

114TH CONGRESS  
2D SESSION

# H. R. 5073

To establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2016

Mr. COHEN (for himself, Mr. DUNCAN of Tennessee, and Ms. KUSTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Useful Re-  
3 search Expenditures is Key for Alzheimer’s Act” or the  
4 “EUREKA Act”.

5 **SEC. 2. AUTHORIZATION OF NATIONAL ALZHEIMER’S AND**  
6 **DEMENTIA RESEARCH BREAKTHROUGH**  
7 **PRIZE COMPETITIONS.**

8 Part B of title IV of the Public Health Service Act  
9 (42 U.S.C. 284 et seq.) is amended by adding at the end  
10 the following:

11 **“SEC. 409K. NATIONAL ALZHEIMER’S AND DEMENTIA RE-**  
12 **SEARCH BREAKTHROUGH PRIZE COMPETI-**  
13 **TIONS.**

14 “(a) IN GENERAL.—The Director of NIH, in con-  
15 sultation with the Director of the National Science Foun-  
16 dation, the Director of the Defense Advanced Research  
17 Projects Agency, the Commissioner of Food and Drugs,  
18 the Director of the Intelligence Advanced Research  
19 Projects Activity, and the heads of any other appropriate  
20 Federal agencies that have experience in prize competi-  
21 tions, shall establish prize competitions. The competitions  
22 shall be designed to achieve high-priority breakthroughs  
23 to achieve the national goals of preventing and treating  
24 Alzheimer’s disease by 2025, enhancing quality and effi-  
25 ciency of care for individuals with Alzheimer’s disease, and

1 expanding supports for individuals with Alzheimer’s dis-  
2 ease and the family caregivers of such individuals.

3 “(b) EUREKA PRIZE COMPETITIONS.—

4 “(1) IN GENERAL.—The Director of NIH, in  
5 consultation with the Director of the National  
6 Science Foundation, the Director of the Defense Ad-  
7 vanced Research Projects Agency, the Commissioner  
8 of Food and Drugs, the Director of the Intelligence  
9 Advanced Research Projects Activity, and the heads  
10 of any other appropriate Federal agencies that have  
11 experience in prize competitions, and when appro-  
12 priate, in coordination with private organizations,  
13 shall establish EUREKA prize competitions to accel-  
14 erate breakthroughs in the area of Alzheimer’s dis-  
15 ease and dementia that lead to the attainment of  
16 critical milestones set forth in the competitions. The  
17 competitions may be in any of the following areas:

18 “(A) Identification and validation of non-  
19 invasive biomarkers to inform therapeutic tar-  
20 geting.

21 “(B) Identification of scalable, non-  
22 invasive means of early detection and diagnosis  
23 of Alzheimer’s disease.

24 “(C) Repurposing of a drug approved by  
25 the Food and Drug Administration as a dis-

1 ease-modifying treatment for Alzheimer’s dis-  
2 ease.

3 “(D) Innovations, including technological  
4 or telemedicine, to improve care of individuals  
5 with Alzheimer’s disease or dementia and to  
6 ease the burden of caregiving for such individ-  
7 uals, including cost burdens.

8 “(E) Breakthroughs to overcome a signifi-  
9 cant scientific barrier to understanding the pa-  
10 thology of Alzheimer’s disease.

11 “(F) Other Alzheimer’s disease and de-  
12 mentia needs, as appropriate and as determined  
13 by the Advisory Council described in subsection  
14 (e).

15 “(G) Other areas, as the Director of NIH  
16 determines appropriate.

17 “(2) PUBLICATION.—The Director of NIH shall  
18 publish each competition that is offered in the Fed-  
19 eral Register, including the specific award amounts  
20 offered, applicable deadlines, and other eligibility cri-  
21 teria.

22 “(3) ELIGIBILITY.—To be eligible to win a  
23 prize under this section, an individual or private or-  
24 ganization—

1           “(A) shall have registered to participate in  
2           the competition under any rules promulgated by  
3           the Director of NIH under paragraph (2);

4           “(B) shall have complied with all the re-  
5           quirements under this section;

6           “(C) in the case of a private organization,  
7           shall be incorporated in and maintain a primary  
8           place of business in the United States, and in  
9           the case of an individual, whether participating  
10          singly or in a group, shall be a citizen or per-  
11          manent resident of the United States, unless  
12          the Director of NIH waives such requirement  
13          with respect to an organization or individual;  
14          and

15          “(D) may not be a Federal entity or Fed-  
16          eral employee acting within the scope of their  
17          employment.

