

110TH CONGRESS  
1ST SESSION

# S. 838

To authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2007

Mr. SMITH (for himself, Mr. BINGAMAN, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, 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 “United States-Israel  
5 Energy Cooperation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) it is in the highest national security inter-  
2           ests of the United States to develop alternative re-  
3           newable energy sources;

4           (2) the State of Israel is a steadfast ally of the  
5           United States;

6           (3) the special relationship between the United  
7           States and Israel is manifested in a variety of coop-  
8           erative scientific research and development pro-  
9           grams, such as—

10                   (A) the United States-Israel Binational  
11                   Science Foundation (BSF); and

12                   (B) the United States-Israel Binational In-  
13                   dustrial Research and Development Foundation  
14                   (BIRD);

15           (4) those programs have made possible many  
16           scientific, technological, and commercial break-  
17           throughs in the fields of life sciences, medicine, bio-  
18           engineering, agriculture, biotechnology, communica-  
19           tions, and others;

20           (5) on February 1, 1996, the Secretary of En-  
21           ergy and the Israeli Minister of Energy and Infra-  
22           structure signed an agreement to establish a frame-  
23           work for collaboration between the United States  
24           and Israel in energy research and development ac-  
25           tivities;

1           (6) Israeli scientists and engineers are at the  
2           forefront of research and development in the field of  
3           alternative renewable energy sources; and

4           (7) enhanced cooperation between the United  
5           States and Israel for the purpose of research and de-  
6           velopment of alternative renewable energy sources  
7           would be in the national interests of both countries.

8 **SEC. 3. GRANT PROGRAM.**

9           (a) **AUTHORITY.**—Pursuant to the responsibilities de-  
10          scribed in section 102(10), (14), and (17) of the Depart-  
11          ment of Energy Organization Act (42 U.S.C. 7112(10),  
12          (14), and (17)) and section 103(9) of the Energy Reorga-  
13          nization Act of 1974 (42 U.S.C. 5813(9)), the Secretary,  
14          in consultation with the BIRD or BSF, shall award grants  
15          to eligible entities.

16          (b) **APPLICATION.**—

17               (1) **SUBMISSION OF APPLICATIONS.**—To receive  
18          a grant under this section, an eligible entity shall  
19          submit an application to the Secretary containing  
20          such information and assurances as the Secretary, in  
21          consultation with the BIRD or BSF, may require.

22               (2) **SELECTION OF ELIGIBLE ENTITIES.**—The  
23          Secretary, in consultation with the Directors of the  
24          BIRD and BSF, may review any application sub-  
25          mitted by any eligible entity and select any eligible

1       entity meeting criteria established by the Secretary,  
2       in consultation with the Advisory Board, for a grant  
3       under this section.

4       (c) AMOUNT OF GRANT.—The amount of each grant  
5       awarded for a fiscal year under this section shall be deter-  
6       mined by the Secretary, in consultation with the BIRD  
7       or BSF.

8       (d) PRIVATE FUNDS.—The Secretary may accept  
9       contributions of funds from private sources to carry out  
10      this Act.

11      (e) OFFICE OF ENERGY EFFICIENCY AND RENEW-  
12      ABLE ENERGY.—The Secretary shall carry out this sec-  
13      tion through the existing programs at the Office of Energy  
14      Efficiency and Renewable Energy.

15      (f) RESEARCH ADMINISTRATION.—

16          (1) IN GENERAL.—The requirements of sections  
17          988 and 989 of the Energy Policy Act of 2005 (42  
18          U.S.C. 16352 and 16353) shall apply to any grant  
19          made under this section.

20          (2) REPAYMENT.—

21              (A) IN GENERAL.—Any funds repaid to  
22              the BIRD by a grantee for a grant made under  
23              this section shall be—

24                      (i) transferred to the Secretary;

1                   (ii) deposited by the Secretary into  
2                   the Energy Research and Development Ac-  
3                   tivities Fund established in subparagraph  
4                   (B); and

5                   (iii) available to the Secretary for use  
6                   for alternative renewable energy research  
7                   and development activities.

8                   (B) REVOLVING FUND.—There is estab-  
9                   lished in the Treasury of the United States a  
10                  revolving fund known as the Energy Research  
11                  and Development Activities Fund. Any amounts  
12                  deposited in the Fund pursuant to clause (ii) of  
13                  subparagraph (A) shall be available to the Sec-  
14                  retary, without fiscal year limitation or further  
15                  appropriation, for the purpose described in  
16                  clause (iii) of such subparagraph.

