

[COMMITTEE PRINT]

114TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To authorize surface transportation research and development programs, and  
for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. COMSTOCK introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To authorize surface transportation research and  
development programs, 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 “Surface Transpor-  
5 tation Research and Development Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the followings findings:

8 (1) Federal transportation research and devel-  
9 opment planning and coordination—

1 (A) should occur within the Office of the  
2 Secretary of Transportation; and

3 (B) should be, to the extent practicable,  
4 multimodal and not occur solely within the sub-  
5 agencies of the Department of Transportation.

6 (2) Managing a multimodal research and devel-  
7 opment portfolio within the Office of the Secretary  
8 will—

9 (A) help identify opportunities where re-  
10 search could be applied across modes; and

11 (B) prevent duplication of efforts and  
12 waste of limited Federal resources.

13 (3) Increasing transparency of transportation  
14 research and development efforts will—

15 (A) build stakeholder confidence in the  
16 final product; and

17 (B) lead to the improved implementation  
18 of research and development findings.

19 **SEC. 3. RESEARCH PLANS AND RESEARCH ABSTRACT**  
20 **DATABASE.**

21 (a) IN GENERAL.—Not later than May 1 of each  
22 year, the head of each modal administration and joint pro-  
23 gram office of the Department of Transportation shall  
24 submit a comprehensive annual research plan for the fiscal  
25 year following the upcoming fiscal year to the Assistant

1 Secretary for Research and Technology of the Department  
2 of Transportation (referred to in this section as the “As-  
3 sistant Secretary”).

4 (b) REVIEW.—

5 (1) IN GENERAL.—Not later than September 1  
6 of each year, the Assistant Secretary, for each plan  
7 submitted pursuant to subsection (a), shall—

8 (A) review the scope of the research; and

9 (B)(i) approve the plan; or

10 (ii) request that the plan be revised and re-  
11 submitted for approval.

12 (2) PUBLICATIONS.—Not later than January  
13 30 of each year, the Assistant Secretary shall pub-  
14 lish on a public website each plan that has been ap-  
15 proved under paragraph (1)(B)(i).

16 (3) REJECTION OF DUPLICATIVE RESEARCH EF-  
17 FORTS.—The Assistant Secretary may not approve  
18 any plan submitted by the head of a modal adminis-  
19 tration or joint program office pursuant to sub-  
20 section (a) if such plan duplicates significant aspects  
21 of research projects of any other modal administra-  
22 tion.

23 (c) FUNDING LIMITATIONS.—No funds may be ex-  
24 pended by the Department of Transportation on research

1 that has not previously been approved as part of a re-  
2 search plan approved by the Assistant Secretary unless—

3 (1) such research is required by an Act of Con-  
4 gress;

5 (2) such research was part of a contract that  
6 was funded before the date of enactment of this Act;

7 or

8 (3) the Secretary of Transportation certifies to  
9 Congress that such research is necessary and pro-  
10 vides justification for the certification.

11 (d) DUPLICATIVE RESEARCH.—

12 (1) IN GENERAL.—Except as provided in para-  
13 graph (2), no funds may be expended by the Depart-  
14 ment of Transportation on more than one research  
15 project that the Assistant Secretary identifies as du-  
16 plicative under subsection (b)(3).

17 (2) EXCEPTIONS.—Paragraph (1) shall not  
18 apply to—

19 (A) research commissioned before the date  
20 of enactment of this Act;

21 (B) updates to previously commissioned re-  
22 search, including replication studies; or

23 (C) research specifically required by law.

24 (e) RESEARCH ABSTRACT DATABASE.—

1           (1) IN GENERAL.—The Assistant Secretary  
2 shall annually publish on a public website a com-  
3 prehensive database of all research projects con-  
4 ducted by the Department of Transportation, includ-  
5 ing, to the extent practicable, research funded  
6 through University Transportation Centers.

