

AMENDMENT TO RULES COMMITTEE PRINT

119–33

OFFERED BY MR. BAIRD OF INDIANA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17__ . TECHNOLOGY MATURATION FACILITY PRO-**
2 **GRAM.**

3 (a) **DEFINITIONS.**—In this section:

4 (1) **BIOINDUSTRIAL SECTOR.**—The term “bio-
5 industrial sector” means industries involved in pro-
6 ducing bio-based chemicals, fuels, materials, and
7 other products through biological and biochemical
8 processes.

9 (2) **ELIGIBLE ENTITY.**—The term “eligible enti-
10 ty” means public and private foundations and non-
11 profit organizations, including institutions of higher
12 education, that—

13 (A) are incorporated in the United States;

14 and

15 (B) operate primarily in the United States.

16 (3) **FACILITY.**—The term “facility” means a fa-
17 cility established under subsection (c).

1 (4) FEEDSTOCK.—The term “feedstock” means
2 raw material used as input for industrial processes
3 to produce biofuels, chemicals, or materials, such as
4 agricultural byproducts, microbial or algal biomass,
5 synthetic biological products or components, and
6 waste oils.

7 (5) OPEN ACCESS.—The term “open access”
8 means the use of infrastructure, data, or research
9 resources that are—

10 (A) available without licensing or intellec-
11 tual property barriers; and

12 (B) accessible to public and private entities
13 on an equitable basis.

14 (6) PRODUCT-AGNOSTIC.—The term “product-
15 agnostic”, with respect to a facility, technology, or
16 process means that the facility, technology, or proc-
17 ess can accommodate a variety of end products with-
18 out being limited to a specific output.

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of Commerce, acting through the As-
21 sistant Secretary for Economic Development.

22 (8) TECHNOLOGY MATURATION.—The term
23 “technology maturation” means the development,
24 testing, and scaling of technologies to a level of
25 readiness suitable for commercialization or integra-

1 tion into industrial processes, including activities
2 such as prototyping, pilot-scale testing and dem-
3 onstration, and early-stage manufacturing and mar-
4 ket entry.

5 (b) PURPOSE.—The purpose of this section is to es-
6 tablish technology maturation facilities to provide world-
7 class capabilities, positioning the United States as a leader
8 in bioindustrial innovation and enabling participation in
9 groundbreaking projects through state-of-the-art infra-
10 structure.

11 (c) ESTABLISHMENT.—

12 (1) IN GENERAL.—The Secretary shall establish
13 not less than 3 regional, nonprofit, open access,
14 product-agnostic technology maturation facilities for
15 the bioindustrial sector to ensure the integration of
16 advanced and emerging capabilities such as solid-
17 state, gas, and continuous fermentation methods,
18 biomass processing equipment, and scalable commer-
19 cial-grade fermentation tanks of capacity ranging
20 from 1,500 to over 75,000 liters.

21 (2) OPERATION.—In carrying out this section,
22 the Secretary shall—

23 (A) use a competitive process to carry out
24 paragraph (1) through the award of—

1 (i) planning grants or cooperative
2 agreements to eligible entities for the de-
3 sign, construction, and operation of the fa-
4 cilities; and

5 (ii) implementation grants or coopera-
6 tive agreements to eligible entities that
7 were awarded and completed a planning
8 grant or cooperative agreement under
9 clause (i); and

10 (B) facilitate commercialization activities
11 and technology transfer in coordination with
12 any applicable programs of the Department of
13 Energy and the Department of Defense.

