

111TH CONGRESS  
1ST SESSION

# S. 1096

To require the Secretary of Energy to establish an EnergyGrant Competitive Education Program to competitively award grants to consortia of institutions of higher education in regions to conduct research, extension, and education programs relating to the energy needs of the regions.

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IN THE SENATE OF THE UNITED STATES

MAY 20, 2009

Mr. WYDEN 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 require the Secretary of Energy to establish an EnergyGrant Competitive Education Program to competitively award grants to consortia of institutions of higher education in regions to conduct research, extension, and education programs relating to the energy needs of the regions.

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. ENERGYGRANT COMPETITIVE EDUCATION**  
4 **PROGRAM.**

5 (a) DEFINITIONS.—In this section:

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

5           (2) SECRETARY.—The term “Secretary” means  
6           the Secretary of Energy, acting through the Director  
7           appointed under subsection (c).

8           (3) STATE.—The term “State” means—

9                   (A) a State;

10                   (B) the District of Columbia;

11                   (C) the Commonwealth of Puerto Rico;

12                   and

13                   (D) any other territory or possession of the  
14           United States.

15           (b) ESTABLISHMENT.—The Secretary shall establish  
16           and carry out a program to awards grants, on a competi-  
17           tive basis, to each consortium of institutions of higher edu-  
18           cation operating in each of the regions established under  
19           subsection (d) to conduct research, extension, and edu-  
20           cation programs relating to the energy needs of the re-  
21           gions.

22           (c) DIRECTOR.—The Secretary shall appoint a Direc-  
23           tor to carry out the program established under this sec-  
24           tion.

25           (d) GRANTS.—

1           (1) IN GENERAL.—The Secretary shall use  
2           amounts made available under this section to award  
3           grants, on a competitive basis, to each consortium of  
4           institutions of higher education located in each of at  
5           least 6 regions established by the Secretary that, col-  
6           lectively, cover all States.

7           (2) MANNER OF DISTRIBUTION.—

8                 (A) IN GENERAL.—Except as provided in  
9                 subparagraph (B), in making grants for a fiscal  
10                year under this section, the Secretary shall  
11                award grants to each consortium of institutions  
12                of higher education in equal amounts for each  
13                region of not less than \$50,000,000 for each re-  
14                gion.

15               (B) TERRITORIES AND POSSESSIONS.—The  
16                Secretary may adjust the amount of grants  
17                awarded to a consortium of institutions of high-  
18                er education in a region under this section if  
19                the region contains territories or possessions of  
20                the United States.

21           (3) PLANS.—As a condition of an initial grant  
22           under this section, a consortium of institutions of  
23           higher education in a region shall submit to the Sec-  
24           retary for approval a plan that—

1 (A) addresses the energy needs for the re-  
 2 gion; and

3 (B) describes the manner in which the pro-  
 4 posed activities of the consortium will address  
 5 those needs.

6 (4) FAILURE TO COMPLY WITH REQUIRE-  
 7 MENTS.—If the Secretary finds on the basis of a re-  
 8 view of the annual report required under subsection  
 9 (g) or on the basis of an audit of a consortium of  
 10 institutions of higher education conducted by the  
 11 Secretary that the consortium has not complied with  
 12 the requirements of this section, the consortium  
 13 shall be ineligible to receive further grants under  
 14 this section for such period of time as may be pre-  
 15 scribed by the Secretary.

16 (e) USE OF FUNDS.—

17 (1) COMPETITIVE GRANTS.—

18 (A) IN GENERAL.—A consortium of insti-  
 19 tutions of higher education in a region that is  
 20 awarded a grant under this section shall use the  
 21 grant to conduct research, extension, and edu-  
 22 cation programs relating to the energy needs of  
 23 the region, including—

1 (i) the promotion of low-carbon clean  
2 and green energy and related jobs that are  
3 applicable to the region;

4 (ii) the development of low-carbon  
5 green fuels to reduce dependency on oil;

6 (iii) the development of energy storage  
7 and energy management innovations for  
8 intermittent renewable technologies; and

9 (iv) the accelerated deployment of effi-  
10 cient-energy technologies in new and exist-  
11 ing buildings and in manufacturing facili-  
12 ties.

13 (B) ADMINISTRATION.—

14 (i) IN GENERAL.—Subject to clauses  
15 (ii) through (vi), the Secretary shall make  
16 grants under this paragraph in accordance  
17 with section 989 of the Energy Policy Act  
18 of 2005 (42 U.S.C. 16353).