7           (2) CONTENTS.—The database published under  
8 paragraph (1) shall—

9           (A) include the research plans approved  
10 under subsection (b)(1)(B)(i);

11           (B) describe the research objectives,  
12 progress, findings, and allocated funds for each  
13 research project;

14           (C) identify research projects with  
15 multimodal applications;

16           (D) specify how relevant modal administra-  
17 tions have assisted, will contribute to, or plan  
18 to use the findings from the research projects  
19 identified under paragraph (1);

20           (E) identify areas in which more than 1  
21 modal administration is conducting research on  
22 a similar subject or a subject which has a bear-  
23 ing on more than 1 mode;

24           (F) describe the interagency and cross-  
25 modal communication and coordination that has

1 occurred to develop the research plans approved  
2 under subsection (b)(1)(B)(i), and to prevent  
3 duplication of research projects within the De-  
4 partment of Transportation;

5 (G) indicate how the findings of research  
6 are being disseminated to improve the effi-  
7 ciency, effectiveness, and safety of transpor-  
8 tation systems; and

9 (H) describe the specific content and  
10 sources of public and stakeholder input to the  
11 research plans approved under subsection  
12 (b)(1)(B)(i).

13 (f) FUNDING REPORT.—In conjunction with each of  
14 the President’s annual budget requests under section 1105  
15 of title 31, United States Code, the Secretary of Transpor-  
16 tation shall submit to Congress and annually publish on  
17 a public website a report that describes—

18 (1) the amount spent in the last completed fis-  
19 cal year on each transportation research and devel-  
20 opment project; and

21 (2) the amount that the Secretary plans or esti-  
22 mates the Department will spend during the current  
23 fiscal year on each transportation research and de-  
24 velopment project.

1 **SEC. 4. TRANSPORTATION RESEARCH AND DEVELOPMENT**  
2 **STRATEGIC PLAN.**

3 (a) IN GENERAL.—The Secretary of Transportation  
4 shall develop a 5-year transportation research and devel-  
5 opment strategic plan for fiscal years 2018 through 2022  
6 to guide future Federal transportation research and devel-  
7 opment activities.

8 (b) CONSISTENCY.—The strategic plan developed  
9 under subsection (a) shall be consistent with—

10 (1) section 306 of title 5, United States Code;

11 (2) sections 1115 and 1116 of title 31, United  
12 States Code; and

13 (3) any other research and development plan  
14 within the Department of Transportation.

15 (c) CONTENTS.—The strategic plan developed under  
16 subsection (a) shall—

17 (1) describe the primary purposes of the trans-  
18 portation research and development program, which  
19 shall include—

20 (A) improving mobility of people and  
21 goods;

22 (B) reducing congestion;

23 (C) promoting safety; and

24 (D) improving the durability and extending  
25 the life of transportation infrastructure.

1           (2) for each of the purposes referred to in para-  
2           graph (1), list the proposed research and develop-  
3           ment activities that the Department of Transpor-  
4           tation intends to pursue to accomplish that purpose,  
5           which may include—

6                   (A) fundamental research pertaining to the  
7                   applied physical and natural sciences;

8                   (B) applied science and research;

9                   (C) technology development research; and

10                  (D) social science research; and

11           (3) for each research and development activ-  
12           ity—

13                   (A) identify the anticipated annual funding  
14                   levels for the period covered by the strategic  
15                   plan; and

16                   (B) describe the research findings the De-  
17                   partment of Transportation expects to discover  
18                   at the end of the period covered by the strategic  
19                   plan.

20           (d) CONSIDERATIONS.—The Secretary shall ensure  
21           that the strategic plan developed under this section—

22                   (1) reflects input from external stakeholders;

23                   (2) includes and integrates the research and de-  
24           velopment programs of all of the Department of



1 Transportation's modal administrations and joint  
2 programs;

3 (3) takes into account research and develop-  
4 ment by other Federal, State, local, private sector,  
5 and nonprofit institutions; and

6 (4) is published on a public website by Decem-  
7 ber 31, 2016.

8 (e) REPORT.—

9 (1) NATIONAL RESEARCH COUNCIL REVIEW.—

10 The Secretary shall enter into an agreement with  
11 the National Research Council for a review and  
12 analysis of the Department's 5-year research and de-  
13 velopment strategic plan described in this section.  
14 By March 31, 2017, the Secretary shall publish on  
15 a public website the National Research Council's  
16 analysis of the Department's plan.

17 (2) INTERIM REPORT.—By June 30, 2019, the  
18 Secretary shall publish on a public website an in-  
19 terim report that—

20 (A) provides an assessment of the Depart-  
21 ment's 5-year research and development stra-  
22 tegic plan described in this section that includes  
23 a description of the extent to which the re-  
24 search and development is or is not successfully

1 meeting the purposes described under sub-  
2 section (c)(1); and

3 (B) addresses any concerns and identifies  
4 any gaps that may have been raised by the Na-  
5 tional Research Council analysis under para-  
6 graph (1), including how the plan is or is not  
7 responsive to the National Research Council re-  
8 view.

