

**FINANCIAL ASSISTANCE
FUNDING OPPORTUNITY ANNOUNCEMENT**



**ADVANCED RESEARCH PROJECTS AGENCY – ENERGY (ARPA-E)
U.S. DEPARTMENT OF ENERGY**

***BREAKTHROUGHS ENABLING THERMONUCLEAR-FUSION
ENERGY (BETHE)***

Announcement Type: Initial Announcement
Funding Opportunity No. DE-FOA-0002212
CFDA Number 81.135

Funding Opportunity Announcement (FOA) Issue Date:	Thursday, November 7, 2019
Deadline for Questions to ARPA-E-CO@hq.doe.gov:	5 PM ET, Friday, January 3, 2020
Submission Deadline for Full Applications:	9:30 AM ET, Tuesday, January 14, 2020
Submission Deadline for Replies to Reviewer Comments:	5 PM ET, Friday, February 28, 2020
Expected Date for Selection Notifications:	April 2020
Total Amount to Be Awarded	Approximately \$30 million, subject to the availability of appropriated funds.
Anticipated Awards	ARPA-E may issue one, multiple, or no awards under this FOA. Awards may vary between \$150,000 and \$10 million, not including cost share.

- For eligibility criteria, see Section III.A of the FOA.
- For cost share requirements under this FOA, see Section III.B of the FOA.
- To apply to this FOA, Applicants must register with and submit application materials through ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/Registration.aspx>). For detailed guidance on using ARPA-E eXCHANGE, see Section IV.G.1 of the FOA.
- Applicants are responsible for meeting each submission deadline. Applicants are strongly encouraged to submit their applications at least 48 hours in advance of the submission deadline.
- For detailed guidance on compliance and responsiveness criteria, see Sections III.C.1 through III.C.4 of the FOA.

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

TABLE OF CONTENTS

REQUIRED DOCUMENTS CHECKLIST	- 1 -
I. FUNDING OPPORTUNITY DESCRIPTION	- 2 -
A. AGENCY OVERVIEW	- 2 -
B. PROGRAM OVERVIEW	- 3 -
1. INTRODUCTION	- 3 -
2. BACKGROUND	- 4 -
3. MOTIVATION	- 5 -
C. PROGRAM OBJECTIVES	- 5 -
D. TECHNICAL CATEGORIES OF INTEREST	- 6 -
E. TECHNICAL PERFORMANCE TARGETS	- 7 -
1. CONCEPT DEVELOPMENT (CATEGORY A)	- 7 -
2. COMPONENT TECHNOLOGY DEVELOPMENT (CATEGORY B)	- 11 -
3. CAPABILITY TEAMS (CATEGORY C)	- 11 -
II. AWARD INFORMATION	- 13 -
A. AWARD OVERVIEW	- 13 -
B. RENEWAL AWARDS	- 14 -
C. ARPA-E FUNDING AGREEMENTS	- 14 -
1. COOPERATIVE AGREEMENTS	- 14 -
2. FUNDING AGREEMENTS WITH FFRDCs/DOE LABS, GOGOs, AND FEDERAL INSTRUMENTALITIES	- 15 -
3. OTHER TRANSACTIONS AUTHORITY	- 15 -
D. STATEMENT OF SUBSTANTIAL INVOLVEMENT	- 16 -
III. ELIGIBILITY INFORMATION	- 17 -
A. ELIGIBLE APPLICANTS	- 17 -
1. INDIVIDUALS	- 17 -
2. DOMESTIC ENTITIES	- 17 -
3. FOREIGN ENTITIES	- 17 -
4. CONSORTIUM ENTITIES	- 18 -
B. COST SHARING	- 18 -
1. BASE COST SHARE REQUIREMENT	- 19 -
2. INCREASED COST SHARE REQUIREMENT	- 19 -
3. REDUCED COST SHARE REQUIREMENT	- 19 -
4. LEGAL RESPONSIBILITY	- 20 -
5. COST SHARE ALLOCATION	- 20 -
6. COST SHARE TYPES AND ALLOWABILITY	- 20 -
7. COST SHARE CONTRIBUTIONS BY FFRDCs AND GOGOs	- 21 -
8. COST SHARE VERIFICATION	- 22 -
C. OTHER	- 22 -
1. COMPLIANT CRITERIA	- 22 -
2. RESPONSIVENESS CRITERIA	- 23 -
3. SUBMISSIONS SPECIFICALLY NOT OF INTEREST	- 23 -
4. LIMITATION ON NUMBER OF SUBMISSIONS	- 24 -

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IV.	APPLICATION AND SUBMISSION INFORMATION	- 25 -
A.	APPLICATION PROCESS OVERVIEW	- 25 -
1.	REGISTRATION IN ARPA-E eXCHANGE.....	- 25 -
2.	FULL APPLICATIONS	- 25 -
3.	REPLY TO REVIEWER COMMENTS	- 25 -
4.	PRE-SELECTION CLARIFICATIONS AND “DOWN-SELECT” PROCESS	- 25 -
5.	SELECTION FOR AWARD NEGOTIATIONS	- 26 -
B.	APPLICATION FORMS	- 26 -
C.	CONTENT AND FORM OF FULL APPLICATIONS.....	- 26 -
1.	FIRST COMPONENT: TECHNICAL VOLUME	- 28 -
2.	SECOND COMPONENT: COSTING TEMPLATE	- 28 -
3.	THIRD COMPONENT: SF-424	- 28 -
4.	FOURTH COMPONENT: BUDGET JUSTIFICATION WORKBOOK/SF-424A	- 29 -
5.	FIFTH COMPONENT: SUMMARY FOR PUBLIC RELEASE	- 30 -
6.	SIXTH COMPONENT: SUMMARY SLIDE	- 31 -
7.	SEVENTH COMPONENT: BUSINESS ASSURANCES & DISCLOSURES FORM	- 31 -
8.	EIGHTH COMPONENT: U.S. MANUFACTURING PLAN	- 32 -
D.	CONTENT AND FORM OF REPLIES TO REVIEWER COMMENTS	- 33 -
E.	INTERGOVERNMENTAL REVIEW	- 34 -
F.	FUNDING RESTRICTIONS	- 34 -
1.	ALLOWABLE COSTS	- 34 -
2.	PRE-AWARD COSTS	- 34 -
3.	PATENT COSTS	- 34 -
4.	CONSTRUCTION	- 35 -
5.	FOREIGN TRAVEL	- 35 -
6.	PERFORMANCE OF WORK IN THE UNITED STATES	- 35 -
7.	PURCHASE OF NEW EQUIPMENT	- 35 -
8.	TECHNOLOGY TRANSFER AND OUTREACH	- 36 -
9.	LOBBYING	- 37 -
10.	CONFERENCE SPENDING	- 37 -
11.	INDEPENDENT RESEARCH AND DEVELOPMENT COSTS	- 37 -
G.	OTHER SUBMISSION REQUIREMENTS	- 38 -
1.	USE OF ARPA-E eXCHANGE	- 38 -
V.	APPLICATION REVIEW INFORMATION	- 40 -
A.	CRITERIA	- 40 -
1.	CRITERIA FOR FULL APPLICATIONS	- 40 -
2.	CRITERIA FOR REPLIES TO REVIEWER COMMENTS	- 41 -
B.	REVIEW AND SELECTION PROCESS	- 41 -
1.	PROGRAM POLICY FACTORS	- 41 -
2.	ARPA-E REVIEWERS	- 42 -
3.	ARPA-E SUPPORT CONTRACTOR	- 43 -
C.	ANTICIPATED ANNOUNCEMENT AND AWARD DATES	- 43 -
VI.	AWARD ADMINISTRATION INFORMATION	- 44 -

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

A.	AWARD NOTICES	- 44 -
1.	REJECTED SUBMISSIONS	- 44 -
2.	FULL APPLICATION NOTIFICATIONS.....	- 44 -
B.	ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS	- 45 -
1.	DUNS NUMBER AND SAM, FSRS, AND FEDCONNECT REGISTRATIONS	- 45 -
2.	NATIONAL POLICY ASSURANCES.....	- 46 -
3.	PROOF OF COST SHARE COMMITMENT AND ALLOWABILITY	- 46 -
4.	COST SHARE PAYMENTS	- 46 -
5.	ENVIRONMENTAL IMPACT QUESTIONNAIRE	- 46 -
6.	TECHNOLOGY-TO-MARKET PLAN	- 47 -
7.	INTELLECTUAL PROPERTY AND DATA MANAGEMENT PLANS	- 47 -
8.	U.S. MANUFACTURING REQUIREMENT	- 48 -
9.	CORPORATE FELONY CONVICTIONS AND FEDERAL TAX LIABILITY.....	- 50 -
10.	APPLICANT RISK ANALYSIS.....	- 50 -
11.	RECIPIENT INTEGRITY AND PERFORMANCE MATTERS.....	- 50 -
12.	NONDISCLOSURE AND CONFIDENTIALITY AGREEMENTS REPRESENTATIONS.....	- 51 -
C.	REPORTING	- 52 -
VII.	AGENCY CONTACTS	- 53 -
A.	COMMUNICATIONS WITH ARPA-E	- 53 -
B.	DEBRIEFINGS	- 54 -
VIII.	OTHER INFORMATION.....	- 55 -
A.	TITLE TO SUBJECT INVENTIONS	- 55 -
B.	GOVERNMENT RIGHTS IN SUBJECT INVENTIONS.....	- 55 -
1.	GOVERNMENT USE LICENSE	- 56 -
2.	MARCH-IN RIGHTS	- 56 -
C.	RIGHTS IN TECHNICAL DATA.....	- 56 -
D.	PROTECTED PERSONALLY IDENTIFIABLE INFORMATION	- 57 -
E.	FOAs AND FOA MODIFICATIONS	- 57 -
F.	OBLIGATION OF PUBLIC FUNDS.....	- 58 -
G.	REQUIREMENT FOR FULL AND COMPLETE DISCLOSURE	- 58 -
H.	RETENTION OF SUBMISSIONS	- 58 -
I.	MARKING OF CONFIDENTIAL INFORMATION	- 58 -
J.	COMPLIANCE AUDIT REQUIREMENT	- 59 -
IX.	GLOSSARY	- 60 -

REQUIRED DOCUMENTS CHECKLIST

For an overview of the application process, see Section IV.A of the FOA.

For guidance regarding requisite application forms, see Section IV.B of the FOA.

For guidance regarding the content and form of Full Applications and Replies to Reviewer Comments, see Sections IV.C and IV.D of the FOA.

SUBMISSION	COMPONENTS	OPTIONAL/ MANDATORY	FOA SECTION	DEADLINE
Full Application	<ul style="list-style-type: none"> Each Applicant must submit a Technical Volume in Adobe PDF format by the stated deadline. Applicants may use the Technical Volume template available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov). The Technical Volume must include the following, including the detailed information requested in Sections 1-5 of the provided Technical Volume template: <ul style="list-style-type: none"> Executive Summary (1 page max.) Sections 1-5 (20 pages max.) <ul style="list-style-type: none"> 1. Innovation and Impact 2. Proposed Work 3. Team Organization and Capabilities 4. Technology to Market 5. Budget Bibliographic References (no page limit) Personal Qualification Summaries (each PQS limited to 3 pages in length, no cumulative page limit) The Technical Volume must be accompanied by: <ul style="list-style-type: none"> Costing spreadsheet (Category A only (except those specifically exempt), no page limit, Microsoft Excel format) – Applicants may use the template available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov); SF-424 (no page limit, Adobe PDF format); Budget Justification Workbook/SF424A (no page limit, Microsoft Excel format) Summary for Public Release (250 words max., Adobe PDF format); Summary Slide (1 page limit, Microsoft PowerPoint format) – Applicants may use the Summary Slide template available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov); Completed and signed Business Assurances & Disclosures Form (no page limit, Adobe PDF format); and U.S. Manufacturing Plan (1 page limit, Adobe PDF format). 	Mandatory	IV.C	9:30 AM ET, Tuesday, January 14, 2020
Reply to Reviewer Comments	<ul style="list-style-type: none"> Each Applicant may submit a Reply to Reviewer Comments in Adobe PDF format. This submission is optional. Applicants may use the Reply to Reviewer Comments template available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov). The Reply may include: <ul style="list-style-type: none"> Up to 2 pages of text; and Up to 1 page of images. 	Optional	IV.D	5 PM ET, Friday, February 28, 2020

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

I. FUNDING OPPORTUNITY DESCRIPTION

A. AGENCY OVERVIEW

The Advanced Research Projects Agency – Energy (ARPA-E), an organization within the Department of Energy (DOE), is chartered by Congress in the America COMPETES Act of 2007 (P.L. 110-69), as amended by the America COMPETES Reauthorization Act of 2010 (P.L. 111-358) to:

- “(A) to enhance the economic and energy security of the United States through the development of energy technologies that result in—
 - (i) reductions of imports of energy from foreign sources;
 - (ii) reductions of energy-related emissions, including greenhouse gases; and
 - (iii) improvement in the energy efficiency of all economic sectors; and
- (B) to ensure that the United States maintains a technological lead in developing and deploying advanced energy technologies.”

ARPA-E issues this Funding Opportunity Announcement (FOA) under the programmatic authorizing statute codified at 42 U.S.C. § 16538. The FOA and any awards made under this FOA are subject to 2 C.F.R. Part 200 as amended by 2 C.F.R. Part 910.

ARPA-E funds research on and the development of high-potential, high-impact energy technologies that are too early for private-sector investment. The agency focuses on technologies that can be meaningfully advanced with a modest investment over a defined period of time in order to catalyze the translation from scientific discovery to early-stage technology. For the latest news and information about ARPA-E, its programs and the research projects currently supported, see: <http://arpa-e.energy.gov/>.

ARPA-E funds transformational research. Existing energy technologies generally progress on established “learning curves” where refinements to a technology and the economies of scale that accrue as manufacturing and distribution to develop drive down the cost/performance metric in a gradual fashion. This continual improvement of a technology is important to its increased commercial deployment and is appropriately the focus of the private sector or the applied technology offices within DOE. By contrast, ARPA-E supports transformative research that has the potential to create fundamentally new learning curves. ARPA-E technology projects typically start with cost/performance estimates well above the level of an incumbent technology. Given the high risk inherent in these projects, many will fail to progress, but some may succeed in generating a new learning curve with a projected cost/performance metric that is significantly lower than that of the incumbent technology.

ARPA-E funds technology with the potential to be disruptive in the marketplace. The mere creation of a new learning curve does not ensure market penetration. Rather, the ultimate value of a technology is determined by the marketplace, and impactful technologies ultimately become disruptive – that is, they are widely adopted and displace existing technologies from

the marketplace or create entirely new markets. ARPA-E understands that definitive proof of market disruption takes time, particularly for energy technologies. Therefore, ARPA-E funds the development of technologies that, if technically successful, have the clear disruptive potential, e.g., by demonstrating capability for manufacturing at competitive cost and deployment at scale.

ARPA-E funds applied research and development. The Office of Management and Budget defines “applied research” as an “original investigation undertaken in order to acquire new knowledge...directed primarily towards a specific practical aim or objective” and defines “experimental development” as “creative and systematic work, drawing on knowledge gained from research and practical experience, which is directed at producing new products or processes or improving existing products or processes.”¹ Applicants interested in receiving financial assistance for basic research should contact the DOE’s Office of Science (<http://science.energy.gov/>). Office of Science national scientific user facilities (<http://science.energy.gov/user-facilities/>) are open to all researchers, including ARPA-E Applicants and awardees. These facilities provide advanced tools of modern science including accelerators, colliders, supercomputers, light sources and neutron sources, as well as facilities for studying the nanoworld, the environment, and the atmosphere. Projects focused on early-stage R&D for the improvement of technology along defined roadmaps may be more appropriate for support through the DOE applied energy offices including: the Office of Energy Efficiency and Renewable Energy (<http://www.eere.energy.gov/>), the Office of Fossil Energy (<http://fossil.energy.gov/>), the Office of Nuclear Energy (<http://www.energy.gov/ne/office-nuclear-energy>), and the Office of Electricity Delivery and Energy Reliability (<http://energy.gov/oe/office-electricity-delivery-and-energy-reliability>).

