



**Framing the Future:
Industrial Technologies Photo Contest
OFFICIAL RULES**

JUNE 2024

Preface

The U.S. Department of Energy's Framing the Future: Industrial Technologies Photo Contest will be governed by 15 U.S.C. §3719 and this Official Rules document. This is not a procurement under the Federal Acquisitions Regulations and will not result in a grant or cooperative agreement under 2 CFR 200. The Prize Administrator reserves the right to modify this Official Rules document if necessary and will publicly post any such notifications as well as notify registered prize participants.

Executive Summary

The U.S. Department of Energy's Industrial Efficiency and Decarbonization Office (IEDO) is launching the Framing the Future: Industrial Technologies Photo Contest, a new prize in search of the best photos of America's industrial sector. The contest will award prizes and feature winning photos on the [IEDO website](#),¹ at manufacturing events and conferences, and in other outreach material. Winners of the Framing the Future: Industrial Technologies Photo Contest can win up to \$2,000 for a photo in one of the six categories.

The competition will be governed by this document, which is intended to establish fair contest rules and requirements. In the case of a discrepancy with other competition materials or communication, this document takes precedence. The organizers reserve the right to change contest criteria, rules, and measurable outcomes.

¹ Industrial Efficiency and Decarbonization Office. "Industrial Efficiency & Decarbonization Office." U.S. Department of Energy. Accessed May 2024. <https://www.energy.gov/eere/iedo/industrial-efficiency-decarbonization-office>.

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Modification Summary

Date	Modifications
Revision 1 6/20/2024	<ul style="list-style-type: none">Page 6 and 8: Updated category 1 name to “Decarbonizing Emissions-Intensive Industries”

1. Overview

America's industrial sector creates products that are critical to our daily lives—from the food that sustains us to the iron and steel that makes our buildings strong. However, the facilities that produce society's building blocks and the people working to decarbonize them often do so behind the scenes. The Framing the Future: Industrial Technologies Photo Contest will give the public a chance to see manufacturing advancements up close and underway.

The submitted photos will be made available for public use and be featured in the U.S. Department of Energy (DOE) Industrial Efficiency and Decarbonization Office's (IEDO's) outreach efforts within the Office of Energy Efficiency and Renewable Energy, including in presentations, newsletters, educational materials, social media, and other engagement opportunities. Photo submissions will be made publicly available and downloadable.

1.1. Photo Categories

Entrants may submit up to 10 photos (total) in the following six photo categories.

1.1.1. Category 1: Decarbonizing Emissions-Intensive Industries

Photos showcasing innovative, next-generation technologies or processes that increase efficiency and reduce industrial greenhouse gas emissions across our nation's most energy- and emissions-intensive industries in the following categories:

1A. Iron and Steel. Photos showing the facilities or technologies that **decarbonize the production of iron and steel**. The submitted images for this category should capture the technologies that enable decarbonization pathways for the steelmaking process. Examples include, but are not limited to, processes that utilize hydrogen and clean electricity sources or incorporate increased scrap.

1B. Food and Beverage. Photos showing the facilities or technologies that reduce emissions associated with **food and beverage manufacturing**. Images submitted can showcase innovative technologies in food packaging, commercial foodservice, alternative protein production, energy input redistribution and beverage processing, and the reduction of energy consumption and greenhouse gas emissions during post-harvest activities.

1C. Cement and Concrete. Photos showcasing facilities or technologies that reduce emissions in **cement and concrete manufacturing**, including emissions from the kilns that are essential to cement manufacturing. Images in this category might include technologies that incorporate next-generation cement or concrete formulations and production routes, low-carbon fuels, or carbon-capture technologies.

1D. Paper and Forest Product. Photos highlighting the technologies or facilities involved in **decarbonizing paper and forest product manufacturing**, including wood products used for residential and commercial applications and forest products used for things like

copy paper and newsprint, tissues and paper towels, food packaging, and plywood and lumber. Images in this category could feature novel dewatering and drying technologies, innovative fiber preparation, and decarbonization of the pulping and chemical recovery processes.

