

Eligibility Requirements and Certifications

Eligible Requester - The purpose of the partnership program is to accelerate the development of fusion energy in the U.S. Accordingly, eligibility is limited to private companies incorporated in the United States of America.

- An eligible requester is a business that is organized according to the laws of any of the 50 states, the District of Columbia, or any US territory or possession. Products embodying intellectual property developed under the assistance must be substantially manufactured in the United States.
- U.S. organized/incorporated requesters with foreign ownership, control, or influence are permitted, but required to sign a DOE-Standard CRADA that may require further negotiation at DOE's discretion only. The transfer of technology and data resulting from the work done under an FES Award by any recipient to a foreign entity will be subject to U.S. Government export control laws and regulations. The full RFA Application must clearly 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. All work under an INFUSE award must be performed in the U.S. However, applicants may request a waiver of this requirement on the INFUSE Corporate Information Form that is submitted with the full RFA application. This may be required for diagnostic calibrations and installations on international facilities. Please check the waiver box on the form, provide a brief description and enter the percentage of project work performed outside the U.S.

Foreign Affiliation – U.S. incorporated subsidiaries of foreign entities, whether for-profit or otherwise, are eligible to participate in the INFUSE program subject to requirements in 2 C.F.R. 910.124 (<https://www.govinfo.gov/content/pkg/CFR-2017-title2-vol1/pdf/CFR-2017-title2-vol1-sec910-124.pdf>) and 10 C.F.R 600.502 and 600.503 (<https://www.govinfo.gov/content/pkg/CFR-2011-title10-vol4/pdf/CFR-2011-title10-vol4-chapII.pdf>), which includes requirements that the entity's participation be in the economic interest of the U.S. The CRADA will be executed with the U.S. subsidiary which shall be responsible for the terms and conditions of the contract. Requesters who are owned, controlled, or influenced by a foreign government, agency, firm, or corporation, as per new DOE Policy 485.1A, will be required to sign the DOE Standard CRADA. The transfer of technology and data resulting from the work done under an award by any recipient to a foreign entity will be subject to U.S. Government export control laws.

Company Certifications - Requestors must certify that they will accept one of the standardized Cooperative Research and Development Agreements (CRADAs), and they will provide the required 20 percent or more cost-share upon selection for a partnership award. The cost share can be an in-kind contribution. Examples include labor, travel, materials, equipment, or data. Federally funded awards, such as SBIR/STTR, may NOT be used for business cost share.

If selected, sign one of two FES Award Program Agreements that govern intellectual property and other terms. Details on FES Award agreements are available on the INFUSE [website](#).

1. [INFUSE Small Business Award CRADA](#) (Small Business/Non-Profit Award Requestors with no foreign influence)
2. [DOE-Standard CRADA](#) (Large businesses and those with foreign influence)