9 (f) TECHNICAL AND CONFORMING AMENDMENTS.—

10 (1) CHAPTER 5 OF TITLE 23.—Chapter 5 of  
11 title 23, United States Code, is amended—

12 (A) by striking section 508;

13 (B) in the table of contents, by striking the  
14 item relating to section 508;

15 (C) in section 502—

16 (i) in subsection (a)(9), by striking  
17 “transportation research and technology  
18 development strategic plan developed under  
19 section 508” and inserting “transportation  
20 research and development strategic plan  
21 under section 4 of the Surface Transpor-  
22 tation Research and Development Act of  
23 2015”; and

24 (ii) in subsection (b)(4), by striking  
25 “transportation research and development

1 strategic plan of the Secretary developed  
2 under section 508” and inserting “trans-  
3 portation research and development stra-  
4 tegic plan under section 4 of the Surface  
5 Transportation Research and Development  
6 Act of 2015”; and

7 (D) in section 512(b), by striking “as part  
8 of the transportation research and development  
9 strategic plan developed under section 508”.

10 (2) INTELLIGENT TRANSPORTATION SYS-  
11 TEMS.—The Intelligent Transportation Systems Act  
12 of 1998 (23 U.S.C. 502 note) is amended—

13 (A) in section 5205(b), by striking “as  
14 part of the Surface Transportation Research  
15 and Development Strategic Plan developed  
16 under section 508 of title 23, United States  
17 Code” and inserting “as part of the transpor-  
18 tation research and development strategic plan  
19 under section 4 of the Surface Transportation  
20 Research and Development Act of 2015”; and

21 (B) in section 5206(e)(2)(A), by striking  
22 “or the Surface Transportation Research and  
23 Development Strategic Plan developed under  
24 section 508 of title 23, United States Code”  
25 and inserting “or the transportation research

1 and development strategic plan under section 4  
2 of the Surface Transportation Research and  
3 Development Act of 2015”.

4 (3) INTELLIGENT TRANSPORTATION SYSTEM  
5 RESEARCH.—Subtitle C of title V of the Safe, Ac-  
6 countable, Flexible, Efficient Transportation Equity  
7 Act: A Legacy for Users (23 U.S.C. 512 note) is  
8 amended—

9 (A) in section 5305(h)(3)(A), by striking  
10 “the strategic plan under section 508 of title  
11 23, United States Code” and inserting “the 5-  
12 year transportation research and development  
13 strategic plan under section 4 of the Surface  
14 Transportation Research and Development Act  
15 of 2015”; and

16 (B) in section 5307(c)(2)(A), by striking  
17 “or the surface transportation research and de-  
18 velopment strategic plan developed under sec-  
19 tion 508 of title 23, United States Code” and  
20 inserting “or the 5-year transportation research  
21 and development strategic plan under section 4  
22 of the Surface Transportation Research and  
23 Development Act of 2015”.

1 **SEC. 5. TRAFFIC CONGESTION.**

2 (a) WORKING GROUP.—The Secretary of Transpor-  
3 tation shall establish a working group consisting of appro-  
4 priate representatives from the different modal adminis-  
5 trations of the Department of Transportation, chaired by  
6 the Assistant Secretary of Transportation for Research  
7 and Technology, to design, develop, and propose a pro-  
8 gram of research on the reduction of traffic congestion.

9 (b) DUTIES.—The working group established under  
10 subsection (a), shall—

11 (1) establish goals and objectives for the pro-  
12 gram under this section;

13 (2) recommend research to accelerate the adop-  
14 tion of transportation management systems that  
15 allow traffic to flow in the safest and most efficient  
16 manner possible while alleviating current and future  
17 traffic congestion challenges;

18 (3) assess and analyze traffic, transit, and  
19 freight data from various sources relevant to efforts  
20 to reduce traffic congestion so as to maximize mobil-  
21 ity, efficiency, and capacity while decreasing conges-  
22 tion and travel times;

23 (4) examine the use and integration of multiple  
24 data types from multiple sources and technologies,  
25 including road weather data, private vehicle (includ-  
26 ing Global Positioning System) data, arterial and

