

COST-SHARE ACCOUNTABILITY ACT OF 2022

JUNE 14, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Ms. JOHNSON of Texas, from the Committee on Science, Space, and Technology, submitted the following

R E P O R T

[To accompany H.R. 6933]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 6933) to amend the Energy Policy Act of 2005 to require reporting relating to certain cost-share requirements, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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## II. PURPOSE OF THE BILL

The purpose of the bill is to amend the Energy Policy Act of 2005 to require reporting relating to certain cost-share requirements, and for other purposes. H.R. 6933 is sponsored by Mr. Obernolte and co-sponsored by Mr. Foster.

## III. BACKGROUND AND NEED FOR THE LEGISLATION

Section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352) establishes cost-share requirements for most research, development, demonstration, and commercial application activities of the Department of Energy (the Department). The Department must require that not less than 20% of the cost of a research and development activity, as well as not less than 50% of the cost of a demonstration or commercial application activity, be provided by a non-Federal source. However, the Secretary of Energy (the Secretary) may reduce or eliminate this requirement for applied research and development activities if the Secretary determines that this is necessary or appropriate. Similarly, the Secretary may reduce this requirement for demonstration or commercial application activity, if the Secretary determines it necessary and appropriate, taking into consideration technological risk of the activity.

Current law contains no permanent requirement for the Department to report to Congress on the use of its authority to reduce or eliminate the statutory cost-share requirement. As such, it is difficult for Congress to examine the use of this authority. Greater visibility into the Department's use of this ability would facilitate Congressional oversight of the Department's awards and contracts, as well as inform future potential legislation to modify the cost-share requirements.

Transparency and active oversight of Department awards and contracts are especially critical with the recent passage of legislation authorizing numerous new research, development, demonstration, and commercial application programs across the Department. The Energy Act of 2020 (division Z of the Consolidated Appropriations Act, 2021, Public Law 116-260) authorized a number of research, development, demonstration, and commercial application activities, including the Advanced Reactor Demonstration Program, enhanced geothermal systems demonstrations, and carbon capture demonstration projects. Similarly, the Infrastructure Investment and Jobs Act (Public Law 117-58) created additional clean energy programs, expanded or added new authorizations of funding for programs in the Energy Act of 2020, and appropriated billions of dollars for such activities.

At an October 21, 2021 joint hearing of the Investigations and Oversight Subcommittee and Energy Subcommittee of the Committee on Science, Space, and Technology, "Judicious Spending to Enable Success at the Office of Nuclear Energy," Committee Members questioned Acting Assistant Secretary for Nuclear Energy Dr. Kathryn Huff on how the Department applied the cost-share requirement in regards to recent awards by the Office of Nuclear Energy. A reporting requirement would facilitate more timely, effective communication with Congress about the Department's financial assistance and contracting practices.

#### IV. COMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII of the Rules of the House of Representatives, the Committee designates the following hearing as having been used to develop or consider the legislation:

On October 21, 2021, the Investigations and Oversight Subcommittee and the Energy Subcommittee of the Committee on Science, Space, and Technology Committee held a joint hearing entitled, “Judicious Spending to Enable Success at the Office of Nuclear Energy,” to review several large financial assistance awards made by the Department’s Office of Nuclear Energy. The hearing examined the Department’s practices for financial assistance awards and contracts, including the use of sole-source awards, protections to limit taxpayer risk, and use of its authority to reduce or eliminate the cost-share requirement in section 988 of the Energy Act of 2005.

#### WITNESSES

- Dr. Kathryn Huff, Acting Assistant Secretary, Office of Nuclear Energy, U.S. Department of Energy
- Ms. Amy Roma, Founding Member, Nuclear Energy and National Security Coalition, Atlantic Council and Partner, Hogan Lovells US LLP
- Dr. Todd Allen, Director, Michigan Memorial Phoenix Project and Glenn F. and Gladys H. Knoll Department Chair of Nuclear Engineering and Radiological Science, University of Michigan
- Mr. Scott Amey, General Counsel and Executive Editorial Director, Project on Government Oversight

#### V. COMMITTEE CONSIDERATION AND VOTES

The Committee on Science, Space, and Technology met to consider H.R. 6933 on Tuesday, April 5, 2022.

