

110TH CONGRESS  
1ST SESSION

# S. 1600

To establish an energy technologies innovation network, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2007

Mr. HAGEL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To establish an energy technologies innovation network, 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. ENERGY-RELATED RESEARCH AND DEVELOP-**  
4 **MENT.**

5 (a) FINDINGS.—Congress finds that—

6 (1) information and opinions provided by indi-  
7 viduals and entities of the academic and industrial  
8 sectors should be an important consideration with  
9 respect to energy-related research and development  
10 activities carried out by the Federal Government;

1           (2) in carrying out energy-related research and  
2           development activities, the Federal Government  
3           should regularly seek input from multiple sources,  
4           including the industrial sector, academia, and other  
5           relevant sectors;

6           (3) research is better focused around well-de-  
7           fined problems that need to be resolved;

8           (4) a number of potential problems to be re-  
9           solved are likely to require input from a diverse se-  
10          lection of technologies and contributing sectors;

11          (5) sharing of information relating to energy re-  
12          search and development is important to the develop-  
13          ment and innovation of energy technologies;

14          (6) necessary intellectual property protection  
15          can lead to delays in sharing valuable information  
16          that could aid in resolving major energy-related  
17          problems;

18          (7) the Federal Government should facilitate  
19          the sharing of information from a diverse array of  
20          industries by ensuring the protection of intellectual  
21          property while simultaneously creating an environ-  
22          ment of openness and cooperation; and

23          (8) the Federal Government should revise the  
24          methods of the Federal Government regarding en-  
25          ergy-related research and development to encourage

1 faster development and implementation of energy  
2 technologies.

3 (b) DEFINITIONS.—In this section:

4 (1) NETWORK.—The term “network” means  
5 the Energy Technologies Innovation Network estab-  
6 lished by subsection (d)(1).

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

9 (3) SURVEY.—The term “survey” means a sur-  
10 vey conducted pursuant to subsection (e).

11 (c) ENERGY-RELATED RESEARCH AND DEVELOP-  
12 MENT PRIORITIES.—

13 (1) IN GENERAL.—Not less frequently than  
14 once every 5 years, the Secretary shall conduct a  
15 survey in accordance with this subsection to deter-  
16 mine the 10 highest-priority energy-related problems  
17 to resolve to ensure the goals of—

18 (A) maximizing the energy security of the  
19 United States;

20 (B) maximizing improvements in energy  
21 efficiency within the United States; and

22 (C) minimizing damage to the economy  
23 and the environment of the United States.

24 (2) SURVEY.—

1 (A) IN GENERAL.—Each survey shall con-  
2 tain a request that the respondent shall list, in  
3 descending order of priority, the 10 highest-pri-  
4 ority energy-related problems that, in the opin-  
5 ion of the respondent, require resolution as  
6 quickly as practicable to ensure the goals de-  
7 scribed in paragraph (1).

8 (B) ANNOUNCEMENT.—The Secretary  
9 shall announce the existence of each survey  
10 by—

11 (i) publishing an announcement in the  
12 Federal Register; and

13 (ii) placing an announcement in a  
14 prominent position on the homepage of the  
15 website of the Department of the Energy.

16 (C) AVAILABILITY.—The Secretary shall  
17 ensure that each survey is made available—

18 (i) in an electronic format only  
19 through a link on the Department of En-  
20 ergy website;

21 (ii) for a period of not less than 21  
22 days and not more than 30 days; and

23 (iii) to any individual or entity that  
24 elects to participate.

1 (D) ADDITIONAL INFORMATION GATH-  
2 ERING.—Each survey—

3 (i) shall require each respondent to  
4 provide information regarding—

5 (I) the age of the respondent;

6 (II) the occupational category of  
7 the respondent;

8 (III) the period of time during  
9 which the respondent has held the  
10 current occupation of the respondent;  
11 and

12 (IV) the State and country in  
13 which the respondent resides; and

14 (ii) may request, but shall not re-  
15 quire—

16 (I) the name of the respondent;

17 (II) an identification of the em-  
18 ployer of the respondent;

19 (III) the electronic mail address  
20 of the respondent; and

21 (IV) such other information as  
22 the Secretary determines to be appro-  
23 priate.

1 (E) RESPONDENTS.—The Secretary shall  
2 seek responses to a survey from appropriate  
3 representatives of—

4 (i) the energy, transportation, manu-  
5 facturing, construction, mining, and elec-  
6 tronic industries;

7 (ii) academia;

8 (iii) research facilities;

9 (iv) nongovernmental organizations;

10 (v) the Federal Government; and

11 (vi) units of State and local govern-  
12 ment.

13 (F) NONPOLITICAL REQUIREMENT.—The  
14 Secretary shall ensure that each survey is con-  
15 ducted, to the maximum extent practicable—

16 (i) in a transparent, nonpolitical, and  
17 scientific manner; and

18 (ii) without any political bias.

