

**§ 278m. Repealed. Pub. L. 110-69, title III, § 3013(d), Aug. 9, 2007, 121 Stat. 599**

Section, act Mar. 3, 1901, ch. 872, §27, as added Pub. L. 100-418, title V, §5121(d), Aug. 23, 1988, 102 Stat. 1437, related to the establishment of a program for the evaluation of non-energy inventions.

**§ 278n. Repealed. Pub. L. 114-329, title II, § 205(a)(1), Jan. 6, 2017, 130 Stat. 3000**

Section, act Mar. 3, 1901, ch. 872, §28, as added Pub. L. 110-69, title III, §3012(b), Aug. 9, 2007, 121 Stat. 593; amended Pub. L. 113-188, title II, §201(d), (e), Nov. 26, 2014, 128 Stat. 2018, related to the Technology Innovation Program.

A prior section 278n, act Mar. 3, 1901, ch. 872, §28, as added Pub. L. 100-418, title V, §5131(a), Aug. 23, 1988, 102 Stat. 1439; amended Pub. L. 102-245, title II, §201(c), Feb. 14, 1992, 106 Stat. 16, related to the Advanced Technology Program, prior to repeal by Pub. L. 110-69, title III, §3012(a), Aug. 9, 2007, 121 Stat. 593.

TECHNOLOGY INNOVATION PROGRAM

Pub. L. 111-240, title IV, §4226(b), Sept. 27, 2010, 124 Stat. 2598, which allowed the Director of NIST to consider the potential for enhancing the competitiveness of small- and medium-sized U.S. businesses in the global marketplace when awarding grants, cooperative agreements, or contracts under this section, was repealed by Pub. L. 114-329, title II, §205(a)(2)(A), Jan. 6, 2017, 130 Stat. 3000.

**§ 278n-1. Emergency communication and tracking technologies research initiative**

**(a) Establishment**

The Director shall establish a research initiative to support the development of emergency communication and tracking technologies for use in locating trapped individuals in confined spaces, such as underground mines, and other shielded environments, such as high-rise buildings or collapsed structures, where conventional radio communication is limited.

**(b) Activities**

In order to carry out this section, the Director shall work with the private sector and appropriate Federal agencies to—

- (1) perform a needs assessment to identify and evaluate the measurement, technical standards, and conformity assessment needs required to improve the operation and reliability of such emergency communication and tracking technologies;
- (2) support the development of technical standards and conformance architecture to improve the operation and reliability of such emergency communication and tracking technologies; and
- (3) incorporate and build upon existing reports and studies on improving emergency communications.

**(c) Report**

Not later than 18 months after January 4, 2011, the Director shall submit to Congress and make publicly available a report describing the assessment performed under subsection (b)(1) and making recommendations about research priorities to address gaps in the measurement, technical standards, and conformity assessment needs identified by the assessment.

(Pub. L. 111-358, title IV, §405, Jan. 4, 2011, 124 Stat. 4003.)

CODIFICATION

Section was enacted as part of the America COMPETES Reauthorization Act of 2010, also known as the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010, and as part of the National Institute of Standards and Technology Authorization Act of 2010, and not as part of the National Institute of Standards and Technology Act which comprises this chapter.

DEFINITIONS

Pub. L. 111-358, title IV, §409, Jan. 4, 2011, 124 Stat. 4004, provided that: “In this title [enacting this section and sections 273a and 278n-2 of this title, amending sections 274, 278g-1, 278g-2, 278g-2a, and 278k of this title and sections 5314 and 5315 of Title 5, Government Organization and Employees, and repealing section 1533 of this title and provisions set out as a note under section 278k of this title]:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the National Institute of Standards and Technology.

“(2) FEDERAL AGENCY.—The term ‘Federal agency’ has the meaning given such term in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703).

“(3) HIGH PERFORMANCE GREEN BUILDING.—The term ‘high performance green building’ has the meaning given that term by section 401(13) of the Energy Independence and Security Act of 2009 [probably should be “2007”] (42 U.S.C. 17061(13)).”

**§ 278n-2. Green manufacturing and construction**

The Director shall carry out a green manufacturing and construction initiative—

- (1) to develop accurate sustainability metrics and practices for use in manufacturing;
- (2) to advance the development of standards, including high performance green building standards, and the creation of an information infrastructure to communicate sustainability information about suppliers; and
- (3) to move buildings toward becoming high performance green buildings, including improving energy performance, service life, and indoor air quality of new and retrofitted buildings through validated measurement data.

(Pub. L. 111-358, title IV, §408, Jan. 4, 2011, 124 Stat. 4004.)

CODIFICATION

Section was enacted as part of the America COMPETES Reauthorization Act of 2010, also known as the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Reauthorization Act of 2010, and as part of the National Institute of Standards and Technology Authorization Act of 2010, and not as part of the National Institute of Standards and Technology Act which comprises this chapter.

DEFINITIONS

For definitions of “Director” and “high performance green building” as used in this section, see section 409 of Pub. L. 111-358, set out as a note under section 278n-1 of this title.

**§ 278o. User fees**

The Institute shall not implement a policy of charging fees with respect to the use of Institute research facilities by research associates in the absence of express statutory authority to charge such fees.