Ms. Lofgren, presiding, moved that the Committee favorably report the bill, H.R. 6933, to the House of Representatives with the recommendation that the bill be approved. *The motion was agreed to by a voice vote.*

#### VI. SUMMARY OF MAJOR PROVISIONS OF THE BILL

The Cost-Share Accountability Act of 2022 amends the Energy Policy Act of 2005 to require the Secretary to submit reports to the listed committees of Congress on the Department’s use of its statutory authority to reduce or eliminate the cost-share requirements for research, development, demonstration, and commercial application activities. It also requires the Department to make this report available to the public.

#### VII. SECTION-BY-SECTION ANALYSIS (BY TITLE AND SECTION)

##### *Sec. 1. Short title*

Section 1 establishes that this legislation may be referred to as the “Cost-Share Accountability Act of 2022”.

*Sec. 2. Reporting requirements*

This section amends section 988 of the Energy Policy Act (42 U.S.C. 16352) (section 988) to require the Secretary of Energy to submit a report, not later than 120 days after enactment and at least quarterly thereafter, on the Department's use during that time period of its authority to reduce or eliminate the cost-share requirements under section 988 for the Department's research, development, demonstration, and commercial application activities. It also requires the Department to submit the report to the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives as well as the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate, and make the report publicly available.

VIII. COMMITTEE VIEWS

The Committee does not intend for this legislation to discourage the Department from using its authority to eliminate or reduce the cost-sharing requirements in section 988, when appropriate, or hinder the Department's ability to encourage increased participation in its programs. Rather, the Committee intends for the legislation to assist Congress in partnering with the Department to make sure it invests Federal research and development funds effectively.

IX. COST ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

X. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 16, 2022.*

Hon. EDDIE BERNICE JOHNSON,  
*Chairwoman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.*

DEAR MADAM CHAIRWOMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6933, the Cost-Share Accountability Act of 2022.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Aaron Krupkin.

Sincerely,

PHILLIP L. SWAGEL,  
*Director.*

Enclosure.

<b>H.R. 6933, Cost-Share Accountability Act of 2022</b>			
As ordered reported by the House Committee on Science, Space, and Technology on April 5, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	1	not estimated
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 6933 would require the Department of Energy to report quarterly to the Congress on the use of the department's authority to reduce or eliminate cost-sharing requirements for various research, development, and demonstration projects. Based on the cost of similar reports, CBO estimates that implementing the bill would cost \$1 million over the 2022–2027 period; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Aaron Krupkin. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

#### XI. FEDERAL MANDATES STATEMENT

H.R. 6933 contains no unfunded mandates.

#### XII. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

The Committee's oversight findings and recommendations are reflected in the body of this report.

#### XIII. STATEMENT ON GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c)(4) of rule XIII of the Rules of the House of Representatives, the goals of H.R. 6933 are to facilitate congressional oversight of the Department's use of its authority to reduce or eliminate statutory cost-share requirements for its research, development, demonstration, and commercial application activities. This legislation will require the Department to provide reports on its activities that will enable Congress to better monitor the use of Federal funds and could inform potential future legislation governing the Department's research, development, demonstration, and commercial application programs.

#### XIV. FEDERAL ADVISORY COMMITTEE STATEMENT

No Federal Advisory Committees are created by H.R. 6933.

#### XV. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 6933 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

#### XVI. EARMARK IDENTIFICATION

Pursuant to clauses 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 6933 contains no earmarks, limited tax benefits, or limited tariff benefits.

#### XVII. APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that H.R. 6933 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

#### XVIII. STATEMENT ON PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt any state, local, or tribal law.

#### XIX. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

### ENERGY POLICY ACT OF 2005

\* \* \* \* \*

## TITLE IX—RESEARCH AND DEVELOPMENT

\* \* \* \* \*

### Subtitle I—Research Administration and Operations

\* \* \* \* \*

#### SEC. 988. COST SHARING.

(a) **APPLICABILITY.**—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is initiated after the date of enactment of this section, the Secretary shall require cost-sharing in accordance with this section.

