

Calendar No. 361116TH CONGRESS
1ST SESSION**S. 2714**

To amend the America COMPETES Act to reauthorize the ARPA–E program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2019

Mr. VAN HOLLEN (for himself, Mr. ALEXANDER, Mr. GARDNER, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 17, 2019

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To amend the America COMPETES Act to reauthorize the ARPA–E program, and for other purposes.

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 “ARPA–E Reauthoriza-
5 tion Act of 2019”.

1 **SEC. 2. ARPA-E AMENDMENTS.**

2 (a) GOALS.—Section 5012(c) of the America COM-
3 PETES Act (42 U.S.C. 16538(c)) is amended—

4 (1) in paragraph (1), by striking subparagraph
5 (A) and inserting the following:

6 “(A) to enhance the economic and energy
7 security of the United States through the devel-
8 opment of energy technologies that—

9 “(i) reduce imports of energy from
10 foreign sources;

11 “(ii) reduce energy-related emissions,
12 including greenhouse gases;

13 “(iii) improve the energy efficiency of
14 all economic sectors; and

15 “(iv) improve the resilience, reliability,
16 and security of infrastructure to produce,
17 deliver, and store energy; and”;

18 (2) in paragraph (2), in the matter preceding
19 subparagraph (A), by striking “energy” and insert-
20 ing “advanced”.

21 (b) RESPONSIBILITIES.—Section 5012(e)(3)(A) of
22 the America COMPETES Act (42 U.S.C.
23 16538(e)(3)(A)) is amended by striking “energy”.

24 (c) AWARDS.—Section 5012(f) of the America COM-
25 PETES Act (42 U.S.C. 16538(f)) is amended—

1 (1) *by striking “In carrying” and inserting the*
 2 *following:*

3 “(1) *IN GENERAL.—In carrying*”; and

4 (2) *by adding at the end the following:*

5 “(2) *CONSIDERATION OF PRIOR GRANTS.—In*
 6 *awarding a grant under paragraph (1), the Director*
 7 *shall take into account the success or failure of any*
 8 *project carried out by the entity applying for the*
 9 *grant using any prior grant funds awarded to that*
 10 *entity by the Director.”.*

11 ~~(e)~~(d) *REPORTS AND ROADMAPS.—Section 5012(h)*
 12 *of the America COMPETES Act (42 U.S.C. 16538(h))*
 13 *is amended—*

14 (1) *in paragraph (1)—*

15 (A) *by striking “describing projects” and*
 16 *inserting the following: “describing—*

17 “(A) *projects*”;

18 (B) *in subparagraph (A) (as so des-*
 19 *ignated), by striking the period at the end and*
 20 *inserting “, including projects that examine top-*
 21 *ics and technologies closely relating to other ac-*
 22 *tivities funded by the Department;” and*

23 (C) *by adding at the end the following:*

24 “(B) *an analysis of whether the Director is*
 25 *in compliance with subsection (i)(1)(A) in sup-*

1 porting projects that examine the topics and
2 technologies described in subparagraph (A); and

3 “(C) current, proposed, and planned
4 projects to be carried out pursuant to sub-
5 section (e)(3)(D).”; and

6 (2) in paragraph (2)—

7 (A) by striking “October 1, 2010, and Oc-
8 tober 1, 2013” and inserting “October 1, 2021,
9 and every 4 years thereafter”; and

10 (B) by striking “3” and inserting “4”.

11 ~~(d)~~(e) COORDINATION AND NONDUPLICATION.—Sec-
12 tion 5012(i)(1) of the America COMPETES Act (42
13 U.S.C. 16538(i)(1)) is amended—

14 (1) by striking “that the activities” and insert-
15 ing the following: “that—

16 “(A) the activities”;

17 (2) in subparagraph (A) (as so designated), by
18 striking the period at the end and inserting “; and”;

19 and

20 (3) by adding at the end the following:

21 “(B) an award is not provided for a
22 project unless the prospective award recipient
23 demonstrates that—

24 “(i) the prospective award recipient
25 has made a sufficient attempt to secure

1 private financing, as determined by the Di-
2 rector; or

3 “(ii) the project is not independently
4 commercially viable.”.

5 ~~(e)~~(f) EVALUATION.—Section 5012(l) of the America
6 COMPETES Act (42 U.S.C. 16538(l)) is amended—

7 (1) in paragraph (1), by striking “After” and
8 all that follows through “years” and inserting “Not
9 later than 3 years after the date of enactment of the
10 ARPA–E Reauthorization Act of 2019”; and

11 (2) in paragraph (2)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “shall” and inserting “may”;
14 and

15 (B) in subparagraph (A), by striking “the
16 recommendation of the National Academy of
17 Sciences” and inserting “a recommendation”.

18 ~~(f)~~(g) AUTHORIZATION OF APPROPRIATIONS.—Sec-
19 tion 5012(o)(2) of the America COMPETES Act (42
20 U.S.C. 16538(o)(2)) is amended—

21 (1) in the matter preceding subparagraph (A),
22 by striking “paragraphs (4) and (5)” and inserting
23 “paragraph (4)”; and

24 (2) by striking subparagraphs (A) through (E)
25 and inserting the following:

1 “(A) \$428,000,000 for fiscal year 2020;

2 “(B) \$497,000,000 for fiscal year 2021;

3 “(C) \$567,000,000 for fiscal year 2022;

4 “(D) \$651,000,000 for fiscal year 2023;

5 and

6 “(E) \$750,000,000 for fiscal year 2024.”.

7 ~~(g)~~*(h)* TECHNICAL AMENDMENTS.—Section 5012 of
8 the America COMPETES Act (42 U.S.C. 16538) is
9 amended—

10 (1) in subsection (g)(3)(A)(iii), by striking
11 “subpart” each place it appears and inserting “sub-
12 paragraph”; and

13 (2) in subsection (o)(4)(B), by striking
14 “(c)(2)(D)” and inserting “(c)(2)(C)”.

Calendar No. 361

116TH CONGRESS
1ST Session

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Reported with amendments