19 (ii) PRIORITY.—A consortium of insti-  
20 tutions of higher education in a region  
21 shall give a higher priority to programs  
22 that are consistent with the plan approved  
23 by the Secretary for the region under sub-  
24 section (d)(3).

1 (iii) TERM.—A grant awarded to a  
2 consortium of institutions of higher edu-  
3 cation under this section shall have a term  
4 that does not exceed 5 years.

5 (iv) COST-SHARING REQUIREMENT.—  
6 As a condition of receiving a grant under  
7 this paragraph, the Secretary shall require  
8 the recipient of the grant to share costs re-  
9 lating to the program that is the subject of  
10 the grant in accordance with section 988  
11 of the Energy Policy Act of 2005 (42  
12 U.S.C. 16352).

13 (v) BUILDINGS AND FACILITIES.—  
14 Funds made available for grants under  
15 this section shall not be used for the con-  
16 struction of a new building or facility or  
17 the acquisition, expansion, remodeling, or  
18 alteration of an existing building or facility  
19 (including site grading and improvement  
20 and architect fees).

21 (vi) LIMITATION ON INDIRECT  
22 COSTS.—A consortium of institutions of  
23 higher education may not recover the indi-  
24 rect costs of using grants under subpara-

1 graph (A) in excess of the limits estab-  
 2 lished under paragraph (2).

3 (C) FEDERALLY FUNDED RESEARCH AND  
 4 DEVELOPMENT CENTERS.—

5 (i) IN GENERAL.—A federally funded  
 6 research and development center may be a  
 7 member of a consortium of institutions of  
 8 higher education that receives a grant  
 9 under this section.

10 (ii) SCOPE.—The Secretary shall en-  
 11 sure that the scope of work performed by  
 12 a single federally funded research and de-  
 13 velopment center in the consortium is not  
 14 more significant than the scope of work  
 15 performed by any of the other academic in-  
 16 stitutions of higher education in the con-  
 17 sortium.

18 (2) ADMINISTRATIVE EXPENSES.—A consor-  
 19 tium of institutions of higher education may use up  
 20 to 15 percent of the funds described in subsection  
 21 (d) to pay administrative and indirect expenses in-  
 22 curred in carrying out paragraph (1), unless other-  
 23 wise approved by the Secretary.

24 (f) GRANT INFORMATION ANALYSIS CENTER.—A  
 25 consortium of institutions of higher education in a region

1 shall maintain an Energy Analysis Center at 1 or more  
2 of the institutions of higher education to provide the insti-  
3 tutions of higher education in the region with analysis and  
4 data management support.

5 (g) ANNUAL REPORTS.—Not later than 90 days after  
6 the end of each fiscal year, a consortium of institutions  
7 of higher education receiving a grant under this section  
8 shall submit to the Secretary a report that describes the  
9 policies, priorities, and operations of the program carried  
10 out by the consortium of institutions of higher education  
11 under this section during the fiscal year.

12 (h) ADMINISTRATION.—Not later than 180 days after  
13 the date of enactment of this Act, the Secretary shall es-  
14 tablish such criteria and procedures as are necessary to  
15 carry out this section.

16 (i) COORDINATION.—The Secretary shall coordinate  
17 with the Secretary of Agriculture and the Secretary of  
18 Commerce each activity carried out under the program  
19 under this section—

20 (1) to avoid duplication of efforts; and

21 (2) to ensure that the program supplements  
22 and does not supplant—

23 (A) the Sun Grant program established  
24 under section 7526 of the Food, Conservation,  
25 and Energy Act of 2008 (7 U.S.C. 8114); and

1 (B) the national Sea Grant college pro-  
2 gram carried out by the Administrator of the  
3 National Oceanic and Atmospheric Administra-  
4 tion.

5 (j) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated to carry out—

7 (1) this section \$300,000,000 for each of fiscal  
8 years 2010 through 2014; and

9 (2) the activities of the Department of Energy  
10 (including biomass and bioenergy feedstock assess-  
11 ment research) under the Sun Grant program estab-  
12 lished under section 7526 of the Food, Conservation,  
13 and Energy Act of 2008 (7 U.S.C. 8114)  
14 \$15,000,000 for each of fiscal years 2010 through  
15 2014.

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