B. PROGRAM OVERVIEW

1. INTRODUCTION

ARPA-E aims to support the development of *timely, commercially viable* fusion energy.² Based on numerous studies examining the cost challenges facing advanced nuclear energy,³ which shares some attributes with fusion such as unit size, capital cost, and power-generation characteristics, ARPA-E believes that a commercial fusion power plant should target an overnight capital cost (OCC) of <US\$2B and <\$5/W.⁴ If a grid-ready fusion demonstration can be realized within approximately twenty years while satisfying these cost metrics, then, as a

¹ OMB Circular A-11 (https://www.whitehouse.gov/wp-content/uploads/2018/06/a11_web_toc.pdf), Section 84, pg. 3.

² See agenda and posted materials from [ARPA-E fusion workshop](#), Burlingame, CA, Aug. 13–14, 2019.

³ e.g., [The Future of Nuclear Energy in a Carbon-Constrained World, An Interdisciplinary MIT Study](#), MIT Energy Initiative (2018).

⁴ Assuming 10th-of-a-kind for the fusion-specific systems and *n*th-of-a-kind for the balance of plant.

firm low-carbon energy source, fusion can contribute to meeting global, growing low-carbon energy demand and cost-effective deep decarbonization⁵ in the latter half of the century.

This program addresses the need to lower the costs of development and eventual deployment of commercial fusion energy by supporting R&D to increase the performance and number of credible, lower-cost fusion concepts. Full Applications are invited in the three research categories⁶ described in Section I.D of the FOA. Criteria and metrics are described in Section I.E of the FOA. The technology-to-market (T2M) component of this program, via a number of planned activities at the project and program levels, aims to build and smooth the path to fusion commercialization to include public, private, and philanthropic partnerships.

2. BACKGROUND

Controlled fusion has long been regarded as the ideal energy source—safe, clean, and abundant. Although this promise is still unfulfilled, fusion stands on the cusp of achieving net energy breakeven. The state-of-the-art experimental fusion research device, ITER⁷ (a multi-national project being built in France), aims to reach the net-energy milestone via the lowest-scientific-risk path. ITER is an impressive undertaking and has a construction schedule spanning two decades at a capital cost of >US\$25B. In the late 2030s, ITER is projected to achieve 500 MW_{th} of fusion power in 500-s pulses, a remarkable achievement that will advance fusion science and engineering. However given the long timelines⁸ and likely high capital costs to realize a grid-ready fusion demonstration, ITER alone will not lead to a timely, commercially viable energy source.

ARPA-E's first fusion program, ALPHA (2015–2019),^{9,10,11} recognized the significant barrier that cost has become to fusion-energy development and the growing mismatch between high-capital-cost, GWe-scale fusion facilities and modern energy markets. Therefore, ALPHA focused on developing a particular class of potentially transformative fusion concepts and related technologies (i.e., pulsed, intermediate-density fusion concepts) that could significantly lower

⁵ N. A. Sepulveda et al., "[The Role of Firm Low-Carbon Electricity Resources in Deep Decarbonization of Power Generation](#)," *Joule* **2**, 2403 (2018).

⁶ At the recent ARPA-E fusion workshop (see footnote 2), a potential program covering both "lower-cost fusion concept development" and "fusion enabling technologies" was discussed (for the latter, see also ARPA-E [Request for Information \(RFI\) DE-FOA-0002131](#), released May 6, 2019). Please note that this program, BETHE, covers the former but only a subset of the latter, as described in detail in Section I.D of the FOA. ARPA-E recognizes that serious development of fusion enabling technologies must be initiated as soon as possible to meet the objective of a grid-ready fusion demonstration in 20 years, and is exploring a potential, separate program focused on that topic.

⁷ www.iter.org.

⁸ L. El-Guebaly, "Worldwide Timelines for Fusion Energy," [white paper](#) submitted to National Academies study committee on [A Strategic Plan for U.S. Burning Plasma Research](#) (2017).

⁹ [Accelerating Low-Cost Plasma Heating and Assembly](#).

¹⁰ ["Prospects for Low Cost Fusion Development," JASON report JSR-18-011 \(2018\).](#)

¹¹ C. L. Nehl et al., "[Retrospective of the ARPA-E ALPHA program](#)," *J. Fusion Energy* **38**, 506 (2019); <https://doi.org/10.1007/s10894-019-00226-4>.

the costs both for development and eventual deployment. Concurrently, a rapidly growing number of privately funded fusion companies¹² are pursuing diverse, mostly less-developed fusion approaches. While less scientifically mature than ITER, these concepts potentially offer reduced cost, size, complexity, and eventual nameplate (i.e., rated) generation capacity compared to the GWe-scale fusion power plants extrapolating from ITER. However, these companies face daunting technical and business/financing risks.

3. MOTIVATION

Fusion must lower its costs of development/deployment and accelerate its development timeline to have appreciable impact this century.¹³ However, it is generally difficult for developers of attractive, lower-cost fusion concepts to secure adequate levels of funding to meet performance milestones. Firstly, there is presently no federally sponsored program to support lower-cost fusion concepts,¹⁴ except for the recently launched INFUSE¹⁵ national-laboratory voucher program (\$2M total in FY19). Secondly, it is difficult to attract private funding because most of the lower-cost concepts are based on a variety of less-proven scientific and/or technological innovations relative to ITER. Although the private funding invested thus far (>\$1.5B into private fusion companies) demonstrates a strong market pull for lower-cost fusion concepts, it will be extremely challenging for private funding alone to realize a grid-ready fusion demonstration. This generally untenable situation for lower-cost fusion concept development is a strong motivator for this program.

C. PROGRAM OBJECTIVES

The program objective is to help enable an eventual grid-ready fusion demonstration with OCC <US\$2B and <\$5/W by (1) developing and advancing the performance of multiple lower-cost (see Section I.E of the FOA for cost metrics) fusion concepts, and (2) reducing the capital cost of more-mature, higher-cost concepts through development and application of new, innovative component technologies. ARPA-E believes that the existence of a larger number of lower-cost fusion concepts above threshold values of verified performance (see Section I.E of the FOA for milestones and metrics), which is lacking today, could attract further private investments and build the foundation for a sustainable public-private partnership to develop fusion energy. In this partnership scenario, riskier, early-stage development is supported primarily through federal funding, while performance and engineering scale-up is supported primarily through private investments.¹⁶

¹² e.g., member companies of the [Fusion Industry Association](#), including several companies supported by ALPHA.

¹³ L. Spangher, J. S. Vitter, and R. Umstattd, "[Characterizing fusion market entry via an agent-based power plant fleet model](#)," *Energy Strat. Rev.* **26**, 100404 (2019).

¹⁴ For details and history, see [prepared statement](#) by S. C. Hsu, hearing on [An Overview of Fusion Energy Science](#), Energy Subcommittee of the U.S. House Committee on Science, Space, and Technology, April 16, 2016.

¹⁵ <http://infuse.ornl.gov>, based on the [GAIN](#) program of the Office of Nuclear Energy.

¹⁶ This model is discussed in detail in S. Woodruff et al., "[Path to Market for Compact Modular Fusion Power Cores](#)," *J. Fusion Energy* **31**, 305 (2012).

ARPA-E recognizes that a number of significant scientific and technical challenges remain to be solved before a grid-ready fusion demonstration is possible. It must be emphasized that ARPA-E does not expect any project in this program to achieve net-energy breakeven, let alone a grid-ready demonstration, before the end of the program. Specifically, this program aims to enable at least two or three lower-cost concepts to reach $T_e, T_i \geq 1$ keV for the first time (for those concepts), where T_e and T_i are the electron and ion temperatures, respectively. Similarly, the program aims to enable at least one concept to achieve fusion triple product¹⁷ $nT\tau_E \geq 10^{18}$ keV·s/m³ the first time (for that concept). These performance metrics represent a significant reduction in scientific risk for fusion concepts and, thus, a more attractive reward-to-risk ratio for private investors. In addition, this program aims to develop and demonstrate prototype component technologies that could significantly reduce the cost of two or three higher-cost, more-mature fusion concepts.

Concurrently, the T2M component of the program seeks to smooth the path to fusion commercialization by supporting entrepreneurial team building, market identification, techno-economic analysis (TEA), investor engagement to build finance scaling in partnership with federal programs, and advocacy engagement to build public acceptance for fusion energy. The T2M component may also support fusion-safety analyses of lower-cost concepts to inform engagements with the Nuclear Regulatory Commission (NRC) and other industry stakeholders.

D. TECHNICAL CATEGORIES OF INTEREST

Applicants must select one of three technical research categories:

- A. Concept Development** (\$150k–\$10M/project, not including cost share): each project in this category will develop a specific, lower-cost fusion concept as measured against the performance-based milestones in Table 1 of Section I.E of the FOA. Concepts that require >\$10M of federal funding to advance to their next milestone are not eligible for this category (but please see Category B below). ARPA-E expects to support multiple different concepts/projects in this category at a range of entry and exit milestones with commensurate budgets. Concepts from the full range of thermonuclear parameter space¹⁸ (i.e., from low-density magnetically confined to high-density inertially confined systems) are eligible. Non-thermonuclear (i.e., with non-thermal fuel ions) concepts will be considered if they are not excluded in Section III.C.3 of the FOA. Table 1 of Section I.E

¹⁷ The fusion triple product $nT\tau_E$ [where n (ions/m³) is the fuel density, T (keV) is the plasma temperature (where 1 keV is equivalent to 11.6 million degrees K), τ_E (seconds) is the energy confinement time] is based on the Lawson criterion, and is a key metric for assessing whether a fusion plasma produces fusion energy at a rate greater than its rate of thermal losses. A value of $nT\tau_E \sim 3 \times 10^{21}$ keV·s/m³ (exact value depends on the specific fusion concept) is nominally required for energy breakeven using deuterium-tritium (DT) fuel. In general, the triple-product metric must be satisfied for both T_i and T_e unless there is a credible way to maintain $T_i > T_e$ in a power-plant scenario.

¹⁸ I. R. Lindemuth and R. E. Siemon, “[The fundamental parameter space of controlled thermonuclear fusion](#),” Amer. J. Phys. **77**, 407 (2009).

of the FOA does not apply to non-thermonuclear concepts; submissions of the latter must self-identify critical-path milestones on the way to net energy gain, in a manner analogous to Table 1 of Section I.E of the FOA, and the proposed entry and exit milestones during this program.

- B. Component Technology Development** (up to \$4M/project, not including cost share): projects will conduct component-technology development, up to prototype demonstration of the component technology, that can significantly reduce the capital cost of a specific, more-mature, higher-cost fusion concept, such as but not limited to the tokamak, stellarator, reversed-field pinch (RFP), or inertial confinement fusion (ICF). Applicants must make a quantitative argument (e.g., relative to a relevant past reactor study) that a grid-ready demonstration power plant enabled by the new technology can potentially satisfy the metric of OCC <US\$2B and <\$5/W for a grid-ready demonstration.
- C. Capability Teams** (up to \$2.5M/project, not including cost share): projects will improve/adapt and apply an existing capability to support multiple teams in Category A to lower the overall costs of the program. Anticipated priority needs include (but are not limited to) (i) theory, modeling, and validation for a range of lower-cost fusion concepts, including pulsed, intermediate-density fusion concepts (e.g., magneto-inertial fusion and Z pinches) and magnetic-confinement concepts with reduced topological complexity (e.g., field-reversed configurations, spheromaks, mirrors, etc.); (ii) creative application of machine learning to accelerate the development of lower-cost fusion concepts; (iii) expert engineering design, fabrication, or other support to accelerate progress for multiple projects; and (iv) diagnostic techniques not already funded by ARPA-E.¹⁹ It is envisioned that Capability Teams will bring the appropriate state-of-the-art expertise, help concept teams avoid “reinventing the wheel” for similar needs, and build a strong foundation for fusion public-private partnerships.

E. TECHNICAL PERFORMANCE TARGETS

1. CONCEPT DEVELOPMENT (CATEGORY A)

a) Cost criterion

Applicants for Category A (Concept Development) must perform a simple cost estimate. Applicants are strongly encouraged to use the provided Excel spreadsheet template,²⁰ available

¹⁹ Eight diagnostic teams were selected (<https://arpa-e.energy.gov/?q=news-item/arpa-e-innovating-through-unconventional-ideas>) to develop a range of “traveling diagnostics” for the benefit of all ARPA-E-sponsored fusion experiments. The diagnostics include Thomson scattering for both lower- and higher-density concepts, neutron detectors, x-ray detectors and imaging, and others. For further information, please also see Appendix D of the ARPA-E fusion diagnostic FOA (search for DE-FOA-0001953 at <https://arpa-e-foa.energy.gov>).

²⁰ Based on J. Sheffield and S. L. Milora, “[Generic Magnetic Fusion Reactor Revisited](#),” *Fus. Sci. Tech.* **70**, 14 (2016).

for download on ARPA-E eXCHANGE [<https://arpa-e-foa.energy.gov>], which calculates the estimated cost of a net-energy-gain²¹ experiment based on the proposed fusion concept. Only the components/subsystems anticipated to cost >5% of the total cost are included in the template. Submissions will be evaluated, in part, based on whether the spreadsheet result is ≤\$100M. The more that the spreadsheet result exceeds \$100M, the greater a detailed justification is needed to explain how the high-level metric of OCC <US\$2B and <\$5/W for a grid-ready demonstration can still be met. Category A applicants selecting project exit milestone #2 (see Section I.E.1.b below and Table 1 of Section I.E) are exempt from submitting the cost spreadsheet but must provide a plausible argument that a net-gain experiment would cost ≤\$100M. The costing spreadsheet is intended for thermonuclear concepts; non-thermonuclear-concept applicants must provide an analogous cost estimate for a net-energy-gain experiment.

The costing spreadsheet does not include costs for high-duty-cycle operation (i.e., it is short pulse or single shot), tritium breeding blanket/processing, buildings, nor balance of plant. If applicable, please assume that the experiment will operate predominantly with deuterium-deuterium (DD) fuel and only use deuterium-tritium (DT) for a relatively small number of penultimate net-gain demonstration shots, such that a low tritium site inventory (e.g., <20 g) is sufficient. These choices are made to focus the costing exercise on nearer-term, better-known pieces of the problem, for which there has been relevant experience on experiments such as TFTR,²² JET,²³ NIF,²⁴ etc. It must be emphasized that the purpose of the costing exercise is not to provide an accurate, precise cost but rather to provide information on the relative costs of different proposed concepts and the responsiveness of proposed concepts to this program.

b) Entry and exit milestones

Concept Development projects will be measured against a set of performance-based technical milestones, as described in Table 1. Applicants are requested to identify their entry (already achieved) and aspirational exit (at project end) milestones. Applicants must enter at the highest milestone that been demonstrably achieved for the concept (in general, not necessarily by the Applicants), and aim to exit at any higher milestone than their entry milestone, as long as the funding ceiling is not exceeded. If the Submission aims to cover multiple milestones, then the funding ceiling is the sum of the ceilings for the individual milestones, but the overall

²¹ For the purposes of this FOA, “net energy gain” is defined as instantaneous fusion power divided by total facility power (for steady-state concepts) or fusion energy divided by total facility energy for a single shot (for repetitively pulsed concepts). Here, the facility power or energy is that drawn from the grid or “wall plug.” Defining the gain relative to wall plug rather than power/energy input to the fusion fuel demonstrates that the plasma assembly, heating, and/or sustainment technologies and their efficiencies are ready for continued development of the fusion concept toward grid readiness to include tritium breeding/processing (for DT fusion concepts) and high-duty-cycle operation. By contrast, the more traditional choice of defining the gain relative to energy input to the fusion fuel (i.e., scientific gain) sidesteps unresolved engineering/technical risks.

