

was repealed and restated as section 13101 of Title 5 by Pub. L. 117-286, §§3(c), (7), Dec. 27, 2022, 136 Stat. 4266, 4361.

The Federal Advisory Committee Act, referred to in subsec. (b)(5)(L), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which was set out in the Appendix to Title 5, Government Organization and Employees, and was substantially repealed and restated in chapter 10 (§1001 et seq.) of Title 5 by Pub. L. 117-286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4197, 4361. For disposition of sections of the Act into chapter 10 of Title 5, see Disposition Table preceding section 101 of Title 5.

PART H—ENERGIZING TECHNOLOGY TRANSFER

§ 19291. Definitions

In this part:

(1) Clean energy technology

The term “clean energy technology” means a technology that significantly reduces energy use, increases energy efficiency, reduces greenhouse gas emissions, reduces emissions of other pollutants, or mitigates other negative environmental consequences of energy production, transmission or use.

(2) Department

The term “Department” means the Department of Energy.

(3) Director

The term “Director” means the Director of each National Laboratory and the Director of each Department of Energy single-purpose research facility.

(4) Economically distressed area

The term “economically distressed area” has the meaning described in section 3161(a) of this title.

(5) Grant

The term “grant” means a grant award, cooperative agreement award, or any other financial assistance arrangement that the Secretary of Energy determines to be appropriate.

(6) Institution of higher education

The term “institution of higher education” has the meaning given such term in section 1001 of title 20.

(7) National Laboratory

The term “National Laboratory” has the meaning given that term in section 15801 of this title.

(8) Secretary

The term “Secretary” means the Secretary of Energy.

(Pub. L. 117-167, div. B, title VI, §10701, Aug. 9, 2022, 136 Stat. 1701.)

Editorial Notes

REFERENCES IN TEXT

This part, referred to in text, was in the original “this subtitle”, meaning subtitle J (§§10701-10727) of title VI of div. B of Pub. L. 117-167, which is classified principally to this part. For complete classification of subtitle J to the Code, see Tables.

SUBPART 1—NATIONAL CLEAN ENERGY TECHNOLOGY TRANSFER PROGRAMS

§ 19301. National Clean Energy Incubator Program

(a) Clean energy incubator defined

In this section, the term “clean energy incubator”—

(1) means any entity that is designed to accelerate the commercial application of clean energy technologies by providing—

(A) physical workspace, labs, and prototyping facilities to support clean energy startups or established clean energy companies; or

(B) companies developing such technologies with support, resources, and services, including—

(i) access to business education and counseling;

(ii) mentorship opportunities; and

(iii) other services rendered for the purpose of aiding the development and commercial application of a clean energy technology; and

(2) may include a program within or established by a National Laboratory, an institution of higher education or a State, territorial, local, or tribal government.

(b) Program establishment

Not later than 180 days after the enactment of this Act, the Secretary, acting through the Chief Commercialization Officer established in section 16391(a) of this title, shall establish a Clean Energy Incubator Program (herein referred to as the “program”) to competitively award grants to clean energy incubators.

(c) Clean energy incubator selection

In awarding grants to clean energy incubators under subsection (b), the Secretary shall, to the maximum extent practicable, prioritize funding clean energy incubators that—

(1) partner with entities that carry out activities relevant to the activities of such incubator and that operate at the local, State, and regional levels;

(2) support the commercial application activities of startup companies focused on physical hardware, computational, or integrated hardware and software technologies;

(3) are located in geographically diverse regions of the United States, such as the Great Lakes region;

(4) are located in, or partner with entities located in, economically-distressed areas;

(5) support the development of entities focused on expanding clean energy tools and technologies to rural, Tribal, and low-income communities;

(6) support the commercial application of technologies being developed by clean energy entrepreneurs from underrepresented backgrounds; and

(7) have a plan for sustaining activities of the incubator after grant funds received under this program have been expended.

(d) Award limits

The Secretary shall not award more than \$4,000,000 to one or more incubators in one given State, per fiscal year.

(e) Duration

Each grant under subsection (b) shall be for a period of no longer than 5 years, subject to the availability of appropriations.

(f) Use of funds

An entity receiving a grant under this section may use grant amounts for operating expenses.

(g) Renewal

An award made to a clean energy incubator under this section may be renewed for a period of not more than 3 years, subject to merit review.

(h) Evaluation

In accordance with section 16391a of this title, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation of the program established under this section that includes analyses of the performance of the clean energy incubators.

(i) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this section \$15,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 117-167, div. B, title VI, §10713, Aug. 9, 2022, 136 Stat. 1701.)

§ 19302. Clean Energy Technology University Prize competition**(a) Definitions**

In this section:

(1) Eligible entity

The term “eligible entity” means a non-profit entity, an institution of higher education, or an entity working with one or more institutions of higher education.

(2) Minority-serving institution

The term “minority-serving institution” means an institution described in section 1067q(a) of title 20.

(b) In general

The Secretary shall establish a program, known as the “Clean Energy Technology University Prize”, to award funding for eligible entities to carry out regional and one national clean energy technology prize competitions, under section 3719 of title 15. In carrying out such prize competitions, students shall compete to develop a business model for furthering the commercial application of an innovative clean energy technology.

(c) Training funding

In carrying out this program, the Secretary may provide funding to train participating students in skills needed for the successful commercial application of clean energy technologies, including through virtual training sessions.

(d) Prioritization

In awarding grants under this section, the Secretary shall prioritize awarding grants to eligible entities that work with students at minority-serving institutions.

(e) Coordination

In carrying out this program, the Secretary shall coordinate and partner with other clean energy technology prize competitions. In doing so, the Secretary may develop and disseminate best practices for administering prize competitions under this section.

(f) Report

In accordance with section 16391a of this title, the Secretary shall report annually on the progress and implementation of the program established under section (b).

(g) Evaluation

In accordance with section 16391a of this title, the Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an evaluation on the long-term outcomes of the program established under this section and the progress towards achieving the purposes of the program in subsection (b).

(h) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out the activities authorized in this section \$1,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 117-167, div. B, title VI, §10714, Aug. 9, 2022, 136 Stat. 1703.)

§ 19303. Clean energy technology transfer coordination**(a) In general**

The Secretary, acting through the Chief Commercialization Officer established in section 16391(a) of this title, shall support the coordination of relevant technology transfer programs that advance the commercial application of clean energy technologies nationally and across all energy sectors. In particular, the Secretary may support activities to—

(1) facilitate the sharing of information on best practices for successful operation of clean energy technology transfer programs;

(2) coordinate resources and improve cooperation among clean energy technology transfer programs;

(3) facilitate connections between entrepreneurs and start-up companies and the variety of programs related to clean energy technology transfer under the Department; and

(4) facilitate the development of metrics to measure the impact of clean energy technology transfer programs on—

(A) advancing the development, demonstration, and commercial application of clean energy technologies;

(B) increasing the competitiveness of United States in the clean energy sector, including in manufacturing; and

(C) commercial application of clean energy technologies being developed by entrepreneurs from under-represented backgrounds.

(b) Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out the activities in this sec-