

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 Committee 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 **SEC. 2. PURPOSE.**

5 The purpose of this Act and the amendments made
6 by this Act is to encourage the development and evaluation
7 of innovative technologies aimed at increasing—

8 (1) the technological and economic competitive-
9 ness of industry and manufacturing in the United
10 States; and

11 (2) the emissions reduction of nonpower indus-
12 trial sectors.

1 **SEC. 3. INDUSTRIAL EMISSIONS REDUCTION TECHNOLOGY**
2 **DEVELOPMENT PROGRAM.**

3 (a) IN GENERAL.—The Energy Independence and
4 Security Act of 2007 is amended by inserting after section
5 453 (42 U.S.C. 17112) the following:

6 **“SEC. 454. INDUSTRIAL EMISSIONS REDUCTION TECH-**
7 **NOLOGY DEVELOPMENT PROGRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) DIRECTOR.—The term ‘Director’ means
10 the Director of the Office of Science and Technology
11 Policy.

12 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
13 tity’ means—

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

16 “(B) an institution of higher education;

17 “(C) a nongovernmental organization;

18 “(D) a National Laboratory;

19 “(E) a private entity; and

20 “(F) a partnership or consortium of 2 or
21 more entities described in subparagraphs (B)
22 through (E).

23 “(3) EMISSIONS REDUCTION.—

24 “(A) IN GENERAL.—The term ‘emissions
25 reduction’ means the reduction of net nonwater

1 greenhouse gas emissions to the atmosphere by
2 energy services and industrial processes.

3 “(B) EXCLUSION.—The term ‘emissions
4 reduction’ does not include the elimination of
5 carbon embodied in the principal products of in-
6 dustrial manufacturing.

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

11 “(5) PROGRAM.—The term ‘program’ means
12 the program established under subsection (b)(1).

13 “(b) INDUSTRIAL EMISSIONS REDUCTION TECH-
14 NOLOGY DEVELOPMENT PROGRAM.—

15 “(1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of the CIT Act of 2019, the
17 Secretary, in coordination with the Director and in
18 consultation with the heads of relevant Federal
19 agencies, National Laboratories, industry, and insti-
20 tutions of higher education, shall establish a re-
21 search, development, and demonstration program to
22 further the development of innovative industrial
23 emissions reduction technologies that—

1 “(A) increase the technological and eco-
2 nomic competitiveness of industry and manufac-
3 turing in the United States; and

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

6 “(2) FOCUS.—In carrying out the program re-
7 ferred to in paragraph (1), the Secretary shall, to
8 the maximum extent practicable, focus on research
9 and technology goals established by the emissions re-
10 duction roadmap developed under section 455.

11 “(3) COORDINATION.—In carrying out the pro-
12 gram, the Secretary shall, to the maximum extent
13 practicable—

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

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

19 “(C) coordinate with the energy-intensive
20 industries program established under section
21 452.

22 “(4) LEVERAGE OF EXISTING RESOURCES.—In
23 carrying out the program, the Secretary shall lever-
24 age, to the maximum extent practicable—

1 “(A) existing resources and programs of
2 the Department and other relevant Federal
3 agencies; and

4 “(B) public-private partnerships.

5 “(c) GRANTS, CONTRACTS, COOPERATIVE AGREE-
6 MENTS, AND DEMONSTRATION PROJECTS.—

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

12 “(2) CONTRACTS AND COOPERATIVE AGREE-
13 MENTS.—In carrying out the program, the Secretary
14 may enter into contracts and cooperative agreements
15 with eligible entities and Federal agencies for
16 projects that the Secretary determines would further
17 the purposes of the program.

18 “(3) DEMONSTRATION PROJECTS.—In sup-
19 porting technologies developed under this section,
20 the Secretary may fund demonstration projects that
21 test and validate technologies described in subsection
22 (c).

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

1 in accordance with section 988 of the Energy Policy
2 Act of 2005 (42 U.S.C. 16352).

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

7 “(e) SPENDING LIMITATION.—No additional funds
8 are authorized to be appropriated to carry out this section,
9 and this section shall be carried out using amounts other-
10 wise available for such purpose.”.

