

110TH CONGRESS
1ST SESSION

S. 838

To authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2007

Mr. SMITH (for himself, Mr. BINGAMAN, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, 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 “United States-Israel
5 Energy Cooperation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) it is in the highest national security inter-
2 ests of the United States to develop alternative re-
3 newable energy sources;

4 (2) the State of Israel is a steadfast ally of the
5 United States;

6 (3) the special relationship between the United
7 States and Israel is manifested in a variety of coop-
8 erative scientific research and development pro-
9 grams, such as—

10 (A) the United States-Israel Binational
11 Science Foundation (BSF); and

12 (B) the United States-Israel Binational In-
13 dustrial Research and Development Foundation
14 (BIRD);

15 (4) those programs have made possible many
16 scientific, technological, and commercial break-
17 throughs in the fields of life sciences, medicine, bio-
18 engineering, agriculture, biotechnology, communica-
19 tions, and others;

20 (5) on February 1, 1996, the Secretary of En-
21 ergy and the Israeli Minister of Energy and Infra-
22 structure signed an agreement to establish a frame-
23 work for collaboration between the United States
24 and Israel in energy research and development ac-
25 tivities;

1 (6) Israeli scientists and engineers are at the
 2 forefront of research and development in the field of
 3 alternative renewable energy sources; and

4 (7) enhanced cooperation between the United
 5 States and Israel for the purpose of research and de-
 6 velopment of alternative renewable energy sources
 7 would be in the national interests of both countries.

8 **SEC. 3. GRANT PROGRAM.**

9 (a) **AUTHORITY.**—Pursuant to the responsibilities de-
 10 scribed in section 102(10), (14), and (17) of the Depart-
 11 ment of Energy Organization Act (42 U.S.C. 7112(10),
 12 (14), and (17)) and section 103(9) of the Energy Reorga-
 13 nization Act of 1974 (42 U.S.C. 5813(9)), the Secretary,
 14 in consultation with the BIRD or BSF, shall award grants
 15 to eligible entities.

16 (b) **APPLICATION.**—

17 (1) **SUBMISSION OF APPLICATIONS.**—To receive
 18 a grant under this section, an eligible entity shall
 19 submit an application to the Secretary containing
 20 such information and assurances as the Secretary, in
 21 consultation with the BIRD or BSF, may require.

22 (2) **SELECTION OF ELIGIBLE ENTITIES.**—The
 23 Secretary, in consultation with the Directors of the
 24 BIRD and BSF, may review any application sub-
 25 mitted by any eligible entity and select any eligible

1 entity meeting criteria established by the Secretary,
2 in consultation with the Advisory Board, for a grant
3 under this section.

4 (c) AMOUNT OF GRANT.—The amount of each grant
5 awarded for a fiscal year under this section shall be deter-
6 mined by the Secretary, in consultation with the BIRD
7 or BSF.

8 (d) PRIVATE FUNDS.—The Secretary may accept
9 contributions of funds from private sources to carry out
10 this Act.

11 (e) OFFICE OF ENERGY EFFICIENCY AND RENEW-
12 ABLE ENERGY.—The Secretary shall carry out this sec-
13 tion through the existing programs at the Office of Energy
14 Efficiency and Renewable Energy.

15 (f) RESEARCH ADMINISTRATION.—

16 (1) IN GENERAL.—The requirements of sections
17 988 and 989 of the Energy Policy Act of 2005 (42
18 U.S.C. 16352 and 16353) shall apply to any grant
19 made under this section.

20 (2) REPAYMENT.—

21 (A) IN GENERAL.—Any funds repaid to
22 the BIRD by a grantee for a grant made under
23 this section shall be—

24 (i) transferred to the Secretary;

1 (ii) deposited by the Secretary into
2 the Energy Research and Development Ac-
3 tivities Fund established in subparagraph
4 (B); and

5 (iii) available to the Secretary for use
6 for alternative renewable energy research
7 and development activities.

8 (B) REVOLVING FUND.—There is estab-
9 lished in the Treasury of the United States a
10 revolving fund known as the Energy Research
11 and Development Activities Fund. Any amounts
12 deposited in the Fund pursuant to clause (ii) of
13 subparagraph (A) shall be available to the Sec-
14 retary, without fiscal year limitation or further
15 appropriation, for the purpose described in
16 clause (iii) of such subparagraph.

