

109TH CONGRESS
2D SESSION

H. R. 5643

To authorize the commercial application and transfer of technologies developed by the Department of Energy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2006

Mrs. BIGGERT (for herself, Mr. BOEHLERT, Mr. HALL, and Mr. GILCREST) introduced the following bill; which was referred to the Committee on Science

A BILL

To authorize the commercial application and transfer of technologies developed by the Department of Energy, 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 “Energy Technology
5 Transfer Act”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

8 (1) COOPERATIVE EXTENSION.—The term “Co-
9 operative Extension” means the extension services

1 established at the land-grant colleges and univer-
2 sities under the Smith-Lever Act of May 8, 1914.

3 (2) DEPARTMENT.—The term “Department”
4 means the Department of Energy.

5 (3) ENERGY SUPPLY RESEARCH AND DEVELOP-
6 MENT PROGRAMS.—The term “energy supply re-
7 search and development programs” means the re-
8 search, development, demonstration, and commercial
9 application programs in the Office of Energy Effi-
10 ciency and Renewable Energy, the Office of Elec-
11 tricity Delivery and Energy Reliability, and the Of-
12 fice of Fossil Energy.

13 (4) INSTITUTION OF HIGHER EDUCATION.—The
14 term “institution of higher education” has the
15 meaning given that term in section 101(a) of the
16 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

17 (5) LAND-GRANT COLLEGES AND UNIVER-
18 SITIES.—The term “land-grant colleges and univer-
19 sities” means—

20 (A) 1862 Institutions (as defined in sec-
21 tion 2 of the Agricultural Research, Extension,
22 and Education Reform Act of 1998 (7 U.S.C.
23 7601));

24 (B) 1890 Institutions (as defined in sec-
25 tion 2 of that Act); and

1 (C) 1994 Institutions (as defined in section
2 of that Act).

3 (6) NATIONAL LABORATORY.—The term “Na-
4 tional Laboratory” has the meaning given the term
5 “nonmilitary energy laboratory” in section 903(3) of
6 the Energy Policy Act of 2005 (42 U.S.C.
7 16182(3)).

8 (7) SECRETARY.—The term “Secretary” means
9 the Secretary of Energy.

10 **SEC. 3. PROGRAM.**

11 (a) IN GENERAL.—

12 (1) GRANTS.—The Secretary, through the en-
13 ergy supply research and development programs of
14 the Department, shall carry out a program to award
15 competitive, merit-reviewed grants to Cooperative
16 Extension services or offices, States, local govern-
17 ments, institutions of higher education, and non-
18 profit institutions with expertise in energy research
19 or extension, or consortia thereof, to conduct activi-
20 ties to transfer knowledge and information about ad-
21 vanced energy technologies that increase efficiency of
22 energy use, especially those developed at the Na-
23 tional Laboratories and by the Department, to indi-
24 viduals, businesses, nonprofit entities, and public en-

1 tities, including local governments and school dis-
2 tricts.

3 (2) REQUIREMENT.—To receive funding under
4 this Act, a grant applicant must already operate an
5 outreach program capable of transferring knowledge
6 and information about advanced energy technologies
7 that increase efficiency of energy use, or must part-
8 ner with an entity that has such an outreach pro-
9 gram.

10 (b) USES OF FUNDS.—Funds awarded under this Act
11 may be used for the following activities:

12 (1) Developing and distributing informational
13 materials on technologies that could use energy more
14 efficiently.

15 (2) Carrying out small-scale projects to dem-
16 onstrate technologies that could use energy more ef-
17 ficiently.

18 (3) Developing and conducting seminars, work-
19 shops, long-distance learning sessions, and other ac-
20 tivities to aid in the dissemination of knowledge and
21 information on technologies that could use energy
22 more efficiently.

23 (4) Providing or coordinating onsite energy
24 evaluations for a wide range of energy end-users.

1 (5) Examining the energy efficiency needs of
2 energy end-users to develop recommended research
3 projects for the Department.

