AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. CIT ACT for markup (IDTD-001)
OFFERED BY M. WEBER

[Page and line numbers refer to version of IDTD__001 with
timestamp of August 29, 2019 at 1:39PM noticed by the Com-
mittee on Science, Space, and Technology.]

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.
2 This Act may be cited as the “Clean Industrial Tech-
3 nology Act of 2019” or the “CIT Act of 2019”.
4
5 SEC. 2. PURPOSE.
6 The purpose of this Act and the amendments made
7 by this Act is to encourage the development and evaluation
8 of innovative technologies aimed at increasing—
9 (1) the technological and economic competitiveness
10 of industry and manufacturing in the United
11 States; and
12 (2) the emissions reduction of nonpower indus-
13 trial sectors.
SEC. 3. INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY DEVELOPMENT PROGRAM.

(a) In General.—The Energy Independence and Security Act of 2007 is amended by inserting after section 453 (42 U.S.C. 17112) the following:

"SEC. 454. INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY DEVELOPMENT PROGRAM.

"(a) Definitions.—In this section:

"(1) Director.—The term 'Director' means the Director of the Office of Science and Technology Policy.

"(2) Eligible Entity.—The term 'eligible entity' means—

"(A) a scientist or other individual with knowledge and expertise in emissions reduction;

"(B) an institution of higher education;

"(C) a nongovernmental organization;

"(D) a National Laboratory;

"(E) a private entity; and

"(F) a partnership or consortium of 2 or more entities described in subparagraphs (B) through (E).

"(3) Emissions Reduction.—

"(A) In General.—The term 'emissions reduction' means the reduction of net nonwater
greenhouse gas emissions to the atmosphere by energy services and industrial processes.

"(B) Exclusion.—The term 'emissions reduction' does not include the elimination of carbon embodied in the principal products of industrial manufacturing.

"(4) Institution of Higher Education.— The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

"(5) Program.—The term 'program' means the program established under subsection (b)(1).

"(b) Industrial Emissions Reduction Technology Development Program.—

"(1) In General.—Not later than 1 year after the date of enactment of the CIT Act of 2019, the Secretary, in coordination with the Director and in consultation with the heads of relevant Federal agencies, National Laboratories, industry, and institutions of higher education, shall establish a research, development, and demonstration program to further the development of innovative industrial emissions reduction technologies that—
“(A) increase the technological and economic competitiveness of industry and manufacturing in the United States; and

“(B) achieve emissions reduction in nonpower industrial sectors.

“(2) FOCUS.—In carrying out the program referred to in paragraph (1), the Secretary shall, to the maximum extent practicable, focus on research and technology goals established by the emissions reduction roadmap developed under section 455.

“(3) COORDINATION.—In carrying out the program, the Secretary shall, to the maximum extent practicable—

“(A) coordinate with each relevant office in the Department and any other Federal agency;

“(B) coordinate and collaborate with the Industrial Technology Innovation Advisory Committee established under section 455; and

“(C) coordinate with the energy-intensive industries program established under section 452.

“(4) LEVERAGE OF EXISTING RESOURCES.—In carrying out the program, the Secretary shall leverage, to the maximum extent practicable—
“(A) existing resources and programs of
the Department and other relevant Federal
agencies; and

“(B) public-private partnerships.

“(c) GRANTS, CONTRACTS, COOPERATIVE AGREEMENTS, AND DEMONSTRATION PROJECTS.—

“(1) GRANTS.—In carrying out the program, the Secretary shall award grants on a competitive basis to eligible entities for projects that the Secretary determines would best achieve the goals of the program.

“(2) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out the program, the Secretary may enter into contracts and cooperative agreements with eligible entities and Federal agencies for projects that the Secretary determines would further the purposes of the program.

“(3) DEMONSTRATION PROJECTS.—In supporting technologies developed under this section, the Secretary may fund demonstration projects that test and validate technologies described in subsection (c).

“(4) COST SHARING.—In awarding funds under this section, the Secretary shall require cost sharing

“(d) SUNSET.—The Secretary may not award grants, enter into contracts or cooperative agreements, or take any other action to carry out the program under this section after September 30, 2024.