17 (g) REPORT.—Not later than 180 days after the com-
18 pletion of work supported by a grant under this section,
19 each recipient shall submit a report to the Secretary—

20 (1) documenting how the recipient used the
21 grant funds; and

22 (2) evaluating the level of success of each
23 project funded by the grant.

1 **SEC. 4. INTERNATIONAL ENERGY ADVISORY BOARD.**

2 (a) ESTABLISHMENT.—There is established in the
3 Department of Energy an International Energy Advisory
4 Board.

5 (b) DUTIES.—The Advisory Board shall advise the
6 Secretary on—

7 (1) criteria for the recipients of grants awarded
8 under section 3(a);

9 (2) the total amount of grant money to be
10 awarded to all grantees selected by the Secretary, in
11 consultation with the BIRD; and

12 (3) the total amount of grant money to be
13 awarded to all grantees selected by the Secretary, in
14 consultation with the BSF, for each fiscal year.

15 (c) MEMBERSHIP.—

16 (1) COMPOSITION.—The Advisory Board shall
17 be composed of—

18 (A) 1 member appointed by the Secretary
19 of Commerce;

20 (B) 2 members appointed by the Secretary
21 of Energy; and

22 (C) 2 members who shall be Israeli citi-
23 zens, appointed by the Secretary of Energy
24 after consultation with appropriate officials in
25 the Israeli Government.

1 (2) DEADLINE FOR APPOINTMENTS.—The ini-
2 tial appointments under paragraph (1) shall be
3 made not later than 60 days after the date of enact-
4 ment of this Act.

5 (3) TERM.—Each member of the Advisory
6 Board shall be appointed for a term of 4 years.

7 (4) VACANCIES.—A vacancy on the Advisory
8 Board shall be filled in the manner in which the
9 original appointment was made.

10 (5) BASIC PAY.—

11 (A) COMPENSATION.—A member of the
12 Advisory Board shall serve without pay.

13 (B) TRAVEL EXPENSES.—Each member of
14 the Advisory Board shall receive travel ex-
15 penses, including per diem in lieu of subsist-
16 ence, in accordance with applicable provisions of
17 subchapter I of chapter 57 of title 5, United
18 States Code.

19 (6) QUORUM.—Three members of the Advisory
20 Board shall constitute a quorum.

21 (7) CHAIRPERSON.—The Chairperson of the
22 Advisory Board shall be designated by the Secretary
23 of Energy at the time of the appointment.

1 (8) MEETINGS.—The Advisory Board shall
 2 meet at least once annually at the call of the Chair-
 3 person.

4 (d) TERMINATION.—Section 14(a)(2)(B) of the Fed-
 5 eral Advisory Committee Act (5 U.S.C. App.) shall not
 6 apply to the Advisory Board.

7 **SEC. 5. DEFINITIONS.**

8 In this Act:

9 (1) ADVISORY BOARD.—The term “Advisory
 10 Board” means the International Energy Advisory
 11 Board established by section 4(a).

12 (2) BIRD.—The term “BIRD” means the
 13 Israel-United States Binational Industrial Research
 14 and Development Foundation.

15 (3) BSF.—The term “BSF” means the United
 16 States-Israel Binational Science Foundation.

17 (4) ELIGIBLE ENTITY.—The term “eligible enti-
 18 ty” means a joint venture comprised of both Israeli
 19 and United States private business entities or a joint
 20 venture comprised of both Israeli academic persons
 21 (who reside and work in Israel) and United States
 22 academic persons, that—

23 (A) carries out an eligible project; and

24 (B) is selected by the Secretary, in con-
 25 sultation with the BIRD or BSF, using the cri-

1 teria established by the Secretary, in consulta-
2 tion with the Advisory Board.

3 (5) ELIGIBLE PROJECT.—The term “eligible
4 project” means a project to encourage cooperation
5 between the United States and Israel on research,
6 development, or commercialization of alternative en-
7 ergy, improved energy efficiency, or renewable en-
8 ergy sources.

9 (6) SECRETARY.—The term “Secretary” means
10 the Secretary of Energy, acting through the Assist-
11 ant Secretary of Energy for Energy Efficiency and
12 Renewable Energy.

13 **SEC. 6. TERMINATION.**

14 The grant program authorized under section 3 and
15 the Advisory Board shall terminate upon the expiration
16 of the 7-year period which begins on the date of the enact-
17 ment of this Act.

18 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

19 The Secretary is authorized to expend not more than
20 \$20,000,000 to carry out this Act for each of fiscal years
21 2008 through 2014 from funds previously authorized to
22 the Office of Energy Efficiency and Renewable Energy.

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