14 (d) IMPLEMENTATION PLAN.—Not later than 180
15 days after the date of enactment of this Act, the Secretary
16 shall submit to Congress a report on plans to implement
17 this section, including, at a minimum—

18 (1) finalized site selection criteria and a de-
19 scription of the decisionmaking process that will be
20 used, including a timeline for selecting facilities;

21 (2) funding allocation methodologies and a de-
22 scription of the decisionmaking process that was
23 used in developing those methodologies;

1 (3) design specifications for facilities, including
2 a plan for consulting with entities outside of the De-
3 partment of Commerce, as appropriate;

4 (4) an outreach strategy for soliciting proposals
5 and engaging key stakeholders across industry, aca-
6 demia, and government, including specific goals to
7 advance the leadership of the United States in the
8 biotechnological and bioindustrial sectors;

9 (5) considerations for how facilities may—

10 (A) complement existing infrastructure of
11 the Department of Energy, the Department of
12 Defense, and other facilities;

13 (B) ensure increased production levels by
14 functioning as a connected network, including
15 by providing fermentation capacity that covers
16 the full range needed for precommercial scale-
17 up; and

18 (C) build on existing initiatives to increase
19 local or regional job opportunities and economic
20 growth and competitiveness; and

21 (6) how the Secretary intends to coordinate
22 with other Federal agencies, such as the Department
23 of Energy and the Department of Defense, to ensure
24 the effective usage of funds, development of capabili-
25 ties, and prioritization of biotechnologies.

1 (e) PROPOSALS AND SELECTION.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date of enactment of this Act, the Secretary
4 shall—

5 (A) solicit proposals from eligible entities
6 for the design, construction, and establishment
7 of the facilities; and

8 (B) select not less than 3 facilities.

9 (2) CONSIDERATIONS.—In selecting facilities
10 under paragraph (1)(B), the Secretary shall—

11 (A) ensure that the facilities are geo-
12 graphically distributed throughout the United
13 States, with preference given to proposals for—

14 (i) facilities located near major feed-
15 stock sources; and

16 (ii) facilities located in areas with es-
17 tablished bioindustrial capabilities;

18 (B) give preference to proposals for—

19 (i) facilities in regions with a dem-
20 onstrated need for enhanced infrastruc-
21 ture, especially in rural areas; and

22 (ii) facilities from eligible entities al-
23 ready engaged in biotechnological and bio-
24 industrial activities.

25 (f) USE OF FUNDS.—

1 (1) IN GENERAL.—Funds provided for a facility
2 under this section shall be used for construction,
3 equipment procurement, and initial operating ex-
4 penses of the facility.

5 (2) DEADLINE.—Funds provided for a facility
6 under this section shall be expended by—

7 (A) not later than 2 years after the date
8 on which the amounts were provided to the fa-
9 cility, in the case of a facility that has existing
10 infrastructure and resources, as determined by
11 the Secretary; and

12 (B) not later than 3 years after the date
13 on which the amounts were provided to the fa-
14 cility, in the case of a facility that is to be con-
15 structed.

16 (g) FACILITY GOALS AND ACTIVITIES.—A facility
17 shall seek—

18 (1) to advance and promote technological inno-
19 vation in bioindustrial processes, including fermenta-
20 tion, biomass processing, and downstream proc-
21 essing;

22 (2) to strengthen national security by de-risking
23 and accelerating the scaling up of emerging bio-
24 technology processes and technologies;

1 (3) to enhance the leadership of the United
2 States in biotechnology through the promotion of in-
3 novation, economic growth, workforce development,
4 and job creation;

5 (4) to establish a secure digital infrastructure
6 for data sharing and process analysis; and

7 (5) to provide unique technical capabilities to
8 sustain the cutting-edge position of the United
9 States in biotechnology in order to enhance economic
10 growth and international competitiveness.

