communication between other
11 non-profit organizations seeking to join the NFLN
12 with operational entities that can source and install
13 fab labs, provide training, assist with operations, ac-
14 count for spending, and assess impact;

15 “(7) communicate the benefits available
16 through membership in the NFLN to communities
17 and the public;

18 “(8) facilitate and participate in synergistic
19 programs, including workforce training, job creation,
20 research broader impacts, and the production of
21 civic infrastructure;

22 “(9) amend a constitution and bylaws for the
23 management of its property and the regulation of its
24 affairs;

1 “(10) choose directors, officers, trustees, man-
2 agers, employees, and agents as the activities of the
3 NFLN require;

4 “(11) make contracts;

5 “(12) acquire, own, lease, encumber, and trans-
6 fer property as necessary or convenient to carry out
7 the purposes of the corporation;

8 “(13) borrow money, issue instruments of in-
9 debtedness, and secure its obligations by granting
10 security interests in its property;

11 “(14) charge and collect membership dues and
12 subscription fees; and

13 “(15) sue and be sued.

14 **“§ 301106. Restrictions**

15 “(a) STOCK AND DIVIDENDS.—The corporation may
16 not issue securities of any kind or declare or pay a divi-
17 dend.

18 “(b) DISTRIBUTION OF INCOME OR ASSETS.—The in-
19 come or assets of the corporation may not inure to the
20 benefit of, or be distributed to, a director, officer, or mem-
21 ber during the life of the charter granted by this Act. This
22 paragraph does not prevent the payment of reasonable
23 compensation to an officer or reimbursement for actual
24 necessary expenses in amounts approved by the board of
25 directors.

1 “(c) LOANS.—The corporation may not make a loan
2 to a director, officer, or employee.

3 “(d) CLAIM OF GOVERNMENTAL APPROVAL OR AU-
4 THORITY.—The corporation may not claim congressional
5 approval or the authority of the United States Govern-
6 ment for any of its activities.

7 **“§ 301107. Records**

8 “The NFLN shall keep—

9 “(1) correct and complete records of account;

10 “(2) minutes of the proceedings of its members,
11 board of directors, and committees having any of the
12 authority of its board of directors; and

13 “(3) at its principal office, a record of the
14 names and addresses of its members entitled to vote.

15 **“§ 301108. Duty to maintain tax exempt status**

16 “The NFLN shall exist as a nonprofit entity under
17 Section 501(c)(3) of the Internal Revenue Code of 1986.

18 **“§ 301109. Inspections**

19 “A member entitled to vote, or an agent or attorney
20 of the member, may inspect the records of the corporation
21 for any proper purpose, at any reasonable time.

22 **“§ 301110. Liability for acts of officers and agents**

23 “The NFLN is liable for the acts of its officers and
24 agents acting within the scope of their authority.

1 **“§ 301111. Annual report**

2 “The NFLN shall submit an annual report to Con-
3 gress, including specifically to the Committee on Science,
4 Space, and Technology of the House of Representatives
5 and the Committee on Commerce, Science, and Transpor-
6 tation of the Senate, on the activities of the corporation
7 during the prior fiscal year. The report shall be submitted
8 at the same time as the report of the audit required by
9 section 10101 of this title. The report may not be printed
10 as a public document.”.

○