²² R. J. Hawryluk et al., “[Fusion plasma experiments on TFTR: A 20 year retrospective](#),” Phys. Plasmas **5**, 1577 (1998).

²³ F. Romanelli et al., “[Overview of JET results](#),” Nucl. Fusion **49**, 104006 (2009).

²⁴ O. Hurricane et al., “[Approaching a burning plasma on the NIF](#),” Phys. Plasmas **26**, 052704 (2019).

ceiling is still \$10M not including cost share. Further discussion of the rationale of and requirements to fulfill each milestone is provided below.

Table 1. Performance-based milestones for Category A (Concept Development). The funding ceiling is the federal amount (not including cost share). For milestones four through seven, the triple-product metric typically must be satisfied for both T_i and T_e (see footnote 17).

Milestone #	Description	Required evidence to be provided in the submission (as an entry milestone)	Funding ceiling for achieving next milestone
1	Concept is defined based on accepted scientific principles; theoretical basis is presented showing that net energy gain is possible (see footnote 21)	Brief descriptions of peer-reviewed publications OR a description with sufficient detail to be assessed by subject-matter-expert reviewers	\$1M
2	Establish plausibility for reactor-relevant energy gain via appropriate, physics-based simulations	Same as above	\$5M
3	Demonstrate assembly of the proposed plasma configuration, suitable for scale-up in $nT\tau_E$	Same as above, to also include credible diagnostic data of the key parameters	\$5M
4	Plasma with $T_i, T_e \geq 100$ eV (with relevant fuel ions or its isotopes)	Same as above	\$10M
5	Plasma to $T_i, T_e \geq 1$ keV and/or $nT\tau_E \geq 10^{18}$ keV·s/m ³ (with relevant fuel ions or its isotopes)	Same as above, to also include diagnostic data on fusion products	\$10M
6	Plasma $nT\tau_E \geq 10^{19}$ keV·s/m ³ (with relevant fuel ions or its isotopes)	Same as above	\$10M
7	Plasma $nT\tau_E \geq 10^{20}$ keV·s/m ³ (with relevant fuel ions or its isotopes)	Same as above	N/A

Milestone #1: This is the minimum entry milestone. Proposed concepts based on principles that are not yet understood/accepted do not satisfy milestone #1 and are therefore not eligible for this FOA; the most obvious ineligible example is a concept invoking net-energy-gain fusion at temperatures below 1 keV. For concepts with a strong beam-target-fusion component (see footnote 37), the submission must specifically address how net energy gain is expected to be achieved, e.g., via recovery of dissipated beam energy, etc.

Milestone #2: A concept must have a path to reactor-relevant energy gain (typically $\gg 1$) to be of interest for fusion energy. For most fusion concepts, sophisticated physics-based theory and

simulation codes are available and should be applied to assess the energy-gain potential of concepts before much larger investments are made. An important objective of this program is to provide the resources and teaming opportunities to fulfill this important milestone. As either an entry or exit milestone, Applicants must justify their choice of physics models, codes, and dimensionality of their simulations in the submission, as well as the approximate value of gain needed to be “reactor-relevant” for their proposed concept.

Milestone #3: This must be based on experimental results with convincing diagnostic data, typically including density, temperature, and magnetic-field measurements (if applicable) with rudimentary information regarding spatial profiles and temporal evolution. The purpose is to provide confidence that the configuration is what the concept requires.

Milestones #4 and above: Here, diagnostic data providing direct information on plasma parameters (density, temperature, magnetic field) are essential, especially for inferring the energy confinement time τ_E . For milestones 5 and above, neutron yield becomes an important (but cannot be the only) data point. Evidence/plans for differentiating between thermal and beam-generated neutrons should be included.

As detailed further in the Technical Volume template, Concept Development (Category A) submissions are required to provide a brief description of the fusion concept, including concept overview and diagram, and advantages and main scientific/technical risks of the concept. The level of detail provided should increase with higher proposed exit-milestone number.

c) Interaction with Capability Teams

Concept Development (Category A) Applicants are strongly encouraged to work with a potential Capability Team (Category C) during the period of performance, and to have discussions with potential Capability Team Applicants at the proposal stage. During the period of performance, ARPA-E will help facilitate collaboration with awarded Concept Development and Capability Teams. During the proposal stage, Concept Development Teams are encouraged to reach out directly to other members of the research community who may be or are developing Capability Team proposals to discuss areas of need of Concept Development teams.²⁵ For Category A teams, awareness of the necessary diagnostics and theory/modeling is critical. Applicants are encouraged to provide a plan to accomplish the needed diagnostic measurements and theory/modeling, ideally through interactions with Category C teams, other ARPA-E funded diagnostic teams (see footnote 19), or through other means.

ARPA-E’s preference is for Capability Teams to perform the most intensive theory/computation and diagnostic tasks rather than having each Concept Development team undertake and replicate these tasks. Please note that ARPA-E has already funded several diagnostic teams as the first Capability Teams (see footnote 19). Concept Development Applicants should

²⁵ To help facilitate this, please see the BETHE Teaming Partner list by selecting RFI-0000040 in the pull-down menu at <https://arpa-e-foa.energy.gov/TeamingPartners.aspx>.

communicate with these diagnostic Capability Teams, if appropriate, at the proposal stage and assume that these diagnostics are available for limited use during the BETHE program and funded separately by ARPA-E. Finally, from an intellectual-property (IP) protection perspective, Concept Development Applicants are encouraged to clearly state the topics they would not pursue in collaboration with a Capability Team.

2. COMPONENT TECHNOLOGY DEVELOPMENT (CATEGORY B)

a) Cost criteria

Applicants for Category B are requested to provide a quantitative argument (based on analysis in the submission or in a cited reference) on how their proposed, innovative component technology could lower the cost of a grid-ready demonstration based on a specific higher-performing fusion concept such as (but not limited to) the tokamak, stellarator, RFP, or ICF, to meet the metrics of $OCC < US\$2B$ and $< \$5/W$ for a grid-ready fusion demonstration. The analysis could but is not required to be based on updating one or more past reactor cost studies relevant to the proposed concept.

b) Measuring progress

Component Technology Development (Category B) submissions will likely address a number of widely varying research topics, and thus it is impossible to provide a universal set of milestones against which progress is to be measured. Applicants are asked to self-identify critical-path milestones that are directly tied to risk reduction in developing the innovative component technology, and to provide quantitative metrics in the table in Section 2.4 of the Technical Volume template. Please clearly state the desired outcome at the end of the project with quantitative metrics and the next, larger R&D step that the outcome will enable.

3. CAPABILITY TEAMS (CATEGORY C)

a) Role

Capability teams are expected to be expert teams, including multiple institutions if appropriate, with demonstrated experience in their proposed capability. Capability Teams are not advocates of a particular concept, but are tasked with improving and applying one or more capabilities to accelerate fusion-concept development, uncover/solve problems, and help multiple Category A (Concept Development) teams meet their performance milestones.

Applicants are strongly encouraged to communicate (see Teaming Partner List; footnote 25) with likely Category A (Concept Development) Applicant teams to identify their specific needs and areas of likely collaboration.

b) Capability Team targets

ARPA-E anticipates supporting a number of Capability Teams spanning many different topics/capabilities, so it is impossible to state universal metrics for all Capability Teams. Capability Team Applicants are requested to clearly state what capability they intend to provide to the program, what they plan to do for Category A concept teams, and what specific tools/codes/resources they will be using. Applicants should provide a high-level plan that includes any required preparatory and ongoing development tasks as well as a notional schedule for working with multiple potential Category A project teams, by filling out the table in Section 2.4 of the included Technical Volume template. ARPA-E expects Capability Teams and Concept Development Teams to reach mutually acceptable agreements on data rights and IP protection, and strongly encourages publication of scientific results that do not reveal information entitled to be protected from public release per Section VIII.C. below.

F. TEAM CRITERIA

There are significant scientific and technical risks inherent in fusion-energy development. ARPA-E wishes to mitigate the execution risk arising from team dynamics, which can easily overwhelm even the best technical ideas. Accordingly, Applicants are requested to provide a description of their leadership philosophy, team culture and how they foster it, specific roles of key team members in the submission, and a strategy for development of team members. Please also provide an example of when scarcity of time or funds created a conflict and how it was resolved (or not). ARPA-E anticipates conducting videoconferences, focusing on these team criteria, with the PI, Co-PIs, and other key team members of submissions that reach the final stage of the Merit Review process. See Section 3.1 of the included Technical Volume template for further details. Please see Section IV.A.4 for more information on pre-selection clarifications.

II. AWARD INFORMATION

A. AWARD OVERVIEW

ARPA-E expects to make approximately \$30 million available for new awards under this FOA, subject to the availability of appropriated funds. ARPA-E anticipates making approximately three to six awards in Category A, two to four awards in Category B, and two to four awards in Category C under this FOA. ARPA-E may, at its discretion, issue one, multiple, or no awards.

Individual awards may vary between \$150,000 and \$10 million, not including cost share.

The period of performance for funding agreements may not exceed 42 months. ARPA-E expects the start date for funding agreements to be July 2020, or as negotiated.

ARPA-E encourages submissions stemming from ideas that still require proof-of-concept R&D efforts as well as those for which some proof-of-concept demonstration already exists.

Submissions requiring proof-of-concept R&D can propose a project with the goal of delivering on the program metric at the conclusion of the period of performance. These submissions must contain an appropriate cost and project duration plan that is described in sufficient technical detail to allow reviewers to meaningfully evaluate the proposed project. If awarded, such projects should expect a rigorous go/no-go milestone early in the project associated with the proof-of-concept demonstration. Alternatively, submissions requiring proof-of-concept R&D can propose a project with the project end deliverable being an extremely creative, but partial solution. However, the Applicants are required to provide a convincing vision how these partial solutions can enable the realization of the program metrics with further development.

Applicants proposing projects for which some initial proof-of-concept demonstration already exists should submit concrete data that supports the probability of success of the proposed project.

ARPA-E will provide support at the highest funding level only for submissions with significant technology risk, aggressive timetables, and careful management and mitigation of the associated risks.

ARPA-E will accept only new submissions under this FOA. Applicants may not seek renewal or supplementation of their existing awards through this FOA.

ARPA-E plans to fully fund your negotiated budget at the time of award.

B. RENEWAL AWARDS

At ARPA-E's sole discretion, awards resulting from this FOA may be renewed by adding one or more budget periods, extending the period of performance of the initial award, or issuing new award. Renewal funding is contingent on: (1) availability of funds appropriated by Congress for the purpose of this program; (2) substantial progress towards meeting the objectives of the approved application; (3) submittal of required reports; (4) compliance with the terms and conditions of the award; (5) ARPA-E approval of a renewal application; and (6) other factors identified by the Agency at the time it solicits a renewal application.

C. ARPA-E FUNDING AGREEMENTS

Through cooperative agreements, other transactions, and similar agreements, ARPA-E provides financial and other support to projects that have the potential to realize ARPA-E's statutory mission. ARPA-E does not use such agreements to acquire property or services for the direct benefit or use of the U.S. Government.

Congress directed ARPA-E to "establish and monitor project milestones, initiate research projects quickly, and just as quickly terminate or restructure projects if such milestones are not achieved."²⁶ Accordingly, ARPA-E has substantial involvement in the direction of every Cooperative Agreement, as described in Section II.C below.

1. COOPERATIVE AGREEMENTS

ARPA-E generally uses Cooperative Agreements to provide financial and other support to Prime Recipients.²⁷

Cooperative Agreements involve the provision of financial or other support to accomplish a public purpose of support or stimulation authorized by Federal statute. Under Cooperative Agreements, the Government and Prime Recipients share responsibility for the direction of projects.

ARPA-E encourages Prime Recipients to review the Model Cooperative Agreement, which is available at <http://arpa-e.energy.gov/arpa-e-site-page/award-guidance>.

²⁶ U.S. Congress, Conference Report to accompany the 21st Century Competitiveness Act of 2007, H. Rpt. 110-289 at 171-172 (Aug. 1, 2007).

²⁷ The Prime Recipient is the signatory to the funding agreement with ARPA-E.

2. FUNDING AGREEMENTS WITH FFRDCs/DOE LABS, GOGOs, AND FEDERAL INSTRUMENTALITIES

Any Federally Funded Research and Development Centers (FFRDC) involved as a member of a Project Team must provide the information requested in the “FFRDC Lab Authorization” and “Field Work Proposal” section of the Business Assurances & Disclosures Form, which is submitted with the Applicant’s Full Application.

When a FFRDC/DOE Lab (including the National Energy Technology Laboratory or NETL) is the *lead organization* for a Project Team, ARPA-E executes a funding agreement directly with the FFRDC/DOE Lab and a single, separate Cooperative Agreement with the rest of the Project Team. Notwithstanding the use of multiple agreements, the FFRDC/DOE Lab is the lead organization for the entire project, including all work performed by the FFRDC/DOE Lab and the rest of the Project Team.

When a FFRDC/DOE Lab is a *member* of a Project Team, ARPA-E executes a funding agreement directly with the FFRDC/DOE Lab and a single, separate Cooperative Agreement with the rest of the Project Team. Notwithstanding the use of multiple agreements, the Prime Recipient under the Cooperative Agreement is the lead organization for the entire project, including all work performed by the FFRDC/DOE Lab and the rest of the Project Team.

Funding agreements with DOE/NNSA FFRDCs take the form of Work Authorizations issued to DOE/NNSA FFRDCs through the DOE/NNSA Field Work Proposal system for work performed under Department of Energy Management & Operation Contracts. Funding agreements with non-DOE/NNSA FFRDCs, GOGOs (including NETL), and Federal instrumentalities (e.g., Tennessee Valley Authority) will be consistent with the sponsoring agreement between the U.S. Government and the Laboratory. Any funding agreement with a FFRDC or GOGO will have similar terms and conditions as ARPA-E’s Model Cooperative Agreement (<https://arpa-e.energy.gov/?q=site-page/funding-agreements>).

Non-DOE GOGOs and Federal agencies may be proposed to provide support to the project team members on an applicant’s project, through a Cooperative Research and Development Agreement (CRADA) or similar agreement.

3. OTHER TRANSACTIONS AUTHORITY

ARPA-E may use its “other transactions” authority under the America COMPETES Reauthorization Act of 2010 to enter into an other transaction agreement with Prime Recipients, on a case-by-case basis.

ARPA-E may negotiate an other transaction agreement when it determines that the use of a standard cooperative agreement, grant, or contract is not feasible or appropriate for a project.

In general, an other transaction agreement would require a cost share of 50%. See Section III.B.2 of the FOA.

D. STATEMENT OF SUBSTANTIAL INVOLVEMENT

ARPA-E is substantially involved in the direction of projects from inception to completion. For the purposes of an ARPA-E project, substantial involvement means:

- Project Teams must adhere to ARPA-E's agency-specific and programmatic requirements.
- ARPA-E may intervene at any time in the conduct or performance of work under an award.
- ARPA-E does not limit its involvement to the administrative requirements of an award. Instead, ARPA-E has substantial involvement in the direction and redirection of the technical aspects of the project as a whole.
- ARPA-E may, at its sole discretion, modify or terminate projects that fail to achieve predetermined Go/No Go decision points or technical milestones and deliverables.
- During award negotiations, ARPA-E Program Directors and Prime Recipients mutually establish an aggressive schedule of quantitative milestones and deliverables that must be met every quarter. In addition, ARPA-E will negotiate and establish "Go/No-Go" milestones for each project. If the Prime Recipient fails to achieve any of the "Go/No-Go" milestones or technical milestones and deliverables as determined by the ARPA-E Contracting Officer, ARPA-E may – at its discretion – renegotiate the statement of project objectives or schedule of technical milestones and deliverables for the project. In the alternative, ARPA-E may suspend or terminate the award in accordance with 2 C.F.R. §§ 200.338 and 200.339.
- ARPA-E may provide guidance and/or assistance to the Prime Recipient to accelerate the commercial deployment of ARPA-E-funded technologies. Guidance and assistance provided by ARPA-E may include coordination with other Government agencies and nonprofits to provide mentoring and networking opportunities for Prime Recipients. ARPA-E may also organize and sponsor events to educate Prime Recipients about key barriers to the deployment of their ARPA-E-funded technologies. In addition, ARPA-E may establish collaborations with private and public entities to provide continued support for the development and deployment of ARPA-E-funded technologies.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

This FOA is open to U.S. universities, national laboratories, industry, and individuals.

