

FINDINGS

Pub. L. 111-358, title VII, §702, Jan. 4, 2011, 124 Stat. 4041, provided that: “Congress finds the following:

“(1) Over its 20-year existence, the Hollings Manufacturing Extension Partnership has proven its value to manufacturers as demonstrated by the resulting impact on jobs and the economies of all 50 States and the Nation as a whole.

“(2) The Hollings Manufacturing Extension Partnership has helped thousands of companies reinvest in themselves through process improvement and business growth initiatives leading to more sales, new markets, and the adoption of technology to deliver new products and services.

“(3) Manufacturing is an increasingly important part of the construction sector as the industry moves to the use of more components and factory built sub-assemblies.

“(4) Construction practices must become more efficient and precise if the United States is to construct and renovate its building stock to reduce related carbon emissions to levels that are consistent with combating global warming.

“(5) Many companies involved in construction are small, without access to innovative manufacturing techniques, and could benefit from the type of training and business analysis activities that the Hollings Manufacturing Extension Partnership routinely provides to the Nation’s manufacturers and their supply chains.

“(6) Broadening the competitiveness grant program under [former] section 25(f) of the National Institute of Standards and Technology Act ([former] 15 U.S.C. 278k(f), now see 15 U.S.C. 278k-1) could help develop and diffuse knowledge necessary to capture a large portion of the estimated \$100 billion or more in energy savings if buildings in the United States met the level and quality of energy efficiency now found in buildings in certain other countries.

“(7) It is therefore in the national interest to expand the capabilities of the Hollings Manufacturing Extension Partnership to be supportive of the construction and green energy industries.”

AGREEMENTS AND CONTRIBUTIONS FOR COLLECTIVE RESEARCH AND DEVELOPMENT INITIATIVES

Pub. L. 108-7, div. B, title II, Feb. 20, 2003, 117 Stat. 73, provided in part: “That hereafter the Secretary of Commerce is authorized to enter into agreements with one or more nonprofit organizations for the purpose of carrying out collective research and development initiatives pertaining to [former] 15 U.S.C. 278k paragraph (a), and is authorized to seek and accept contributions from public and private sources to support these efforts as necessary.”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 107-77, title II, Nov. 28, 2001, 115 Stat. 774.

ADDITIONAL RENEWAL OF FEDERAL FINANCIAL ASSISTANCE FOR CENTERS

Pub. L. 105-277, div. A, §101(b) [title II], Oct. 21, 1998, 112 Stat. 2681-50, 2681-83, which provided that Federal financial assistance awarded by the Secretary of Commerce to a Regional Center for the Transfer of Manufacturing Technology could continue beyond six years and could be renewed for additional periods, not to exceed one year, at a rate not to exceed one-third of the Center’s total annual costs or the level of funding in the sixth year, whichever was less, subject before any such renewal to a positive evaluation of the Center and to a finding by the Secretary of Commerce that continuation of Federal funding to the Center was in the best interest of the Regional Centers for the Transfer of Manufacturing Technology Program, was from the Departments of Commerce Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, and was not repeated in subsequent appropriations Acts. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 105-119, title II, Nov. 26, 1997, 111 Stat. 2476.

Pub. L. 104-208, div. A, title I, §101(a) [title II], Sept. 30, 1996, 110 Stat. 3009, 3009-36.

Pub. L. 103-317, title II, Aug. 26, 1994, 108 Stat. 1741.

PUBLICATION IN FEDERAL REGISTER

Pub. L. 100-519, title I, §102(d), Oct. 24, 1988, 102 Stat. 2590, provided that the requirement of former subsec. (c)(2) of this section was met by the publication made by the National Bureau of Standards on July 18, 1988, at 53 F.R. 27060.

§ 278k-1. Competitive awards program

(a) Establishment

The Director shall establish within the Hollings Manufacturing Extension Partnership under section 278k of this title and section 278l of this title a program of competitive awards among participants described in subsection (b) of this section for the purposes described in subsection (c).

(b) Participants

Participants receiving awards under this section shall be Centers, or a consortium of Centers.

(c) Purpose, themes, and reimbursement

(1) Purpose

The purpose of the program established under subsection (a) is to add capabilities to the Hollings Manufacturing Extension Partnership, including the development of projects to solve new or emerging manufacturing problems as determined by the Director, in consultation with the Director of the Hollings Manufacturing Extension Partnership, the MEP Advisory Board, other Federal agencies, and small and medium-sized manufacturers.

