

Update on the SBIR and STTR Programs at the Department of Energy

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U.S. DEPARTMENT OF
ENERGY

Office of SBIR/STTR
Programs

SBIR/STTR Reauthorization

- The authorization for the SBIR/STTR programs is scheduled to expire on September 30, 2022
- Congress is working to reauthorize the programs but has not reached a compromise on the program changes. Issues under discussion include
 - *Foreign Risk Management*
 - *Open Topics*
 - *Increased Performance Standards for Experienced Firms*
- There is potential for a lapse in authorization if a bill is not passed by the end of September or an authorization extension is not included in a Continuing Resolution
 - *Agencies would not be able to issue new SBIR/STTR solicitations and awards*
 - *Awards issued prior to the lapse in authorization would not be impacted*

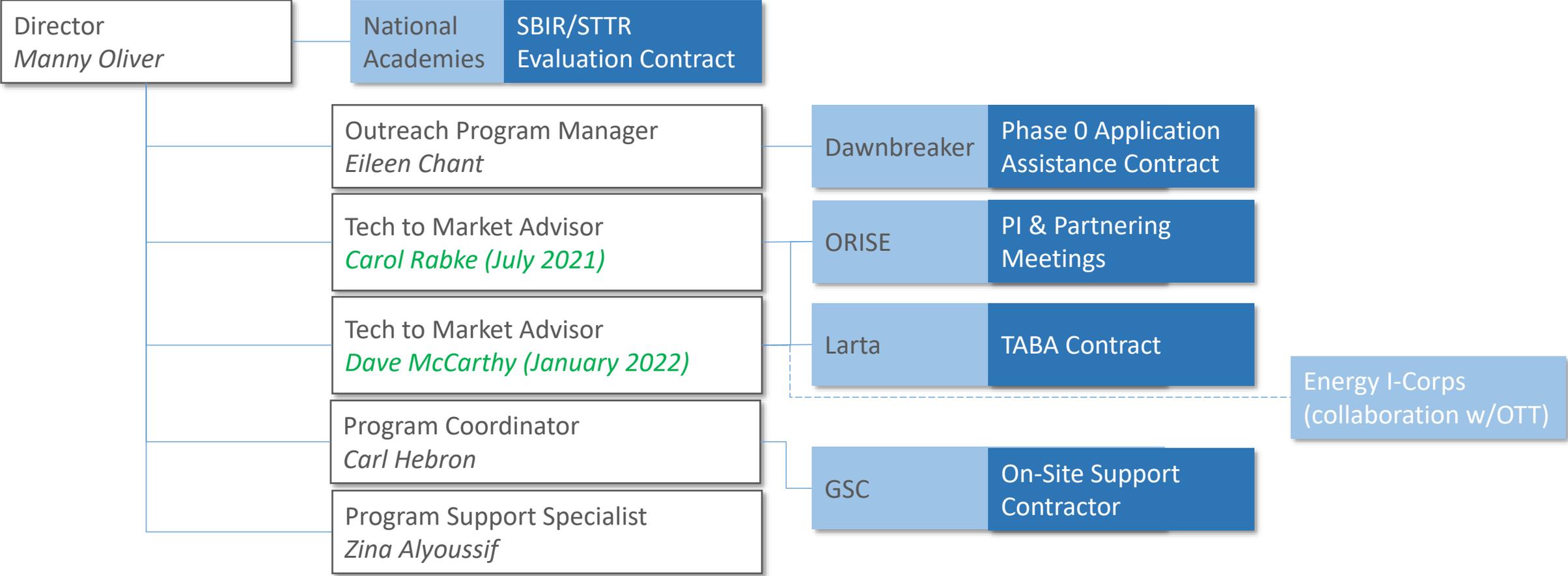


Existing Performance Standards

Benchmark	Qualifying Event	Measurement Period	Required Outcome
Phase I to Phase II	>20 Phase I Awards	5 year window (excluding most recent fiscal year)	number of Phase II awards divided by the number of Phase I awards \geq 25%
Commercialization	> 15 Phase II Awards	10 year window (excluding two most recent fiscal years)	\geq \$100K in investment/sales per Phase II award OR number of patents \geq 15% of number of Phase II awards

