

The enhanced prediction of major storms is of great importance to protecting the public from injury and loss of property.

In addition to Mr. LUCAS, I also want to thank the Chairman of the Environment Subcommittee, the gentleman from Oklahoma, Mr. BRIDENSTINE, and the Environment Subcommittee Ranking Member, the gentlewoman from Oregon, Ms. BONAMICI, for their sponsorship of this bipartisan bill.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1561, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF ENERGY LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER ACT OF 2015

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1158) to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1158

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Department of Energy Laboratory Modernization and Technology Transfer Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Savings clause.

TITLE I—INNOVATION MANAGEMENT AT DEPARTMENT OF ENERGY

Sec. 101. Technology transfer and transitions assessment.

Sec. 102. Sense of Congress.

Sec. 103. Nuclear energy innovation.

TITLE II—CROSS-SECTOR PARTNERSHIPS AND GRANT COMPETITIVENESS

Sec. 201. Agreements for Commercializing Technology pilot program.

Sec. 202. Public-private partnerships for commercialization.

Sec. 203. Inclusion of early-stage technology demonstration in authorized technology transfer activities.

Sec. 204. Funding competitiveness for institutions of higher education and other nonprofit institutions.

Sec. 205. Participation in the Innovation Corps program.

TITLE III—ASSESSMENT OF IMPACT

Sec. 301. Report by Government Accountability Office.

SEC. 2. DEFINITIONS.

In this Act:

(1) **DEPARTMENT.**—The term “Department” means the Department of Energy.

(2) **NATIONAL LABORATORY.**—The term “National Laboratory” means a Department of

Energy nonmilitary national laboratory, including—

- (A) Ames Laboratory;
- (B) Argonne National Laboratory;
- (C) Brookhaven National Laboratory;
- (D) Fermi National Accelerator Laboratory;
- (E) Idaho National Laboratory;
- (F) Lawrence Berkeley National Laboratory;
- (G) National Energy Technology Laboratory;
- (H) National Renewable Energy Laboratory;
- (I) Oak Ridge National Laboratory;
- (J) Pacific Northwest National Laboratory;
- (K) Princeton Plasma Physics Laboratory;
- (L) Savannah River National Laboratory;
- (M) Stanford Linear Accelerator Center;
- (N) Thomas Jefferson National Accelerator Facility; and

(O) any laboratory operated by the National Nuclear Security Administration, but only with respect to the civilian energy activities thereof.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

SEC. 3. SAVINGS CLAUSE.

Nothing in this Act or an amendment made by this Act abrogates or otherwise affects the primary responsibilities of any National Laboratory to the Department.

TITLE I—INNOVATION MANAGEMENT AT DEPARTMENT OF ENERGY

SEC. 101. TECHNOLOGY TRANSFER AND TRANSITIONS ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report which shall include—

(1) an assessment of the Department’s current ability to carry out the goals of section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391), including an assessment of the role and effectiveness of the Director of the Office of Technology Transitions; and

(2) recommended departmental policy changes and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the Department’s ability to successfully transfer new energy technologies to the private sector.

SEC. 102. SENSE OF CONGRESS.

It is the sense of the Congress that the Secretary should encourage the National Laboratories and federally funded research and development centers to inform small businesses of the opportunities and resources that exist pursuant to this Act.

SEC. 103. NUCLEAR ENERGY INNOVATION.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department’s capabilities to authorize, host, and oversee privately funded fusion and non-light water reactor prototypes and related demonstration facilities at Department-owned sites. For purposes of this report, the Secretary shall consider the Department’s capabilities to facilitate privately-funded prototypes up to 20 megawatts thermal output. The report shall address the following:

- (1) The Department’s safety review and oversight capabilities.
- (2) Potential sites capable of hosting research, development, and demonstration of prototype reactors and related facilities for the purpose of reducing technical risk.

(3) The Department’s and National Laboratories’ existing physical and technical capabilities relevant to research, development, and oversight.

(4) The efficacy of the Department’s available contractual mechanisms, including cooperative research and development agreements, work for others agreements, and agreements for commercializing technology.