1. INDIVIDUALS

U.S. citizens or permanent residents may apply for funding in their individual capacity as a Standalone Applicant,²⁸ as the lead for a Project Team,²⁹ or as a member of a Project Team. However, ARPA-E will only award funding to an entity formed by the Applicant.

2. DOMESTIC ENTITIES

For-profit entities, educational institutions, and nonprofits³⁰ that are incorporated in the United States, including U.S. territories, are eligible to apply for funding as a Standalone Applicant, as the lead organization for a Project Team, or as a member of a Project Team.

FFRDCs/DOE Labs are eligible to apply for funding as the lead organization for a Project Team or as a member of a Project Team that includes institutions of higher education, companies, research foundations, or trade and industry research collaborations, but not as a Standalone Applicant.

State, local, and tribal government entities are eligible to apply for funding as a member of a Project Team, but not as a Standalone Applicant or as the lead organization for a Project Team.

Federal agencies and instrumentalities (other than DOE) are eligible to apply for funding as a member of a Project Team, but not as a Standalone Applicant or as the lead organization for a Project Team.

3. FOREIGN ENTITIES

U.S.-incorporated subsidiaries of foreign entities, whether for-profit or otherwise, are eligible to apply for funding under this FOA as a Standalone Applicant, as the lead organization for a Project Team, or as a member of a Project Team, subject to the requirements in 2 C.F.R. §

²⁸ A Standalone Applicant is an Applicant that applies for funding on its own, not as part of a Project Team.

²⁹ A Project Team consists of the Prime Recipient, Subrecipients, and others performing any of the research and development work under an ARPA-E funding agreement, whether or not costs of performing the research and development work are being reimbursed under any agreement.

³⁰ Nonprofit organizations described in section 501(c)(4) of the Internal Revenue Code of 1986 that engaged in lobbying activities after December 31, 1995 are not eligible to apply for funding as a Prime Recipient or Subrecipient.

910.124, which includes requirements that the entity's participation in this FOA be in the economic interest of the U.S. The Full Application must state the nature of the corporate relationship between the foreign entity and domestic subsidiary or affiliate.

Entities not incorporated in the U.S., whether for-profit or otherwise, are not eligible to apply for funding, but may be proposed by an Applicant as a member of a Project Team.

All work under an ARPA-E award must be performed in the U.S. The Applicants may request a waiver of this requirement in the Business Assurances & Disclosures Form, which is submitted with the Full Application and can be found at <https://arpa-e-foa.energy.gov/>. Please refer to the Business Assurances & Disclosures Form for guidance on the content and form of the request.

4. CONSORTIUM ENTITIES

Consortia, which may include domestic and foreign entities, must designate one member of the consortium as the consortium representative to the Project Team. The consortium representative must be incorporated in the United States. The eligibility of the consortium will be determined by reference to the eligibility of the consortium representative under Section III.A of the FOA. Each consortium must have an internal governance structure and a written set of internal rules. Upon request, the consortium entity must provide a written description of its internal governance structure and its internal rules to the Contracting Officer (ARPA-E-CO@hq.doe.gov).

Unincorporated consortia must provide the Contracting Officer with a collaboration agreement, commonly referred to as the articles of collaboration, which sets out the rights and responsibilities of each consortium member. This collaboration agreement binds the individual consortium members together and shall include the consortium's:

- Management structure;
- Method of making payments to consortium members;
- Means of ensuring and overseeing members' efforts on the project;
- Provisions for members' cost sharing contributions; and
- Provisions for ownership and rights in intellectual property developed previously or under the agreement.

B. COST SHARING³¹

Applicants are bound by the cost share proposed in their Full Applications.

³¹ Please refer to Section VI.B.3-4 of the FOA for guidance on cost share payments and reporting.

1. BASE COST SHARE REQUIREMENT

ARPA-E generally uses Cooperative Agreements to provide financial and other support to Prime Recipients (see Section II.C.1 of the FOA). Under a Cooperative Agreement or Grant, the Prime Recipient must provide at least 20% of the Total Project Cost³² as cost share, except as provided in Sections III.C.2 or III.C.3 below.³³

2. INCREASED COST SHARE REQUIREMENT

Large businesses are strongly encouraged to provide more than 20% of the Total Project Cost as cost share. ARPA-E may consider the amount of cost share proposed when selecting applications for award negotiations (see Section V.B.1 of the FOA).

Under an “other transaction” agreement, the Prime Recipient must provide at least 50% of the Total Project Cost as cost share. ARPA-E may reduce this cost share requirement, as appropriate.

3. REDUCED COST SHARE REQUIREMENT

ARPA-E has reduced the base cost share requirement for the following types of projects:

- A domestic educational institution or domestic nonprofit applying as a Standalone Applicant is not required to provide cost share.
- Project Teams composed exclusively of domestic educational institutions, domestic nonprofits, and/or FFRDCs/DOE Labs/Federal agencies and instrumentalities (other than DOE) are not required to provide cost share.
- Small businesses – or consortia of small businesses – may provide 0% cost share from the outset of the project through the first 12 months of the project (hereinafter the “Cost Share Grace Period”).³⁴ If the project is continued beyond the Cost Share Grace Period, then at least 10% of the Total Project Cost (including the costs incurred during the Cost Share Grace Period) will be required as cost share over the remaining period of performance.

³² The Total Project Cost is the sum of the Prime Recipient share and the Federal Government share of total allowable costs. The Federal Government share generally includes costs incurred by GOGOs and FFRDCs.

³³ Energy Policy Act of 2005, Pub.L. 109-58, sec. 988.

³⁴ Small businesses are generally defined as domestically incorporated entities that meet the criteria established by the U.S. Small Business Administration’s (SBA) “Table of Small Business Size Standards Matched to North American Industry Classification System Codes” (NAICS) (<http://www.sba.gov/content/small-business-size-standards>). Applicants that are small businesses will be required to certify in the Business Assurances & Disclosures Form that their organization meets the SBA’s definition of a small business under at least one NAICS code.

- Project Teams where a small business is the lead organization and small businesses perform greater than or equal to 80% of the total work under the funding agreement (as measured by the Total Project Cost) are entitled to the same cost share reduction and Cost Share Grace Period as provided above to Standalone small businesses or consortia of small businesses.³⁵
- Project Teams where domestic educational institutions, domestic nonprofits, small businesses, and/or FFRDCs perform greater than or equal to 80% of the total work under the funding agreement (as measured by the Total Project Cost) are required to provide at least 10% of the Total Project Cost as cost share. However, any entity (such as a large business) receiving patent rights under a class waiver, or other patent waiver, that is part of a Project Team receiving this reduction must continue to meet the statutory minimum cost share requirement (20%) for its portion of the Total Project Cost.
- Projects that do not meet any of the above criteria are subject to the base cost share requirements described in Sections III.B.1 and III.B.2 of the FOA.

4. LEGAL RESPONSIBILITY

Although the cost share requirement applies to the Project Team as a whole, the funding agreement makes the Prime Recipient legally responsible for paying, or ensuring payment of, the entire cost share. The Prime Recipient's cost share obligation is expressed in the funding agreement as a static amount in U.S. dollars (cost share amount) and as a percentage of the Total Project Cost (cost share percentage). If the funding agreement is terminated prior to the end of the period of performance, the Prime Recipient is required to contribute at least the cost share percentage of total expenditures incurred through the date of termination.

The Prime Recipient is solely responsible for managing cost share contributions by the Project Team and enforcing cost share obligations assumed by Project Team members in subawards or related agreements.

5. COST SHARE ALLOCATION

Each Project Team is free to determine how much each Project Team member will contribute towards the cost share requirement. The amount contributed by individual Project Team members may vary, as long as the cost share requirement for the project as a whole is met.

6. COST SHARE TYPES AND ALLOWABILITY

Every cost share contribution must be allowable under the applicable Federal cost principles, as described in Section IV.F of the FOA.

³⁵ See the information provided in previous footnote.

Project Teams may provide cost share in the form of cash or in-kind contributions. Cash contributions may be provided by the Prime Recipient or Subrecipients. Allowable in-kind contributions include but are not limited to personnel costs, indirect costs, facilities and administrative costs, rental value of buildings or equipment, and the value of a service, other resource, or third party in-kind contribution. Project Teams may use funding or property received from state or local governments to meet the cost share requirement, so long as the funding or property was not provided to the state or local government by the Federal Government.

The Prime Recipient may not use the following sources to meet its cost share obligations:

- Revenues or royalties from the prospective operation of an activity beyond the period of performance;
- Proceeds from the prospective sale of an asset of an activity;
- Federal funding or property (e.g., Federal grants, equipment owned by the Federal Government); or
- Expenditures that were reimbursed under a separate Federal program.

In addition, Project Teams may not use independent research and development (IR&D) funds³⁶ to meet their cost share obligations under Cooperative Agreements. However, Project Teams may use IR&D funds to meet their cost share obligations under “other transaction” agreements.

Project Teams may not use the same cash or in-kind contributions to meet cost share requirements for more than one project or program.

Cost share contributions must be specified in the project budget, verifiable from the Prime Recipient’s records, and necessary and reasonable for proper and efficient accomplishment of the project. Every cost share contribution must be reviewed and approved in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

Applicants may wish to refer to 2 C.F.R. Parts 200 and 910, and 10 C.F.R Part 603 for additional guidance on cost sharing, specifically 2 C.F.R. §§ 200.306 and 910.130, and 10 C.F.R. §§ 603.525-555.

7. COST SHARE CONTRIBUTIONS BY FFRDCs AND GOGOs

Because FFRDCs are funded by the Federal Government, costs incurred by FFRDCs generally may not be used to meet the cost share requirement. FFRDCs may contribute cost share only if the contributions are paid directly from the contractor’s Management Fee or a non-Federal source.

³⁶ As defined in Federal Acquisition Regulation SubSection 31.205-18.

Because GOGOs/Federal Agencies are funded by the Federal Government, GOGOs/Federal Agencies may not provide cost share for the proposed project. However, the GOGO/Agency costs would be included in Total Project Costs for purposes of calculating the cost-sharing requirements of the applicant.

8. COST SHARE VERIFICATION

Upon selection for award negotiations, Applicants are required to provide information and documentation regarding their cost share contributions. Please refer to Section VI.B.3 of the FOA for guidance on the requisite cost share information and documentation.

C. OTHER

1. COMPLIANT CRITERIA

Full Applications are deemed compliant if:

- The Applicant meets the eligibility requirements in Section III.A of the FOA;
- The Full Application complies with the content and form requirements in Section IV.C of the FOA; and
- The Applicant entered all required information, successfully uploaded all required documents, and clicked the “Submit” button in ARPA-E eXCHANGE by the deadline stated in the FOA.

Full Applications found to be noncompliant may not be merit reviewed or considered for award. ARPA-E may not review or consider noncompliant Full Applications, including Full Applications submitted through other means, Full Applications submitted after the applicable deadline, and incomplete Full Applications. A Full Application is incomplete if it does not include required information and documents, such as Forms SF-424 and SF-424A. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information and documents due to server/connection congestion.

Replies to Reviewer Comments are deemed compliant if:

- The Applicant successfully uploads its response to ARPA-E eXCHANGE by the deadline stated in the FOA; and
- The Replies to Reviewer Comments comply with the content and form requirements of Section IV.D of the FOA.

ARPA-E will not review or consider noncompliant Replies to Reviewer Comments, including Replies submitted through other means and Replies submitted after the applicable deadline. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information due to server/connection congestion. ARPA-E will review and consider each

compliant and responsive Full Application, even if no Reply is submitted or if the Reply is found to be noncompliant.

2. RESPONSIVENESS CRITERIA

ARPA-E performs a preliminary technical review of Full Applications.

The following types of submissions may be deemed nonresponsive and may not be reviewed or considered:

- Submissions that fall outside the technical parameters specified in this FOA.
- Submissions that have been submitted in response to other currently issued ARPA-E FOAs.
- Submissions that are not scientifically distinct from applications submitted in response to other currently issued ARPA-E FOAs.
- Submissions for basic research aimed solely at discovery and/or fundamental knowledge generation.
- Submissions for large-scale demonstration projects of existing technologies.
- Submissions for proposed technologies that represent incremental improvements to existing technologies.
- Submissions for proposed technologies that are not based on sound scientific principles (e.g., violates a law of thermodynamics).
- Submissions for proposed technologies that are not transformational, as described in Section I.A of the FOA.
- Submissions for proposed technologies that do not have the potential to become disruptive in nature, as described in Section I.A of the FOA. Technologies must be scalable such that they could be disruptive with sufficient technical progress.
- Submissions that are not distinct in scientific approach or objective from activities currently supported by or actively under consideration for funding by any other office within Department of Energy.
- Submissions that are not distinct in scientific approach or objective from activities currently supported by or actively under consideration for funding by other government agencies or the private sector.
- Submissions that do not propose a R&D plan that allows ARPA-E to evaluate the submission under the applicable merit review criteria provided in Section V.A of the FOA.

3. SUBMISSIONS SPECIFICALLY NOT OF INTEREST

Submissions that propose the following will be deemed nonresponsive and will not be merit reviewed or considered:

- Concepts invoking net-energy-gain fusion and/or nuclear reactions at temperatures below 1 keV (aka “cold fusion” or “low-energy nuclear reactions”), except muon-catalyzed fusion.
- Beam-beam or beam-target fusion concepts without an explanation about how energy gain may be achieved in the presence of beam-energy dissipation (arising from the much larger ratio of Coulomb-scattering to fusion-reaction cross sections).³⁷
- Technology or materials development related to high-duty-cycle operation, handling high heat flux and/or energetic neutron fluence, and tritium breeding/processing, unless it is specifically needed to make progress against the milestones of Category A (Concept Development), or is applicable to Category B (Component Technology Development) to drastically lower the cost of one or more specific, higher-cost, more mature fusion concepts.

4. LIMITATION ON NUMBER OF SUBMISSIONS

ARPA-E is not limiting the number of submissions from Applicants. Applicants may submit more than one application to this FOA, provided that each application is scientifically distinct.

³⁷ See, e.g., T. H. Rider, “[Fundamental limitations on plasma fusion systems not in thermodynamic equilibrium](#),” Phys. Plasmas **4**, 1039 (1997).

IV. APPLICATION AND SUBMISSION INFORMATION

A. APPLICATION PROCESS OVERVIEW

1. REGISTRATION IN ARPA-E eXCHANGE

The first step in applying to this FOA is registration in ARPA-E eXCHANGE, ARPA-E's online application portal. For detailed guidance on using ARPA-E eXCHANGE, please refer to Section IV.G.1 of the FOA and the "ARPA-E eXCHANGE User Guide" (<https://arpa-e-foa.energy.gov/Manuals.aspx>).

2. FULL APPLICATIONS

Applicants must submit a Full Application by the deadline stated in the FOA. Section IV.C of the FOA provides instructions on submitting a Full Application.

ARPA-E performs a preliminary review of Full Applications to determine whether they are compliant and responsive, as described in Section III.C of the FOA. Full Applications found to be noncompliant or nonresponsive may not be merit reviewed or considered for award. ARPA-E makes an independent assessment of each compliant and responsive Full Application based on the criteria and program policy factors in Sections V.A.1 and V.B.1 of the FOA.