1 highway traffic conditions, transit vehicle arrival and  
2 departure times, real time navigation routing, con-  
3 struction zone information, and reports of incidents,  
4 to suggest improvements in effective communication  
5 of such data and information in real time;

6 (5) study and propose solutions to the traffic  
7 congestion issues on high-traffic roads in the Wash-  
8 ington, D.C. area to alleviate and prevent gridlock in  
9 and around the Nation's Capital, reflecting its sig-  
10 nificance as the seat of the Federal Government and  
11 headquarters for several critical national security  
12 agencies;

13 (6) develop and disseminate suggested strate-  
14 gies and solutions to reduce congestion for high-den-  
15 sity traffic regions nationwide; and

16 (7) collaborate with other relevant Federal  
17 agencies, State and local agencies, industry and in-  
18 dustry associations, and university research centers  
19 to fulfill its goals and objectives.

20 (c) IDENTIFYING INFORMATION.—The working  
21 group shall ensure that information used pursuant to this  
22 section does not contain identifying information of any in-  
23 dividual.

24 (d) CONGRESSIONAL NOTIFICATION.—The working  
25 group shall keep the Committee on Science, Space, and

1 Technology and the Committee on Transportation and In-  
2 frastructure of the House of Representatives and the Com-  
3 mittee on Commerce, Science, and Transportation and the  
4 Committee on Environment and Public Works of the Sen-  
5 ate apprised of the activities and progress of the working  
6 group at least once every 6 months.

7 (e) REPORT.—Not later than 1 year after the date  
8 of enactment of this Act, the working group shall transmit  
9 to the Committee on Science, Space, and Technology and  
10 the Committee on Transportation and Infrastructure of  
11 the House of Representatives and the Committee on Com-  
12 merce, Science, and Transportation and the Committee on  
13 Environment and Public Works of the Senate a report on  
14 its activities under this section, including a transportation  
15 strategy that enables our transportation system in and  
16 around Washington, D.C. to provide mobility in the event  
17 of an emergency or natural disaster.

18 **SEC. 6. HIGHWAY EFFICIENCY.**

19 (a) STUDY.—

20 (1) IN GENERAL.—The Assistant Secretary of  
21 Transportation for Research and Technology shall  
22 examine the impact of pavement durability and sus-  
23 tainability on vehicle fuel consumption, vehicle wear  
24 and tear, road conditions, and road repairs.

1           (2) METHODOLOGY.—In carrying out the study,  
2           the Assistant Secretary shall—

3                   (A) conduct a thorough review of relevant  
4                   peer-reviewed research published during at least  
5                   the past 5 years;

6                   (B) analyze impacts of different types of  
7                   pavement on all motor vehicle types, including  
8                   commercial vehicles;

9                   (C) specifically examine the impact of  
10                  pavement deformation and deflection; and

11                  (D) analyze impacts of different types of  
12                  pavement on road conditions and road repairs.

13           (3) CONSULTATION.—In carrying out the study,  
14           the Assistant Secretary shall consult with—

15                   (A) experts from the different modal ad-  
16                   ministrations of the Department of Transpor-  
17                   tation and from other Federal agencies, includ-  
18                   ing the National Institute of Standards and  
19                   Technology;

20                   (B) State departments of transportation;

21                   (C) local government engineers and public  
22                   works professionals;

23                   (D) industry stakeholders; and

24                   (E) appropriate academic experts active in  
25                   the field.



1 (b) REPORT.—

2 (1) IN GENERAL.—Not later than 1 year after  
3 the date of enactment of this Act, the Assistant Sec-  
4 retary shall publish on a public website the results  
5 of the study.

6 (2) CONTENTS.—The report shall include—

7 (A) a summary of the different types of  
8 pavements analyzed in the study and the im-  
9 pacts of pavement durability and sustainability  
10 on vehicle fuel consumption, vehicle wear and  
11 tear, road conditions, and road repairs; and

12 (B) recommendations for State and local  
13 governments on best practice methods for im-  
14 proving pavement durability and sustainability  
15 to maximize vehicle fuel economy, ride quality,  
16 and road conditions and to minimize the need  
17 for road and vehicle repairs.