(5) Potential cost structures related to physical security, decommissioning, liability, and other long-term project costs.

(6) Other challenges or considerations identified by the Secretary, including issues related to potential cases of demonstration reactors up to 2 gigawatts of thermal output.

TITLE II—CROSS-SECTOR PARTNERSHIPS AND GRANT COMPETITIVENESS

SEC. 201. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) **IN GENERAL.**—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this section.

(b) **TERMS.**—Each agreement entered into pursuant to the pilot program referred to in subsection (a) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

(c) **ELIGIBILITY.**—

(1) **IN GENERAL.**—Any director of a National Laboratory may enter into an agreement pursuant to the pilot program referred to in subsection (a).

(2) **AGREEMENTS WITH NON-FEDERAL ENTITIES.**—To carry out paragraph (1) and subject to paragraph (3), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to paragraph (1), provided that such funding is solely used to carry out the purposes of the Federal award.

(3) **RESTRICTION.**—The requirements of chapter 18 of title 35, United States Code (commonly known as the “Bayh-Dole Act”) shall apply if—

(A) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(B) at least 1 of the parties to the funding agreement is eligible to receive rights under that chapter.

(d) **SUBMISSION TO SECRETARY.**—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this section—

(1) a summary of information relating to the relevant project;

(2) the total estimated costs of the project;

(3) estimated commencement and completion dates of the project; and

(4) other documentation determined to be appropriate by the Secretary.

(e) **CERTIFICATION.**—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this section—

(1) is not in direct competition with the private sector; and

(2) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(f) **EXTENSION.**—The pilot program referred to in subsection (a) shall be extended until October 31, 2017.

(g) REPORTS.—

(1) OVERALL ASSESSMENT.—Not later than 60 days after the date described in subsection (f), the Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that—

(A) assesses the overall effectiveness of the pilot program referred to in subsection (a);

(B) identifies opportunities to improve the effectiveness of the pilot program;

(C) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

(D) provides a recommendation regarding the future of the pilot program.

(2) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this section.

SEC. 202. PUBLIC-PRIVATE PARTNERSHIPS FOR COMMERCIALIZATION.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary shall delegate to directors of the National Laboratories signature authority with respect to any agreement described in subsection (b) the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than \$1,000,000, if such an agreement falls within the scope of—

(1) a strategic plan for the National Laboratory that has been approved by the Department; or

(2) the most recent Congressionally approved budget for Department activities to be carried out by the National Laboratory.

(b) AGREEMENTS.—Subsection (a) applies to—

(1) a cooperative research and development agreement;

(2) a non-Federal work-for-others agreement; and

(3) any other agreement determined to be appropriate by the Secretary, in collaboration with the directors of the National Laboratories.

(c) ADMINISTRATION.—

(1) ACCOUNTABILITY.—The director of the affected National Laboratory and the affected contractor shall carry out an agreement under this section in accordance with applicable policies of the Department, including by ensuring that the agreement does not compromise any national security, economic, or environmental interest of the United States.

(2) CERTIFICATION.—The director of the affected National Laboratory and the affected contractor shall certify that each activity carried out under a project for which an agreement is entered into under this section does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(3) AVAILABILITY OF RECORDS.—Within 30 days of entering an agreement under this section, the director of a National Laboratory shall submit to the Secretary for monitoring and review all records of the National Laboratory relating to the agreement.

(4) RATES.—The director of a National Laboratory may charge higher rates for services performed under a partnership agreement entered into pursuant to this section, regardless of the full cost of recovery, if such funds are used exclusively to support further re-

search and development activities at the respective National Laboratory.

(d) EXCEPTION.—This section does not apply to any agreement with a majority foreign-owned company.