3. REPLY TO REVIEWER COMMENTS

Once ARPA-E has completed its review of Full Applications, reviewer comments on compliant and responsive Full Applications are made available to Applicants via ARPA-E eXCHANGE. Applicants may submit an optional Reply to Reviewer Comments, which must be submitted by the deadline stated in the FOA. Section IV.D of the FOA provides instructions on submitting a Reply to Reviewer Comments.

ARPA-E performs a preliminary review of Replies to determine whether they are compliant, as described in Section III.C.1 of the FOA. ARPA-E will review and consider compliant Replies only. ARPA-E will review and consider each compliant and responsive Full Application, even if no Reply is submitted or if the Reply is found to be non-compliant.

4. PRE-SELECTION CLARIFICATIONS AND "DOWN-SELECT" PROCESS

Once ARPA-E completes its review of Full Applications and Replies to Reviewer Comments, it may, at the Contracting Officer's discretion, conduct a pre-selection clarification process and/or perform a "down-select" of Full Applications. Through the pre-selection clarification process or down-select process, ARPA-E may obtain additional information from select Applicants through

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

pre-selection meetings, webinars, videoconferences, conference calls, written correspondence, or site visits that can be used to make a final selection determination. ARPA-E will not reimburse Applicants for travel and other expenses relating to pre-selection meetings or site visits, nor will these costs be eligible for reimbursement as pre-award costs.

ARPA-E may select applications for award negotiations and make awards without pre-selection meetings and site visits. Participation in a pre-selection meeting or site visit with ARPA-E does not signify that Applicants have been selected for award negotiations.

5. SELECTION FOR AWARD NEGOTIATIONS

ARPA-E carefully considers all of the information obtained through the application process and makes an independent assessment of each compliant and responsive Full Application based on the criteria and program policy factors in Sections V.A.1 and V.B.1 of the FOA. The Selection Official may select all or part of a Full Application for award negotiations. The Selection Official may also postpone a final selection determination on one or more Full Applications until a later date, subject to availability of funds and other factors. ARPA-E will enter into award negotiations only with selected Applicants.

Applicants are promptly notified of ARPA-E's selection determination. ARPA-E may stagger its selection determinations. As a result, some Applicants may receive their notification letter in advance of other Applicants. Please refer to Section VI.A of the FOA for guidance on award notifications.

B. APPLICATION FORMS

Required forms for Full Applications are available on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov>), including the SF-424 and Budget Justification Workbook/SF-424A. A sample Summary Slide is available on ARPA-E eXCHANGE. Applicants may use the templates available on ARPA-E eXCHANGE, including the template for the Technical Volume of the Full Application, the Costing Spreadsheet template, the template for the Summary Slide, the template for the Summary for Public Release, the template for the Reply to Reviewer Comments, and the template for the Business Assurances & Disclosures Form. A sample response to the Business Assurances & Disclosures Form is available on ARPA-E eXCHANGE.

C. CONTENT AND FORM OF FULL APPLICATIONS

Full Applications must conform to the following formatting requirements:

- Each document must be submitted in the file format prescribed below.
- The Full Application must be written in English.

- All pages must be formatted to fit on 8-1/2 by 11 inch paper with margins not less than one inch on every side. Single space all text and use Times New Roman typeface, a black font color, and a font size of 12 point or larger (except in figures and tables).
- The ARPA-E assigned Control Number, the Lead Organization Name, and the Principal Investigator's Last Name must be prominently displayed on the upper right corner of the header of every page. Page numbers must be included in the footer of every page.

Full Applications found to be noncompliant or nonresponsive may not be merit reviewed or considered for award (see Section III.C of the FOA).

Each Full Application should be limited to a single concept or technology. Unrelated concepts and technologies should not be consolidated in a single Full Application.

Fillable Full Application template documents are available on ARPA-E eXCHANGE at <https://arpa-e-foa.energy.gov>.

Full Applications must conform to the content requirements described below.

Component	Required Format	Description and Information
Technical Volume	PDF	The centerpiece of the Full Application. Provides a detailed description of the proposed R&D project and Project Team. A Technical Volume template is available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov).
Costing Spreadsheet	XLS	Applicants for Category A (Concept Development) only, except those specifically exempt, must perform a simple cost estimate which calculates the estimated cost of a net-energy-gain experiment based on the proposed fusion concept. Applicants are strongly encouraged to use the template available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov)
SF-424	PDF	Application for Federal Assistance (https://arpa-e-foa.energy.gov). Applicants are responsible for ensuring that the proposed costs listed in eXCHANGE match those listed on forms SF-424 and SF-424A. Inconsistent submissions may impact ARPA-E's final award determination.
Budget Justification Workbook/SF-424A	XLS	Budget Information – Non-Construction Programs (https://arpa-e-foa.energy.gov)
Summary for Public Release	PDF	Short summary of the proposed R&D project. Intended for public release. A Summary for Public Release template is available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov).
Summary Slide	PPT	A four-panel project slide summarizing different aspects of the proposed R&D project. A Summary Slide template is available on ARPA-E eXCHANGE (https://arpa-e-foa.energy.gov).

Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

Business Assurances & Disclosures Form	PDF	Requires the Applicant to make responsibility disclosures and disclose potential conflicts of interest within the Project Team. Requires the Applicant to describe the additionality and risks associated with the proposed project, disclose applications for funding currently pending with Federal and non-Federal entities, and disclose funding from Federal and non-Federal entities for work in the same technology area as the proposed R&D project. If the Applicant is a FFRDC/DOE Lab, requires the Applicant to provide written authorization from the cognizant Federal agency and, if a DOE/NNSA FFRDC/DOE Lab, a Field Work Proposal. Allows the Applicant to request a waiver or modification of the Performance of Work in the United States requirement and/or the Technology Transfer & Outreach (TT&O) spending requirement. A template form is available on ARPA-E eXCHANGE at https://arpa-e-foa.energy.gov . A sample response to the Business Assurances & Disclosures Form is also available on ARPA-E eXCHANGE.
U.S. Manufacturing Plan	PDF	As part of the application, Applicants are required to submit a U.S. Manufacturing Plan. The U.S. Manufacturing Plan represents the Applicant's measurable commitment to support U.S. manufacturing as a result of its award.

ARPA-E provides detailed guidance on the content and form of each component below.

1. FIRST COMPONENT: TECHNICAL VOLUME

The Technical Volume must be submitted in Adobe PDF format. A Technical Volume template is available at <https://arpa-e-foa.energy.gov>. The Technical Volume must conform to the content and form requirements included within the template, including maximum page lengths. If Applicants exceed the maximum page lengths, ARPA-E will review only the authorized number of pages and disregard any additional pages.

Applicants must provide sufficient citations and references to the primary research literature to justify the claims and approaches made in the Technical Volume. ARPA-E and reviewers may review primary research literature in order to evaluate applications. However, ARPA-E and reviewers are under no obligation to review cited sources (e.g., Internet websites).

2. SECOND COMPONENT: COSTING SPREADSHEET (CATEGORY A ONLY)

Certain applicants for Category A (Concept Development) must perform a simple cost estimate. Applicants are strongly encouraged to use the provided Excel spreadsheet template available at <https://arpa-e-foa.energy.gov>. Please see Section I.E.1 for details.

3. THIRD COMPONENT: SF-424

The SF-424 must be submitted in Adobe PDF format. This form is available on ARPA-E eXCHANGE at <https://arpa-e-foa.energy.gov>.

The SF-424 includes instructions for completing the form. Applicants are required to complete all required fields in accordance with the instructions.

Prime Recipients and Subrecipients are required to complete SF-LLL (Disclosure of Lobbying Activities), available at <https://www.grants.gov/forms/post-award-reporting-forms.html>, if any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with your application or funding agreement. The completed SF-LLL must be appended to the SF-424.

ARPA-E provides the following supplemental guidance on completing the SF-424:

- Each Project Team should submit only one SF-424 (i.e., a Subrecipient should not submit a separate SF-424).
- The list of certifications and assurances in Block 21 can be found at <http://energy.gov/management/downloads/certifications-and-assurances-use-sf-424>.
- The dates and dollar amounts on the SF-424 are for the entire period of performance (from the project start date to the project end date), not a portion thereof.
- Applicants are responsible for ensuring that the proposed costs listed in eXCHANGE match those listed on forms SF-424 and SF-424A. Inconsistent submissions may impact ARPA-E's final award determination.

4. FOURTH COMPONENT: BUDGET JUSTIFICATION WORKBOOK/SF-424A

Applicants are required to complete the Budget Justification Workbook/SF-424A Excel spreadsheet. This form is available on ARPA-E eXCHANGE at <https://arpa-e-foa.energy.gov>. Prime Recipients must complete each tab of the Budget Justification Workbook for the project as a whole, including all work to be performed by the Prime Recipient and its Subrecipients and Contractors. The SF-424A form included with the Budget Justification Workbook will “auto-populate” as the Applicant enters information into the Workbook. Applicants should carefully read the “Instructions and Summary” tab provided within the Budget Justification Workbook. Subrecipient information must be submitted as follows:

- Each Subrecipient incurring greater than or equal to 10% of the Total Project Cost must complete a separate Budget Justification workbook to justify its proposed budget. These worksheets must be inserted as additional sheets within in the Prime Recipient's Budget Justification.
- Subrecipients incurring less than 10% of the Total Project Cost are not required to complete a separate Budget Justification workbook. However, such Subrecipients are required to provide supporting documentation to justify their proposed budgets. At a minimum, the supporting documentation must show which tasks/subtasks are being

performed, the purpose/need for the effort, and a sufficient basis for the estimated costs.

ARPA-E provides the following supplemental guidance on completing the Budget Justification Workbook/SF-424A:

- Applicants may request funds under the appropriate object class category tabs as long as the item and amount requested are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions described herein.
- If Patent costs are requested, they must be included in the Applicant's proposed budget (see Section IV.F.3 of the FOA for more information on Patent Costs).
- Unless a waiver is granted by ARPA-E, each Project Team must spend at least 5% of the Federal funding (i.e., the portion of the award that does not include the recipient's cost share) on Technology Transfer & Outreach (TT&O) activities to promote and further the development and deployment of ARPA-E-funded technologies.
- All TT&O costs requested must be included in the Applicant's proposed budget and identified as TT&O costs in the Budget Justification Workbook/SF-424A with the costs being requested under the "Other" budget category. All budgeted activities must relate to achieving specific objectives, technical milestones and deliverables outlined in Section 2.4 Task Descriptions of the Technical Volume.
- For more information, please refer to the ARPA-E Budget Justification Guidance document at <https://arpa-e-foa.energy.gov>.

5. FIFTH COMPONENT: SUMMARY FOR PUBLIC RELEASE

Applicants are required to provide a 250 word maximum Summary for Public Release. A Summary for Public Release template is available on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov>). The Summary for Public Release must be submitted in Adobe PDF format. This summary should not include any confidential, proprietary, or privileged information. The summary should be written for a lay audience (e.g., general public, media, Congress) using plain English.

250 Words	SUMMARY FOR PUBLIC RELEASE	<p>Briefly describe the proposed effort, summarize its objective(s) and technical approach, describe its ability to achieve the "Program Objectives" (see Section I.C of the FOA), and indicate its potential impact on "ARPA-E Mission Areas" (see Section I.A of the FOA). The summary should be written at technical level suitable for a high-school science student and is designed for public release.</p> <p>INSTRUCTIONS:</p> <p>(1) The Summary for Public Release <u>shall not exceed 250 words and one paragraph.</u></p> <p>(2) The Summary for Public Release <u>shall consist only of text</u>—no graphics, figures, or tables.</p>
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Questions about this FOA? Check the Frequently Asked Questions available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, email ARPA-E-CO@hq.doe.gov (with FOA name and number in subject line); see FOA Sec. VII.A. Problems with ARPA-E eXCHANGE? Email ExchangeHelp@hq.doe.gov (with FOA name and number in subject line).

		(3) For applications selected for award negotiations, the Summary may be used as the basis for a public announcement by ARPA-E; therefore, <u>this Cover Page and Summary should not contain confidential or proprietary information.</u> See Section VIII.I of the FOA for additional information on marking confidential information
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6. SIXTH COMPONENT: SUMMARY SLIDE

Applicants are required to provide a single PowerPoint slide summarizing the proposed project. The slide must be submitted in Microsoft PowerPoint format. This slide will be used during ARPA-E's evaluation of Full Applications. A summary slide template and a sample summary slide are available on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov>). Summary Slides must conform to the content requirements described below:

- A Technology Summary;
 - Bullet points that describe novel aspects of the proposed technology and technology approach;
- A description of the technology's impact;
 - Quantitative description (through text or graphic) of the impact the proposed project will provide to the market and ARPA-E mission areas;
- Proposed Targets;
 - Including any important technical performance metrics and/or impact categories;
 - Including quantitative description of the state of the art;
 - Including quantitative descriptions of the proposed targets;
- Any key graphics (illustrations, charts and/or tables) summarizing technology development and/or impact;
- The project's key idea/takeaway;
- Project title and Principal Investigator information; and
- Requested ARPA-E funds and proposed Applicant cost share.

7. SEVENTH COMPONENT: BUSINESS ASSURANCES & DISCLOSURES FORM

Applicants are required to provide the information requested in the Business Assurances & Disclosures Form. The information must be submitted in Adobe PDF format. A fillable Business Assurances & Disclosures Form template is available on ARPA-E eXCHANGE at <https://arpa-e-foa.energy.gov>. A sample response to the Business Assurances & Disclosures Form is also available on ARPA-E eXCHANGE.

As described in the Business Assurances & Disclosures Form, the Applicant is required to:

- Disclose conditions bearing on responsibility, such as criminal convictions and Federal tax liability;

- Disclose potential conflicts of interest within the Project Team;
- If the Applicant is a FFRDC/DOE Lab, submit written authorization from the cognizant Federal agency; and
- If the Applicant is a DOE/NNSA FFRDC/DOE Lab, submit a Field Work Proposal.

In addition, ARPA-E is required by statute to “accelerat[e] transformational technological advances in areas that industry is by itself not likely to undertake because of technical and financial uncertainty.”³⁸ In accordance with ARPA-E’s statutory mandate, the Applicant is required to:

- Describe the additionality and risks associated with the proposed R&D project;
- Disclose any applications for the same project or related work currently pending with any Federal or non-Federal entities; and
- Disclose all funding for work in the same technology area as the proposed project received from any Federal or non-Federal entity within the last 5 years.

Finally, the Applicant may use the Business Assurances & Disclosures Form to:

- Request authorization to perform some work overseas; and
- Request a waiver of the TT&O spending requirement.

8. EIGHTH COMPONENT: U.S. MANUFACTURING PLAN

As part of the application, Applicants are required to submit a U.S. Manufacturing Plan that should not exceed one page in length. The U.S. Manufacturing Plan represents the Applicant’s measurable commitment to support U.S. manufacturing as a result of its award. U.S. Manufacturing Plans are a Program Policy Factor during the review and selection process. See Section V.B.1 of the FOA. A U.S. Manufacturing Plan must contain a commitment to the U.S. manufacturing requirements stated in Section VI.B.8 below.

In addition, the plan should include other specific and measurable commitments. For example, an Applicant may commit particular types of products to be manufactured in the U.S. These plans should not include requirements regarding the source of inputs used during the manufacturing process. In addition to or instead of making a commitment tied to a particular product, the Applicant may make other types of commitments still beneficial to U.S. manufacturing. An Applicant may commit to a particular investment in a new or existing U.S. manufacturing facility, keep certain activities based in the U.S. (i.e., final assembly), or support a certain number of jobs in the U.S. related to the technology and manufacturing.

³⁸ America COMPETES Act, Pub. L. No. 110-69, § 5012 (2007), as amended (codified at 42 U.S.C. § 16538).

