



116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

*Mr. Manchin, Mr. Durbin, Ms. Harris*

Mr. HEINRICH (for himself and Mr. GARDNER) introduced the following bill; which was read twice and referred to the Committee on

---

**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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Energy Technology  
5 Maturation Act of 2019".

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

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

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

6 “(a) DEFINITIONS.—In this section:

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

9 “(A) a National Laboratory;

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

15 “(C) any partnership of entities described  
16 in subparagraphs (A) and (B).

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

20 “(b) ESTABLISHMENT.—The Secretary shall estab-  
21 lish a program, to be known as the ‘Energy Technology  
22 Maturation Program’, under which the Secretary shall  
23 provide funding to Department facilities to facilitate the  
24 commercialization of energy and related technologies  
25 that—

1           “(1) exhibit promising commercial potential;  
2           and

3           “(2) are developed at Department facilities.

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

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

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

19           “(d) APPLICATIONS.—

20           “(1) IN GENERAL.—To be eligible to receive  
21 funding under the program, a Department facility  
22 shall submit to the Secretary an application at such  
23 time, in such manner, and containing such informa-  
24 tion as the Secretary may require.

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

3                   “(A) include a description of—

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

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

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

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

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

5           “(4) APPROVAL BY SECRETARY.—

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

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

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

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

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

24                   “(i) a Department facility; and

25                   “(ii) a small business concern.

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

4           “(1) \$150,000 for an activity described in sub-  
5 section (e)(1); and

6           “(2) \$750,000 for an activity described in sub-  
7 section (e)(2).

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

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

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

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

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

23       “(b) TABLE OF CONTENTS.—The table of contents of  
24 the Energy Policy Act of 2005 (Public Law 109–58; 119

- 1 Stat. 594) is amended by adding at the end of the items
- 2 relating to title X the following:

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