18 **SEC. 7. INTELLIGENT TRANSPORTATION TECHNOLOGIES.**

19 (a) IN GENERAL.—The Assistant Secretary of Trans-  
20 portation for Research and Technology, as part of the In-  
21 telligent Transportation Systems research program, with  
22 the goal of reducing traffic congestion and vehicle crashes  
23 and accelerating testing and research on the introduction  
24 of safe, connected, and automated vehicle technology sys-  
25 tems, shall—

1 (1) seek to identify and understand—

2 (A) new and innovative vehicle tech-  
3 nologies, including active safety technologies,  
4 and their safe application in vehicles; and

5 (B) emerging vehicle technologies and ad-  
6 vanced communications and sensing techniques  
7 that may require additional exploration and un-  
8 derstanding by the Department of Transpor-  
9 tation of how such technologies work alone and  
10 in conjunction with other vehicle and relevant  
11 nonvehicle technologies;

12 (2) assess wireless technologies' capabilities to  
13 achieve a deployable system in which vehicles of all  
14 types (including automobiles, trucks, motor coaches,  
15 transit vehicles, and other fleets), traffic signals,  
16 other infrastructure systems, pedestrians, motorcy-  
17 clists, bicyclists, and mobile devices can interact with  
18 and among each other through secure communica-  
19 tions, including by conducting rigorous, real-world  
20 testing, in cooperation with representatives of the  
21 Federal Communications Commission, the National  
22 Telecommunications and Information Administra-  
23 tion, the automotive, Wi-Fi, cellular, and Intelligent  
24 Transportation Systems communities, of viable spec-  
25 trum sharing technologies that could enable the safe

1 operation of unlicensed devices, including Wi-Fi, in  
2 the 5.9 GHz band without interfering with con-  
3 nected and automated vehicle communications; and  
4 (3) assist in the development of cybersecurity  
5 standards in cooperation with relevant modal admin-  
6 istrations of the Department of Transportation and  
7 other Federal agencies, including the National Insti-  
8 tute of Standards and Technology, to help prevent  
9 hacking, spoofing, and disruption of connected and  
10 automated transportation applications among sur-  
11 face transportation vehicles of all types.

12 (b) REPORT.—Upon completion of the testing de-  
13 scribed in subsection (a)(2), the Secretary of Transpor-  
14 tation shall send to Congress and the Federal Communica-  
15 tions Commission, and publish on a public website, a re-  
16 port identifying any potential signal interference risks to  
17 connected and automated vehicle communications that  
18 may exist due to unlicensed devices, including Wi-Fi, oper-  
19 ating in the 5.9 GHz band, including a determination of  
20 whether such devices can safely operate in the 5.9 GHz  
21 band without creating signal interference that could jeop-  
22 ardize or delay the deployment of an effective connected  
23 and automated vehicle communications system.

24 (c) ANALYSIS.—In carrying out this section, the As-  
25 sistant Secretary of Transportation for Research and

1 Technology shall document and analyze the technologies  
2 described in subsection (a), and share results of the anal-  
3 ysis with the National Highway Traffic Safety Adminis-  
4 tration annually.

5 (d) PRIVACY.—In carrying out this section, the Sec-  
6 retary and the Assistant Secretary shall ensure the privacy  
7 of individuals.

8 (e) DEFINITION.—In this section, the term “active  
9 safety technologies” means technologies which actively as-  
10 sist drivers or vehicles in preventing or mitigating a crash.

11 **SEC. 8. RAIL SAFETY.**

12 Not later than 1 year after the date of enactment  
13 of this Act, the Assistant Secretary of Transportation for  
14 Research and Technology shall transmit to Congress a re-  
15 port containing—

16 (1) the results of a study to examine the state  
17 of rail safety technologies and an analysis of whether  
18 the passenger, commuter, and transit rail transpor-  
19 tation industries are keeping up with innovations in  
20 technologies to make rail cars safer for passengers  
21 and transport of commerce;

22 (2) a determination of how much additional  
23 time and public and private resources will be re-  
24 quired for railroad carriers to meet the positive train

1 control system implementation requirements under  
2 section 20157 of title 49, United States Code; and  
3 (3) an identification of technologies that in  
4 whole or in part achieve the safety goals of the posi-  
5 tive train control implementation requirements  
6 under section 20157 that could be implemented  
7 sooner than positive train control systems, along  
8 with an analysis of the advantages and disadvan-  
9 tages, including costs, of incorporating those alter-  
10 native technologies to supplement or substitute for  
11 positive train control systems.