(e) CONFORMING AMENDMENT.—Section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(B) by striking “Each Federal agency” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), each Federal agency”; and

(C) by adding at the end the following:

“(2) EXCEPTION.—Notwithstanding paragraph (1), in accordance with section 202(a) of the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015, approval by the Secretary of Energy shall not be required for any technology transfer agreement proposed to be entered into by a National Laboratory of the Department of Energy, the total cost of which (including the National Laboratory contributions and project recipient cost share) is less than \$1,000,000.”; and

(2) in subsection (b), by striking “subsection (a)(1)” each place it appears and inserting “subsection (a)(1)(A)”.

SEC. 203. INCLUSION OF EARLY-STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended by—

(1) redesignating subsection (g) as subsection (h); and

(2) inserting after subsection (f) the following:

“(g) EARLY-STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out early-stage and pre-commercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.”.

SEC. 204. FUNDING COMPETITIVENESS FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.

Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking “Except as provided in paragraphs (2) and (3)” and inserting “Except as provided in paragraphs (2), (3), and (4)”;

(2) by adding at the end the following:

“(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)).

“(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 6-year period beginning on the date of enactment of this paragraph.”.

SEC. 205. PARTICIPATION IN THE INNOVATION CORPS PROGRAM.

The Secretary may enter into an agreement with the Director of the National Science Foundation to enable researchers funded by the Department to participate in the National Science Foundation Innovation Corps program.

TITLE III—ASSESSMENT OF IMPACT

SEC. 301. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report—

(1) describing the results of the projects developed under sections 201, 202, and 203, including information regarding—

(A) partnerships initiated as a result of those projects and the potential linkages presented by those partnerships with respect to national priorities and other taxpayer-funded research; and

(B) whether the activities carried out under those projects result in—

(i) fiscal savings;

(ii) expansion of National Laboratory capabilities;

(iii) increased efficiency of technology transfers; or

(iv) an increase in general efficiency of the National Laboratory system; and

(2) assess the scale, scope, efficacy, and impact of the Department’s efforts to promote technology transfer and private sector engagement at the National Laboratories, and make recommendations on how the Department can improve these activities.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Illinois (Mr. LIPINSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1158, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015, enables the Department of Energy to better form partnerships with non-Federal entities and transfer research to the private sector.

I want to thank the gentleman from Illinois (Mr. HULTGREN) for his initiative on this issue and the gentleman from Colorado, Representative ED PERLMUTTER, for cosponsoring this important piece of legislation as well.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HULTGREN), the sponsor of this legislation.

Mr. HULTGREN. Mr. Speaker, before I get started, we also have several letters of support on this that I would submit for the RECORD. One is from the Bipartisan Policy Center on behalf of the American Energy Innovation Council; another is from Third Way. They support this bill. The final one is from the American Nuclear Society.

BIPARTISAN POLICY CENTER,
March 24, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives,
H-232 of the Capitol, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, H-
204 of the Capitol, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: On behalf of the American Energy Innovation Council (AEIC), we write to urge the prompt consideration of H.R. 1158 Department of Energy Laboratory Modernization and Technology Transfer Act. Similar legislation (H.R. 5120) easily passed the House during the last Congress. The bill enjoys strong bipartisan support and was co-sponsored by both Chairman Lamar Smith (R-TX) and Ranking Member Eddie Bernice Johnson (D-TX) of the Committee on Science, Space and Technology.

The AEIC is a group of America's top business executives who came together starting in 2010 to recommend ways to promote American innovation in clean energy technology. We are united in our belief that technology innovation—especially in energy—is at the heart of many of the central economic, national security, competitiveness, and environmental challenges facing our nation. We believe strong support for robust, public investments in energy innovation is critical to a vibrant American economy.

H.R. 1158 gives the National Labs needed flexibility to enter into more effective partnerships with businesses and universities, particularly with respect to early-stage technology demonstration. We anticipate that H.R. 1158 will unlock more private investment in clean energy technology R&D, and we endorse this bill.

Accelerating technology innovation is a smart investment for America's future. We look forward to working with you to once again secure House passage of this important legislation.

Sincerely,

CHAD HOLLIDAY,
Co-Chair, American
Energy Innovation
Council.

NORM AUGUSTINE,
Co-Chair, American
Energy Innovation
Council.

