

116TH CONGRESS
2D SESSION

S. 4053

To amend the Energy Policy Act of 1992 to modernize the EPSCoR program of the Department of Energy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2020

Mr. REED (for himself, Mr. INHOFE, Mr. MORAN, Mr. JONES, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Energy Policy Act of 1992 to modernize the EPSCoR program of the Department of Energy, 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 “DOE EPSCoR Mod-
5 ernization Act”.

1 **SEC. 2. ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.**
 2 **TIVE RESEARCH.**

3 Section 2203(b) of the Energy Policy Act of 1992
 4 (42 U.S.C. 13503(b)) is amended by striking paragraph
 5 (3) and inserting the following:

6 “(3) ESTABLISHED PROGRAM TO STIMULATE
 7 COMPETITIVE RESEARCH.—

8 “(A) DEFINITIONS.—In this paragraph:

9 “(i) ELIGIBLE JURISDICTION.—The
 10 term ‘eligible jurisdiction’ means a State
 11 that is determined to be eligible for a grant
 12 under this paragraph in accordance with
 13 subparagraph (D).

14 “(ii) EPSCoR.—The term ‘EPSCoR’
 15 means the Established Program to Stimu-
 16 late Competitive Research operated under
 17 subparagraph (B).

18 “(iii) NATIONAL LABORATORY.—The
 19 term ‘National Laboratory’ has the mean-
 20 ing given the term in section 2 of the En-
 21 ergy Policy Act of 2005 (42 U.S.C.
 22 15801).

23 “(iv) STATE.—The term ‘State’
 24 means—

25 “(I) a State;

26 “(II) the District of Columbia;

1 “(III) the Commonwealth of
2 Puerto Rico;

3 “(IV) Guam; and

4 “(V) the United States Virgin Is-
5 lands.

6 “(B) PROGRAM OPERATION.—The Sec-
7 retary shall operate an Established Program to
8 Stimulate Competitive Research.

9 “(C) OBJECTIVES.—The objectives of
10 EPSCoR shall be—

11 “(i) to increase the number of re-
12 searchers in eligible jurisdictions, especially
13 at institutions of higher education, capable
14 of performing nationally competitive
15 science and engineering research in sup-
16 port of the mission of the Department of
17 Energy in the areas of applied energy re-
18 search, environmental management, and
19 basic science;

20 “(ii) to improve science and engineer-
21 ing research and education programs at in-
22 stitutions of higher education in eligible ju-
23 risdictions and enhance the capabilities of
24 eligible jurisdictions to develop, plan, and
25 execute research that is competitive, in-

1 cluding through investing in research
2 equipment and instrumentation; and

3 “(iii) to increase the probability of
4 long-term growth of competitive funding to
5 eligible jurisdictions.

6 “(D) ELIGIBLE JURISDICTIONS.—

7 “(i) IN GENERAL.—The Secretary
8 may establish criteria for determining
9 whether a State is eligible for a grant
10 under this paragraph.

11 “(ii) REQUIREMENT.—Except as pro-
12 vided in clause (iii), in establishing criteria
13 under clause (i), the Secretary shall ensure
14 that a State is eligible for a grant under
15 this paragraph if the State, as determined
16 by the Secretary, is a State that—

17 “(I) historically has received rel-
18 atively little Federal research and de-
19 velopment funding; and

20 “(II) has demonstrated a com-
21 mitment—

22 “(aa) to develop the re-
23 search bases in the State; and

24 “(bb) to improve science and
25 engineering research and edu-

1 cation programs at institutions of
2 higher education in the State.

3 “(iii) ELIGIBILITY UNDER NSF
4 EPSCOR.—At the election of the Secretary,
5 or if the Secretary determines not to estab-
6 lish criteria under clause (i), a State is eli-
7 gible for a grant under this paragraph if
8 the State is eligible to receive funding
9 under the Established Program to Stimu-
10 late Competitive Research of the National
11 Science Foundation.