12 **SEC. 9. UNIVERSITY TRANSPORTATION CENTERS PRO-**  
13 **GRAM.**

14 Section 5505 of title 49, United States Code, is  
15 amended—

16 (1) in subsection (a)(2)(B) by inserting  
17 “multimodal” before “transportation knowledge”;

18 (2) in subsection (b)—

19 (A) by striking paragraph (2) and insert-  
20 ing the following:

21 “(2) RESTRICTIONS.—

22 “(A) LIMITATION ON APPLICATIONS.—

23 “(i) IN GENERAL.—A nonprofit insti-  
24 tution of higher education may only submit  
25 1 grant application described in clause (ii)

1 per fiscal year for each of the transpor-  
2 tation centers described under paragraphs  
3 (2), (3), and (4) of subsection (c).

4 “(ii) APPLICATIONS.—Applications re-  
5 ferred to in clause (i) are applications sub-  
6 mitted by a nonprofit institution of higher  
7 education—

8 “(I) in an individual capacity,  
9 not through participation in a consor-  
10 tium of nonprofit institutions of high-  
11 er education; or

12 “(II) as the lead institution of a  
13 consortium of nonprofit institutions of  
14 higher education.

15 “(B) LIMITATION ON AWARDS.—A non-  
16 profit institution of higher education may not  
17 receive in any fiscal year more than 1 grant  
18 under paragraphs (2), (3), and (4) of sub-  
19 section (c) based on applications described in  
20 subparagraph (A)(ii) of this paragraph.”; and

21 (B) in paragraph (4)(B)(iii) by inserting  
22 “multimodal” before “transportation prob-  
23 lems”; and  
24 (3) in subsection (c)—

1 (A) in paragraph (1), by striking “the  
2 Transportation Research and Innovative Tech-  
3 nology Act of 2012” and inserting “the Surface  
4 Transportation Research and Development Act  
5 of 2015”;

6 (B) by amending paragraph (3)(E) to read  
7 as follows:

8 “(E) FOCUSED RESEARCH.—

9 “(i) COMPREHENSIVE TRANSPOR-  
10 TATION SAFETY.—The Secretary shall  
11 make a grant to 1 of the 10 regional uni-  
12 versity transportation centers established  
13 under this paragraph for the purpose of  
14 furthering the objectives described in sub-  
15 section (a)(2) in the field of comprehensive  
16 transportation safety.

17 “(ii) TRAFFIC CONGESTION.—The  
18 Secretary shall make a separate grant to 1  
19 of the 10 regional university transportation  
20 centers established under this paragraph  
21 for the purpose of furthering the objectives  
22 described in subsection (a)(2) in the field  
23 of traffic congestion.”; and

24 (C) in paragraph (4)—

25 (i) by striking subparagraph (B); and

1 (ii) by redesignating subparagraphs  
2 (C) and (D) as subparagraphs (B) and  
3 (C), respectively.

4 **SEC. 10. PRIZE COMPETITIONS.**

5 Section 502(b)(7) of title 23, United States Code, is  
6 amended—

7 (1) in subparagraph (D)—

8 (A) by inserting “(such as  
9 www.challenge.gov)” after “public website”;

10 (B) by redesignating clauses (iii) and (iv)  
11 as clauses (iv) and (v), respectively;

12 (C) by inserting after clause (ii) the fol-  
13 lowing:

14 “(iii) the process for participants to  
15 register for the competition;” and

16 (D) in clause (iv) (as redesignated by sub-  
17 paragraph (B) of this paragraph), by striking  
18 “prize” and inserting “cash prize purse”;

19 (2) in subparagraph (E), by striking “prize”  
20 both places it appears and inserting “cash prize  
21 purse”;

22 (3) by redesignating subparagraphs (F)  
23 through (K) as subparagraphs (G) through (L), re-  
24 spectively;



1           (4) by inserting after subparagraph (E) the fol-  
2           lowing:

3                   “(F) USE OF FEDERAL FACILITIES; CON-  
4                   SULTATION WITH FEDERAL EMPLOYEES.—An  
5                   individual or entity is not ineligible to receive a  
6                   cash prize purse under this paragraph as a re-  
7                   sult of the individual or entity using a Federal  
8                   facility or consulting with a Federal employee  
9                   related to the individual or entity’s participation  
10                  in a prize competition under this paragraph if  
11                  the same facility or employee is made available  
12                  to all individuals and entities participating in  
13                  the prize competition on an equitable basis.”;

