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H. R. 12560

Florence P. Dwyer

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92^D CONGRESS
2^D SESSION

H. R. 12560

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 1972

Mr. PEPPER (for himself, Mr. DIGGS, Mr. DOW, Mr. DOWDY, Mr. DULSKI, Mr. DU PONT, Mrs. DWYER, Mr. ESHLEMAN, Mr. FORSYTHE, Mr. FRASER, Mr. GARMATZ, Mrs. GRASSO, Mr. GRAY, Mr. HALEY, Mr. HALL, Mr. HALPERN, Mr. HANLEY, Mr. HANNA, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. HORTON, and Mr. HOWARD) introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To promote research and development of drugs or chemical compounds for use in the cure, prevention, or treatment of heroin addiction.

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. It is the purpose of this Act to promote re-
4 search and development of a drug or chemical compound
5 which can be used effectively to treat, prevent, or cure heroin
6 addiction.

7 SEC. 2. The Secretary of Health, Education, and Welfare
8 (hereafter in this Act referred to as "Secretary") acting

1 through the Director of the National Institute of Mental
2 Health hereafter in this Act referred to as "Director") is
3 authorized to contract with any qualified public, private, or
4 nonprofit agency, institution, organization, or any qualified
5 individual for the purpose of discovering, developing, testing,
6 evaluating, or manufacturing a drug, chemical compound, or
7 other substance, or instrument or device which can be used
8 safely and effectively to treat, prevent, or cure heroin addic-
9 tion, or aid in the treatment or prevention of, or cure for
10 heroin addiction.

11 SEC. 3. The Secretary acting through the Director is
12 authorized to provide a percentage of the funds necessary to
13 accomplish the terms and objectives of the contract but not to
14 exceed 90 per centum of the total contract cost: *Provided,*
15 That if a drug, chemical compound, or other substance, or
16 instrument or device discovered, developed, or manufactured
17 pursuant to the contract results in a monetary profit to the
18 contractor, such profit, as received, shall be shared with the
19 Federal Government in the same percentage as the percent-
20 age of contract cost borne by the Federal Government until
21 the exact cost to the Federal Government is repaid in full. If
22 the contractor does not realize a monetary profit the funds
23 provided pursuant to the contract shall not be repaid. The
24 point of profitability and terms of repayment shall be deter-

1 mined in keeping with regulations promulgated by the Di-
2 rector and included in said contract.

3 SEC. 4. The Federal Government shall not have any
4 title, interest, patent right, license, or any type of ownership
5 right in any drug, chemical compound, or other substance, or
6 instrument or device discovered, developed, or manufactured
7 pursuant to a contract awarded pursuant to this Act.

8 SEC. 5. The Director shall receive periodic and detailed
9 reports on the scientific and financial progress of all contracts
10 awarded pursuant to this Act and as provided by the contract.
11 The contract, and all reports and information relating thereto
12 shall be treated as trade secrets and no part thereof will be
13 made public without the prior written consent of the
14 contractor.

15 SEC. 6. The Director is authorized to require the con-
16 tractor at any time within the contract period to increase the
17 scale and pace of any activity being accomplished pursuant to
18 the contract to a degree reasonably within the capability of
19 the contractor which the Director determines is in the public
20 interest; the incremental new cost of such accelerated activity
21 shall be funded by the Federal Government.

22 SEC. 7. To carry out the purposes of this Act, there are
23 authorized to be appropriated not to exceed \$50,000,000.

A BILL

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By Mr. PEPPER, Mr. DIGGS, Mr. DOW, Mr. DOWDY, Mr. DULSKI, Mr. DU PONT, Mrs. DWYER, Mr. ESHLEMAN, Mr. FORSYTHE, Mr. FRASER, Mr. GARMATZ, Mrs. GRASSO, Mr. GRAY, Mr. HALEY, Mr. HALL, Mr. HALPERN, Mr. HANLEY, Mr. HANNA, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. HORTON, and Mr. HOWARD

JANUARY 24, 1972

Referred to the Committee on Interstate and Foreign
Commerce