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

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

15 **SEC. 4. INDUSTRIAL TECHNOLOGY INNOVATION ADVISORY**
16 **COMMITTEE.**

17 (a) IN GENERAL.—The Energy Independence and
18 Security Act of 2007 is amended by inserting after section
19 454 (as added by section 3(a)) the following:

20 **“SEC. 455. INDUSTRIAL TECHNOLOGY INNOVATION ADVI-**
21 **SORY COMMITTEE.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) COMMITTEE.—The term ‘Committee’
24 means the Industrial Technology Innovation Advi-
25 sory Committee established under subsection (b).

1 “(2) DIRECTOR.—The term ‘Director’ means
2 the Director of the Office of Science and Technology
3 Policy.

4 “(3) EMISSIONS REDUCTION.—The term ‘emis-
5 sions reduction’ has the meaning given the term in
6 section 454(a).

7 “(4) PROGRAM.—The term ‘program’ means
8 the industrial emissions reduction technology devel-
9 opment program established under section
10 454(b)(1).

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

16 “(c) MEMBERSHIP.—

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

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

23 “(A) not less than 1 representative of each
24 relevant Federal agency, as determined by the
25 Secretary;

1 “(B) not less than 2 representatives of
2 labor groups;

3 “(C) not less than 3 representatives of the
4 research community, which shall include aca-
5 demia and National Laboratories;

6 “(D) not less than 2 representatives of
7 nongovernmental organizations;

8 “(E) not less than 6 representatives of in-
9 dustry, the collective expertise of which shall
10 cover every focus area described in section
11 454(c); and

12 “(F) any other individual whom the Sec-
13 retary, in coordination with the Director, deter-
14 mines to be necessary to ensure that the Com-
15 mittee is comprised of a diverse group of rep-
16 resentatives of industry, academia, independent
17 researchers, and public and private entities.

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

20 “(d) DUTIES.—

21 “(1) IN GENERAL.—The Committee shall—

22 “(A) in consultation with the Secretary
23 and the Director, develop the missions and
24 goals of the program, which shall be consistent

1 with the purposes of the program described in
2 section 454(b)(1); and

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

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

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

13 “(iii) by surveying and analyzing fac-
14 tors that prevent the adoption of emissions
15 reduction technologies by the private sec-
16 tor; and

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

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

23 “(2) EMISSIONS REDUCTION ROADMAP.—

24 “(A) PURPOSE.—The purpose of the road-
25 map developed under paragraph (1)(C) is to

1 achieve the goals of the program in the focus
2 areas described in section 454(e).

3 “(B) CONTENTS.—The roadmap developed
4 under paragraph (1)(C) shall—

5 “(i) specify near-term and long-term
6 qualitative and quantitative objectives re-
7 lating to each focus area described in sec-
8 tion 454(e), including research, develop-
9 ment, and demonstration objectives;

10 “(ii) specify the anticipated timeframe
11 for achieving the objectives specified under
12 clause (i);

13 “(iii) include plans for developing
14 emissions reduction technologies that are
15 globally cost-competitive; and

16 “(iv) identify the appropriate role for
17 investment by the Federal Government, in
18 coordination with the private sector, to
19 achieve the objectives specified under
20 clause (i).

21 “(e) MEETINGS.—

22 “(1) FREQUENCY.—The Committee shall meet
23 not less frequently than 2 times per year, at the call
24 of the Chair.

1 “(2) INITIAL MEETING.—Not later than 30
2 days after the date on which the members are ap-
3 pointed under subsection (b), the Committee shall
4 hold its first meeting.

5 “(f) COMMITTEE REPORT.—

6 “(1) IN GENERAL.—Not later than 2 years
7 after the date of enactment of the CIT Act of 2019,
8 and not less frequently than once every 3 years
9 thereafter, the Committee shall submit to the Sec-
10 retary a report on the progress of achieving the pur-
11 poses of the program.