THIRD WAY,
March 9, 2015.

Hon. RANDY HULTGREN,
Member, House Committee on Science, Space,
and Technology, Rayburn House Office
Building, Washington, DC.

Hon. ED PERLMUTTER,
Member, House Committee on Science, Space,
and Technology, Longworth House Office
Building, Washington, DC.

DEAR CONGRESSMAN HULTGREN AND CONGRESSMAN PERLMUTTER, we write in support of H.R. 1158, the Department of Energy (DOE) Laboratory Modernization and Technology Transfer Act of 2015. It is critical that the United States maximizes the ability of our national labs to partner with the private sector to develop and commercialize new energy technologies, particularly around advanced nuclear power. Your bipartisan bill, which has been approved by the Committee and sent to the House, will begin a vital assessment of the labs' capabilities and offer ways to get the best return on taxpayers' investment in energy innovation.

The world faces a profound paradox: ever-increasing global energy demand and the need to dramatically reduce carbon emissions. That's why Third Way strongly believes that the development of advanced nuclear reactors is critical. With dozens of reactor projects underway in the United

States, this country has the opportunity to create enormous economic, national security, and environmental benefits if we can provide the right platform for private companies to develop and commercialize these advanced nuclear technologies. Public-private partnerships of the type envisioned in your legislation can help industry to transcend some of the technological and regulatory barriers it faces and bring this promising energy source to market.

We applaud your leadership in the sponsorship of this bill. There is pent-up demand in the private sector to work with the national labs to develop innovative advanced nuclear, carbon capture, and other energy solutions. H.R. 1158 is a very important step to ensure that happens. We look forward to supporting it as it moves through the House and Senate.

Sincerely,

JOSH FREED,

Vice President for the Clean Energy Program.

AMERICAN NUCLEAR SOCIETY,
La Grange Park, IL, March 23, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space & Technology, House of Representatives, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, Committee on Science, Space & Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN AND RANKING MEMBER JOHNSON: I write on behalf of the 11,000 members of the American Nuclear Society to express our support for H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015.

We appreciate your efforts to harness the intellectual assets of our national laboratories through broader technology commercialization and public-private partnership initiatives. We are especially grateful for Section 104 which directs the Department of Energy to assess its ability to "incubate" privately-funded advanced research and test reactor prototypes at national laboratories.

ANS strongly supports expanded federal engagement in advanced, non-light water nuclear research and development. It is becoming increasingly clear that the U.S. and the world will need to significantly expand its nuclear generating capacity in the coming decades to address growing energy demands while reducing harmful emissions.

Historically, the U.S. led the world in developing new reactor technology. However, several other nations, including Russia and China, have moved aggressively to develop so-called Generation IV reactors which offer distinct advantages over their light water counterparts. As such, the U.S. must recommit itself to improving its advanced reactor technology portfolio in order to maintain its influence over global nuclear safety and non-proliferation norms. This legislation, if enacted, would provide needed support toward that objective.

Sincerely,

MICHAEL BRADY RAAP,

President, American Nuclear Society.

Mr. HULTGREN. Mr. Speaker, I want to thank the distinguished chairman, Mr. SMITH, as well as the gentleman from Colorado (Mr. PERLMUTTER) for helping bring this legislation to the floor again this Congress.

H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act, ensures that the Department of Energy has the tools it needs to allow new startups, small businesses, universities, and the general public at large to do what they do best: react to market signals and innovate.

The Federal Government and the national labs play a vital role doing the basic research needed to maintain America's position as a safe and innovative nation. Their ability to build large research tools at our user facilities is the crown jewel in our Nation's research capabilities. This is the model other nations, like China, are copying.

Far too often, however, the discoveries made in our labs get stuck in the labs. This is due to a number of reasons, and this bill seeks to break down some of the barriers that make this happen.

Many of these problems are also outlined in chapter three of the "Interim Report of the Commission to Review the Effectiveness of the National Energy Laboratories."

I quote from the report: "Over 50 prior studies and reports published over the past 40 years detail shortcomings in the relationship between the DOE and its laboratories."