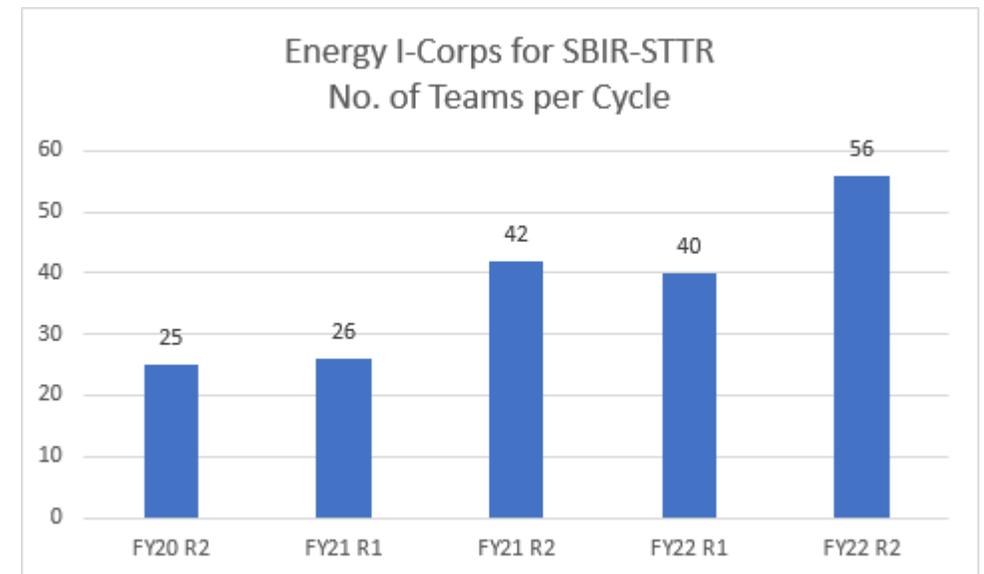


DOE SBIR/STTR Programs Office



Energy I-Corps

- Continuing to grow this optional training for Phase I awardees by adding new instructors
- Seeing positive impacts on the quality of Phase II commercialization plans
 - *“I have run a successful 20-person business for 34 years and learned more in six weeks about venturing into a new space than I could ever have imagined.”*
 - *“The single best thing you can do for commercialization. My approach to commercialization has completely changed (and for the better).”*



Technical and Business Assistance (TABA)

- Recompeting contract for DOE TABA Vendor
 - *Anticipate contract award in September and service to be provided beginning in October*
 - *TABA vendor will only be providing Phase I services*
- All Phase II awardees must provide their own vendors beginning in FY 2022
 - *74% of FY 2022 Awardees utilized their own TABA vendors*



Partnering

- Putting in place a number of partnering activities in FY 2023
 - *Individual Partnering Assistance*
 - Reach out to Carol Rabke, carol.rabke@science.doe.gov
 - *Partnering website*
 - Under development with mid-2023 launch
 - Temporary listing of manufacturing, engineering design, testing/validation, and commercialization services available here: <https://science.osti.gov/sbir/Partnering-Resources>
 - *Strategic Partner Introductions (virtual)*
 - Industry-focused sessions with Phase II awardee pitches and 1:1 meetings
 - *Partnering Workshops (virtual)*
 - Workshops focused on commercialization-related activities (e.g. manufacturing strategy, licensing, . . .)



U.S. Competitiveness Requirement

- DOE SBIR/STTR solicitations, beginning in FY 2022, contain the following provision to support manufacturing of SBIR/STTR inventions in the United States
 - *“any products embodying any subject invention or produced through the use of any subject invention will be manufactured substantially in the United States unless the Contractor can show to the satisfaction of DOE that it is not commercially feasible.”*



Risk and Research Security

- Greater concern about the potential loss of Federally funded research to foreign countries
 - *Presidential Memorandum on Government Supported Research and Development National Security Policy (NSPM-33), issued on January 14, 2021*
 - Guidance for Implementing National Security Presidential Memorandum 33 (NSPM-33), issued in January 2022 (<https://www.whitehouse.gov/wp-content/uploads/2022/01/010422-NSPM-33-Implementation-Guidance.pdf>)
 - *Being addressed in SBIR/STTR Reauthorization*
 - *New language in Office of Science FOAs for FY 2023*



FY 2023 SBIR/STTR FOAs: Review of Risk

Review of Risk

Pursuant to 2 CFR 200.206, DOE will conduct a review of any potential risks posed by the applicant. Such review of risk will include: Quality of the application, Reports and findings from audits performed under 2 CFR 200 and/or 2 CFR 910, and Systems maintained under 2 CFR 180 DOE may make use of other publicly available information and the history of an applicant's performance under DOE or other Federal agency awards.

Applicants with no prior performance of DOE awards may be asked to provide information about their financial stability and or their ability to comply with the management standards of 2CFR 200.

DOE may incorporate specific award conditions of a programmatic and/or administrative nature if an applicant exhibits one or more high-risk factors under 2 CFR 200.208.

Further, DOE may conduct a review, through Government resources, of the applicant and project personnel with a connection to a foreign country. This includes, but is not limited to, (1) performance of work in, (2) travel to, and (3) awardee personnel's higher education in a foreign country, as well as (4) partnerships with international collaborators.

The result(s) of any pre-award review of risk may supersede the results of merit review under 2CFR 200.205, preventing DOE from selecting an application for award, reversing a selection for award, or requiring the disengagement of specific personnel. The results of any post-award review of risk may result in requiring the disengagement of specific personnel, the imposition of other requirements, or the termination of an award that "no longer effectuates the program goals or agency priorities" under 2 CFR 200.340(a)(2). 2 CFR 200.206(c).

Pursuant to 2 CFR 910.128, the results of any pre-award review of risk are not appealable. Any pre-award decision to not select an application for award, reverse a selection for award, or require the disengagement of specific personnel will be made by the Selection Official or SC Program Official. Pursuant to 2 CFR 910.128, the results of any post-award review of risk may be appealable. Any post-award decision to require the disengagement of specific personnel, the imposition of other requirements, or the termination of an award will be made by the Contracting Officer.

REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE (DECEMBER 2015)

DOE, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313); The applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM; DOE will consider any written comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in §200.206 Federal awarding agency review of risk posed by applicants.