(b) **RESEARCH AND DEVELOPMENT.**—

(1) IN GENERAL.—Except as provided in paragraphs (2), (3), and (4) and subsection (f), the Secretary shall require not less than 20 percent of the cost of a research or development activity described in subsection (a) to be provided by a non-Federal source.

(2) EXCLUSION.—Paragraph (1) shall not apply to a research or development activity described in subsection (a) that is of a basic or fundamental nature, as determined by the appropriate officer of the Department.

(3) REDUCTION.—The Secretary may reduce or eliminate the requirement of paragraph (1) for a research and development activity of an applied nature if the Secretary determines that the reduction is necessary and appropriate.

(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 2-year period beginning on the date of enactment of this paragraph.

(c) DEMONSTRATION AND COMMERCIAL APPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (f), the Secretary shall require that not less than 50 percent of the cost of a demonstration or commercial application activity described in subsection (a) to be provided by a non-Federal source.

(2) REDUCTION OF NON-FEDERAL SHARE.—The Secretary may reduce the non-Federal share required under paragraph (1) if the Secretary determines the reduction to be necessary and appropriate, taking into consideration any technological risk relating to the activity.

(d) CALCULATION OF AMOUNT.—In calculating the amount of a non-Federal contribution under this section, the Secretary—

(1) may include allowable costs in accordance with the applicable cost principles, including—

(A) cash;

(B) personnel costs;

(C) the value of a service, other resource, or third party in-kind contribution determined in accordance with the applicable circular of the Office of Management and Budget;

(D) indirect costs or facilities and administrative costs;

or

(E) any funds received under the power program of the Tennessee Valley Authority (except to the extent that such funds are made available under an annual appropriation Act); and

(2) shall not include—

(A) revenues or royalties from the prospective operation of an activity beyond the time considered in the award;

(B) proceeds from the prospective sale of an asset of an activity; or

(C) other appropriated Federal funds.

(e) REPAYMENT OF FEDERAL SHARE.—The Secretary shall not require repayment of the Federal share of a cost-shared activity under this section as a condition of making an award.

(f) EXCLUSIONS.—This section shall not apply to—

(1) a cooperative research and development agreement under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.);

(2) a fee charged for the use of a Department facility; or

(3) an award under—

(A) the small business innovation research program under section 9 of the Small Business Act (15 U.S.C. 638); or

or

(B) the small business technology transfer program under that section.

(g) REPORTING.—*Not later than 120 days after the enactment of the Cost-Share Accountability Act of 2022, and at least quarterly thereafter, the Secretary shall submit to the Committee on Science, Space, and Technology and Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate, and shall make publicly available, a report on the use by the Department during the period covered by the report of the authority to reduce or eliminate cost-sharing requirements provided by subsections (b)(3) or (c)(2).*

\* \* \* \* \*

XX. PROCEEDINGS OF THE FULL COMMITTEE MARKUP

**MARKUPS: H.R. 3588, MATHEMATICAL AND STATISTICAL MODELING EDUCATION ACT; H.R. 3952, NOAA CHIEF SCIENTIST ACT; H.R. 6845, COMMERCIAL REMOTE SENSING AMENDMENT ACT OF 2022; H.R. 6933, COST-SHARE ACCOUNTABILITY ACT OF 2022; H.R. 7077, EMPOWERING THE U.S. FIRE ADMINISTRATION ACT**

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**MARKUP**

BEFORE THE

COMMITTEE ON SCIENCE, SPACE,  
AND TECHNOLOGY

OF THE

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

APRIL 5, 2022

**Serial No. CP: 117-11**

Printed for the use of the Committee on Science, Space, and Technology



Available via the World Wide Web: <http://science.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2022

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Tuesday, April 5, 2022

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## Amendment Roster

## H.R. 6845, the Commercial Remote Sensing Amendment Act of 2022

Amendment number	Sponsor	Summary	Page number
1	Mr. Beyer .....	Makes technical corrections based on agency feedback and retains a sunset date to provide for updates to annual report.	14

