

Calendar No. 178

116TH CONGRESS
1ST SESSION

S. 1286

[Report No. 116–76]

To amend the Energy Policy Act of 2005 to facilitate the commercialization of energy and related technologies developed at Department of Energy facilities with promising commercial potential.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2019

Mr. HEINRICH (for himself, Mr. GARDNER, Mr. MANCHIN, Mr. DURBIN, Ms. HARRIS, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 16, 2019

Reported under authority of the order of the Senate of August 1, 2019, by
Ms. MURKOWSKI, without amendment

A BILL

To amend the Energy Policy Act of 2005 to facilitate the commercialization of energy and related technologies developed at Department of Energy facilities with promising commercial potential.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Energy Technology
3 Maturation Act of 2019”.

4 **SEC. 2. ENERGY TECHNOLOGY MATURATION PROGRAM.**

5 (a) IN GENERAL.—Title X of the Energy Policy Act
6 of 2005 (42 U.S.C. 16391 et seq.) is amended by adding
7 at the end the following:

8 **“SEC. 1012. ENERGY TECHNOLOGY MATURATION PROGRAM.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) DEPARTMENT FACILITY.—The term ‘De-
11 partment facility’ includes—

12 “(A) a National Laboratory;

13 “(B) any plant or site of the Department
14 (such as the Kansas City National Security
15 Campus, the Nevada National Security Site, the
16 Pantex Plant, and the Y-12 National Security
17 Complex); and

18 “(C) any partnership of entities described
19 in subparagraphs (A) and (B).

20 “(2) PROGRAM.—The term ‘program’ means
21 the Energy Technology Maturation Program estab-
22 lished under subsection (b).

23 “(b) ESTABLISHMENT.—The Secretary shall estab-
24 lish a program, to be known as the ‘Energy Technology
25 Maturation Program’, under which the Secretary shall
26 provide funding to Department facilities to facilitate the

1 commercialization of energy and related technologies
2 that—

3 “(1) exhibit promising commercial potential;
4 and

5 “(2) are developed at Department facilities.

6 “(c) USE OF FUNDS.—A Department facility shall
7 use funding provided under the program—

8 “(1) to carry out additional development activi-
9 ties on any technology developed at the Department
10 facility to advance the state of the technology to the
11 degree that a private sector partner would be inter-
12 ested in supporting commercialization of the tech-
13 nology; or

14 “(2) in any case in which a private sector part-
15 ner has been identified and the identified private
16 sector partner has executed or will execute a tech-
17 nology partnership agreement, to support coopera-
18 tive development of a technology developed at the
19 Department facility for a specific commercial appli-
20 cation of the technology.

21 “(d) APPLICATIONS.—

22 “(1) IN GENERAL.—To be eligible to receive
23 funding under the program, a Department facility
24 shall submit to the Secretary an application at such

1 time, in such manner, and containing such informa-
2 tion as the Secretary may require.

3 “(2) INCLUSIONS.—An application under this
4 subsection shall—

5 “(A) include a description of—

6 “(i) the potential impact on markets if
7 the applicable technology is successfully
8 commercialized;

9 “(ii) the intended accomplishments of
10 the project proposed to be carried out
11 using the funding with respect to advanc-
12 ing the maturity and commercial potential
13 of the applicable technology; and

14 “(iii) a project plan, including a de-
15 scription of each activity required to be
16 carried out to accomplish the specific ob-
17 jectives of the project; and

18 “(B) demonstrate to the satisfaction of the
19 Secretary that each Department facility and
20 private sector partner involved in the proposed
21 project, and any other resource required to
22 carry out the project, is qualified and capable
23 of successfully completing, and is available to
24 complete, the project, including a description of

1 the roles and responsibilities proposed to be
2 carried out.

3 “(3) MULTIPLE PROJECTS.—A Department fa-
4 cility may submit to the Secretary an application for
5 1 or more technology maturation projects under the
6 program.

7 “(4) APPROVAL BY SECRETARY.—

8 “(A) IN GENERAL.—The Secretary shall
9 develop criteria for evaluating applications
10 under this subsection, which may include—

11 “(i) the potential that a proposed
12 technology will result in a commercially
13 successful product within a reasonable
14 timeframe;

15 “(ii) the relative maturity of a pro-
16 posed technology for commercial applica-
17 tion; and

18 “(iii) the proposed technical approach
19 and capability of the Department facilities
20 and private sector partners to successfully
21 implement a project.

22 “(B) PRIORITY.—In selecting applicants to
23 receive funding under the program, the Sec-
24 retary shall give priority to an application sub-
25 mitted by a partnership between—

1 “(i) a Department facility; and

2 “(ii) a small business concern.

3 “(e) AMOUNT OF FUNDING.—The amount provided
4 to a recipient for a technology maturation project funded
5 under the program shall be not more than—

6 “(1) \$150,000 for an activity described in sub-
7 section (c)(1); and

8 “(2) \$750,000 for an activity described in sub-
9 section (c)(2).

10 “(f) COST-SHARING REQUIREMENTS.—The cost-
11 sharing requirements of the program, including require-
12 ments relating to in-kind contributions, shall be deter-
13 mined by the Secretary in accordance with section 988.

14 “(g) FUNDING.—The Secretary may use to carry out
15 the program—

16 “(1) amounts in the Energy Technology Com-
17 mercialization Fund established under section
18 1001(e); or

19 “(2) any other amounts made available to sup-
20 port technology transfer within the Department.

21 “(h) ANNUAL REPORT.—The Secretary shall include
22 in the annual report required under section 1001(h)(2) a
23 description of the results of the technology maturation
24 projects carried out under the program.”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 the Energy Policy Act of 2005 (Public Law 109–58; 119
3 Stat. 594) is amended by adding at the end of the items
4 relating to title X the following:

“Sec. 1012. Energy Technology Maturation Program.”.

Calendar No. 178

116TH CONGRESS
1ST Session

S. 1286

[Report No. 116-76]

A BILL

To amend the Energy Policy Act of 2005 to facilitate the commercialization of energy and related technologies developed at Department of Energy facilities with promising commercial potential.

AUGUST 16, 2019

Reported without amendment