14           (5) in subparagraph (G) (as redesignated by  
15           paragraph (3) of this section)—

16                   (A) in clause (i)(I), by striking “competi-  
17                   tion” and inserting “prize competition under  
18                   this paragraph”;

19                   (B) in clause (ii)(I)—

20                           (i) by striking “participation in a  
21                           competition” and inserting “participation  
22                           in a prize competition under this para-  
23                           graph”; and

1 (ii) by striking “competition activi-  
2 ties” and inserting “prize competition ac-  
3 tivities”; and

4 (C) by adding at the end the following:

5 “(iii) INTELLECTUAL PROPERTY.—

6 “(I) PROHIBITION ON REQUIRING  
7 WAIVER.—The Secretary may not re-  
8 quire a participant to waive claims  
9 against the Department arising out of  
10 the unauthorized use or disclosure by  
11 the Department of the intellectual  
12 property, trade secrets, or confidential  
13 business information of the partici-  
14 pant.

15 “(II) PROHIBITION ON GOVERN-  
16 MENT ACQUISITION OF INTELLECTUAL  
17 PROPERTY RIGHTS.—The Federal  
18 Government may not gain an interest  
19 in intellectual property developed by a  
20 participant for a prize competition  
21 under this paragraph without the  
22 written consent of the participant.

23 “(III) LICENSES.—The Federal  
24 Government may negotiate a license  
25 for the use of intellectual property de-

1                   veloped by a participant for a prize  
2                   competition under this paragraph.”;

3                   (6) in subparagraph (H)(i) (as redesignated by  
4                   paragraph (3) of this section), by striking “subpara-  
5                   graph (H)” and inserting “subparagraph (I)”;

6                   (7) in subparagraph (I) (as redesignated by  
7                   paragraph (3) of this section), by striking “an agree-  
8                   ment with a private, nonprofit entity” and inserting  
9                   “a grant, contract, cooperative agreement, or other  
10                  agreement with a private sector for-profit or non-  
11                  profit entity”;

12                  (8) in subparagraph (J) (as redesignated by  
13                  paragraph (3) of this section)—

14                  (A) in clause (i)—

15                   (i) in subclause (I), by striking “the  
16                   private sector” and inserting “private sec-  
17                   tor for-profit and nonprofit entities, to be  
18                   available to the extent provided by appro-  
19                   priations Acts”;

20                   (ii) in subclause (II), by striking “and  
21                   metropolitan planning organizations” and  
22                   inserting “metropolitan planning organiza-  
23                   tions, and private sector for-profit and  
24                   nonprofit entities”; and

1 (iii) in subclause (III), by inserting  
2 “for-profit or nonprofit” after “private sec-  
3 tor”;

4 (B) in clause (ii), by striking “prize  
5 awards” and inserting “cash prize purses”;

6 (C) in clause (iv)—

7 (i) by inserting “competition” after  
8 “A prize”; and

9 (ii) by striking “the prize” and insert-  
10 ing “the cash prize purse”;

11 (D) in clause (v)—

12 (i) by striking “amount of a prize”  
13 and inserting “amount of a cash prize  
14 purse”;

15 (ii) by inserting “competition” after  
16 “announcement of the prize”; and

17 (iii) in subclause (I), by inserting  
18 “competition” after “prize”;

19 (E) in clause (vi), by striking “offer a  
20 prize” and inserting “offer a cash prize purse”;  
21 and

22 (F) in clause (vii), by striking “cash  
23 prizes” and inserting “cash prize purses”;

24 (9) in subparagraph (K) (as redesignated by  
25 paragraph (3) of this section), by striking “or pro-

1       viding a prize” and inserting “a prize competition or  
2       providing a cash prize purse”; and

3               (10) in subparagraph (L)(ii) (as redesignated  
4       by paragraph (3) of this section)—

5               (A) in subclause (I), by striking “The Sec-  
6       retary” and inserting “Not later than March 1  
7       of each year, the Secretary”; and

8               (B) in subclause (II)—

9                       (i) in item (cc), by striking “cash  
10       prizes” both places it appears and insert-  
11       ing “cash prize purses”; and

12                      (ii) in item (ee), by striking “agency”  
13       and inserting “Department”.