“(e) SPENDING LIMITATION.—No additional funds are authorized to be appropriated to carry out this section, and this section shall be carried out using amounts otherwise available for such purpose.”.

(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by inserting after the item relating to section 453 the following:

“Sec. 454. Industrial emissions reduction technology development program.”.

SEC. 4. INDUSTRIAL TECHNOLOGY INNOVATION ADVISORY COMMITTEE.

(a) IN GENERAL.—The Energy Independence and Security Act of 2007 is amended by inserting after section 454 (as added by section 3(a)) the following:

“SEC. 455. INDUSTRIAL TECHNOLOGY INNOVATION ADVISORY COMMITTEE.

“(a) DEFINITIONS.—In this section:

“(1) COMMITTEE.—The term ‘Committee’ means the Industrial Technology Innovation Advisory Committee established under subsection (b).
“(2) DIRECTOR.—The term ‘Director’ means the Director of the Office of Science and Technology Policy.

“(3) EMISSIONS REDUCTION.—The term ‘emissions reduction’ has the meaning given the term in section 454(a).

“(4) PROGRAM.—The term ‘program’ means the industrial emissions reduction technology development program established under section 454(b)(1).

“(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the CIT Act of 2019, the Secretary, in coordination with the Director, shall establish an advisory committee, to be known as the ‘Industrial Technology Innovation Advisory Committee’.

“(e) MEMBERSHIP.—

“(1) APPOINTMENT.—The Committee shall be comprised of not fewer than 14 members, who shall be appointed by the Secretary, in coordination with the Director.

“(2) REPRESENTATION.—Members appointed pursuant to paragraph (1) shall include—

“(A) not less than 1 representative of each relevant Federal agency, as determined by the Secretary;
"(B) not less than 2 representatives of labor groups;

"(C) not less than 3 representatives of the research community, which shall include academia and National Laboratories;

"(D) not less than 2 representatives of nongovernmental organizations;

"(E) not less than 6 representatives of industry, the collective expertise of which shall cover every focus area described in section 454(c); and

"(F) any other individual whom the Secretary, in coordination with the Director, determines to be necessary to ensure that the Committee is comprised of a diverse group of representatives of industry, academia, independent researchers, and public and private entities.

"(3) CHAIR.—The Secretary shall designate a member of the Committee to serve as Chair.

"(d) DUTIES.—

"(1) IN GENERAL.—The Committee shall—

"(A) in consultation with the Secretary and the Director, develop the missions and goals of the program, which shall be consistent
with the purposes of the program described in section 454(b)(1); and

“(B) advise the Secretary and the Director with respect to the program—

“(i) by identifying and evaluating any technologies being developed by the private sector relating to the focus areas described in section 454(c);

“(ii) by identifying technology gaps in the private sector in those focus areas, and making recommendations to address those gaps;

“(iii) by surveying and analyzing factors that prevent the adoption of emissions reduction technologies by the private sector; and

“(iv) by recommending technology screening criteria for technology developed under the program to encourage adoption of the technology by the private sector; and

“(C) develop the roadmap described in paragraph (2).

“(2) EMISSIONS REDUCTION ROADMAP.—

“(A) PURPOSE.—The purpose of the roadmap developed under paragraph (1)(C) is to
achieve the goals of the program in the focus areas described in section 454(e).

"(B) CONTENTS.—The roadmap developed under paragraph (1)(C) shall—

"(i) specify near-term and long-term qualitative and quantitative objectives relating to each focus area described in section 454(e), including research, development, and demonstration objectives;

"(ii) specify the anticipated timeframe for achieving the objectives specified under clause (i);

"(iii) include plans for developing emissions reduction technologies that are globally cost-competitive; and

"(iv) identify the appropriate role for investment by the Federal Government, in coordination with the private sector, to achieve the objectives specified under clause (i).

"(e) MEETINGS.—

"(1) FREQUENCY.—The Committee shall meet not less frequently than 2 times per year, at the call of the Chair.
“(2) INITIAL MEETING.—Not later than 30 days after the date on which the members are appointed under subsection (b), the Committee shall hold its first meeting.

