

111TH CONGRESS  
2D SESSION

# H. R. 4907

To establish Energy Innovation Hubs, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2010

Mr. CARNAHAN (for himself, Mr. TONKO, and Ms. GIFFORDS) introduced the following bill; which was referred to the Committee on Science and Technology

---

## A BILL

To establish Energy Innovation Hubs, 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 Innovation  
5       Hubs Authorization Act of 2010”.

6       **SEC. 2. ENERGY INNOVATION HUBS.**

7       (a) ESTABLISHMENT OF PROGRAM.—

8               (1) IN GENERAL.—The Secretary of Energy  
9       shall carry out a program to enhance the Nation’s  
10       economic, environmental, and energy security by  
11       making grants to consortia for establishing and op-

erating Energy Innovation Hubs to conduct and support, whenever practicable at one centralized location, multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies in areas not being served by the private sector.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology development focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of Hubs with those of other Department of Energy research entities, including the National Laboratories, the Advanced Research Projects Agency—Energy, and Energy Frontier Research Centers, and within industry. Such coordination shall include convening and consulting with representatives of staff of the Department of Energy, representatives from Hubs and the qualifying entities that are members of the consortia operating the Hubs, and representatives of such other entities as the Secretary considers appropriate, to share research results, program plans, and opportunities for collaboration.

1           (4) ADMINISTRATION.—The Secretary shall ad-  
2       minister this section with respect to each Hub  
3       through the Department program office appropriate  
4       to administer the subject matter of the technology  
5       development focus assigned under paragraph (2) for  
6       the Hub.

7       (b) CONSORTIA.—

8           (1) ELIGIBILITY.—To be eligible to receive a  
9       grant under this section for the establishment and  
10      operation of a Hub, a consortium shall—

11           (A) be composed of no fewer than 2 quali-  
12      fying entities;

13           (B) operate subject to a binding agreement  
14      entered into by its members that documents—

15           (i) the proposed partnership agree-  
16      ment, including the governance and man-  
17      agement structure of the Hub;

18           (ii) measures to enable cost-effective  
19      implementation of the program under this  
20      section;

21           (iii) a proposed budget, including fi-  
22      nancial contributions from non-Federal  
23      sources;

24           (iv) conflict of interest procedures  
25      consistent with subsection (d)(3), all

1 known material conflicts of interest, and  
2 corresponding mitigation plans;

3 (v) an accounting structure that en-  
4 ables the Secretary to ensure that the con-  
5 sortium has complied with the require-  
6 ments of this section; and

7 (vi) an external advisory committee  
8 consistent with subsection (d)(2); and

9 (C) operate as a nonprofit organization.

10 (2) APPLICATION.—A consortium seeking to es-  
11 tablish and operate a Hub under this section, acting  
12 through a prime applicant, shall transmit to the Sec-  
13 retary an application at such time, in such form,  
14 and accompanied by such information as the Sec-  
15 retary shall require, including a detailed description  
16 of the elements of the consortium agreement re-  
17 quired under paragraph (1)(B).

18 (c) SELECTION AND SCHEDULE.—The Secretary  
19 shall select consortia for grants for the establishment and  
20 operation of Hubs through competitive selection processes.  
21 Grants made to a Hub shall be for a period not to exceed  
22 5 years, after which the grant may be renewed, subject  
23 to a competitive selection process.

24 (d) HUB OPERATIONS.—

1           (1) IN GENERAL.—Hubs shall conduct or pro-  
2       vide for multidisciplinary, collaborative research, de-  
3       velopment, demonstration, and commercial applica-  
4       tion of advanced energy technologies within the tech-  
5       nology development focus designated for the Hub by  
6       the Secretary under subsection (a)(2). Each Hub  
7       shall—

8           (A) encourage collaboration and commu-  
9       nication among the member qualifying entities  
10      of the consortium and awardees by conducting  
11      activities whenever practicable at one central-  
12      ized location;

13          (B) develop and publish on the Depart-  
14      ment of Energy’s website proposed plans and  
15      programs;

16          (C) submit an annual report to the Sec-  
17      retary summarizing the Hub’s activities, includ-  
18      ing detailing organizational expenditures, listing  
19      external advisory committee members, and de-  
20      scribing each project undertaken by the Hub;  
21      and

22          (D) monitor project implementation and  
23      coordination.

24          (2) EXTERNAL ADVISORY COMMITTEE.—Each  
25      Hub shall establish an external advisory committee,

1 the membership of which shall have sufficient exper-  
2 tise to advise and provide guidance on scientific,  
3 technical, industry, financial, and research manage-  
4 ment matters.

5 (3) CONFLICTS OF INTEREST.—

6 (A) PROCEDURES.—Hubs shall establish  
7 conflict of interest procedures, consistent with  
8 those of the Department of Energy, to ensure  
9 that employees and consortia designees for Hub  
10 activities who are in decisionmaking capacities  
11 disclose all material conflicts of interest, includ-  
12 ing financial, organizational, and personal con-  
13 flicts of interest.

14 (B) DISQUALIFICATION AND REVOCATION.—The Secretary may disqualify an appli-  
15 cation or revoke funds distributed to a Hub if  
16 the Secretary discovers a failure to comply with  
17 conflict of interest procedures established under  
18 subparagraph (A).  
19

20 (e) PROHIBITION ON CONSTRUCTION.—No funds  
21 provided pursuant to this section may be used for con-  
22 struction of new buildings or facilities for Hubs. Construc-  
23 tion of new buildings or facilities shall not be considered  
24 as part of the non-Federal share of a Hub cost-sharing  
25 agreement.

1 (f) OVERSIGHT BOARD.—The Secretary shall estab-  
2 lish and maintain within the Department an Oversight  
3 Board to oversee the progress of Hubs.

4 (g) DEFINITIONS.—For purposes of this section:

5 (1) ADVANCED ENERGY TECHNOLOGY.—The  
6 term “advanced energy technology” means an inno-  
7 vative technology—

8 (A) that produces energy from solar, wind,  
9 geothermal, biomass, tidal, wave, ocean, or  
10 other renewable energy resources;

11 (B) that produces nuclear energy;

12 (C) for carbon capture and sequestration;

13 or

14 (D) that generates, transmits, distributes,  
15 utilizes, or stores energy more efficiently than  
16 conventional technologies.

17 (2) HUB.—The term “Hub” means an Energy  
18 Innovation Hub established in accordance with this  
19 section.

20 (3) INSTITUTION OF HIGHER EDUCATION.—The  
21 term “institution of higher education” has the  
22 meaning given that term in section 101(a) of the  
23 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

24 (4) QUALIFYING ENTITY.—The term “quali-  
25 fying entity” means—

1 (A) an institution of higher education;

2 (B) an appropriate State or Federal entity;

3 (C) a nongovernmental organization with  
4 expertise in advanced energy technology re-  
5 search, development, demonstration, or com-  
6 mercial application; or

7 (D) any other relevant entity the Secretary  
8 considers appropriate.

9 (5) SECRETARY.—The term “Secretary” means  
10 the Secretary of Energy.

11 (h) AUTHORIZATION OF APPROPRIATIONS.—There  
12 are authorized to be appropriated to the Secretary to carry  
13 out this section—

14 (1) \$110,000,000 for fiscal year 2011;

15 (2) \$135,000,000 for fiscal year 2012;

16 (3) \$195,000,000 for fiscal year 2013;

17 (4) \$210,000,000 for fiscal year 2014; and

18 (5) \$210,000,000 for fiscal year 2015.

○