It continues:

They present a strikingly consistent pattern of criticism and recommendations for improvement.

The committee and I have reviewed many of these prior reports, and this bill attempts to act on a few of these consistent, noncontroversial recommendations.

By extending the pilot for ACT agreements within DOE, the labs are given the ability to negotiate more flexible contracts with non-Federal entities that would like to take the labs' research and turn it into viable products.

Section 201 in the bill also allows researchers using Federal funds to enter into these agreements, so long as any Federal funds are used exclusively for their intended research purposes.

Section 203 of the bill will continue to chip away at what many call the valley of death, what many startups never make it through because they cannot prove their concept.

This section would allow DOE to use their tech transfer funds for early-stage, precommercial proof of concept demonstrations so the private sector can finally pick up technologies and develop them with private funds. This legislation would also grant to the directors of national labs the signature authority for many agreements with non-Federal entities.

These are decisions that the Secretary of Energy must make under current law, meaning decisions a lab director can make over a phone call in the course of a day must weave their way through the agency's bureaucracy before it lands on the Secretary's desk.

This bill also seeks to improve the Department's relationship with small businesses that can take part in the SBIR-STTR program, and it encourages the Secretary to enter into agreement with the I-Corps program at NSF.

While I do understand that DOE has begun a similar pilot, called Lab Corps, I am worried that this pilot housed in EERE is so narrow in focus that it will

not be applicable for most of our labs' advancement. An accelerator technology being developed for medical treatments, for instance, would not be able to access the current pilot.

Section 103 of this legislation will also require DOE to undertake an honest assessment of its capabilities to authorize, host, and oversee prototype reactors at DOE sites. This is a critical issue for the United States' position as a nuclear technology leader. The United States has not hosted a new research reactor in decades, and there are not any current applications under review at the Nuclear Regulatory Commission.

Unfortunately, the U.S. has become so risk averse that we have regulated ourselves out of business for building the concept reactors that might some day lead to commercially deployable, safer, and more efficient nuclear technologies. We are driving companies overseas. I look forward to seeing the results of this report from DOE.

Our national labs have been at the cutting edge of technological development, and we must always ensure that it is in the national interest. This bill helps to ensure that is the case because a discovery lost in the labs is a discovery wasted.

That is why I encourage my colleagues to support this bill.

Mr. LIPINSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015.

I would like to thank Mr. HULTGREN, Mr. PERLMUTTER, and my colleagues on both sides of the aisle for working together to produce a strong bipartisan bill. I would like to thank Chairman SMITH and Ranking Member JOHNSON for getting this bill through committee and to the floor here tonight.

DOE's national labs are responsible for some of the greatest research being conducted in the world, both basic and applied. Some of this research has great potential to become new commercial technologies if our labs provide the type of support that increases the likelihood of technology transfer.

This could have enormous beneficial impacts for our Nation, not just in new technologies, but by making the most of our investments at these labs. That is why improving technology transfer from American research facilities, both national labs and universities, has been one of my top priorities on the Science Committee for the past decade.

H.R. 1158 ensures that our national labs have the resources needed to facilitate the transfer of new technologies to the private sector. It greatly increases the breadth of companies that are eligible to engage in a new pilot program that provides for more flexible partnerships, similar to those in the private sector, and lengthens the program for 2 years. This was an important issue that came up at a hearing 2 years ago, and I am happy that we are getting that done in this bill.

This bill also empowers labs to utilize technology transfer funds on projects that demonstrate commercial applications for their research and technologies, and it asks the Department of Energy for a report on activities related to the congressionally mandated technology commercialization fund which the Department is implementing through the newly formed Office of Technology Transitions.

I personally asked Secretary Moniz about past use of this fund, and so I am pleased by the recent actions of DOE in the direction of the TCF at this time. This bill has impacts beyond labs as well. It would significantly decrease financial obstacles that prevent nonprofit research organizations, including many universities, from working with the Department.