11 (h) OVERSIGHT AND INTERAGENCY COORDINATION
12 AND COLLABORATION.—In carrying out this section, the
13 Secretary shall—

14 (1) if applicable, oversee the design, construc-
15 tion, and establishment of the facilities to ensure the
16 integration of advanced and emerging capabilities;

17 (2) establish partnerships with industry, institu-
18 tions of higher education, and other Federal agen-
19 cies to maximize the impact and utilization of the fa-
20 cilities;

21 (3) develop and implement policies to ensure eq-
22 uitable and open access to the facilities for public
23 and private sector entities, with a focus on inclusion
24 of rural communities;

1 (4) pursue cost-sharing and co-funding arrange-
2 ments or opportunities with private sector stake-
3 holders to supplement Federal funding and promote
4 financial sustainability; and

5 (5) coordinate and consult with relevant stake-
6 holders to identify suitable locations and capabilities
7 objectives for the facilities, which stakeholders may
8 include—

9 (A) other Federal agencies, such as the
10 Department of Energy, including the National
11 Laboratories;

12 (B) the defense community, including the
13 Department of Defense and BioMADE;

14 (C) industry partners, including nonprofit
15 organizations;

16 (D) the agricultural community and rel-
17 evant Federal agencies, including the Depart-
18 ment of Agriculture;

19 (E) the transportation sector and relevant
20 Federal agencies, including the Department of
21 Transportation;

22 (F) Federal education and workforce devel-
23 opment programs, including the National
24 Science Foundation;

25 (G) institutions of higher education;

- 1 (H) rural community stakeholders;
2 (I) State and local governments; and
3 (J) international bodies with relevant sci-
4 entific expertise.

5 (i) INTELLECTUAL PROPERTY PROTECTIONS.—

6 (1) FEDERAL EMPLOYEE CONTRIBUTIONS.—

7 Any intellectual property created by a Federal em-
8 ployee at a facility in the performance of the duties
9 of that employee shall be considered to be part of
10 the public domain.

11 (2) OTHER ENTITIES.—Any intellectual prop-
12 erty created by an individual at a facility who is not
13 described in paragraph (1) shall be protected under
14 applicable intellectual property laws, subject to the
15 terms of the agreement that the individual has en-
16 tered into with the Secretary.

17 (3) DATA SHARING.—To the maximum extent
18 practicable, the facilities shall establish secure, inter-
19 operable digital systems to facilitate data exchange
20 across government, academia, and industry.

21 (j) REPORTS.—Not less frequently than annually, the
22 Secretary shall submit to Congress a report that in-
23 cludes—

- 24 (1) a description of the progress on the con-
25 struction and operation of the facilities;

- 1 (2) metrics on facility activities, including—
- 2 (A) data on usage and participation by
- 3 public and private sector entities;
- 4 (B) a description of ongoing and completed
- 5 projects of the facilities related to scale-up and
- 6 commercialization of biotechnologies; and
- 7 (C) any additional relevant metrics, such
- 8 as—
- 9 (i) workforce training and develop-
- 10 ment, including engagement with local or
- 11 regional academic institutions; and
- 12 (ii) domestic and local job creation;
- 13 (3) financial reports that detail expenditures
- 14 and cost-sharing contributions of the facilities, in-
- 15 cluding access to private capital; and
- 16 (4) a description of any obstacles encountered
- 17 by the facilities in carrying out facility activities and
- 18 achieving the goals described in subsection (g).
- 19 (k) AUTHORIZATION OF APPROPRIATIONS.—
- 20 (1) IN GENERAL.—There are authorized to be
- 21 appropriated to the Secretary to carry out this sec-
- 22 tion—
- 23 (A) \$345,000,000 for the period of fiscal
- 24 years 2026 through 2028; and

1 (B) \$117,000,000 for the period of fiscal
2 years 2029 through 2030.

3 (2) ADMINISTRATIVE COSTS.—Of the amounts
4 made available for each fiscal year under paragraph
5 (1), the Secretary may use not more than 7.5 per-
6 cent for the administrative and oversight costs of
7 implementing this section.

8 (1) SUNSET.—

9 (1) IN GENERAL.—Subject to paragraph (2),
10 the authority to establish and operate a facility
11 under this section shall terminate on the date that
12 is 10 years after the date of enactment of this Act.

13 (2) CONTINUED OPERATION.—The Secretary
14 may allow a facility that demonstrates successful
15 performance to continue to operate after the date
16 described in paragraph (1), subject to ongoing over-
17 sight by the Secretary.