4 (6) Hiring experts in energy efficient tech-
5 nologies to carry out activities described in para-
6 graphs (1) through (5).

7 (7) Carrying out any other activities the Sec-
8 retary believes will accomplish the purposes de-
9 scribed in subsection (a)(1).

10 (c) SELECTION PROCESS APPLICATION.—An appli-
11 cant seeking funding under this Act shall submit an appli-
12 cation to the Secretary at such time, in such manner, and
13 containing such information as the Secretary may require.
14 The application shall include, at a minimum—

15 (1) a description of the applicant’s current out-
16 reach program and of why it would be capable of
17 transferring knowledge and information about ad-
18 vanced energy technologies that increase efficiency of
19 energy use;

20 (2) a description of the activities the applicant
21 would carry out, of the technologies that would be
22 transferred, and of who would be carrying out those
23 activities;

1 (3) a description of how the proposed activities
2 would be appropriate to the specific energy needs of
3 the area to be served;

4 (4) an estimate of the number and types of en-
5 ergy end-users expected to be reached through such
6 activities; and

7 (5) a description of how the applicant will as-
8 sess the success of the program.

9 (d) REVIEW OF APPLICATIONS.—In evaluating the
10 applications submitted under this Act, the Secretary shall
11 consider, at a minimum—

12 (1) the ability of the applicant to effectively
13 carry out the proposed program;

14 (2) the appropriateness of the applicant's out-
15 reach program for carrying out the program de-
16 scribed in this Act; and

17 (3) the likelihood that proposed activities could
18 be expanded or used as a model for other areas.

19 (e) AWARDS.—

20 (1) DISTRIBUTION.—In making awards under
21 this Act, the Secretary shall ensure that, to the ex-
22 tent practicable, the program enables the transfer of
23 knowledge and information about a variety of tech-
24 nologies and enables the transfer of knowledge and
25 information in a variety of geographic areas.

1 (2) FOCUS.—In making awards under this Act,
2 the Secretary shall give priority to applicants that
3 would significantly expand on or fill a gap in exist-
4 ing programs in a geographical region.

5 (f) COST SHARING.—The Secretary shall require
6 cost-sharing in accordance with the requirements of sec-
7 tion 988 of the Energy Policy Act of 2005 (42 U.S.C.
8 16352) for commercial application activities.

9 (g) DURATION.—

10 (1) INITIAL GRANT PERIOD.—A grant awarded
11 under this Act shall be for a period of 5 years.

12 (2) INITIAL EVALUATION.—Each grantee under
13 this Act shall be evaluated during its third year of
14 operation under procedures established by the Sec-
15 retary to determine if the grantee is accomplishing
16 the purposes of this Act described in subsection
17 (a)(1). The Secretary shall terminate any grant that
18 does not receive a positive evaluation. If an evalua-
19 tion is positive, the Secretary may extend the grant
20 for 3 additional years beyond the original term of
21 the grant.

22 (3) ADDITIONAL EXTENSION.—If a grantee re-
23 ceives an extension under paragraph (2), the grantee
24 shall be evaluated again during the second year of
25 the extension. The Secretary shall terminate any

1 grant that does not receive a positive evaluation. If
2 an evaluation is positive, the Secretary may extend
3 the grant for a final additional period of 3 additional
4 years beyond the original extension.

5 (4) LIMITATION.—No grantee may receive more
6 than 11 years of support under this Act without re-
7 applying for support and competing against all other
8 applicants seeking a grant at that time.

9 (h) TECHNICAL ASSISTANCE.—The Secretary and
10 the National Laboratories may provide technical assist-
11 ance on advanced energy technologies and methods to
12 grantees.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary for car-
15 rying out this section—

16 (1) \$25,000,000 for fiscal year 2008;

17 (2) \$27,375,000 for fiscal year 2009;

18 (3) \$30,000,000 for fiscal year 2010;

19 (4) \$32,900,000 for fiscal year 2011; and

20 (5) \$36,000,000 for fiscal year 2012.

○