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

14 “(A) a description of any technology inno-
15 vation opportunities identified by the Com-
16 mittee;

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

20 “(C) a review of the management, coordi-
21 nation, and industry utility of the program, in-
22 cluding recommendations for improving and
23 management of the program;

24 “(D) an evaluation of the progress of the
25 program and the research, development, and

1 demonstration activities funded under the pro-
2 gram;

3 “(E) a description of the manner in which
4 the Committee has carried out the duties de-
5 scribed in subsection (d)(1) and any relevant
6 findings as a result of carrying out those duties;

7 “(F) the roadmap developed by the Com-
8 mittee under subsection (d)(1)(C);

9 “(G) the progress made in achieving the
10 goals set out in that roadmap;

11 “(H) an assessment of the effectiveness of
12 the program in coordinating efforts within the
13 Department and with other Federal agencies to
14 achieve the purposes of the program.

15 “(g) TERMINATION.—The Committee shall terminate
16 on September 30, 2024.

17 “(h) REPORT TO CONGRESS.—Not later than 60 days
18 after receiving a report from the Committee under sub-
19 section (f), the Secretary shall submit a copy of that re-
20 port to the Committee on Science, Space, and Technology
21 of the House of Representatives and the Committee on
22 Energy and Natural Resources of the Senate.

23 “(i) APPLICABILITY OF FEDERAL ADVISORY COM-
24 MITTEE ACT.—Except as otherwise provided in this sec-

1 tion, the Federal Advisory Committee Act (5 U.S.C. App.)
2 shall apply to the Committee.”.

3 (b) TECHNICAL AMENDMENT.—The table of contents
4 of the Energy Independence and Security Act of 2007
5 (Public Law 110–140; 121 Stat. 1494) (as amended by
6 section 3(b)) is amended by inserting after the item relat-
7 ing to section 454 the following:

“Sec. 455. Industrial Technology Innovation Advisory Committee.”.

8 **SEC. 5. TECHNICAL ASSISTANCE PROGRAM TO IMPLEMENT**
9 **INDUSTRIAL EMISSIONS REDUCTION.**

10 (a) IN GENERAL.—The Energy Independence and
11 Security Act of 2007 is amended by inserting after section
12 455 (as added by section 4(a)) the following:

13 **“SEC. 456. TECHNICAL ASSISTANCE PROGRAM TO IMPLE-**
14 **MENT INDUSTRIAL EMISSIONS REDUCTION.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
17 tity’ means—

18 “(A) a State;

19 “(B) a unit of local government;

20 “(C) a territory or possession of the
21 United States;

22 “(D) a relevant State or local office, in-
23 cluding an energy office;

24 “(E) a tribal organization (as defined in
25 section 3765 of title 38, United States Code);

1 “(F) an institution of higher education;

2 and

3 “(G) a private entity.

4 “(2) EMISSIONS REDUCTION.—The term ‘emis-
5 sions reduction’ has the meaning given the term in
6 section 454(a).

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

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

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

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

22 “(d) SPENDING LIMITATION.—No additional funds
23 are authorized to be appropriated to carry out this section,
24 and this section shall be carried out using amounts other-
25 wise available for such purpose.”

1 (b) **TECHNICAL AMENDMENT.**—The table of contents
2 of the Energy Independence and Security Act of 2007
3 (Public Law 110–140; 121 Stat. 1494) (as amended by
4 section 4(b)) is amended by inserting after the item relat-
5 ing to section 455 the following:

“Sec. 456. Technical assistance program to implement industrial emissions re-
duction.”.

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

9 Section 6(a) of the American Energy Manufacturing
10 Technical Corrections Act (42 U.S.C. 6351(a)) is amend-
11 ed—

12 (1) by striking “Industrial Technologies Pro-
13 gram” each place it appears and inserting “Ad-
14 vanced Manufacturing Office”; and

15 (2) in the matter preceding paragraph (1), by
16 striking “Office of Energy” and all that follows
17 through “Office of Science” and inserting “Depart-
18 ment of Energy”.

19 **SEC. 7. SENSE OF CONGRESS.**

20 It is the sense of Congress that power produced from
21 fossil fuels is essential for maintaining the global competi-
22 tiveness of United States manufacturing and industrial
23 processes, and that these domestic industries are critical

1 to the prosperity and national security of the United
2 States.