1E. Chemicals Sector. Photos showing **decarbonization of the chemicals sector.** This category invites images of advanced reactors and separations, industrial electrification, and low-carbon process heating. Additionally, submissions are encouraged that feature technologies that utilize and convert sustainable feedstocks like waste gases (CO₂, CO), biomass (such as municipal solid waste, starch, and lignin), recycled materials, renewable natural gas, and hydrogen (H₂) into fuels and chemical products that will be needed to achieve net-zero carbon emissions.

1.1.2. Category 2: Cross-Sector Decarbonization Technologies

Photos depicting technologies that address common decarbonization challenges across industrial subsectors and other large energy users. This may include photos of technologies that replace fossil-fuel combustion for process heat, including electrified heating, renewable thermal energy, or thermal energy storage. Other examples in this topic could include photos of electrified industrial processes or facilities, energy efficient technologies and processes, or the use of low-carbon fuels or feedstocks.

1.1.3. Category 3: Onsite Energy

Photos highlighting the electric and thermal energy generation and storage technologies that are physically located at a manufacturer's site and provide clean energy services directly to the end user. This category includes technologies such as battery storage, renewable energy, combined heat and power (CHP), solar photovoltaics (PV), district energy, solar thermal, fuel cells, thermal storage, geothermal, wind power, and industrial heat pumps.

1.1.4. Category 4: Improving Water and Wastewater Treatment

Photos of the facilities or technologies involved in low-carbon water and wastewater treatment. This category includes processes and related technologies in the sourcing, treatment, and distribution of water and in wastewater treatment. Images in this category may depict technologies in water reuse and desalination, wastewater decarbonization and recovery, controlled environmental agriculture, treatment facilities, and energy- and water-saving projects.

1.1.5. Category 5: The People and Communities of the Industrial Sector

Photos showing the people involved in any of the industrial sectors mentioned above or the interaction between industry and the communities who support, or are supported by, industrial facilities. This might include workers in the field alongside manufacturing equipment and processes, professionals working behind the scenes in a manufacturing facility, workforce

development efforts to train the next generation of manufacturers, or industrial organizations supporting community development efforts. Submissions in this category must make sure to comply with the model release provisions in Sections 1.4. and 2.3. of this rules document.

1.1.6. Category 6: Creative Interpretation

Photos that focus on decarbonizing industrial facilities that do not neatly fit into one of the above-mentioned categories. Images may include exterior photos of industrial facilities with a beautiful sunset in the background, a close up of a manufacturing process or equipment, or anything in between.

All photos must be taken within the United States or U.S. territories or be of U.S. technology in a non-U.S. territory.

1.2. Awards

There will be three award types per category and 26 prizes will be awarded from a cash prize pool of \$27,000. Reviewers will select the grand prize, runner up, and honorable mention winners for each of the six categories as listed below.

1.2.1. Category 1: Decarbonizing Emissions-Intensive Industries (11 Awards)

- One (1) Grand Prize chosen from the subcategory submissions (\$2,000)

1F. Iron and Steel

- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1G. Food and Beverage

- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1H. Cement and Concrete

- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1I. Paper and Forest Product

- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1J. Chemicals Sector

- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1.2.2. Category 2: Cross-Sector Decarbonization Technologies (Three Awards Total)

- One (1) Grand Prize (\$2,000)
- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1.2.3. Category 3: Onsite Energy (Three Awards Total)

- One (1) Grand Prize (\$2,000)
- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1.2.4. Category 4: Improving Water and Wastewater Treatment (Three Awards Total)

- One (1) Grand Prize (\$2,000)
- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1.2.5. Category 5: The People of the Industrial Sector (Three Awards Total)

- One (1) Grand Prize (\$2,000)
- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

1.2.6. Category 6: Creative Interpretation (Three Awards Total)

- One (1) Grand Prize (\$2,000)
- One (1) Runner Up (\$1,000)
- One (1) Honorable Mention (\$500)

DOE may adjust the number of prizes in planned categories depending on prize response. Further, DOE may decide to establish special awards in categories beyond the planned categories.

1.3. Important Dates

All dates are approximate and subject to change. Please follow the prize on HeroX for actual dates. On:

- **June 19, 2024:** Competition opens (anticipated)
- **Nov. 21, 2024:** Competition closes (anticipated)
- **Jan. 14, 2025:** Expected winner announcement (anticipated).