“(f) COMMITTEE REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the CIT Act of 2019, and not less frequently than once every 3 years thereafter, the Committee shall submit to the Secretary a report on the progress of achieving the purposes of the program.

“(2) CONTENTS.—The report under paragraph (1) shall include—

“(A) a description of any technology innovation opportunities identified by the Committee;

“(B) a description of any technology gaps identified by the Committee under subsection (d)(1)(B)(ii);

“(C) a review of the management, coordination, and industry utility of the program, including recommendations for improving and management of the program;

“(D) an evaluation of the progress of the program and the research, development, and
demonstration activities funded under the program;

"(E) a description of the manner in which the Committee has carried out the duties described in subsection (d)(1) and any relevant findings as a result of carrying out those duties;

"(F) the roadmap developed by the Committee under subsection (d)(1)(C);

"(G) the progress made in achieving the goals set out in that roadmap;

"(H) an assessment of the effectiveness of the program in coordinating efforts within the Department and with other Federal agencies to achieve the purposes of the program.

"(g) TERMINATION.—The Committee shall terminate on September 30, 2024.

"(h) REPORT TO CONGRESS.—Not later than 60 days after receiving a report from the Committee under subsection (f), the Secretary shall submit a copy of that report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

"(i) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this sec-
tion, the Federal Advisory Committee Act (5 U.S.C. App.)
shall apply to the Committee.”.

(b) TECHNICAL AMENDMENT.—The table of contents
(Public Law 110–140; 121 Stat. 1494) (as amended by
section 3(b)) is amended by inserting after the item relat-
ing to section 454 the following:
“Sec. 455. Industrial Technology Innovation Advisory Committee.”.

SEC. 5. TECHNICAL ASSISTANCE PROGRAM TO IMPLEMENT
INDUSTRIAL EMISSIONS REDUCTION.

(a) IN GENERAL.—The Energy Independence and
Security Act of 2007 is amended by inserting after section
455 (as added by section 4(a)) the following:
“SEC. 456. TECHNICAL ASSISTANCE PROGRAM TO IMPL-
MENT INDUSTRIAL EMISSIONS REDUCTION.

“(a) DEFINITIONS.—In this section:
“(1) ELIGIBLE ENTITY.—The term ‘eligible en-
tity’ means—
“(A) a State;
“(B) a unit of local government;
“(C) a territory or possession of the
United States;
“(D) a relevant State or local office, in-
cluding an energy office;
“(E) a tribal organization (as defined in
section 3765 of title 38, United States Code);
“(F) an institution of higher education;

and

“(G) a private entity.

“(2) EMISSIONS REDUCTION.—The term ‘emissions reduction’ has the meaning given the term in section 454(a).

“(3) INSTITUTION OF HIGHER EDUCATION.—
The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(4) PROGRAM.—The term ‘program’ means the program established under subsection (b).

“(b) ESTABLISHMENT.—Not later than one year after the date of enactment of the CIT Act of 2019, the Secretary shall establish a program to provide technical assistance to eligible entities to promote the commercial application of emission reduction technologies developed through the program established under section 454(b).

“(c) SUNSET.—The Secretary may not provide technical assistance or take any other action to carry out the program under this section after September 30, 2024.

“(d) SPENDING LIMITATION.—No additional funds are authorized to be appropriated to carry out this section, and this section shall be carried out using amounts otherwise available for such purpose.”.
(b) TECHNICAL AMENDMENT.—The table of contents of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) (as amended by section 4(b)) is amended by inserting after the item relating to section 455 the following:

“Sec. 456. Technical assistance program to implement industrial emissions reduction.”.

SEC. 6. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

Section 6(a) of the American Energy Manufacturing Technical Corrections Act (42 U.S.C. 6351(a)) is amended—

(1) by striking “Industrial Technologies Program” each place it appears and inserting “Advanced Manufacturing Office”; and

(2) in the matter preceding paragraph (1), by striking “Office of Energy” and all that follows through “Office of Science” and inserting “Department of Energy”.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that power produced from fossil fuels is essential for maintaining the global competitiveness of United States manufacturing and industrial processes, and that these domestic industries are critical
1 to the prosperity and national security of the United
2 States.