

AMENDMENT TO H.R. 1425
OFFERED BY MR. TONKO OF NEW YORK

Page 41, after line 13, insert the following new section:

1 **SEC. 207. COMMERCIALIZATION GRANTS TO SMALL BUSI-**
2 **NESSES RECEIVING CERTAIN SBIR SECOND**
3 **PHASE FUNDS.**

4 (a) **ESTABLISHMENT.**—The Director is authorized to
5 make grants on a competitive basis to small business con-
6 cerns to assist the commercialization of research developed
7 by such small business concerns with funds received under
8 the second phase of the Small Business Innovation Re-
9 search Program.

10 (b) **ELIGIBILITY.**—The Director may only award a
11 grant under this section to a small business concern
12 that—

13 (1) received second phase funds from the Na-
14 tional Institutes of Health during fiscal year 2007 or
15 2008, or both;

16 (2) continues to meet the criteria for receiving
17 second phase funds at the time the grant is award-
18 ed, except for any such criteria that the Director de-
19 termines are no longer applicable;

1 (3) has not previously received a grant under
2 this section for the commercialization of the same
3 research; and

4 (4) submits an application at such time and in
5 such form as the Director may require, including—

6 (A) a description of the commercialization
7 project for which the small business concern
8 will use the grant funds;

9 (B) the budget for such project; and

10 (C) a certification that the small business
11 concern meets the criteria described in para-
12 graph (2).

13 (c) GRANT AMOUNT.—A grant under this section
14 shall be in an amount the Director considers appropriate,
15 but such grant shall not exceed \$1,000,000.

16 (d) DEFINITIONS.—In this section—

17 (1) the term “Director” means the Director of
18 the National Institutes of Health; and

19 (2) the terms “research”, “second phase”, and
20 “Small Business Innovation Research Program”
21 have the meanings given such terms in section 9(e)
22 of the Small Business Act (15 U.S.C. 638(e)).

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$538,000,000 for fiscal year 2012.