1.4. Submission Elements

All photos must be submitted via the HeroX website (www.HeroX.com/IEDOphoto)² as zipped files by 5 p.m. ET on Nov. 21, 2024, and comply with each of the photo requirements set forth in section 2.3.

All submissions must include the photographer's legal name, photographer or organization's contact information, and a brief description of each photo. The description should include the names of any people in the photo, the state (and facility if applicable) where the photo was taken, the date the photo was taken, a short description of any activity, facility or structure represented by the photo and indicates that the photo is under the Creative Commons – Attribution 4.0 International License (CC BY 4.0; see Marking Your Work With a CC license - Creative Commons).³

For each photo in which a person is recognizable, the photographer must have written permission in the form of a model release from that person, or in the case of a minor, from the minor's parent or guardian. See this public Box-hosted Word document for an example of a model release form.⁴

All photos must be submitted as zip files and use this file naming convention:
PhotoTitle_LastName_CategoryNumber

Please use the category number (for example 1A or 2) when naming your files.

2. Selection Process and Standards

All photos must be submitted via the HeroX website. A prize administrator will review each submission to ensure that the photos are relevant to the submitted category. The administrator may reassign a photo to a category that is different than the original category in the submission. The administrator will also ensure that the photos meet the selection standards laid out below in section 2.1.

2.1. Scoring Criteria

Reviewers will use the scoring criteria to assess the submissions and the DOE decision maker will make final decisions as to who will win the prizes. Each photo will be scored based on the following criteria: emotional appeal/impact, composition/content, technical quality, and

² American-Made Challenges. 2024. "Framing the Future: Industrial Technologies Photo Contest." U.S. Department of Energy. Posted June 2024. <https://www.herox.com/iedophoto>.

³ Creative Commons. 2019. "Marking Your Work With a CC License." Wikipedia. Last updated Feb. 29, 2019. https://wiki.creativecommons.org/wiki/Marking_your_work_with_a_CC_license.

⁴ Industrial Efficiency and Decarbonization Office. 2024. *Framing the Future: Industrial Technologies Photo and Video Contest Model Release*. Golden, CO: National Renewable Energy Laboratory. Posted June 2024. <https://app.box.com/s/tl4nmdupexb89nfpdma88uvluq3rphr8>.

originality. The photos will be scored on a scale of 1–6, as shown in Table 1, based on how well they address the statement(s) under each criterion (listed below).

Table 1. Scored Item Scale

1	2	3	4	5	6
Strongly Disagree	Disagree	Slightly Disagree	Slightly Agree	Agree	Strongly Agree

Reviewers will provide a score for each criterion using the bulleted descriptions below to inform the score. Table 2 outlines the weight of the scoring for each criteria.

2.1.1. Criterion 1: Emotional Appeal/Impact

- The photo is powerful and evokes an immediate emotional response that is strong and lasting.
- The subject matter is well selected and portrayed.

2.1.2. Criterion 2: Composition/Content

- The organization of the object, landscape, or people is critical to the success of the image.
- Picture composition is amazing.

2.1.3. Criterion 3: Technical Quality

- Light, exposure, and color have been used effectively, beyond mere recording.
- The photo shows skill in the use of light direction, character, color, and contrasts.

2.1.4. Criterion 4: Originality

- The photo shows exceptional originality.
- The photo shows exceptional artistic creativity within the chosen category.

Table 2. Scored Item Scoring Guide

Criteria	Percentage of Total Score
Emotional Appeal/Impact	25%
Composition/Content	25%
Technical Quality	25%
Originality	25%
TOTAL	100%

2.2. Eligibility and Competitors

All professional and amateur photographers who meet the following eligibility guidelines are encouraged to enter the competition:

- Each photographer must be a United States citizen or a legal permanent resident. If the photographer is under the age of 18, a parent or legal guardian must submit the photo on behalf of the photographer and accept the terms and conditions of the prize. Each photographer can submit up to 10 photos. If a photographer wins more than three times, they will be awarded for their three highest winnings. Subsequent winning photos outside of those top three will be acknowledged through contest selection announcements and other means of recognition but will not receive additional cash prizes.
- DOE employees, employees of sponsoring organizations, members of their immediate families (e.g., spouses, children, siblings, or parents), and persons living in the same household as such persons, whether or not related, are ineligible to participate in the prize.
- Individuals who worked at DOE (federal employees or support service contractors) within six (6) months prior to the submission deadline of any contest are ineligible to participate in any prize contest in this program.
- Federal entities and federal employees are ineligible to participate in any portion of the prize.
- Entities and individuals publicly banned from doing business with the U.S. government, such as entities and individuals debarred, suspended, or otherwise excluded from or ineligible for participating in federal programs, are ineligible to compete. Individuals participating in a foreign government talent recruitment program⁵ sponsored by a country of risk⁶ and teams that include such individuals are not eligible to compete.

