

114TH CONGRESS
1ST SESSION

H. R. 1870

To authorize Energy Innovation Hubs.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2015

Mr. GRAYSON introduced the following bill; which was referred to the
Committee on Science, Space, and Technology

A BILL

To authorize Energy Innovation Hubs.

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. ENERGY INNOVATION HUBS.**

4 (a) AUTHORIZATION OF PROGRAM.—

5 (1) IN GENERAL.—The Secretary of Energy
6 shall carry out a program to enhance the Nation's
7 economic, environmental, and energy security by
8 making awards to consortia for establishing and op-
9 erating Energy Innovation Hubs to conduct and
10 support, whenever practicable at one centralized lo-
11 cation, multidisciplinary, collaborative research, de-

1 velopment, demonstration, and commercial applica-
2 tion of advanced energy technologies.

3 (2) TECHNOLOGY DEVELOPMENT FOCUS.—The
4 Secretary shall designate for each Hub a unique ad-
5 vanced energy technology focus.

6 (3) COORDINATION.—The Secretary shall en-
7 sure the coordination of, and avoid unnecessary du-
8 plication of, the activities of Hubs with those of
9 other Department of Energy research entities, in-
10 including the National Laboratories, the Advanced Re-
11 search Projects Agency—Energy, Energy Frontier
12 Research Centers, and within industry.

13 (b) CONSORTIA.—

14 (1) ELIGIBILITY.—To be eligible to receive an
15 award under this section for the establishment and
16 operation of a Hub, a consortium shall—

17 (A) be composed of no fewer than 2 quali-
18 fying entities; and

19 (B) operate subject to an agreement en-
20 tered into by its members that documents—

21 (i) the proposed partnership agree-
22 ment, including the governance and man-
23 agement structure of the Hub;

1 (ii) measures to enable cost-effective
2 implementation of the program under this
3 section;

4 (iii) a proposed budget, including fi-
5 nancial contributions from non-Federal
6 sources;

7 (iv) a plan for managing intellectual
8 property rights; and

9 (v) an accounting structure that en-
10 ables the Secretary to ensure that the con-
11 sortium has complied with the require-
12 ments of this section.

13 (2) APPLICATION.—A consortium seeking to es-
14 tablish and operate a Hub under this section, acting
15 through a prime applicant, shall transmit to the Sec-
16 retary an application at such time, in such form,
17 and accompanied by such information as the Sec-
18 retary shall require, including a detailed description
19 of the elements of the consortium agreement re-
20 quired under paragraph (1)(B). If the consortium
21 members will not be located at one centralized loca-
22 tion, such application shall include a communica-
23 tions plan that ensures close coordination and inte-
24 gration of the Hub’s activities.

1 (c) SELECTION AND SCHEDULE.—The Secretary
2 shall select consortia for awards for the establishment and
3 operation of Hubs through competitive selection processes.
4 In selecting consortia, the Secretary shall consider the in-
5 formation a consortium must disclose according to sub-
6 section (b), as well as any existing facilities a consortium
7 will provide for Hub activities. Awards made to a Hub
8 shall be for a period not to exceed 5 years, after which
9 the award may be renewed, subject to a rigorous merit
10 review. A Hub already in existence on the date of enact-
11 ment of this Act may continue to receive support for a
12 period of 5 years beginning on the date of establishment
13 of that Hub.

14 (d) HUB OPERATIONS.—

15 (1) IN GENERAL.—Each Hub shall conduct or
16 provide for multidisciplinary, collaborative research,
17 development, demonstration, and, where appropriate,
18 commercial application of advanced energy tech-
19 nologies within the technology development focus
20 designated under subsection (a)(2). Each Hub
21 shall—

22 (A) encourage collaboration and commu-
23 nication among the member qualifying entities
24 of the consortium and awardees by conducting

1 activities whenever practicable at one central-
2 ized location;

3 (B) develop and publish on the Depart-
4 ment of Energy's website proposed plans and
5 programs;

6 (C) submit an annual report to the Sec-
7 retary summarizing the Hub's activities, includ-
8 ing detailing organizational expenditures, and
9 describing each project undertaken by the Hub;
10 and

11 (D) monitor project implementation and
12 coordination.