## H.R. 3952, the NOAA Chief Scientist Act

Amendment number	Sponsor	Summary	Page number
1	Ms. Sherrill .....	Amendment in the Nature of a Substitute .....	28
2	Ms. Moore .....	Adds Tribal Communities .....	37
3	Mr. Posey .....	Allows the NOAA Administrator to select any person for the position of Chief Scientist if the Administrator determines they are qualified to serve in such position.	39
4	Mr. Casten .....	Keeps current NOAA Chief Scientist in role before next appointment..	41

## H.R. 7077, the Empowering the U.S. Fire Administration Act

Amendment number	Sponsor	Summary	Page number
1	Mr. Posey .....	Ensures the U.S. Fire Administration coordinates and cooperates with Federal, State, and local authorities..	50

**H.R. 6845, COMMERCIAL REMOTE SENSING  
AMENDMENT ACT OF 2022**

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**H.R. 3952, NOAA CHIEF SCIENTIST ACT**

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**H.R. 7077, EMPOWERING THE U.S. FIRE  
ADMINISTRATION ACT**

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**H.R. 3588, MATHEMATICAL AND STATISTICAL  
MODELING EDUCATIONACT**

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**H.R. 6933, COST-SHARE ACCOUNTABILITY ACT  
OF 2022**

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**TUESDAY, APRIL 5, 2022**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 10:04 a.m., in room 2318 of the Rayburn House Office Building, Hon. Eddie Bernice Johnson [Chairwoman of the Committee] presiding.

Chairwoman JOHNSON. Thank you very much, and good morning to everyone. The Committee will come to order. And without objection, the Chair is authorized to declare a recess at any time.

Pursuant to Committee rule, the House rule XI, the Chair announces that she may postpone roll call votes.

Today, the Committee is meeting both in person and virtually. I want to announce a couple reminders to the Members about the conduct of the hearing. First, the Members and staff who are attending in person may choose to be masked, but it is not a requirement. However, any individuals with symptoms or a positive test or exposure to someone with COVID-19 should wear a mask while present.

Members who are attending virtually should keep their video feed on as long as they are present in the hearing. Members are responsible for their own microphones. And please also keep your microphones muted until you are speaking.

Finally, if Members have documents they wish to submit to the record, please email them to the Committee Clerk, whose email address was circulated prior to the meeting.

Pursuant to notice, the Committee meets to consider the following measures: H.R. 6845, the *Commercial Remote Sensing Amendment Act of 2022*; H.R. 3952, the *NOAA Chief Scientist Act*; H.R. 7077, *Empowering the U.S. Fire Administration Act*; H.R. 3588, the *Mathematical and Statistical Modeling and Education Act*; and finally, H.R. 6933, the *Cost-Share Accountability Act of 2022*. Thank you very much.

Welcome to today's markup of five bipartisan bills. The first bill we consider is H.R. 6845, the *Commercial Remote Sensing Amendment Act of 2022*, which was introduced by Ranking Member Lucas and Mr. Perlmutter. This bill would amend current statute to provide for more transparency in the U.S. commercial space remote sensing licensing process. H.R. 6845 helps provide this Committee and the Congress with the necessary information to carry out its oversight function and to monitor the implementation of regulations of the U.S. commercial remote sensing industry, including any impacts on the industry's competitiveness. H.R. 6845 is a good-government bill and helps to ensure transparency in the licensing of commercial remote sensing systems.

Next, we will consider H.R. 3952, the *NOAA Chief Scientist Act*. I want to thank our Environment Subcommittee Chairwoman Mikie Sherrill for introducing this bipartisan legislation along with Research Subcommittee Ranking Member Randy Feenstra. This legislation sets strong scientific qualifications for the Chief Scientist position. The bill outlines additional responsibilities of the Chief Scientist in NOAA (National Oceanic and Atmospheric Administration). It is—it also elevates the importance of the Chief Scientist and his or her role in upholding scientific integrity and advancing science and technology at the agency. And finally, the bill establishes an Office of the Chief Scientist, as well as the position of Deputy Chief Scientist. I support the passage of this *NOAA Chief Scientist Act* and urge my colleagues to do the same.