⁵ Foreign Government-Sponsored Talent Recruitment Program is defined as an effort directly or indirectly organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to relocate physically to the foreign state for the above purpose. Some programs allow for or encourage continued employment at United States research facilities or receipt of federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to U.S. entities. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.

⁶ DOE has designated the following countries as foreign countries of risk: Iran, North Korea, Russia, and China. This list is subject to change.

- Entities owned by, controlled by, or subject to the jurisdiction or direction of a government of a country of risk are not eligible to compete.
- As part of your submission to this prize program, you will be required to sign the following statement:

I am providing this submission package as part of my participation in this prize. I understand that the information contained in this submission will be relied on by the federal government to determine whether to issue a prize to the named competitor. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the Official Rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001 and § 287, and 31 U.S.C. §§ 3729-3733 and 3801-3812.

DOE may conduct a risk review, through government resources, of the competitor and project personnel to identify potential risks of foreign interference. The result(s) of a risk review may supersede the results of prize competition, preventing DOE from selecting a submission or reversing the selection of a submission for a prize. The results of a risk review are not appealable.

2.3. Photo Requirements

Eligible photo submissions must follow the following requirements:

- Each photo must be the original work of the photographer or be original work that the competitor has acquired sufficient rights to use and to authorize others, including DOE, to use, as specified throughout the rules.
- Competitors submitting photos taken at private facilities must have written permission from the company or organization to submit the photos for the competition.
- Artificial Intelligence (AI) generated images are not allowed.
- Each photo must be taken within the last five (5) years within the United States or U.S. territories.
- Each photo must be taken in accordance with federal, state, and local laws.
- Each photo must not have any offensive, unlawful, or abusive content.
- Each photo must not have any identifiable personnel (see below for exception), addresses, license plates, or other personally identifiable information.
- For each photo in which a person is recognizable, the photographer must have written permission in the form of a model release from that person, or in the case of a minor, from the minor's parent or guardian. An example of a model release form is in Section 1.4.
- Each photo must not violate or infringe upon another person's rights or include confidential or proprietary information or content.
- Each photo must exclude restrictive markings, copyright notices, logos, watermarks, or business marks, except when featuring technologies or devices with the developer's logo.

- Each photo must be submitted as a zipped file through the HeroX website using the following file naming convention: PhotoTitle_LastName_CategoryAbbreviation as noted in Section 1.4.
- Each photo must be a high-resolution digital copy (minimum size 2,100 by 1,500 pixels), submitted as a zipped file. For zipped files too large for the HeroX platform, a photographer can upload submissions using Box. If uploading images through Box, please complete all required fields in the HeroX application and indicate “Upload Images on Box” before submitting.

For more about submission requirements, please email IEDOphotos@nrel.gov.

2.4. Conditions of Entry

By submitting a photo as part of this prize, the submitter agrees to and hereby is submitting the photo under the Creative Commons – Attribution 4.0 International License (CC BY 4.0; see Section 1.4.) that allows others, including the U.S. Government, the right to use, publish, copy, distribute and modify the photo provided that proper attribution is provided. The submitter is solely responsible for their photo submissions, acknowledges that the U.S. Government is relying on the submitter’s compliance with all prize rules, and holds the U.S. Government and the prize administrator harmless from and against all claims related or resulting from the submitter’s failure to comply with the prize rules.

2.5. Use of the Photos

All photos must be submitted under the Creative Commons – Attribution 4.0 International License (CC BY 4.0) that allows others, including the Government and the National Renewable Energy Laboratory, the right to use, publish, copy, distribute and modify the photos provided proper attribution is provided.

All submitted photos may be used in electronic and print materials.

If ownership of any photograph submitted to this contest is contested in any matter, the competition reserves the right to discontinue use of said photograph and disqualify the photograph from the contest.