The bill includes language that I wrote that would make the National Science Foundation's highly successful Innovation Corps Program, which pairs up grant recipients with motivated entrepreneurs to help get their ideas in the commercial arena, available to the DOE through a partnership with the NSF.

Finally, the bill ensures that effective reporting and accountability systems are in place so we are able to clearly determine the performance of these new tools, as well as any further steps that will need to be taken.

Mr. Speaker, the innovations that have come out of DOE's national laboratories and research programs are second to none. Argonne National Lab, which is located in my district, is one of the best.

All these federally funded institutions and initiatives have been a critical component of our knowledge-based economy, and this bill will ensure that they not only continue, but they improve their incredible track record.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, we have no other requests for time on this, and I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

□ 1845

Mr. PERLMUTTER. Mr. Speaker, I would like to thank Mr. LIPINSKI for his work on this bill and for yielding me this time.

I rise today to support H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act. I want to thank my friend from Illinois (Mr. HULTGREN) for sponsoring this bill and working with me and our colleagues on this important piece of legislation.

This legislation provides tools to spur and accelerate the transfer of new technologies developed at our national labs. It extends the Agreements for Commercializing Technology, or ACT, pilot program for 2 more years and also significantly broadens the range of

companies able to participate in the program, allowing for more flexible partnership agreements.

The bill will allow labs to use their technology to transfer funds for activities which identify and demonstrate commercial opportunities for their research and technologies.

This legislation also removes burdens which currently prevent many universities and other nonprofit research institutions from working with the Department of Energy. This will encourage further collaboration between university researchers across the country and our wealth of knowledge at the national labs.

Mr. Speaker, I represent Golden, Colorado, and the National Renewable Energy Laboratory. Quite simply, NREL is the premier energy efficiency and renewable energy lab in the world. For more than 40 years, NREL has led the charge in research and design of renewable energy products directly affecting the way we utilize and secure American energy.

This bill will help provide labs like NREL with important tools so they can best lead our country's research on renewable and sustainable forms of energy and transportation and, ultimately, bring these life-changing innovations to consumers. I have seen the great work being done at NREL, and I know this great work is happening at other national labs all across the country.

Last year, DOE signed an agreement for commercializing technology with the Wells Fargo Foundation to utilize NREL and other DOE national labs to further research in energy-efficient buildings-related technologies, and this bill allows that agreement to be extended for at least 2 more years.

DOE's 17 national laboratories and research programs have been the birthplace to some of our most revolutionary technologies. When this research is harnessed by entrepreneurs and business leaders, startups with one or two employees can grow into companies employing dozens, if not hundreds, of people.

We want to make sure these federally funded institutions and initiatives remain an important foundation of our knowledge-based economy. That is why I am proud to cosponsor this bipartisan legislation with the gentleman from Illinois (Mr. HULTGREN), giving scientists and researchers in both the public and private sector tools and freedom they need to unlock a new wave of innovation.

Mr. SMITH of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I would like to thank Mr. HULTGREN and Mr. PERLMUTTER for their leadership on this important issue.

This bill helps foster opportunities for entrepreneurs to more easily access technologies coming out of the Department of Energy and connect the brilliant minds to the equally brilliant

minds in the private sector who can then commercialize this technology.

Federal R&D is responsible for many of the industries and technologies that now drive our national wealth—the most earth-shattering example, the Internet, developed by government scientists at DARPA.

Federal research spawned the biotech and semiconductor industries; gave us tools like the laser, GPS, and MRI; and, through the World Wide Web and the Internet, has entirely changed the way we find a restaurant, talk to our children, and sell cars.

The role of the private sector in developing technology is vital, and government must lead the way in innovation, providing the patient capital necessary to perform research without any known commercial application or concern for profit.

I am reminded of the fascinating idea that mathematicians who develop things in their heads, in their offices, with no application to anything, so often, within weeks, will find that that mathematical new idea applies to real-life situations.

Einstein marveled at the power of pure mathematics, and he said, “How can it be that mathematics, being after all a product of human thought which is independent of experience, is so admirably appropriate to the objects of reality?”