17                  (g) REPORT.—Not later than 180 days after the com-  
18                  pletion of work supported by a grant under this section,  
19                  each recipient shall submit a report to the Secretary—

20                   (1) documenting how the recipient used the  
21                   grant funds; and

22                   (2) evaluating the level of success of each  
23                   project funded by the grant.

1 **SEC. 4. INTERNATIONAL ENERGY ADVISORY BOARD.**

2 (a) ESTABLISHMENT.—There is established in the  
3 Department of Energy an International Energy Advisory  
4 Board.

5 (b) DUTIES.—The Advisory Board shall advise the  
6 Secretary on—

7 (1) criteria for the recipients of grants awarded  
8 under section 3(a);

9 (2) the total amount of grant money to be  
10 awarded to all grantees selected by the Secretary, in  
11 consultation with the BIRD; and

12 (3) the total amount of grant money to be  
13 awarded to all grantees selected by the Secretary, in  
14 consultation with the BSF, for each fiscal year.

15 (c) MEMBERSHIP.—

16 (1) COMPOSITION.—The Advisory Board shall  
17 be composed of—

18 (A) 1 member appointed by the Secretary  
19 of Commerce;

20 (B) 2 members appointed by the Secretary  
21 of Energy; and

22 (C) 2 members who shall be Israeli citi-  
23 zens, appointed by the Secretary of Energy  
24 after consultation with appropriate officials in  
25 the Israeli Government.

1           (2) DEADLINE FOR APPOINTMENTS.—The ini-  
2           tial appointments under paragraph (1) shall be  
3           made not later than 60 days after the date of enact-  
4           ment of this Act.

5           (3) TERM.—Each member of the Advisory  
6           Board shall be appointed for a term of 4 years.

7           (4) VACANCIES.—A vacancy on the Advisory  
8           Board shall be filled in the manner in which the  
9           original appointment was made.

10          (5) BASIC PAY.—

11                (A) COMPENSATION.—A member of the  
12                Advisory Board shall serve without pay.

13                (B) TRAVEL EXPENSES.—Each member of  
14                the Advisory Board shall receive travel ex-  
15                penses, including per diem in lieu of subsist-  
16                ence, in accordance with applicable provisions of  
17                subchapter I of chapter 57 of title 5, United  
18                States Code.

19          (6) QUORUM.—Three members of the Advisory  
20          Board shall constitute a quorum.

21          (7) CHAIRPERSON.—The Chairperson of the  
22          Advisory Board shall be designated by the Secretary  
23          of Energy at the time of the appointment.

1           (8) MEETINGS.—The Advisory Board shall  
2 meet at least once annually at the call of the Chair-  
3 person.

4           (d) TERMINATION.—Section 14(a)(2)(B) of the Fed-  
5 eral Advisory Committee Act (5 U.S.C. App.) shall not  
6 apply to the Advisory Board.

7 **SEC. 5. DEFINITIONS.**

8           In this Act:

9           (1) ADVISORY BOARD.—The term “Advisory  
10 Board” means the International Energy Advisory  
11 Board established by section 4(a).

12           (2) BIRD.—The term “BIRD” means the  
13 Israel-United States Binational Industrial Research  
14 and Development Foundation.

15           (3) BSF.—The term “BSF” means the United  
16 States-Israel Binational Science Foundation.

17           (4) ELIGIBLE ENTITY.—The term “eligible enti-  
18 ty” means a joint venture comprised of both Israeli  
19 and United States private business entities or a joint  
20 venture comprised of both Israeli academic persons  
21 (who reside and work in Israel) and United States  
22 academic persons, that—

23                   (A) carries out an eligible project; and

24                   (B) is selected by the Secretary, in con-  
25 sultation with the BIRD or BSF, using the cri-

1           teria established by the Secretary, in consulta-  
2           tion with the Advisory Board.

3           (5) ELIGIBLE PROJECT.—The term “eligible  
4           project” means a project to encourage cooperation  
5           between the United States and Israel on research,  
6           development, or commercialization of alternative en-  
7           ergy, improved energy efficiency, or renewable en-  
8           ergy sources.

9           (6) SECRETARY.—The term “Secretary” means  
10          the Secretary of Energy, acting through the Assist-  
11          ant Secretary of Energy for Energy Efficiency and  
12          Renewable Energy.

13 **SEC. 6. TERMINATION.**

14          The grant program authorized under section 3 and  
15          the Advisory Board shall terminate upon the expiration  
16          of the 7-year period which begins on the date of the enact-  
17          ment of this Act.

18 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

19          The Secretary is authorized to expend not more than  
20          \$20,000,000 to carry out this Act for each of fiscal years  
21          2008 through 2014 from funds previously authorized to  
22          the Office of Energy Efficiency and Renewable Energy.

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