When an Applicant is selected for an award, the U.S. Manufacturing Plan submitted by the Applicant will become part of the terms and conditions of the award. It is important to note that the U.S. Manufacturing Plan is in support of and not a replacement for the U.S. Manufacturing Requirement described in Section VI.B.8. The Applicant/Awardee may request a waiver or modification of the U.S. Manufacturing Plan from DOE/ARPA-E upon a showing that the original U.S. Manufacturing Plan is no longer economically feasible.

Class patent waivers usually apply to domestic large businesses as set forth in Section VIII.A of the FOA. Under this class patent waiver, domestic large businesses may elect title to their subject inventions similar to the right provided to the domestic small businesses, educational institutions, and nonprofits by law. In order to avail itself of the class patent waiver, a domestic large business must agree that any products embodying or produced through the use of an invention conceived or first actually reduced to practice under the award will be substantially manufactured in the United States, unless a waiver is granted by DOE/ARPA-E. The U.S. Manufacturing Plan submitted by the Applicant will become part of the terms and conditions of the award in addition to the requirements attaching to subject inventions.

D. CONTENT AND FORM OF REPLIES TO REVIEWER COMMENTS

Written feedback on Full Applications is made available to Applicants before the submission deadline for Replies to Reviewer Comments. Applicants have a brief opportunity to prepare a short Reply to Reviewer Comments responding to one or more comments or supplementing their Full Application. A fillable Reply to Reviewer Comments template is available on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov>).

Replies to Reviewer Comments must conform to the following requirements:

- The Reply to Reviewer Comments must be submitted in Adobe PDF format.
- The Reply to Reviewer Comments must be written in English.
- All pages must be formatted to fit on 8-1/2 by 11 inch paper with margins not less than one inch on every side. Use Times New Roman typeface, a black font color, and a font size of 12 points or larger (except in figures and tables).
- The Control Number must be prominently displayed on the upper right corner of the header of every page. Page numbers must be included in the footer of every page.

ARPA-E may not review or consider noncompliant Replies to Reviewer Comments (see Section III.C.1 of the FOA). ARPA-E will review and consider each compliant and responsive Full Application, even if no Reply is submitted or if the Reply is found to be noncompliant.

Replies to Reviewer Comments must conform to the following content and form requirements, including maximum page lengths, described below. If a Reply to Reviewer Comments is more than three pages in length, ARPA-E will review only the first three pages and disregard any additional pages.

SECTION	PAGE LIMIT	DESCRIPTION
Text	2 pages maximum	<ul style="list-style-type: none">Applicants may respond to one or more reviewer comments or supplement their Full Application.
Images	1 page maximum	<ul style="list-style-type: none">Applicants may provide graphs, charts, or other data to respond to reviewer comments or supplement their Full Application.

E. INTERGOVERNMENTAL REVIEW

This program is not subject to Executive Order 12372 (Intergovernmental Review of Federal Programs).

F. FUNDING RESTRICTIONS

1. ALLOWABLE COSTS

All expenditures must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles. Pursuant to 2 C.F.R. § 910.352, the cost principles in the Federal Acquisition Regulations (48 C.F.R. Part 31.2) apply to for-profit entities. The cost principles contained in 2 C.F.R. Part 200, Subpart E apply to all entities other than for-profits.

2. PRE-AWARD COSTS

ARPA-E will not reimburse any pre-award costs incurred by Applicants before they are selected for award negotiations. Please refer to Section VI.A of the FOA for guidance on award notices.

Upon selection for award negotiations, Applicants may incur pre-award costs at their own risk, consistent with the requirements in 2 C.F.R. Part 200, as modified by 2 C.F.R. Part 910, and other Federal laws and regulations. ARPA-E generally does not accept budgets as submitted with the Full Application. Budgets are typically reworked during award negotiations. ARPA-E is under no obligation to reimburse pre-award costs if, for any reason, the Applicant does not receive an award or the award is made for a lesser amount than the Applicant expected, or if the costs incurred are not allowable, allocable, or reasonable.

3. PATENT COSTS

For Subject Inventions disclosed to DOE under an award, ARPA-E will reimburse the Prime Recipient – in addition to allowable costs associated with Subject Invention disclosures – up to \$30,000 of expenditures for filing and prosecution of United States patent applications, including international applications (“PCT application”) submitted to the United States Patent

and Trademark Office (USPTO).

The Prime Recipient may request a waiver of the \$30,000 cap. Because all patent costs are considered to be Technology Transfer & Outreach (TT&O) costs (see Section IV.F.8 of the FOA below), the waiver request is subject to approval by ARPA-E.

4. CONSTRUCTION

ARPA-E generally does not fund projects that involve major construction. Recipients are required to obtain written authorization from the Contracting Officer before incurring any major construction costs.

5. FOREIGN TRAVEL

ARPA-E generally does not fund projects that involve foreign travel. Recipients are required to obtain written authorization from the ARPA-E Program Director before incurring any foreign travel costs and provide trip reports with their reimbursement requests.

6. PERFORMANCE OF WORK IN THE UNITED STATES

ARPA-E strongly encourages interdisciplinary and cross-sectoral collaboration spanning organizational boundaries. Such collaboration enables the achievement of scientific and technological outcomes that were previously viewed as extremely difficult, if not impossible.

ARPA-E requires all work under ARPA-E funding agreements to be performed in the United States – i.e., Prime Recipients must expend 100% of the Total Project Cost in the United States. However, Applicants may request a waiver of this requirement where their project would materially benefit from, or otherwise requires, certain work to be performed overseas.

Applicants seeking a waiver of this requirement are required to include an explicit request in the Business Assurances & Disclosures Form, which is part of the Full Application submitted to ARPA-E. Such waivers are granted where there is a demonstrated need, as determined by ARPA-E.

7. PURCHASE OF NEW EQUIPMENT

All equipment purchased under ARPA-E funding agreements must be made or manufactured in the United States, to the maximum extent practicable. This requirement does not apply to used or leased equipment. The Prime Recipients are required to notify the ARPA-E Contracting Officer reasonably in advance of purchasing any equipment that is not made or manufactured in the United States with a total acquisition cost of \$250,000 or more. The ARPA-E Contracting Officer will provide consent to purchase or reject within 30 calendar days of receipt of the

Recipient's notification.

8. TECHNOLOGY TRANSFER AND OUTREACH

ARPA-E is required to contribute a percentage of appropriated funds to Technology Transfer and Outreach (TT&O) activities. In order to meet this mandate every Project Team must spend at least 5% of the Federal funding (i.e., the portion of the award that does not include the recipient's cost share) provided by ARPA-E on TT&O activities to promote and further the development and deployment of ARPA-E-funded technologies. Project Teams must also seek a waiver from ARPA-E to spend less than the minimum 5% TT&O expenditure requirement.

All TT&O expenditures are subject to the applicable Federal cost principles (i.e., 2 C.F.R. 200 Subpart E and 48 C.F.R. Subpart 31). Examples of TT&O expenditures are as follows:

- Documented travel and registration for the ARPA-E Energy Innovation Summit and other energy-related conferences and events;
- Documented travel to meet with potential suppliers, partners, or customers;
- Documented work by salaried or contract personnel to develop technology-to-market models or plans;
- Documented costs of acquiring industry-accepted market research reports; and
- Approved patent costs.

ARPA-E will not reimburse recipients for TT&O costs considered to be unallowable in accordance with the applicable cost principles. Examples of unallowable TT&O expenditures include:

- Meals or entertainment;
- Gifts to potential suppliers, partners, or customers;
- TT&O activities that do not relate to the ARPA-E-funded technologies;
- Undocumented TT&O activities; and
- TT&O activities unrelated and/or unallocable to the subject award.

Applicants may seek a waiver of the TT&O requirement by including an explicit request in the Business Assurances & Disclosures Form. Please refer to the Business Assurances & Disclosures Form for guidance on the content and form of the waiver request. ARPA-E may waive or modify the TT&O requirement, as appropriate.

For information regarding incorporation of TT&O costs into budget documentation, see Section IV.C.3 of the FOA.

9. LOBBYING

Prime Recipients and Subrecipients may not use any Federal funds, directly or indirectly, to influence or attempt to influence, directly or indirectly, congressional action on any legislative or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. § 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

Prime Recipients and Subrecipients are required to complete and submit SF-LLL, "Disclosure of Lobbying Activities" (<http://www.whitehouse.gov/sites/default/files/omb/grants/sflllin.pdf>) if any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence any of the following in connection with your application:

- An officer or employee of any Federal agency,
- A Member of Congress,
- An officer or employee of Congress, or
- An employee of a Member of Congress.

10. CONFERENCE SPENDING

Prime Recipients and Subrecipients may not use any Federal funds to:

- Defray the cost to the United States Government of a conference held by any Executive branch department, agency, board, commission, or office which is not directly and programmatically related to the purpose for which their ARPA-E award is made and for which the cost to the United States Government is more than \$20,000; or
- To circumvent the required notification by the head of any such Executive Branch department, agency, board, commission, or office to the Inspector General (or senior ethics official for any entity without an Inspector General), of the date, location, and number of employees attending such a conference.

11. INDEPENDENT RESEARCH AND DEVELOPMENT COSTS

ARPA-E does not fund Independent Research and Development (IR&D) as part of an indirect cost rate under its financial assistance awards. IR&D, as defined at FAR 31.205-18(a), includes cost of effort that is not sponsored by an assistance agreement or required in performance of a contract, and that consists of projects falling within the four following areas: (i) basic research, (ii) applied research, (iii) development, and (iv) systems and other concept formulation studies.

ARPA-E's goals are to enhance the economic and energy security of the United States through the development of energy technologies and ensure that the United States maintains a technological lead in developing and deploying advanced energy technologies. ARPA-E accomplishes these goals by providing financial assistance for energy technology projects, and

has well recognized and established procedures for supporting research through competitive financial assistance awards based on merit review of proposed projects. Reimbursement for independent research and development costs through the indirect cost mechanism could circumvent this competitive process.

To ensure that all projects receive similar and equal consideration, eligible organizations may compete for direct funding of independent research projects they consider worthy of support by submitting proposals for those projects to ARPA-E. Since proposals for these projects may be submitted for direct funding, costs for independent research and development projects are not allowable as indirect costs under ARPA-E awards. IR&D costs, however, would still be included in the direct cost base that is used to calculate the indirect rate so as to ensure an appropriate allocation of indirect costs to the organization's direct cost centers.

G. OTHER SUBMISSION REQUIREMENTS

1. USE OF ARPA-E eXCHANGE

To apply to this FOA, Applicants must register with ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/Registration.aspx>). Full Applications and Replies to Reviewer Comments must be submitted through ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/login.aspx>). ARPA-E will not review or consider applications submitted through other means (e.g., fax, hand delivery, email, postal mail). For detailed guidance on using ARPA-E eXCHANGE, please refer to the "ARPA-E eXCHANGE Applicant Guide" (<https://arpa-e-foa.energy.gov/Manuals.aspx>).

Upon creating an application submission in ARPA-E eXCHANGE, Applicants will be assigned a Control Number. If the Applicant creates more than one application submission, a different Control Number will be assigned for each application.

Once logged in to ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/login.aspx>), Applicants may access their submissions by clicking the "My Submissions" link in the navigation on the left side of the page. Every application that the Applicant has submitted to ARPA-E and the corresponding Control Number is displayed on that page. If the Applicant submits more than one application to a particular FOA, a different Control Number is shown for each application.

Applicants are responsible for meeting each submission deadline in ARPA-E eXCHANGE. **Applicants are strongly encouraged to submit their applications at least 48 hours in advance of the submission deadline.** Under normal conditions (i.e., at least 48 hours in advance of the submission deadline), Applicants should allow at least 1 hour to submit a Full Application. In addition, Applicants should allow at least 15 minutes to submit a Reply to Reviewer Comments. Once the application is submitted in ARPA-E eXCHANGE, Applicants may revise or update their application until the expiration of the applicable deadline.

Applicants should not wait until the last minute to begin the submission process. During the final hours before the submission deadline, Applicants may experience server/connection congestion that prevents them from completing the necessary steps in ARPA-E eXCHANGE to submit their applications. ARPA-E will not extend the submission deadline for Applicants that fail to submit required information and documents due to server/connection congestion.

ARPA-E may not review or consider incomplete applications and applications received after the deadline stated in the FOA. Such applications may be deemed noncompliant (see Section III.C.1 of the FOA). The following errors could cause an application to be deemed “incomplete” and thus noncompliant:

- Failing to comply with the form and content requirements in Section IV of the FOA;
- Failing to enter required information in ARPA-E eXCHANGE;
- Failing to upload required document(s) to ARPA-E eXCHANGE;
- Failing to click the “Submit” button in ARPA-E eXCHANGE by the deadline stated in the FOA;
- Uploading the wrong document(s) or application(s) to ARPA-E eXCHANGE; and
- Uploading the same document twice, but labeling it as different documents. (In the latter scenario, the Applicant failed to submit a required document.)

ARPA-E urges Applicants to carefully review their applications and to allow sufficient time for the submission of required information and documents.

V. APPLICATION REVIEW INFORMATION

A. CRITERIA

ARPA-E performs a preliminary review of Full Applications to determine whether they are compliant and responsive (see Section III.C of the FOA). ARPA-E also performs a preliminary review of Replies to Reviewer Comments to determine whether they are compliant.

ARPA-E considers a mix of quantitative and qualitative criteria in determining whether to select a Full Application for award negotiations.

1. CRITERIA FOR FULL APPLICATIONS

Full Applications are evaluated based on the following criteria:

(1) *Impact of the Proposed Technology* (30%) - This criterion involves consideration of the following:

- The potential for a transformational and disruptive (not incremental) advancement in one or more energy-related fields;
- Thorough understanding of the current state-of-the-art and presentation of an innovative technical approach to significantly improve performance over the current state-of-the-art;
- Awareness of competing commercial and/or emerging technologies and identification of how the proposed concept/technology provides significant improvement over these other solutions; and
- A reasonable and effective strategy for transitioning the proposed technology from the laboratory to commercial deployment (Category A and B Applicants only).
- Potential for a capability to accelerate the development of lower-cost fusion concepts (Category C Applicants only).

(2) *Overall Scientific and Technical Merit* (30%) - This criterion involves consideration of the following:

- Whether the proposed work is unique and innovative;
- Clearly defined project outcomes and final deliverables;
- Substantiation that the proposed project is likely to meet or exceed the technical performance targets identified in this FOA;
- Feasibility of the proposed work based upon preliminary data or other background information and sound scientific and engineering practices and principles;
- A sound technical approach, including appropriately defined technical tasks, to accomplish the proposed R&D objectives; and
- Management of risk, to include identifying major technical R&D risks and feasible,

effective mitigation strategies.

(3) *Qualifications, Experience, and Capabilities of the Proposed Project Team* (30%) - This criterion involves consideration of the following:

- The PI and Project Team have the skill and expertise needed to successfully execute the project plan, evidenced by prior experience that demonstrates an ability to perform R&D of similar risk and complexity; and
- Access to the equipment, facilities, or other capabilities necessary to accomplish the proposed R&D effort and/or a clear plan to obtain access to necessary equipment and facilities.

(4) *Soundness of Management Plan* (10%) - This criterion involves consideration of the following:

- Plausibility of plan to manage people and resources;
- Allocation of appropriate levels of effort and resources to proposed tasks;
- Reasonableness of the proposed project schedule, including major milestones; and
- Reasonableness of the proposed budget to accomplish the proposed project.

Submissions will not be evaluated against each other since they are not submitted in accordance with a common work statement.

The above criteria will be weighted as follows:

Impact of the Proposed Technology	30%
Overall Scientific and Technical Merit	30%
Qualifications, Experience, and Capabilities of the Proposed Project Team	30%
Soundness of Management Plan	10%

2. CRITERIA FOR REPLIES TO REVIEWER COMMENTS

ARPA-E has not established separate criteria to evaluate Replies to Reviewer Comments. Instead, Replies to Reviewer Comments are evaluated as an extension of the Full Application.