The next bill we have to mark up is H.R. 7077, *Empowering the U.S. Fire Administration Act*, sponsored by Representative Ritchie Torres and cosponsored by several Members of the Committee. This bipartisan bill authorizes the U.S. Fire Administration (USFA) to conduct onsite investigations of major fires. Despite advances in fire codes, loss of life from building fires still occurs far too frequently. A tragic fire in Representative Torres' New York district in January claimed seventeen victims, including eight children. This bill would help bring to bear the expertise of the U.S. Fire Administration following major fires to contribute to what we can learn from these fires and how we can prevent them from occurring in the future. I urge my colleagues to support this important bill.

I want to thank Representatives Houlahan and Baird for sponsoring our next bill, H.R. 3588, the *Mathematical and Statistical Modeling Education Act*. Improving access to high-quality STEM (science, technology, engineering, and mathematics) education remains a top priority for this Committee. Every two years the National Assessment of Education Progress reminds us that we're—what we're doing now is not working for the majority of our Na-

tion's students. This bill will advance innovations to incorporate mathematical modeling across K through twelve curricula and ground those lessons in a real-world context. This will empower students to see mathematics as a tool they can use to solve the problems they see in their communities. We know this both increases learning and inspires more students to pursue STEM careers. I urge my colleagues to support this important bill.

Finally, we will consider H.R. 6933, the *Cost-Share Accountability Act of 2022*, which was introduced by Investigations and Oversight Subcommittee Ranking Member Mr. Obernolte and Chairman Foster. This is a commonsense bill to ensure that Congress is kept informed about instances where cost-share requirements at the Department of Energy (DOE) are reduced or eliminated. This is a straightforward, good-government bill, and I support its passage.

I look forward to a productive markup today, and I hope to be back in the hearing room very soon. I must tell you that my surgery and rehabilitation is going very well, but now I am going to pass the gavel to Ms. Lofgren, our distinguished Vice Chair—excuse me, to chair the remainder of this markup. Thank you, Chairwoman.

[The prepared statement of Chairwoman Johnson follows:]

Welcome to today's markup of five bipartisan bills.

The first bill we will consider is H.R. 6845, the *Commercial Remote Sensing Amendment Act of 2022*, which was introduced by Ranking Member Lucas and Mr. Perlmutter. This bill would amend current statute to provide for more transparency in the U.S. commercial space remote sensing licensing process. H.R. 6845 helps provide this Committee and Congress with the necessary information to carry out its oversight function and to monitor the implementation of regulations on the U.S. commercial remote sensing industry, including any impacts on the industry's competitiveness.

H.R. 6845 is a good-government bill and helps ensure transparency in the licensing of commercial remote sensing systems.

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It also elevates the importance of the Chief Scientist and his or her role in upholding scientific integrity and advancing science and technology at the agency. Finally, the bill establishes an Office of the Chief Scientist, as well as the position of Deputy Chief Scientist. I support the passage of the *NOAA Chief Scientist Act*, and urge my colleagues to do the same.

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power students to see mathematics as a tool they can use to solve the problems they see in their communities.

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I look forward to a productive markup today, and I hope to be back in the hearing room very soon. But now I am going to pass the gavel over to Ms. Lofgren to chair the remainder of this markup.

Ms. LOFGREN [presiding]. Thank you, Chairwoman Johnson. And it's—I'm glad that your recovery is going so well, and I want to thank you for your opening statement.

I will simply say that I support all of these bipartisan bills today, and I look forward to a productive markup. And I will place a full statement in the record. I now recognize the Ranking Member for any opening remarks he would like to make.

Mr. LUCAS. Thank you, and thank you, Chairwoman Johnson, for holding today's markup. And I look forward to my colleague being back at this dais with us in very short time to continue to work on the Nation's business.

This morning, we will consider five bipartisan bills. These are what I call workhorse bills instead of show-horse bills, the great examples of consensus work we can do across the aisle to improve American science and research.