Appendix A. Additional Terms and Conditions

A.1. Requirements

Your submission for the Framing the Future: Industrial Technologies Photo Contest is subject to the following terms and conditions:

- You must post the final content of your submission or upload the submission form online before the prize submission period closes. Late submissions or any other form of submission may be rejected.
- All submissions that you wish to protect from public disclosure must be marked according to the instructions in Section [A.10 Records Retention and Freedom of Information Act](#). Unmarked or improperly marked submissions will be deemed to have been provided with unlimited rights and may be used in any manner and for any purpose whatsoever.
- You must include all the required elements in your submission. The Prize Administrator may disqualify your submission after an initial screening if you fail to provide all required submission elements. Competitors may be given an opportunity to rectify submission errors due to technical challenges.
- Your submission must be in English and in a format readable by Microsoft Word or Adobe PDF. Scanned handwritten submissions will be disqualified.
- Submissions will be disqualified if they contain any matter that, in the sole discretion of the U.S. Department of Energy (DOE) or the National Renewable Energy Laboratory (NREL), is indecent, obscene, defamatory, libelous, and/or lacking in professionalism, or demonstrates a lack of respect for people or life on this planet.
- If you click "Accept" on the HeroX platform and proceed to register for any of the awards described in this document, these rules will form a valid and binding agreement between you and DOE and are in addition to the existing HeroX Terms of Use for all purposes relating to these contests. You should print and keep a copy of these rules. These provisions only apply to the prize described here and no other prize on the HeroX platform or anywhere else.
- The Prize Administrator, when feasible, may give competitors an opportunity to fix non-substantive mistakes or errors in their submission packages.
- As part of your submission to this prize, you will be required to sign the following statement:

I am providing this submission package as part of my participation in this prize. I understand that I am providing this submission to the federal government. I certify under penalty of perjury that the named competitor meets the eligibility requirements for this prize competition and complies with all other rules contained in the Official Rules document. I further represent that the information contained in the submission is true and contains no misrepresentations. I understand false statements or

misrepresentations to the federal government may result in civil and/or criminal penalties under 18 U.S.C. § 1001.

A.2. Verification for Payments

The Prize Administrator will verify the identity and role of all competitors before distributing any awards. Receiving a prize payment is contingent on fulfilling all requirements contained herein. The Prize Administrator will notify winning competitors using email contact information provided for the individual or entity that was responsible for the submission. Each competitor will be required to sign and return to the Prize Administrator, within thirty (30) days of the date on the notice, a Prize Acceptance Form, a completed NREL Request for Automated Clearing House (ACH) Banking Information form and a completed W9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>).⁷ In the sole discretion of the Prize Administrator, a winning competitor will be disqualified from the competition and receive no prize funds if (i) the person/entity does not respond to notifications, (ii) the person/entity fails to sign and return the required documentation within the required period, (iii) the notification is returned as undeliverable, or (iv) the submission or person/entity is disqualified for any other reason.

In the event of a dispute as to any registration, the authorized account holder of the email address used to register will be deemed to be the competitor. The “authorized account holder” is the natural person or legal entity assigned an email address by an internet access provider, online service provider, or other organization responsible for assigning email addresses for the domain associated with the submitted address. All competitors may be required to show proof of being the authorized account holder.

A.3. Teams and Single-Entity Awards

The Prize Administrator will award a single dollar amount to the designated primary submitter, whether it consists of a single entity or multiple entities. The primary submitter is solely responsible for allocating any prize funds among its member competitors or teammates as they deem appropriate. The Prize Administrator will not arbitrate, intervene, advise on, or resolve any matters or disputes between team members or competitors.

A.4. Submission Rights

By making a submission and consenting to the rules of the contest, a competitor is granting to DOE, the Prize Administrator, and any other third parties supporting DOE in the contest, a license to display publicly and use the parts of the submission that are designated as “public” for government purposes. This license includes posting or linking to the public portions of the

⁷ Internal Revenue Service. *Form W-9*. Washington, D.C.: U.S. Department of the Treasury. <https://www.irs.gov/pub/irs-pdf/fw9.pdf>.

submission on the Prize Administrator or HeroX applications, including the contest website, DOE websites, and partner websites, and the inclusion of the submission in any other media worldwide. The submission may be viewed by DOE, the Prize Administrator, and judges and reviewers for purposes of the contests, including screening and evaluation purposes. The Prize Administrator and any third parties acting on their behalf will also have the right to publicize competitors' names and, as applicable, the names of competitors' team members and organization that participated in the submission on the contest website indefinitely.

