

111TH CONGRESS
2D SESSION

S. 3395

To provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2010

Mr. UDALL of Colorado (for himself, Mr. WYDEN, Mr. BURRIS, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States, 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 “Renewable Energy
5 Market Access Program Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

(1) ENERGY EFFICIENCY PRODUCT.—The term “energy efficiency product” means any product, technology, or component of a product that—

(A) as compared with products, technologies, or components of products being deployed at the time for widespread commercial use in the country in which the product, technology, or component will be used—

(i) substantially increases the energy efficiency of buildings, industrial or agricultural processes, or electricity transmission, distribution, or end-use consumption; or

(ii) substantially increases the energy efficiency of the transportation system; and

(B) results in no significant incremental adverse effects on public health or the environment.

(2) RENEWABLE ENERGY.—The term “renewable energy” means energy generated by a renewable energy resource.

(3) RENEWABLE ENERGY PRODUCT.—The term “renewable energy product” means any product, technology, or component of a product used in the development or production of renewable energy.

1 (4) RENEWABLE ENERGY RESOURCE.—The
 2 term “renewable energy resource” means solar,
 3 wind, ocean, tidal, geothermal energy, biofuel, bio-
 4 mass, hydropower, or hydrokinetic energy.

5 (5) SMALL- AND MEDIUM-SIZED BUSINESS.—
 6 The term “small- and medium-sized business”
 7 means—

8 (A) a small business concern (as that term
 9 used in section 3 of the Small Business Act (15
 10 U.S.C. 632)); and

11 (B) a business the Secretary of Commerce
 12 determines to be small- or medium-sized, based
 13 on factors that include the structure of the in-
 14 dustry, the amount of competition in the indus-
 15 try, the average size of businesses in the indus-
 16 try, and costs and barriers associated with en-
 17 tering the industry.

18 **SEC. 3. COST-SHARING ASSISTANCE WITH RESPECT TO THE**
 19 **EXPORTATION OF ENERGY EFFICIENCY**
 20 **PRODUCTS AND RENEWABLE ENERGY PROD-**
 21 **UCTS.**

22 (a) IN GENERAL.—The Under Secretary for Inter-
 23 national Trade of the Department of Commerce (in this
 24 section referred to as the “Under Secretary”) shall estab-

1 lish and carry out a program to provide cost-sharing as-
2 sistance to eligible organizations—

3 (1) to improve access to the markets of foreign
4 countries for energy efficiency products and renew-
5 able energy products exported by small- and me-
6 dium-sized businesses in the United States; and

7 (2) to assist small- and medium-sized busi-
8 nesses in the United States in obtaining services and
9 other assistance with respect to exporting energy ef-
10 ficiency products and renewable energy products, in-
11 cluding services and assistance available from the
12 Department of Commerce and other Federal agen-
13 cies.

14 (b) ELIGIBLE ORGANIZATIONS.—An eligible organi-
15 zation is a nonprofit trade association in the United States
16 or a State or regional organization that promotes the ex-
17 portation and sale of energy efficiency products or renew-
18 able energy products.

19 (c) APPLICATION PROCESS.—An eligible organization
20 shall submit an application for cost-sharing assistance
21 under subsection (a)—

22 (1) at such time and in such manner as the
23 Under Secretary may require; and

24 (2) that contains a plan that describes the ac-
25 tivities the organization plans to carry out using the

1 cost-sharing assistance provided under subsection
2 (a).

3 (d) AWARDING COST-SHARING ASSISTANCE.—

4 (1) IN GENERAL.—The Under Secretary shall
5 establish a process for granting applications for cost-
6 sharing assistance under subsection (a) that includes
7 a competitive review process.

8 (2) PRIORITY FOR INNOVATIVE IDEAS.—In
9 awarding cost-sharing assistance under subsection
10 (a), the Under Secretary shall give priority to an eli-
11 gible organization that includes in the plan of the or-
12 ganization submitted under subsection (c)(2) innova-
13 tive ideas for improving access to the markets of for-
14 eign countries for energy efficiency products and re-
15 newable energy products exported by small- and me-
16 dium-sized businesses in the United States.

17 (e) LEVEL OF COST-SHARING ASSISTANCE.—

18 (1) IN GENERAL.—Subject to paragraph (2),
19 the Under Secretary shall determine an appropriate
20 percentage of the cost of carrying out a plan sub-
21 mitted by an eligible organization under subsection
22 (c)(2) to be provided in the form of assistance under
23 this section.

1 (2) LIMITATION.—Assistance provided under
 2 this section may not exceed 50 percent of the cost
 3 of carrying out the plan of an eligible organization.

4 **SEC. 4. REPORT.**

5 Not later than 180 days after the date of the enact-
 6 ment of this Act, the Secretary of Commerce, in consulta-
 7 tion with the Secretary of Energy, shall submit to Con-
 8 gress a report on the export promotion needs of businesses
 9 in the United States that export energy efficiency products
 10 or renewable energy products.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to the Sec-
 13 retary of Commerce to carry out this Act—

- 14 (1) \$15,000,000 for fiscal year 2011;
- 15 (2) \$16,000,000 for fiscal year 2012;
- 16 (3) \$17,000,000 for fiscal year 2013;
- 17 (4) \$18,000,000 for fiscal year 2014; and
- 18 (5) \$19,000,000 for fiscal year 2015.

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