Our first bill is the *Commercial Remote Sensing* bill amendment, which I sponsored, and I'll go into more detail when we consider the bill. But for now, I'd like to thank Representative Perlmutter for working with me to support this growing industry.

Next on the docket is a bill to codify the role of Chief Scientist at NOAA. The Chief Scientist plays an important role at NOAA, advising the Administrator, providing scientific advice, and leading scientific integrity efforts. The Chief Scientist has long been a critical position at NOAA, and this bill simply recognizes the value of that role by making its current duties and responsibilities law. It also places a process in place for naming an acting Chief Scientist when the role is empty. In short, it ensures NOAA and its leadership will continue to receive the best scientific advice as they conduct all of NOAA's important missions around environmental and weather research, monitoring, prediction, and restoration. I'd like to thank Representative Sherrill for sponsoring this bill and Representative Feenstra for leading the Republican side.

Next up is a bill to empower the U.S. Fire Administration. The Fire Administration is housed within FEMA (Federal Emergency Management Agency), and it helps to strengthen our ability to prevent and respond to fires through research and education. This bill will make it easier for the U.S. Fire Administration to provide their expertise to local authorities by granting it the authority to spend specialists, researchers, investigators, fire protection engineers to assist with investigations of major fires. The U.S. Fire Administration has valuable resources in preventing, responding to, and investigating fires, and this bill ensures that State and local governments can access their knowledge and hopefully prevent major fires

in the future. I want to thank Representative Torres for his work on this, as well as the original cosponsors from our Committee, Representative Stevens, Meijer, and Gonzalez.

Following that bill, we'll consider the *Mathematical and Statistical Modeling Education Act*, which will help improve STEM education for U.S. students. Mathematics and statistical modeling is a skill set with broad applications across all STEM fields and even the social sciences. Statistical modeling can help us describe past events, understand current developments, and predict future outcomes. Teaching advanced modeling will prepare students to work with complex data sets. That in turn sets us up for more competitive, flexible work force. I'd like to express my appreciation to Representative Houlihan and Representative Baird for bringing this before the Committee.

Finally, we'll consider the *Cost-Share Accountability Act*. This is a good-government bill meant to improve accountability and transparency. It requires the Department of Energy to submit reports to Congress detailing when it has decided to modify or eliminate cost-sharing requirements for its research, development, demonstration, and commercial application activities. It doesn't hinder DOE's ability to modify cost-sharing requirements when necessary. Instead, it just makes those decisions transparent and publicly available. This in turn makes it easier for Congress to conduct oversight. It's a smart policy, and I thank Representative Obernolte for developing this bill following oversight hearings on this authority last year and Representative Foster for working across the aisle with him. I'm looking forward to a relatively quick markup today because of the bipartisan nature and thorough vetting of each bill under consideration.

With that, I'll end my remarks so we can get back to work. Thank you, Madam Chair.

[The prepared statement of Mr. Lucas follows:]

Thank you, Chairwoman Johnson, for holding today's markup. This morning we will consider five bipartisan bills. These are what I'd call workhorse bills instead of show horse bills. They're great examples of the consensus work we can do across the aisle to improve American science and research.

Our first bill is the Commercial Remote Sensing Amendment, which I sponsored. I'll go into more detail when we consider that bill, but for now I'd like to thank Rep. Perlmutter for working with me to support this growing industry.

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Ms. LOFGREN. Thank you, Mr. Ranking Member.

Other Members are—may put their opening remarks into the record.

[The prepared statement of Ms. Lofgren follows:]

Good morning everyone, I'm glad to begin this markup of five bipartisan bills. Today we will consider H.R. 6845, the *Commercial Remote Sensing Amendment Act of 2022*; H.R. 3952, the *NOAA Chief Scientist Act*; H.R. 7077, the *Empowering the U.S. Fire Administration Act*; H.R. 3588, the *Mathematical and Statistical Modeling Education Act*; and H.R. 6933, the *Cost-Share Accountability Act of 2022*.