B. REVIEW AND SELECTION PROCESS

1. PROGRAM POLICY FACTORS

In addition to the above criteria, ARPA-E may consider the following program policy factors in determining which Full Applications to select for award negotiations:

- I. **ARPA-E Portfolio Balance.** Project balances ARPA-E portfolio in one or more of the following areas:
 - a. Diversity of technical personnel in the proposed Project Team;
 - b. Technological diversity;
 - c. Organizational diversity;
 - d. Geographic diversity;
 - e. Technical or commercialization risk; or
 - f. Stage of technology development.
- II. **Relevance to ARPA-E Mission Advancement.** Project contributes to one or more of ARPA-E's key statutory goals:
 - a. Reduction of U.S. dependence on foreign energy sources;
 - b. Stimulation of domestic manufacturing/U.S. Manufacturing Plan;
 - c. Reduction of energy-related emissions;
 - d. Increase in U.S. energy efficiency;
 - e. Enhancement of U.S. economic and energy security; or
 - f. Promotion of U.S. advanced energy technologies competitiveness.
- III. **Synergy of Public and Private Efforts.**
 - a. Avoids duplication and overlap with other publicly or privately funded projects;
 - b. Promotes increased coordination with nongovernmental entities for demonstration of technologies and research applications to facilitate technology transfer; or
 - c. Increases unique research collaborations.
- IV. **Low likelihood of other sources of funding.** High technical and/or financial uncertainty that results in the non-availability of other public, private or internal funding or resources to support the project.
- V. **High-Leveraging of Federal Funds.** Project leverages Federal funds to optimize advancement of programmatic goals by proposing cost share above the required minimum or otherwise accessing scarce or unique resources.
- VI. **High Project Impact Relative to Project Cost.**

2. ARPA-E REVIEWERS

By submitting an application to ARPA-E, Applicants consent to ARPA-E's use of Federal employees, contractors, and experts from educational institutions, nonprofits, industry, and governmental and intergovernmental entities as reviewers. ARPA-E selects reviewers based on their knowledge and understanding of the relevant field and application, their experience and skills, and their ability to provide constructive feedback on applications.

ARPA-E requires all reviewers to complete a Conflict-of-Interest Certification and Nondisclosure Agreement through which they disclose their knowledge of any actual or apparent conflicts and agree to safeguard confidential information contained in Full Applications and Replies to Reviewer Comments. In addition, ARPA-E trains its reviewers in proper evaluation techniques and procedures.

Applicants are not permitted to nominate reviewers for their applications. Applicants may contact the Contracting Officer by email (ARPA-E-CO@hq.doe.gov) if they have knowledge of a potential conflict of interest or a reasonable belief that a potential conflict exists.

3. ARPA-E SUPPORT CONTRACTOR

ARPA-E utilizes contractors to assist with the evaluation of applications and project management. To avoid actual and apparent conflicts of interest, ARPA-E prohibits its support contractors from submitting or participating in the preparation of applications to ARPA-E.

By submitting an application to ARPA-E, Applicants represent that they are not performing support contractor services for ARPA-E in any capacity and did not obtain the assistance of ARPA-E's support contractor to prepare the application. ARPA-E will not consider any applications that are submitted by or prepared with the assistance of its support contractors.

C. ANTICIPATED ANNOUNCEMENT AND AWARD DATES

ARPA-E expects to announce selections for negotiations in approximately April 2020 and to execute funding agreements in approximately July, 2020.

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

1. REJECTED SUBMISSIONS

Noncompliant and nonresponsive Full Applications are rejected by the Contracting Officer and are not merit reviewed or considered for award. The Contracting Officer sends a notification letter by email to the technical and administrative points of contact designated by the Applicant in ARPA-E eXCHANGE. The notification letter states the basis upon which the Full Application was rejected.

2. FULL APPLICATION NOTIFICATIONS

ARPA-E promptly notifies Applicants of its determination. ARPA-E sends a notification letter by email to the technical and administrative points of contact designated by the Applicant in ARPA-E eXCHANGE. The notification letter may inform the Applicant that its Full Application was selected for award negotiations, or not selected. Alternatively, ARPA-E may notify one or more Applicants that a final selection determination on particular Full Applications will be made at a later date, subject to the availability of funds and other factors.

Written feedback on Full Applications is made available to Applicants before the submission deadline for Replies to Reviewer Comments. By providing feedback, ARPA-E intends to guide the further development of the proposed technology and to provide a brief opportunity to respond to reviewer comments.

a. SUCCESSFUL APPLICANTS

ARPA-E has discretion to select all or part of a proposed project for negotiation of an award. A notification letter selecting a Full Application for award negotiations does not authorize the Applicant to commence performance of the project. **ARPA-E selects Full Applications for award negotiations, not for award.** Applicants do not receive an award until award negotiations are complete and the Contracting Officer executes the funding agreement. ARPA-E may terminate award negotiations at any time for any reason.

Please refer to Section IV.F.2 of the FOA for guidance on pre-award costs.

b. POSTPONED SELECTION DETERMINATIONS

A notification letter postponing a final selection determination until a later date does not authorize the Applicant to commence performance of the project. ARPA-E may ultimately determine to select or not select the Full Application for award negotiations.

Please refer to Section IV.F.2 of the FOA for guidance on pre-award costs.

C. UNSUCCESSFUL APPLICANTS

By not selecting a Full Application, ARPA-E intends to convey its lack of programmatic interest in the proposed project. Such assessments do not necessarily reflect judgments on the merits of the proposed project. ARPA-E hopes that unsuccessful Applicants will submit innovative ideas and concepts for future FOAs.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

The following administrative and national policy requirements apply to Prime Recipients. The Prime Recipient is the responsible authority regarding the settlement and satisfaction of all contractual and administrative issues, including but not limited to disputes and claims arising out of any agreement between the Prime Recipient and a FFRDC contractor. Prime Recipients are required to flow down these requirements to their Subrecipients through subawards or related agreements.

1. DUNS NUMBER AND SAM, FSRS, AND FEDCONNECT REGISTRATIONS

Prime Recipients and Subrecipients are required to obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number at <http://fedgov.dnb.com/webform> and to register with the System for Award Management (SAM) at <https://www.sam.gov/portal/public/SAM/>.

Prime Recipients and Subrecipients should commence this process as soon as possible in order to expedite the execution of a funding agreement. Obtaining a DUNS number and registering with SAM could take several weeks.

Prime Recipients are also required to register with the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <https://www.fsrs.gov/>.³⁹ Prime Recipients are required to report to FSRS the names and total compensation of each of the Prime Recipient's five most highly compensated executives and the names and total compensation of each Subrecipient's five most highly compensated executives. Please refer to <https://www.fsrs.gov/> for guidance on reporting requirements.

ARPA-E may not execute a funding agreement with the Prime Recipient until it has obtained a DUNS number and completed its SAM and FSRS registrations. In addition, the Prime Recipient may not execute subawards with Subrecipients until they obtain a DUNS number and complete their SAM registration. Prime Recipients and Subrecipients are required to keep their SAM and FSRS data current throughout the duration of the project.

Finally, Prime Recipients are required to register with FedConnect in order to receive notification that their funding agreement has been executed by the Contracting Officer and to

³⁹ The Federal Funding Accountability and Transparency Act, P.L. 109-282, 31 U.S.C. 6101 note.

obtain a copy of the executed funding agreement. Please refer to <https://www.fedconnect.net/FedConnect/> for registration instructions.

2. NATIONAL POLICY ASSURANCES

Project Teams, including Prime Recipients and Subrecipients, are required to comply with the National Policy Assurances attached to their funding agreement in accordance with 2 C.F.R. 200.300. Please refer to Attachment 6 of ARPA-E's Model Cooperative Agreement (<https://arpa-e.energy.gov/?q=site-page/funding-agreements>) for information on the National Policy Assurances.

3. PROOF OF COST SHARE COMMITMENT AND ALLOWABILITY

Upon selection for award negotiations, the Prime Recipient must confirm in writing that the proposed cost share contribution is allowable in accordance with applicable Federal cost principles.

The Prime Recipient is also required to provide cost share commitment letters from Subrecipients or third parties that are providing cost share, whether cash or in-kind. Each Subrecipient or third party that is contributing cost share must provide a letter on appropriate letterhead that is signed by an authorized corporate representative.

4. COST SHARE PAYMENTS⁴⁰

All proposed cost share contributions must be reviewed in advance by the Contracting Officer and incorporated into the project budget before the expenditures are incurred.

The Prime Recipient is required to pay the "Cost Share" amount as a percentage of the total project costs in each invoice period for the duration of the period of performance. Small Businesses see Section III.B.3 of the FOA.

ARPA-E may deny reimbursement requests, in whole or in part, or modify or terminate funding agreements where Prime Recipients (or Project Teams) fail to comply with ARPA-E's cost share payment requirements.

5. ENVIRONMENTAL IMPACT QUESTIONNAIRE

By law, ARPA-E is required to evaluate the potential environmental impact of projects that it is considering for funding. In particular, ARPA-E must determine before funding a project whether the project qualifies for a categorical exclusion under 10 C.F.R. § 1021.410 or whether

⁴⁰ Please refer to Section III.B of the FOA for guidance on cost share requirements.

it requires further environmental review (i.e., an environmental assessment or an environmental impact statement).

To facilitate and expedite ARPA-E's environmental review, Prime Recipients are required to complete an Environmental Impact Questionnaire during award negotiations. This form is available at <https://arpa-e.energy.gov/?q=site-page/required-forms-and-templates>. The Environmental Impact Questionnaire is due within 21 calendar days of the selection announcement.

6. TECHNOLOGY-TO-MARKET PLAN

During award negotiations, Prime Recipients are required to negotiate and submit an initial Technology-to-Market Plan to the ARPA-E Program Director, and obtain the ARPA-E Program Director's approval prior to the execution of the award. Prime Recipients must show how budgeted Technology Transfer and Outreach (TT&O) costs relate to furthering elements of the Technology-to-Market Plan. During the period of performance, Prime Recipients are required to provide regular updates on the initial Technology-to-Market plan and report on implementation of Technology-to-Market activities. Prime Recipients may be required to perform other actions to further the commercialization of their respective technologies.

ARPA-E may waive or modify this requirement, as appropriate.

7. INTELLECTUAL PROPERTY AND DATA MANAGEMENT PLANS

ARPA-E requires every Project Team, except Capability Teams (Category C), to negotiate and establish an Intellectual Property Management Plan for the management and disposition of intellectual property arising from the project. The Prime Recipient must submit a completed and signed Intellectual Property Management plan to ARPA-E within six weeks of the effective date of the ARPA-E funding agreement. All Intellectual Property Management Plans are subject to the terms and conditions of the ARPA-E funding agreement and its intellectual property provisions, and applicable Federal laws, regulations, and policies, all of which take precedence over the terms of Intellectual Property Management Plans. ARPA-E expects Capability Teams to reach mutually acceptable agreements on data rights and IP protection among its team members but will not require that agreement be provided to ARPA-E.

ARPA-E has developed a template for Intellectual Property Management Plans (<https://arpa-e.energy.gov/?q=site-page/project-management-reporting-requirements>) so as to facilitate and expedite negotiations between Project Team members. ARPA-E does not mandate the use of this template. ARPA-E and DOE do not make any warranty (express or implied) or assume any liability or responsibility for the accuracy, completeness, or usefulness of the template. ARPA-E and DOE strongly encourage Project Teams to consult independent legal counsel before using the template.

Awardees are also required, post-award, to submit a Data Management Plan (DMP) that addresses how data generated in the course of the work performed under an ARPA-E award will be preserved and, as appropriate, shared publicly. The Prime Recipient must submit a completed and signed DMP - as part of the Team's Intellectual Property Management Plan - to ARPA-E within six weeks of the effective date of the ARPA-E funding agreement. The DMP must meet the minimum requirements set forth in ARPA-E's "Applicant Guide to Award Negotiations" available at the following website: <https://arpa-e.energy.gov/?q=arpa-e-site-page/pre-award-guidance>."

8. U.S. MANUFACTURING REQUIREMENT

As part of its Full Application, each applicant is required to submit a U.S. Manufacturing Plan that includes the following U.S. Manufacturing Requirements. For more information on the required U.S Manufacturing Plan, see Section IV.C.8 above.

a. SMALL BUSINESSES

Small businesses (and in rare cases where a non-profit might manufacture) that are Prime Recipients or Subrecipients under ARPA-E funding agreements must agree that any products embodying any subject invention or produced through the use of any subject invention will be manufactured substantially in the United States for any use or sale anywhere in the world.

Small business must also agree that, for their exclusive and nonexclusive licensees, any products that embody any subject invention or that will be produced through the use of any subject invention will be manufactured substantially in the United States for any use or sale anywhere in the world.

Small businesses must require their assignees and entities acquiring a controlling interest in the small business to apply the same U.S. Manufacturing requirements to their licensees.

b. LARGE BUSINESS

Large businesses that are Prime Recipients or Subrecipients (and in rare cases, foreign entities that are Subrecipients) under ARPA-E funding agreements are required to substantially manufacture the following products in the United States: (1) products embodying subject inventions, and (2) products produced through the use of subject inventions. This requirement applies to products that are manufactured for use or sale in the United States and outside the United States.

Large businesses (and in rare cases, foreign entities that are subrecipients) must apply the same U.S. Manufacturing requirements to their assignees, licensees, and entities acquiring a controlling interest in the large business or foreign entity. Large businesses must require their assignees and entities acquiring a controlling interest in the large business to apply the same U.S. Manufacturing requirements to their licensees.

c. EDUCATIONAL INSTITUTIONS AND NONPROFITS

Domestic educational institutions and nonprofits that are Prime Recipients or Subrecipients under ARPA-E funding agreements must require their exclusive and nonexclusive licensees to substantially manufacture the following products in the United States for any use or sale anywhere in the world: (1) articles embodying subject inventions, and (2) articles produced through the use of subject inventions. Educational institutions and nonprofits must require their assignees to apply the same U.S. Manufacturing requirements to their licensees.

d. FFRDCs/DOE LABS AND STATE AND LOCAL GOVERNMENT ENTITIES

FFRDCs/DOE Labs that are GOCOs and state and local government entities that are Prime Recipients or Subrecipients under ARPA-E funding agreements must require their exclusive licensees to substantially manufacture the following products in the United States for any use or sale in the United States: (1) products embodying subject inventions, and (2) products produced through the use of subject inventions. This requirement does not apply to products that are manufactured for use or sale overseas. They must also require their assignees to apply the same U.S. Manufacturing requirements to their exclusive licensees. GOCOs are subject to the requirements in 37 CFR § 404.5(a)(2).

e. CRITERIA FOR WAIVING U.S. MANUFACTURING REQUIREMENTS

ARPA-E seeks to “enhance the economic and energy security of the United States ...” and “ensure that the United States maintains a technological lead in developing and deploying advanced energy technologies.” The preferred benefit to the U.S. economy is the creation and maintenance of manufacturing capabilities and jobs within the United States. However, an applicant or awardee may request a modification or waiver of the standard U.S. Manufacturing Requirement, or its submitted U.S. Manufacturing Plan, if the applicant/awardee can demonstrate to the satisfaction of DOE/ARPA-E that it is not commercially feasible to comply with U.S. manufacturing requirements. In addition, such requests must include a description of specific economic or other benefits to the U.S. economy which are related to the commercial use by requestor of the technology being funded by ARPA-E and which are commensurate with the Government’s contribution to the proposed work. These types of benefits are more easily measured and evaluated after technical advance has been made under an award, such as by the making of a subject invention.

Such benefits may include one or more of the following:

- Direct or indirect investment in U.S.-based plant and equipment.
- Creation of new and/or higher-quality U.S.-based jobs.
- Enhancement of the domestic skills base.
- Further domestic development of the technology.