12 “(E) GRANTS IN AREAS OF APPLIED EN-
13 ERGY RESEARCH, ENVIRONMENTAL MANAGE-
14 MENT, AND BASIC SCIENCE.—

15 “(i) IN GENERAL.—EPSCoR shall
16 make grants to eligible jurisdictions to
17 carry out and support applied energy re-
18 search and research in all areas of environ-
19 mental management and basic science
20 sponsored by the Department of Energy,
21 including—

22 “(I) energy efficiency, fossil en-
23 ergy, renewable energy, and other ap-
24 plied energy research;

25 “(II) electricity delivery research;

1 “(III) cybersecurity, energy secu-
2 rity, and emergency response;

3 “(IV) environmental manage-
4 ment; and

5 “(V) basic science research.

6 “(ii) ACTIVITIES.—EPSCoR shall
7 make grants under this subparagraph for
8 activities consistent with the objectives de-
9 scribed in subparagraph (C) in the areas of
10 applied energy research, environmental
11 management, and basic science described
12 in clause (i), including—

13 “(I) to support research that is
14 carried out in partnership with the
15 National Laboratories;

16 “(II) to provide for graduate
17 traineeships;

18 “(III) to support research by
19 early career faculty; and

20 “(IV) to improve research capa-
21 bilities through biennial research im-
22 plementation grants.

23 “(iii) NO COST SHARING.—EPSCoR
24 shall not impose any cost-sharing require-
25 ment with respect to a grant made under

1 this subparagraph, but may require letters
2 of commitment from National Labora-
3 tories.

4 “(F) OTHER ACTIVITIES.—EPSCoR may
5 carry out such activities as may be necessary to
6 meet the objectives described in subparagraph
7 (C) in the areas of applied energy research, en-
8 vironmental management, and basic science de-
9 scribed in subparagraph (E)(i).

10 “(G) PROGRAM IMPLEMENTATION.—

11 “(i) IN GENERAL.—Not later than
12 270 days after the date of enactment of
13 the DOE EPSCoR Modernization Act, the
14 Secretary shall submit to the Committees
15 on Energy and Natural Resources and Ap-
16 propriations of the Senate and the Com-
17 mittees on Energy and Commerce and Ap-
18 propriations of the House of Representa-
19 tives a plan describing how the Secretary
20 shall implement EPSCoR.

21 “(ii) CONTENTS OF PLAN.—The plan
22 described in clause (i) shall include a de-
23 scription of—

24 “(I) the management structure of
25 EPSCoR, which shall ensure that all

1 research areas and activities described
2 in this paragraph are incorporated
3 into EPSCoR;

4 “(II) efforts to conduct outreach
5 to inform eligible jurisdictions and
6 faculty of changes to, and opportuni-
7 ties under, EPSCoR;

8 “(III) how EPSCoR plans to in-
9 crease engagement with eligible juris-
10 dictions, faculty, and State commit-
11 tees, including by holding regular
12 workshops, to increase participation in
13 EPSCoR; and

14 “(IV) any other issues relating to
15 EPSCoR that the Secretary deter-
16 mines appropriate.

17 “(H) PROGRAM EVALUATION.—

18 “(i) IN GENERAL.—Not later than 5
19 years after the date of enactment of the
20 DOE EPSCoR Modernization Act, the
21 Secretary shall contract with a federally
22 funded research and development center,
23 the National Academy of Sciences, or a
24 similar organization to carry out an assess-

1 ment of the effectiveness of EPSCoR, in-
2 cluding an assessment of—

3 “(I) the tangible progress made
4 towards achieving the objectives de-
5 scribed in subparagraph (C);

6 “(II) the impact of research sup-
7 ported by EPSCoR on the mission of
8 the Department of Energy; and

9 “(III) any other issues relating to
10 EPSCoR that the Secretary deter-
11 mines appropriate.

12 “(ii) LIMITATION.—The organization
13 with which the Secretary contracts under
14 clause (i) shall not be a National Labora-
15 tory.

16 “(iii) REPORT.—Not later than 6
17 years after the date of enactment of the
18 DOE EPSCoR Modernization Act, the
19 Secretary shall submit to the Committees
20 on Energy and Natural Resources and Ap-
21 propriations of the Senate and the Com-
22 mittees on Energy and Commerce and Ap-
23 propriations of the House of Representa-
24 tives a report describing the results of the
25 assessment carried out under clause (i), in-

1 cluding recommendations for improvements
2 that would enable the Secretary to achieve
3 the objectives described in subparagraph
4 (C).”.

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