Ranking Member Lucas and Mr. Perlmutter's H.R. 6845, the *Commercial Remote Sensing Amendment Act of 2022*, will help to bring more transparency in our U.S. commercial space remote licensing process. This bill will allow for this Committee and Congress to carry out its critical oversight function of the U.S. commercial remote sensing industry and will build transparency in the licensing of these systems.

Up next is H.R. 3952, the *NOAA Chief Scientist Act*. This legislation was introduced by Chairwoman Mikie Sherrill of the Subcommittee on Environment and Research and Technology Subcommittee Ranking Member Randy Feenstra. This bill will help shape a strong Chief Scientist position at NOAA, and emphasizes the importance of upholding scientific integrity. The bill also establishes both an Office of the Chief Scientist and the position of Deputy Chief Scientist. As a Members of this Committee, we understand how critically important it is to uphold scientific integrity, especially at our federal science facilities.

Third we will consider H.R. 7077, the *Empowering the U.S. Fire Administration Act*, which was sponsored by Representative Ritchie Torres of New York. This bipartisan bill will authorize the U.S. Fire Administration to conduct investigations of major fires on-site. We must be able to learn from tragic events like fires so we can work to make sure they don't happen again, and this bill will help to do just that.

Next will be H.R. 3588, the *Mathematical and Statistical Modeling Education Act*. This bill was brought forth by Representatives Houlahan and Baird to coordinate Federal research and development efforts to help scale up and modernize STEM education through mathematical and statistical modeling. In order to build a strong and diverse STEM workforce, we have to ensure students are well-equipped with the evolving needs of the future.

The last bill we will consider today is H.R. 6933, the *Cost-Share Accountability Act of 2022*. This bill, which was introduced by Investigations and Oversight Subcommittee Ranking Member Obernolte and Chairman Foster, will ensure Congress stays up to date on information regarding changes in cost-share requirements at the Department of Energy.

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I'm confident we have a productive markup in front of us. From upholding scientific integrity at NOAA, making sure we learn from major fires and work to prevent them, improving access to high-quality STEM education, and more, we have five great bills to consider. I'm looking forward to moving each of these bills through the Committee today.

Thank you.

Ms. LOFGREN. The gentleman yields back. Mr. Foster is recognized.

Mr. FOSTER. Thank you, ma'am—Madam Chair. I'm excited to see a wide array of bipartisan legislation in today's markup, including the *Commercial Remote Sensing Amendment Act* by Representatives Lucas and Perlmutter, which I support for the reasons that they cited and would urge my colleagues to support as well.

I'd also like to note that the existence of commercial remote satellite imagery has proven very useful to the free world in trying to deal with the conflict in the Ukraine.

Due to a busy day on the Hill, I also want to make sure I have a chance to speak about H.R. 6933, the *Cost-Share Accountability Act*, which Representative Obernolte and I introduced and is also being marked up today. I'd like to thank Representative Obernolte for his leadership on this legislation. As Chair and Ranking Members of the Oversight and Investigations Committee, Representative Obernolte and I have found that Congress—for Congress to fulfill our oversight responsibilities, we must be able to access information about how our departments and agencies are operating.

Back in October, Representatives Obernolte, Bowman, Weber, and I led joint hearings which discussed best practices and principles for financial assistance agreements with acting Assistant Secretary for the Office of Nuclear Energy. Such hearings are an excellent oversight tool. This legislation, which requires reports for the Department's use of cost-sharing, adds yet another layer of information for us to utilize.

This legislation is a fundamental good governance, a next step in increasing the transparency of the Department of Energy's use of cost-sharing practices, so I'm looking forward to working with the Department of Energy to make sure the Congress understands how cost-sharing is implemented in support of the Department's

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projects. So I urge my colleagues to support both H.R. 6933 and H.R. 6845, and I yield back.

Ms. LOFGREN. The gentleman yields back.

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Ms. LOFGREN. We will now consider H.R. 6933, the *Cost-Sharing Accountability Act of 2022*. The Clerk will report the bill.

