

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1862

To establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 6), 2005

Mr. SMITH (for himself, Mr. JOHNSON, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, 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. DEFINITIONS.**

9           In this Act:

10           (1) BIRD.—The term “BIRD” means the  
11           United States-Israel Binational Industrial Research  
12           and Development Foundation.

13           (2) BSF.—The term “BSF” means the United  
14           States-Israel Binational Science Foundation.

15           (3) SECRETARY.—The term “Secretary” means  
16           the Secretary of Energy, acting through the Assist-  
17           ant Secretary for Energy Efficiency and Renewable  
18           Energy.

19 **SEC. 4. GRANT PROGRAM.**

20           (a) ESTABLISHMENT.—In implementing the Agree-  
21           ment entitled the “Agreement between the Department of  
22           Energy of the United States of America and the Ministry  
23           of Energy and Infrastructure of Israel Concerning Energy  
24           Cooperation”, dated February 1, 1996, the Secretary shall  
25           establish a grant program to support research, develop-

1 ment, and commercialization of alternative renewable en-  
2 ergy sources.

3 (b) TYPES OF ENERGY.—In carrying out subsection  
4 (a), the Secretary may make grants to promote—

5 (1) solar energy;

6 (2) biomass energy;

7 (3) energy efficiency;

8 (4) wind energy;

9 (5) fossil energy; and

10 (6) other types of energy, as determined by the  
11 Secretary.

12 (c) ELIGIBLE APPLICANTS.—An applicant shall be el-  
13 igible to receive a grant under this section if the project  
14 of the applicant—

15 (1)(A) addresses a requirement in the areas of  
16 alternative energy, improved energy efficiency, or re-  
17 newable energy sources determined by the Secretary  
18 and applies for the grant in accordance with proce-  
19 dures established under this section; or

20 (B) is a joint venture between—

21 (i)(I) a for-profit business entity, academic  
22 institution, National Laboratory (as defined in  
23 section 2 of the Energy Policy Act of 2005), or  
24 nonprofit entity in the United States; and

1 (II) a for-profit business entity, academic  
2 institution, or nonprofit entity in Israel; or

3 (ii)(I) the Government of the United  
4 States; and

5 (II) the Government of Israel; and

6 (2) meets any other qualifications that the Sec-  
7 retary may require.

8 (d) APPLICATIONS.—

9 (1) IN GENERAL.—To be eligible to receive a  
10 grant under this section, an applicant shall submit  
11 an application for the grant to—

12 (A) the Secretary, in accordance with pro-  
13 cedures established by the Secretary; or

14 (B) the BIRD or BSF, in accordance with  
15 procedures established by the respective entity.

16 (2) USE OF BIRD AND BSF.—

17 (A) ALLOCATION FOR BIRD AND BSF.—

18 The Secretary shall use not less than 50 per-  
19 cent of the funds that are provided to make  
20 grants under this section for a fiscal year to  
21 make grants through the BIRD and BSF.

22 (B) ALLOCATION BETWEEN BIRD AND

23 BSF.—The Secretary shall determine the man-  
24 ner in which funds made available for a fiscal

1           year under this paragraph are allocated be-  
2           tween the BIRD and BSF.

3           (e) ADVISORY BOARD.—

4           (1) ESTABLISHMENT.—The Secretary shall es-  
5           tablish an advisory board to—

6                   (A) monitor how grants are awarded under  
7                   this section; and

8                   (B) provide to the Secretary periodic per-  
9                   formance reviews of actions taken to carry out  
10                  this section.

11          (2) COMPOSITION.—The advisory board shall be  
12          composed of—

13                   (A) a representative of the Government of  
14                   the United States, appointed by the Secretary;  
15                   and

16                   (B) a representative of the Government of  
17                   Israel, appointed by the Government of Israel.

18          (f) REPAYMENT.—

19           (1) IN GENERAL.—Subject to paragraph (2),  
20           the Secretary may require a recipient of a grant  
21           under this section to repay to the Secretary, the  
22           BIRD, or the BSF, as determined by the Secretary,  
23           an amount equal to—

1           (A) the amount of the grant, including in-  
2           terest at a rate determined by the Secretary;  
3           and

4           (B) such charges for the administration of  
5           the grant as the Secretary determines appro-  
6           priate.

7           (2) LIMITATION.—In carrying out paragraph  
8           (1), the Secretary may not require a grant recipient  
9           to repay more than 150 percent of the amount of  
10          the grant, adjusted in accordance with the Consumer  
11          Price Index for all-urban consumers, United States  
12          city average, as published by the Bureau of Labor  
13          Statistics.

14          (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
15          authorized to be appropriated to carry out this section  
16          \$20,000,000 for each of fiscal years 2006 through 2012.

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