19 (G) REPORT.—Not later than 180 days  
20 after the date on which a survey under this  
21 subsection is no longer available under subpara-  
22 graph (C)(ii), the Secretary shall submit to  
23 Congress and make available to the public (in-  
24 cluding through publication in the Federal Reg-

1           ister and on the website of the Department of  
2           Energy) a report that—

3                   (i) describes the results of the survey;

4                   and

5                   (ii) includes a list of the 10 highest-  
6                   priority energy-related problems based on  
7                   all responses to the survey.

8           (3) EFFECT OF RESULTS ON ENERGY-RELATED  
9           RESEARCH AND DEVELOPMENT.—

10                   (A) IN GENERAL.—Subject to subpara-  
11                   graph (B), on receipt of a report under para-  
12                   graph (2)(G), the Secretary shall ensure that,  
13                   during the 5-year period beginning on the date  
14                   of receipt of the report, all energy-related re-  
15                   search and development activities of the De-  
16                   partment of Energy are carried out for the pur-  
17                   pose of resolving, to the maximum extent prac-  
18                   ticable, the 10 problems included on the list of  
19                   the report under paragraph (2)(G)(ii).

20                   (B) ADDITIONAL PROBLEMS.—In addition  
21                   to the activities described in subparagraph (A),  
22                   during the 5-year period beginning on the date  
23                   of receipt of a report under paragraph (2)(G),  
24                   the Secretary may carry out, using the same  
25                   quantity of resources as are allocated to any 1

1 energy-related problem included on the list of  
2 the report under paragraph (2)(G)(ii), energy-  
3 related research and development activities for  
4 the purpose of resolving, to the maximum ex-  
5 tent practicable, 2 additional energy-related  
6 problems that—

7 (i) are not included on the list; and

8 (ii) are high-priority energy-related  
9 problems, as determined by the Secretary.

10 (d) ENERGY TECHNOLOGIES INNOVATION NET-  
11 WORK.—

12 (1) ESTABLISHMENT.—There is established an  
13 information and collaboration network, to be known  
14 as the “Energy Technologies Innovation Network”.

15 (2) PURPOSE.—The purpose of the network  
16 shall be to provide a forum through which interested  
17 parties (including scientists and entrepreneurs) can  
18 present, discuss, and collaborate with respect to in-  
19 formation and ideas relating to energy technologies.

20 (3) OPERATION OF NETWORK.—

21 (A) IN GENERAL.—The Secretary shall  
22 offer to enter into a contract, after an open bid-  
23 ding process, with a third party to operate the  
24 network.

1 (B) REQUIREMENTS.—The third party se-  
2 lected under subparagraph (A) shall—

3 (i) have experience with respect to the  
4 establishment and maintenance of a com-  
5 prehensive database of Federal research  
6 and development projects that is—

7 (I) easily searchable;

8 (II) open to the public; and

9 (III) capable of expansion;

10 (ii) provide a secure electronic forum  
11 to enable collaboration among users of the  
12 network; and

13 (iii) collaborate with the Secretary to  
14 protect the intellectual property rights of  
15 individual users and governmental agencies  
16 participating in the network in accordance  
17 with paragraph (6).

18 (4) REQUIRED CONTRIBUTORS.—Each research  
19 laboratory or other facility that receives Federal  
20 funding shall provide to the network the results of  
21 the research conducted using that funding, regard-  
22 less of whether the research relates to energy, sub-  
23 ject to the condition that revelation of the research  
24 will not adversely effect national security.

1           (5) OTHER CONTRIBUTORS.—Other entities, in-  
2           cluding entities in the academic and industrial sec-  
3           tors and individuals, may participate in the network  
4           to actively contribute to resolving—

5                   (A) the energy-related problems included  
6                   on the list of the report under subsection  
7                   (c)(2)(G)(ii); or

8                   (B) any other energy-related problem that  
9                   the contributor determines would advance the  
10                  goals described in subsection (c)(1).

11           (6) PROTECTION OF INFORMATION AND  
12           IDEAS.—In collaborating with a third party in oper-  
13           ating the network under paragraph (3), the Sec-  
14           retary shall employ such individuals and entities  
15           with experience relating to—

16                   (A) intellectual property as the Secretary  
17                   determines to be necessary to ensure that—

18                           (i) information and ideas presented,  
19                           and discussed in the network are—

20                                   (I) monitored with respect to the  
21                                   intellectual property owners and com-  
22                                   ponents of the information or ideas;  
23                                   and

1 (II) protected in accordance with  
2 applicable Federal intellectual prop-  
3 erty law (including regulations);

4 (ii) information and ideas developed  
5 within the network are—

6 (I) monitored with respect to the  
7 intellectual property components of  
8 the developers of the information or  
9 ideas; and

10 (II) protected in accordance with  
11 applicable Federal intellectual prop-  
12 erty law (including regulations); and

13 (iii) contributors to the network are  
14 provided adequate assurances that intellec-  
15 tual property rights of the contributors will  
16 be protected with respect to participation  
17 in the network;

18 (B) setting up, maintaining, and operating  
19 a network that ensures security and reliability.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated such sums as are nec-  
22 essary to carry out this section.

○