The CLERK. H.R. 6933, a bill—  
[The bill follows:]

117TH CONGRESS  
2D SESSION

# H. R. 6933

To amend the Energy Policy Act of 2005 to require reporting relating to certain cost-share requirements.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2022

Mr. OBERNOLTE (for himself and Mr. FOSTER) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To amend the Energy Policy Act of 2005 to require reporting relating to certain cost-share requirements.

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 “Cost-Share Account-  
5 ability Act of 2022”.

6 **SEC. 2. REPORTING REQUIREMENTS.**

7 Section 988 of the Energy Policy Act of 2005 (42  
8 U.S.C. 16352) is amended by adding at the end the fol-  
9 lowing:

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1       “(g) REPORTING.—Not later than 120 days after the  
2 enactment of the Cost-Share Accountability Act of 2022,  
3 and at least quarterly thereafter, the Secretary shall sub-  
4 mit to the Committee on Science, Space, and Technology  
5 and Committee on Appropriations of the House of Rep-  
6 resentatives and the Committee on Energy and Natural  
7 Resources and the Committee on Appropriations of the  
8 Senate, and shall make publicly available, a report on the  
9 use by the Department during the period covered by the  
10 report of the authority to reduce or eliminate cost-sharing  
11 requirements provided by subsections (b)(3) or (c)(2).”.

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Ms. LOFGREN. Without objection, the bill is considered as read and open to amendment at any point.

Does anyone wish to be recognized on the underlying bill? I understand Mr. Obernolte would like to be heard, and you are recognized to strike the last word.

Mr. OBERNOLTE. Thank you very much, Madam Chair, and thanks for the opportunity to testify in support of my bill, H.R. 6933, the *Cost-Sharing Accountability Act*.

Back in October, Chairman Foster and I conducted a hearing of the Investigations and Oversight Committee on the Department of Energy's advanced nuclear research test programs. And during the course of the hearing, it became apparent that the Department of Energy had exercised its authority under the *Energy Policy Act of 2005* to reduce or eliminate the cost-sharing requirements on some of the grants that it had awarded. We asked for more information from the Department. That information was provided. And on further investigation, we determined that it was appropriate for the DOE to have taken this step. But what also become apparent is that Congress certainly currently has no method of being informed when the Department utilizes its authority to reduce or eliminate the cost-sharing requirements.

So if we're going to conduct oversight, it's very important for us to have this information, and that's what this bill does. It requires quarterly reports from the DOE whenever it exercises its authority under the *Energy Policy Act* to reduce or eliminate those cost-sharing requirements and the justifications for those reductions. So this is just common sense, a simple transparency and oversight change to Federal law that will enhance Congress's ability to do its job in conducting oversight.

I would like to thank Chairman Foster very much for his partnership introducing this legislation, his guidance as we have seen this through the process, and respectfully ask for the support of all my colleagues in passing this to the House floor. I yield back, Madam Chair.

Ms. LOFGREN. The gentleman yields back. As we know, Mr. Foster spoke in favor of this earlier in our markup, and I'm not aware of any other Members who wishes to be heard on the underlying bill. No amendments were noticed in the roster. Does anyone wish to offer an amendment to this bill at this time?

Hearing none, a reporting quorum being present, I move that the Committee on Science, Space, and Technology report H.R. 6933 to the House with the recommendation that the bill be approved.

Those in favor of this motion was signify by saying aye.

Opposed will say no.

In the opinion of the Chair, the ayes have it. The bill is favorably reported.

And without objection, the motion to reconsider is laid upon the table. I ask unanimous consent that staff be authorized to make any necessary technical and conforming changes to the bill. And without objection, that is so ordered. Members will have two subsequent calendar days in which to submit supplemental minority or additional views on this measure.

I want to thank Members for their attendance and their participation in this markup. We were successful in approving several im-

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portant bills that will make our country better, and I appreciate all of the hard work that went into making this such a smooth process.

Mr. Lucas, do you want to close with any comments?

Mr. LUCAS. Just simply that it's wonderful that we can pass bipartisan workhorse bills. I yield back.

Ms. LOFGREN. Yes. And with that, this concludes our markup.

[Whereupon, at 11:04 a.m., the Committee was adjourned.]

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