- Significant reinvestment of profits in the domestic economy.
- Positive impact on the U.S. balance of payments in terms of product and service exports as well as foreign licensing royalties and receipts.
- Appropriate recognition of U.S. taxpayer support for the technology; e.g., a quid-pro-quo commensurate with the economic benefit that would be domestically derived by the U.S. taxpayer from U.S.-based manufacture.
- Cross-licensing, sublicensing, and reassignment provisions in licenses which seek to maximize the benefits to the U.S. taxpayer.
- Any foreign manufacturing/use will occur in a country that protects U.S. patents/intellectual property.

9. CORPORATE FELONY CONVICTIONS AND FEDERAL TAX LIABILITY

In submitting an application in response to this FOA, the Applicant represents that:

- It is not a corporation that has been convicted of a felony criminal violation under any Federal law within the preceding 24 months; and
- It is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

For purposes of these representations the following definitions apply: A Corporation includes any entity that has filed articles of incorporation in any of the 50 states, the District of Columbia, or the various territories of the United States [but not foreign corporations]. It includes both for-profit and non-profit organizations.

10. APPLICANT RISK ANALYSIS

If selected for award negotiations, ARPA-E may evaluate the risks posed by the Applicant using the criteria set forth at 2 CFR §200.205(c), subparagraphs (1) through (4). ARPA-E may require special award terms and conditions depending upon results of the risk analysis.

11. RECIPIENT INTEGRITY AND PERFORMANCE MATTERS

Prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold (presently \$250,000), ARPA-E is required to review and consider any information about Applicants that is contained in the Office of Management and Budget's designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System or FAPIIS) (41 U.S.C. § 2313 and 2 C.F.R. 200.205).

Applicants may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered into FAPIIS.

ARPA-E will consider any written comments provided by Applicants during award negotiations, in addition to the other information in FAPIIS, in making a judgment about an Applicant's integrity, business ethics, and record of performance under Federal awards when reviewing potential risk posed by Applicants as described in 2 C.F.R. §200.205.

12. NONDISCLOSURE AND CONFIDENTIALITY AGREEMENTS REPRESENTATIONS

In submitting an application in response to this FOA the Applicant represents that:

- (1) **It does not and will not** require its employees or contractors to sign internal nondisclosure or confidentiality agreements or statements prohibiting or otherwise restricting its employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- (2) **It does not and will not** use any Federal funds to implement or enforce any nondisclosure and/or confidentiality policy, form, or agreement it uses unless it contains the following provisions:
 - a. *“These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”*
 - b. The limitation above shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.
 - c. Notwithstanding provision listed in paragraph (a), a nondisclosure confidentiality policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure or confidentiality forms

shall also make it clear that they do not bar disclosure to congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

C. REPORTING

Recipients are required to submit periodic, detailed reports on technical, financial, and other aspects of the project, as described in Attachment 4 to ARPA-E's Model Cooperative Agreement (<https://arpa-e.energy.gov/?q=site-page/funding-agreements>).

VII. AGENCY CONTACTS

A. COMMUNICATIONS WITH ARPA-E

Upon the issuance of a FOA, only the Contracting Officer may communicate with Applicants. ARPA-E personnel and our support contractors are prohibited from communicating (in writing or otherwise) with Applicants regarding the FOA. This “quiet period” remains in effect until ARPA-E’s public announcement of its project selections.

During the “quiet period,” Applicants are required to submit all questions regarding this FOA to ARPA-E-CO@hq.doe.gov. Questions and Answers (Q&As) about ARPA-E and the FOA are available at <http://arpa-e.energy.gov/faq>. For questions that have not already been answered, please send an email with the FOA name and number in the subject line to ARPA-E-CO@hq.doe.gov. Due to the volume of questions received, ARPA-E will only answer pertinent questions that have not yet been answered and posted at the above link.

- ARPA-E will post responses on a weekly basis to any questions that are received that have not already been addressed at the link above. ARPA-E may re-phrase questions or consolidate similar questions for administrative purposes.
- ARPA-E will cease to accept questions approximately 10 business days in advance of each submission deadline. Responses to questions received before the cutoff will be posted approximately one business day in advance of the submission deadline. ARPA-E may re-phrase questions or consolidate similar questions for administrative purposes.
- Responses are published in a document specific to this FOA under “CURRENT FUNDING OPPORTUNITIES – FAQs” on ARPA-E’s website (<http://arpa-e.energy.gov/faq>).

Applicants may submit questions regarding ARPA-E eXCHANGE, ARPA-E’s online application portal, to ExchangeHelp@hq.doe.gov. ARPA-E will promptly respond to emails that raise legitimate, technical issues with ARPA-E eXCHANGE. ARPA-E will refer any questions regarding the FOA to ARPA-E-CO@hq.doe.gov.

ARPA-E will not accept or respond to communications received by other means (e.g., fax, telephone, mail, hand delivery). Emails sent to other email addresses will be disregarded.

During the “quiet period,” only the Contracting Officer may authorize communications between ARPA-E personnel and Applicants. The Contracting Officer may communicate with Applicants as necessary and appropriate. As described in Section IV.A of the FOA, the Contracting Officer may arrange pre-selection meetings and/or site visits during the “quiet period.”

B. DEBRIEFINGS

ARPA-E does not offer or provide debriefings. ARPA-E provides Applicants with reviewer comments on Full Applications before the submission deadline for Replies to Reviewer Comments.

VIII. OTHER INFORMATION

A. TITLE TO SUBJECT INVENTIONS

Ownership of subject inventions is governed pursuant to the authorities listed below. Typically, either by operation of law or under the authority of a patent waiver, Prime Recipients and Subrecipients may elect to retain title to their subject inventions under ARPA-E funding agreements.

- Domestic Small Businesses, Educational Institutions, and Nonprofits: Under the Bayh-Dole Act (35 U.S.C. § 200 et seq.), domestic small businesses, educational institutions, and nonprofits may elect to retain title to their subject inventions. If Prime Recipients/Subrecipients elect to retain title, they must file a patent application in a timely fashion, generally one year from election of title, though: a) extensions can be granted, and b) earlier filing is required for certain situations (“statutory bars,” governed by 35 U.S.C. § 102) involving publication, sale, or public use of the subject invention.
- All other parties: The Federal Non-Nuclear Energy Research and Development Act of 1974, 42 U.S.C. 5908, provides that the Government obtains title to new inventions unless a waiver is granted (*see below*).
- Class Waiver: Under 42 U.S.C. § 5908, title to subject inventions vests in the U.S. Government and large businesses and foreign entities do not have the automatic right to elect to retain title to subject inventions. However, ARPA-E typically issues “class patent waivers” under which large businesses and foreign entities that meet certain stated requirements, such as cost sharing of at least 20%, may elect to retain title to their subject inventions. If a large business or foreign entity elects to retain title to its subject invention, it must file a patent application in a timely fashion. If the class waiver does not apply, a party may request a waiver in accordance with 10 C.F.R. §784.
- GOGOs are subject to the requirements of 37 C.F.R. Part 501.
- Determination of Exceptional Circumstances (DEC): DOE has determined that exceptional circumstances exist that warrant the modification of the standard patent rights clause for small businesses and non-profit awardees under Bayh-Dole to maximize the manufacture of technologies supported by ARPA-E awards in the United States. The DEC, including a right of appeal, is dated September 9, 2013 and is available at the following link: <http://energy.gov/gc/downloads/determination-exceptional-circumstances-under-bayh-dole-act-energy-efficiency-renewable>. Please see Section IV.C and VI.B for more information on U.S. Manufacturing Requirements.

B. GOVERNMENT RIGHTS IN SUBJECT INVENTIONS

Where Prime Recipients and Subrecipients retain title to subject inventions, the U.S. Government retains certain rights.

1. GOVERNMENT USE LICENSE

The U.S. Government retains a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States any subject invention throughout the world. This license extends to contractors doing work on behalf of the Government.

2. MARCH-IN RIGHTS

The U.S. Government retains march-in rights with respect to all subject inventions. Through “march-in rights,” the Government may require a Prime Recipient or Subrecipient who has elected to retain title to a subject invention (or their assignees or exclusive licensees), to grant a license for use of the invention. In addition, the Government may grant licenses for use of the subject invention when Prime Recipients, Subrecipients, or their assignees and exclusive licensees refuse to do so.

The U.S. Government may exercise its march-in rights if it determines that such action is necessary under any of the four following conditions:

- The owner or licensee has not taken or is not expected to take effective steps to achieve practical application of the invention within a reasonable time;
- The owner or licensee has not taken action to alleviate health or safety needs in a reasonably satisfactory manner;
- The owner has not met public use requirements specified by Federal statutes in a reasonably satisfactory manner; or
- The U.S. Manufacturing requirement has not been met.

C. RIGHTS IN TECHNICAL DATA

Data rights differ based on whether data is first produced under an award or instead was developed at private expense outside the award.

- Background or “Limited Rights Data”: The U.S. Government will not normally require delivery of technical data developed solely at private expense prior to issuance of an award, except as necessary to monitor technical progress and evaluate the potential of proposed technologies to reach specific technical and cost metrics.
- Generated Data: The U.S. Government normally retains very broad rights in technical data produced under Government financial assistance awards, including the right to distribute to the public. However, pursuant to special statutory authority, certain categories of data generated under ARPA-E awards may be protected from public disclosure for up to five years in accordance with provisions that will be set forth in the award. In addition, invention disclosures may be protected from public disclosure for a reasonable time in order to allow for filing a patent application.

D. PROTECTED PERSONALLY IDENTIFIABLE INFORMATION

Applicants may not include any Protected Personally Identifiable Information (Protected PII) in their submissions to ARPA-E. Protected PII is defined as data that, if compromised, could cause harm to an individual such as identity theft. Listed below are examples of Protected PII that Applicants must not include in their submissions.

- Social Security Numbers in any form;
- Place of Birth associated with an individual;
- Date of Birth associated with an individual;
- Mother's maiden name associated with an individual;
- Biometric record associated with an individual;
- Fingerprint;
- Iris scan;
- DNA;
- Medical history information associated with an individual;
- Medical conditions, including history of disease;
- Metric information, e.g. weight, height, blood pressure;
- Criminal history associated with an individual;
- Ratings;
- Disciplinary actions;
- Performance elements and standards (or work expectations) are PII when they are so intertwined with performance appraisals that their disclosure would reveal an individual's performance appraisal;
- Financial information associated with an individual;
- Credit card numbers;
- Bank account numbers; and
- Security clearance history or related information (not including actual clearances held).

E. FOAs AND FOA MODIFICATIONS

FOAs are posted on ARPA-E eXCHANGE (<https://arpa-e-foa.energy.gov/>), Grants.gov (<http://www.grants.gov/>), and FedConnect (<https://www.fedconnect.net/FedConnect/>). Any modifications to the FOA are also posted to these websites. You can receive an e-mail when a modification is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon as possible after release of the FOA to ensure that you receive timely notice of any modifications or other announcements. More information is available at <https://www.fedconnect.net>.

F. OBLIGATION OF PUBLIC FUNDS

The Contracting Officer is the only individual who can make awards on behalf of ARPA-E or obligate ARPA-E to the expenditure of public funds. A commitment or obligation by any individual other than the Contracting Officer, either explicit or implied, is invalid.

ARPA-E awards may not be transferred, assigned, or assumed without the prior written consent of a Contracting Officer.

G. REQUIREMENT FOR FULL AND COMPLETE DISCLOSURE

Applicants are required to make a full and complete disclosure of the information requested in the Business Assurances & Disclosures Form. Disclosure of the requested information is mandatory. Any failure to make a full and complete disclosure of the requested information may result in:

- The rejection of a Full Application and/or Reply to Reviewer Comments;
- The termination of award negotiations;
- The modification, suspension, and/or termination of a funding agreement;
- The initiation of debarment proceedings, debarment, and/or a declaration of ineligibility for receipt of Federal contracts, subcontracts, and financial assistance and benefits; and
- Civil and/or criminal penalties.

H. RETENTION OF SUBMISSIONS

ARPA-E expects to retain copies of all Full Applications, Replies to Reviewer Comments, and other submissions. No submissions will be returned. By applying to ARPA-E for funding, Applicants consent to ARPA-E's retention of their submissions.

I. MARKING OF CONFIDENTIAL INFORMATION

ARPA-E will use data and other information contained in Full Applications and Replies to Reviewer Comments strictly for evaluation purposes.

Full Applications, Replies to Reviewer Comments, and other submissions containing confidential, proprietary, or privileged information must be marked as described below. Failure to comply with these marking requirements may result in the disclosure of the unmarked information under the Freedom of Information Act or otherwise. The U.S. Government is not liable for the disclosure or use of unmarked information, and may use or disclose such information for any purpose.

The cover sheet of the Full Application, Reply to Reviewer Comments, or other submission must be marked as follows and identify the specific pages containing confidential, proprietary, or privileged information:

Notice of Restriction on Disclosure and Use of Data:

Pages [] of this document may contain confidential, proprietary, or privileged information that is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with a financial assistance or loan agreement between the submitter and the Government. The Government may use or disclose any information that is not appropriately marked or otherwise restricted, regardless of source.

The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as follows: "Contains Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure." In addition, every line and paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets or highlighting.

J. COMPLIANCE AUDIT REQUIREMENT

A prime recipient organized as a for-profit entity expending \$750,000 or more of DOE funds in the entity's fiscal year (including funds expended as a Subrecipient) must have an annual compliance audit performed at the completion of its fiscal year. For additional information, refer to Subpart F of: (i) 2 C.F.R. Part 200, and (ii) 2 C.F.R. Part 910.

If an educational institution, non-profit organization, or state/local government is either a Prime Recipient or a Subrecipient, and has expended \$750,000 or more of Federal funds in the entity's fiscal year, the entity must have an annual compliance audit performed at the completion of its fiscal year. For additional information refer to Subpart F of 2 C.F.R. Part 200.

IX. GLOSSARY

Applicant: The entity that submits the application to ARPA-E. In the case of a Project Team, the Applicant is the lead organization listed on the application.

Application: The entire submission received by ARPA-E, including the Full Application and Reply to Reviewer Comments.

ARPA-E: is the Advanced Research Projects Agency – Energy, an agency of the U.S. Department of Energy.

Cost Sharing: is the portion of project costs not paid by Federal funds (unless otherwise authorized by Federal statute). Refer to 2 C.F.R. § 200.29.

Deliverable: A deliverable is the quantifiable goods or services that will be provided upon the successful completion of a project task or sub-task.

DOE: U.S. Department of Energy.

DOE/NNSA: U.S. Department of Energy/National Nuclear Security Administration

FFRDCs: Federally Funded Research and Development Centers.

FOA: Funding Opportunity Announcement.

GOCOs: U.S. Government Owned, Contractor Operated laboratories.

GOGOs: U.S. Government Owned, Government Operated laboratories.

Milestone: A milestone is the tangible, observable measurement that will be provided upon the successful completion of a project task or sub-task.

Prime Recipient: The signatory to the funding agreement with ARPA-E.

PI: Principal Investigator.

Project Team: A Project Team consists of the Prime Recipient, Subrecipients, and others performing any of the research and development work under an ARPA-E funding agreement, whether or not costs of performing the research and development work are being reimbursed under any agreement.

Standalone Applicant: An Applicant that applies for funding on its own, not as part of a Project Team.

Subject Invention: Any invention conceived or first actually reduced to practice under an ARPA-E funding agreement.

Task: A task is an operation or segment of the work plan that requires both effort and resources. Each task (or sub-task) is connected to the overall objective of the project, via the achievement of a milestone or a deliverable.

Total Project Cost: The sum of the Prime Recipient share and the Federal Government share of total allowable costs. The Federal Government share generally includes costs incurred by GOGOs, FFRDCs, and GOCOs.

TT&O: Technology Transfer and Outreach. (See Section IV.F.8 of the FOA for more information).