18          “(c) ADVISORY COUNCIL.—Not later than 1 year  
19          after the date of enactment of the EUREKA Act, the Di-  
20          rector of NIH shall convene an Advisory Council of non-  
21          governmental experts in Alzheimer’s disease and dementia  
22          to devise development of EUREKA prize competitions  
23          under subsection (b). The council shall be comprised of  
24          8 members, including—

1           “(1) 2 experts from private organizations with  
2 expertise in managing multi-faceted prize competi-  
3 tions;

4           “(2) 2 experts in Alzheimer’s disease and de-  
5 mentia biomedical research;

6           “(3) 2 experts in Alzheimer’s disease and de-  
7 mentia therapy development, including individuals  
8 with expertise in designing and executing human  
9 clinical trials; and

10          “(4) 2 individuals from the caregiver or patient  
11 advocacy community.

12          “(d) EVALUATION OF SUBMISSIONS.—The Director  
13 of NIH, in consultation with the Advisory Council, shall  
14 appoint a panel of judges, from within or outside the Na-  
15 tional Institutes of Health, including from the private sec-  
16 tor, to review and evaluate all submissions for EUREKA  
17 competitions. The judging panel shall forward rec-  
18 ommendations to the Director of NIH and the Advisory  
19 Council. The Director of NIH shall evaluate all submis-  
20 sions recommended by the judging panel and select sub-  
21 missions for which the prize shall be awarded. In reviewing  
22 submissions and selecting awardees, the Director of NIH  
23 may seek technical assistance and expertise from other  
24 Federal agencies or external sources, as appropriate.

1           “(e) ADMINISTERING THE COMPETITIONS.—The Di-  
2   rector of NIH may enter into an agreement with a private  
3   organization to administer prize competitions, subject to  
4   the provisions of this section.

5           “(f) APPLICABILITY OF OTHER PROVISIONS.—Sub-  
6   sections (e), (h), (i), and (j) of section 24 of the Stevenson-  
7   Wydler Technology Innovation Act of 1980 shall apply to  
8   this section. In applying such subsection (h) to this sec-  
9   tion, the reference to subsection (g) shall be deemed to  
10  be a reference to subsection (b) of this section. Paragraphs  
11  (2) and (3) of subsection (k) of section 24 of the Steven-  
12  son-Wydler Technology Innovation Act of 1980 shall apply  
13  to the appointment and functioning of the panel of judges  
14  described in subsection (d).

15          “(g) EXEMPTION FROM FACA.—The Federal Advi-  
16  sory Committee Act (5 U.S.C. App.) shall not apply to  
17  the advisory council established under subsection (c) or  
18  the judging panel appointed under subsection (d).

19          “(h) PRIVATE ORGANIZATIONS.—In this section, the  
20  term ‘private organizations’ means nongovernmental enti-  
21  ties, including nonprofit and for-profit entities.

22          “(i) FUNDING.—

23               “(1) IN GENERAL.—Support for a prize com-  
24   petition under this section, including financial sup-  
25   port for the design and administration of a prize

1 competition or monetary contributions or gifts of  
2 property for a prize purse, may consist of Federal  
3 appropriated funds, funds provided by private orga-  
4 nizations, and individuals. The Director of NIH may  
5 solicit and accept funds from other Federal agencies,  
6 from private organizations, and individuals to sup-  
7 port such prize competitions. The Director of NIH  
8 may not give any special consideration to any indi-  
9 vidual or private organization in return for a dona-  
10 tion.

11 “(2) AUTHORIZATION OF APPROPRIATIONS.—  
12 To carry out this section, there are authorized to be  
13 appropriated not more than \$10,000,000, for each  
14 of fiscal years 2017 through 2021. Any funds appro-  
15 priated under this paragraph shall remain available  
16 until September 30, 2025.

17 “(3) CLARIFICATION.—Any funds made avail-  
18 able through this section shall supplement, not sup-  
19 plant, other funding made available for research on  
20 Alzheimer’s disease and related dementia.”.

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