In 1959, the physicist Eugene Wigner described this problem as “the unreasonable effectiveness of mathematics.”

H.R. 1158 helps bring these pieces together, mathematics, physics, chemistry, biology, and technology; and I urge my colleagues to support it.

Thank you, Chairman SMITH, Mr. HULTGREN, and Mr. PERLMUTTER.

Mr. SMITH of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, before I wrap up on the bill we are debating right now, I just wanted to thank Chairman SMITH for his work on this, along with Ranking Member JOHNSON. Working together, we were able to get these bills done here on the floor tonight.

I know that tomorrow we will have a little bit more of a contentious debate on a bill coming out of the Science, Space, and Technology Committee; but I just wanted to, again, commend the chairman and Ranking Member JOHNSON for our work together on these bills.

We know there are important things that we can get done and we need to get done and will be very helpful to our Nation, and I am glad that we were able to do those things on these bills that we have brought forward here tonight, a good bipartisan mix of bills showing bipartisan cooperation.

Mr. Speaker, I want to conclude by asking my colleagues to support H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act.

I want to thank Mr. HULTGREN and Mr. PERLMUTTER for their work on this bill. I think there are many things that we can't even see right now that will come out of this, but I am certain that our national labs and the great value that they are to our Nation will continue, and this will allow them to continue to not only do their research, but to do an even better job of producing new technologies that will be a great benefit to all of us.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015, enables the Department of Energy (DOE) to better form partnerships with non-federal entities and transfer research to the private sector.

I thank the gentleman from Illinois, Rep. RANDY HULTGREN, for his initiative on this issue, and the gentleman from Colorado, Rep. ED PERLMUTTER, for it cosponsoring this important legislation.

The Department of Energy is the largest federal supporter of basic research and development and sponsors 47 percent of federal basic research in the physical sciences.

The Department's science and energy research is conducted at over 300 sites nationwide. More than 31,000 researchers take advantage of DOE user facilities each year.

This includes the Department's 17 National Labs, which provide the foundation for the Department of Energy's research and development infrastructure.

These labs keep America at the forefront of global technological capabilities. They ensure that we continue to conduct critical research in high energy physics, advanced scientific computing, biological and environmental research, nuclear physics, fusion energy sciences, basic energy sciences, and applied energy research and development in fossil, nuclear and renewable energy.

The innovative early stage research performed at the labs can have great value for the private sector, but often goes unnoticed.

Because of a communication gap between the labs and the private sector, ideas and technology are often slow to reach the market. And federal government red tape discourages the private sector from using the unique state-of-the-art facilities the national labs offer.

This bill grants lab directors signature authority for agreements with private sector entities valued at less than \$1 million. And it extends a pilot program that allows for more flexible contract terms between companies and lab operators.

This bill also requires DOE to assess its capability to authorize, host, and oversee privately funded fusion research and next generation fission reactor prototypes.

Due to regulatory uncertainty from the Nuclear Regulatory Commission, the private sector currently has little incentive or ability to build reactor prototypes.

This legislation represents a bipartisan, bicameral agreement to modernize and increase the productivity of the DOE national lab system.

I again thank Mr. HULTGREN and Mr. PERLMUTTER for their initiative on this issue and encourage my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1158, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2262, SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015; PROVIDING FOR CONSIDERATION OF H.R. 880, AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2015; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 22, 2015, THROUGH MAY 29, 2015

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-127) on the resolution (H. Res. 273) providing for consideration of the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes; providing for consideration of the bill (H.R. 880) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit; providing for consideration of motions to suspend the rules; and providing for proceedings during the period from May 22, 2015, through May 29, 2015, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1335, STRENGTHENING FISHING COMMUNITIES AND INCREASING FLEXIBILITY IN FISHERIES MANAGEMENT ACT

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-128) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1335) to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes, which was referred to the House Calendar and ordered to be printed.

VIRGINIA TASK FORCE 1

(Mrs. COMSTOCK asked and was given permission to address the House for 1 minute.)

Mrs. COMSTOCK. Mr. Speaker, I rise tonight to thank the brave men and