By entering, the competitor represents and warrants that:

The competitor's entire submission is an original work by the competitor, and the competitor has not included third-party content (e.g., writing, text, graphics, artwork, logos, photographs, likeness of any third party, musical recordings, clips of videos, television programs or motion pictures) in or in connection with the submission, unless (i) otherwise requested by the Prize Administrator and/or disclosed by the competitor in the submission, and (ii) the competitor has either obtained the rights to use such third-party content, or the content of the submission is considered in the public domain without any limitations on use.

Unless otherwise disclosed in the submission, the use thereof by the Prize Administrator, or the exercise by the Prize Administrator of any of the rights granted by the competitor under these rules, does not and will not infringe or violate any rights of any third party or entity, including, without limitation, patent, copyright, trademark, trade secret, defamation, privacy, publicity, false light, misappropriation, intentional or negligent infliction of emotional distress, confidentiality, or any contractual or other rights.

All persons who were engaged by the competitor to work on the submission or who appear in the submission in any manner have:

Given the competitor their express written consent to submit the submission for exhibition and other exploitation in any manner and in any and all media, whether now existing or hereafter discovered, throughout the world.

Provided written permission to include their name, image, or pictures in or with the submission (or, if a minor who is not the competitor's child, the competitor must have the permission of the minor's parent or legal guardian), and the competitor may be asked by the Prize Administrator to provide permission in writing.

Not been and are not currently under any union or guild agreement that results in any ongoing obligations resulting from the use, exhibition, or other exploitation of the submission.

A.5. Copyright

Each competitor represents and warrants that the competitor is the sole author and copyright owner of the submission; the submission is an original work of the competitor, or the competitor has acquired sufficient rights to use and to authorize others, including DOE, to use the submission as specified throughout the rules; the submission does not infringe on any copyright or any other third-party rights of which the competitor is aware; and the submission is free of malware.

A.6. Contest Subject to Applicable Law

All contests are subject to all applicable federal laws and regulations. Participation constitutes each participant's full and unconditional agreement to these Official Rules and administrative decisions, which are final and binding in all matters related to the contest. This notice is not an obligation of funds; the final award is contingent on the availability of appropriations.

A.7. Resolution of Disputes

DOE is solely responsible for administrative decisions, which are final and binding in all matters related to the contest.

Neither DOE nor the Prize Administrator will arbitrate, intervene, advise on, or resolve any matters between team members or among competitors.

A.8. Publicity

The winners of these awards (collectively, "winners") will be featured on DOE and NREL websites.

Except where prohibited, participation in the contest constitutes each winner's consent to DOE and its agents' use of each winner's name, likeness, photograph, voice, opinions, and/or hometown and state information for promotional purposes through any form of media worldwide, without further permission, payment, or consideration.

A.9. Liability

Upon registration, all participants agree to assume any and all risks of injury or loss in connection with or in any way arising from participation in this contest. Upon registration, except in the case of willful misconduct, all participants agree to and thereby do waive and release any and all claims or causes of action against the federal government and its officers, employees, and agents for any and all injury and damage of any nature whatsoever (whether existing or thereafter arising, whether direct, indirect, or consequential, and whether foreseeable or not)

arising from their participation in the contest, whether the claim or cause of action arises under contract or tort.

In accordance with the delegation of authority to run this contest delegated to the judge responsible for this prize, the judge has determined that no liability insurance naming DOE as an insured will be required of competitors to compete in this competition per 15 U.S.C. § 3719(i)(2). Competitors should assess the risks associated with their proposed activities and adequately insure themselves against possible losses.