13 (2) CONFLICTS OF INTEREST.—

14 (A) PROCEDURES.—Hubs shall maintain
15 conflict of interest procedures, consistent with
16 those of the Department of Energy, to ensure
17 that employees and consortia designees for Hub
18 activities who are in decisionmaking capacities
19 disclose all material conflicts of interest and
20 avoid such conflicts.

21 (B) DISQUALIFICATION AND REVOCA-
22 TION.—The Secretary may disqualify an appli-
23 cation or revoke funds distributed to a Hub if
24 the Secretary discovers a failure to comply with

1 conflict of interest procedures established under
2 subparagraph (A).

3 (3) PROHIBITION ON CONSTRUCTION.—

4 (A) IN GENERAL.—No funds provided pur-
5 suant to this section may be used for construc-
6 tion of new buildings or facilities for Hubs.
7 Construction of new buildings or facilities shall
8 not be considered as part of the non-Federal
9 share of a Hub cost-sharing agreement.

10 (B) TEST BED AND RENOVATION EXCEP-
11 TION.—Nothing in this subsection shall prohibit
12 the use of funds provided pursuant to this sec-
13 tion, or non-Federal cost share funds, for re-
14 search or for the construction of a test bed or
15 renovations to existing buildings or facilities for
16 the purposes of research if the Secretary deter-
17 mines that the test bed or renovations are lim-
18 ited to a scope and scale necessary for the re-
19 search to be conducted.

20 (e) TERMINATION.—Consistent with the existing au-
21 thorities of the Department, the Secretary may terminate
22 an underperforming Hub for cause during the perform-
23 ance period.

24 (f) DEFINITIONS.—For purposes of this section:

1 (1) ADVANCED ENERGY TECHNOLOGY.—The
2 term “advanced energy technology” means—

3 (A) an innovative technology—

4 (i) that produces energy from solar,
5 wind, geothermal, biomass, tidal, wave,
6 ocean, or other renewable energy resources;

7 (ii) that produces nuclear energy;

8 (iii) for carbon capture and sequestra-
9 tion;

10 (iv) that enables advanced vehicles,
11 vehicle components, and related tech-
12 nologies that result in significant energy
13 savings;

14 (v) that generates, transmits, distrib-
15 utes, utilizes, or stores energy more effi-
16 ciently than conventional technologies, in-
17 cluding through Smart Grid technologies;
18 or

19 (vi) that enhances the energy inde-
20 pendence and security of the United States
21 by enabling improved or expanded supply
22 and production of domestic energy re-
23 sources, including coal, oil, and natural
24 gas;

1 (B) research, development, demonstration,
2 and commercial application activities necessary
3 to ensure the long-term, secure, and sustainable
4 supply of energy critical elements; or

5 (C) another innovative energy technology
6 area identified by the Secretary.

7 (2) ENERGY CRITICAL ELEMENT.—The term
8 “energy critical element” means any of a class of
9 chemical elements that have a high risk of a supply
10 disruption and are critical to one or more new, en-
11 ergy-related technologies such that a shortage of
12 such element would significantly inhibit large-scale
13 deployment of technologies that produce, transmit,
14 store, or conserve energy.

15 (3) HUB.—The term “Hub” means an Energy
16 Innovation Hub established or operating in accord-
17 ance with this section, including any Energy Innova-
18 tion Hub existing as of the date of enactment of this
19 Act.

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

22 (A) an institution of higher education;

23 (B) an appropriate State or Federal entity,
24 including the Department of Energy Federally
25 Funded Research and Development Centers;

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

5 (D) any other relevant entity the Secretary
6 considers appropriate.

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