A.10. Records Retention and Freedom of Information Act

All materials submitted to DOE as part of a submission become DOE records and are subject to the Freedom of Information Act. The following applies only to portions of the submission not designated as public information in the instructions for submission. If a submission includes trade secrets or information that is commercial or financial, or information that is confidential or privileged, it is furnished to the government in confidence with the understanding that the information shall be used or disclosed only for evaluation of the application. Such information will be withheld from public disclosure to the extent permitted by law, including the Freedom of Information Act. Without assuming any liability for inadvertent disclosure, DOE will seek to limit disclosure of such information to its employees and to outside reviewers when necessary for review of the application or as otherwise authorized by law. This restriction does not limit the government's right to use the information if it is obtained from another source.

Submissions containing confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act or otherwise. The U.S. government is not liable for the disclosure or use of unmarked information and may use or disclose such information for any purpose.

The submission must be marked as follows, identifying the specific pages containing trade secrets, confidential, proprietary, or privileged information: "Notice of Restriction on Disclosure and Use of Data: Pages [list applicable pages] of this document may contain trade secrets, confidential, proprietary, or privileged information that is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes. [End of Notice]"

The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as "Contains Trade Secrets, Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure." In addition, each line or paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets.

Competitors will be notified of any Freedom of Information Act requests for their submissions in accordance with 29 C.F.R. §70.26. Competitors may then have the opportunity to review materials and work with a Freedom of Information Act representative before the release of

materials. DOE does intend to keep all submission materials private except materials designated as “will be made public.”

A.11. Privacy

If you choose to provide HeroX with personal information by registering or completing the submission package through the contest website, you understand that such information will be transmitted to DOE and may be kept in a system of records. Such information will be used only to respond to you in matters regarding your submission and/or the contest unless you choose to receive updates or notifications about other contests or programs from DOE on an opt-in basis. DOE and NREL do not collect any information for commercial marketing.

A.12. General Conditions

DOE reserves the right to cancel, suspend, and/or modify the prize, or any part of it, at any time. If any fraud, technical failures, or any other factor beyond DOE's reasonable control impairs the integrity or proper functioning of the prize, as determined by DOE in its sole discretion, DOE may cancel the prize. Any performance toward prize goals is conducted entirely at the risk of the competitor, and DOE shall not compensate any competitors for any activities performed in furtherance of this prize.

Although DOE may indicate that it will select up to several winners for each prize, DOE reserves the right to only select competitors that are likely to achieve the goals of the program. If, in DOE's determination, no competitors are likely to achieve the goals of the program, DOE will select no competitors to be winners and will award no prize money.

A.13. Program Policy Factors

Though the scores of the expert reviewers will be carefully considered, it is the role of the prize reviewer to maximize the impact of prize funds. Some factors outside the control of competitors and beyond the independent expert reviewer scope of review may need to be considered to accomplish this goal. The following is a list of such factors. In addition to the reviewers' scores, the below program policy factors may be considered in determining winners:

Whether the use of additional DOE funds and provided resources are non-duplicative and compatible with the stated goals of this program and the DOE mission generally.

The degree to which the submission is likely to lead to increased submission of contracts and involvement of historically Black colleges and universities, Tribal colleges and universities, and minority-serving institutions in government programs in the United States or provide other economic benefits to U.S. taxpayers.

The degree to which the submission supports complementary DOE-funded efforts or projects that, when taken together, will best achieve the goals and objectives of DOE.

The degree to which the submission expands DOE's funding to new competitors and recipients who have not been supported by DOE in the past.

Whether the project promotes increased coordination with nongovernmental entities toward enabling a just and equitable clean energy economy in their region and/or community.

A.14. National Environmental Policy Act Compliance

This prize is subject to the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321, et seq.). NEPA requires federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions. For additional background on NEPA, see DOE's NEPA website at <http://nepa.energy.gov/>.

Though NEPA compliance is a federal agency responsibility, and the ultimate decisions remain with the federal agency, all participants in Framing the Future: Industrial Technologies Photo Contest will be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their participation in the prize competition. Participants may be asked to provide DOE with information on fabrication and testing of their concept such that DOE can conduct a meaningful evaluation of the potential environmental impacts.

A.15. Return of Funds

As a condition of receiving a prize, competitors agree that if the prize was made based on fraudulent or inaccurate information provided by the competitor to DOE, DOE has the right to demand that any prize funds or the value of other noncash awards be returned to the government.

ALL DECISIONS BY DOE ARE FINAL AND BINDING IN ALL MATTERS RELATED TO THE PRIZE.

End of Official Rules