(2) Themes

The Director may identify 1 or more themes for a competition carried out under this section, which may vary from year to year, as the Director considers appropriate after assessing the needs of manufacturers and the success of previous competitions.

(3) Reimbursement

Centers may be reimbursed for costs incurred by the Centers under this section.

(d) Applications

Applications for awards under this section shall be submitted in such manner, at such time, and containing such information as the Director shall require in consultation with the MEP Advisory Board.

(e) Selection

(1) Peer review and competitively awarded

The Director shall ensure that awards under this section are peer reviewed and competitively awarded.

(2) Geographic diversity

The Director shall endeavor to have broad geographic diversity among selected proposals.

(3) Criteria

The Director shall select applications to receive awards that the Director determines will achieve 1 or more of the following:

(A) Improve the competitiveness of industries in the region in which the Center or Centers are located.

(B) Create jobs or train newly hired employees.

(C) Promote the transfer and commercialization of research and technology from institutions of higher education, national laboratories or other federally funded research programs, and nonprofit research institutes.

(D) Recruit a diverse manufacturing workforce, including through outreach to under-represented populations, including individuals identified in section 1885a or section 1885b of title 42.

(E) Such other result as the Director determines will advance the objective set forth in section 278k(c) of this title or in section 278l of this title.

(f) Program Contribution

Recipients of awards under this section shall not be required to provide a matching contribution.

(g) Global marketplace projects

In making an award under this section, the Director, in consultation with the MEP Advisory Board and the Secretary, may take into consideration whether an application has significant potential for enhancing the competitiveness of small and medium-sized United States manufacturers in the global marketplace.

(h) Duration

The duration of an award under this section shall be for not more than 3 years.

(i) Definitions

The terms used in this section have the meanings given the terms in section 278k of this title.

(Mar. 3, 1901, ch. 872, §25A, as added Pub. L. 114-329, title V, §501(c), Jan. 6, 2017, 130 Stat. 3031.)

PRIOR PROVISIONS

Provisions similar to this section were contained in section 278k(f) of this title, prior to the general amendment of section 278k by Pub. L. 114-329.

§ 278I. Assistance to State technology programs

(a) In addition to the Hollings Manufacturing Extension Partnership under section 278k of this title, the Secretary, through the Director and, if appropriate, through other officials, shall provide technical assistance to State technology programs throughout the United States, in order to help those programs help businesses, particularly small- and medium-sized businesses, to enhance their competitiveness through the application of science and technology.

(b) Such assistance from the Institute to State technology programs shall include, but not be limited to—

(1) technical information and advice from Institute personnel;

(2) workshops and seminars for State officials interested in transferring Federal technology to businesses; and

(3) entering into cooperative agreements when authorized to do so under this chapter or any other Act.

(Mar. 3, 1901, ch. 872, §26, as added Pub. L. 100-418, title V, §5121(a), Aug. 23, 1988, 102 Stat. 1435; amended Pub. L. 114-329, title V, §501(e)(3), Jan. 6, 2017, 130 Stat. 3033.)

AMENDMENTS

2017—Subsec. (a). Pub. L. 114-329 substituted “Hollings Manufacturing Extension Partnership” for “Centers program created”.

TECHNOLOGY EXTENSION SERVICES

Pub. L. 100-418, title V, §5121(b), (c), Aug. 23, 1988, 102 Stat. 1436, 1437, as amended by Pub. L. 102-245, title I, §105(d), Feb. 14, 1992, 106 Stat. 12, provided that:

“(b) TECHNOLOGY EXTENSION SERVICES.—(1) The Secretary shall conduct a nationwide study of current State technology extension services. The study shall include—

“(A) a thorough description of each State program, including its duration, its annual budget, and the number and types of businesses it has aided;

“(B) a description of any anticipated expansion of each State program and its associated costs;

“(C) an evaluation of the success of the services in transferring technology, modernizing manufacturing processes, and improving the productivity and profitability of businesses;

“(D) an assessment of the degree to which State services make use of Federal programs, including the Small Business Innovative Research program and the programs of the Federal Laboratory Consortium, the National Technical Information Service, the National Science Foundation, the Office of Productivity, Technology, and Innovation, and the Small Business Administration;

“(E) a survey of what additional Federal information and technical assistance the services could utilize; and

“(F) an assessment of how the services could be more effective agents for the transfer of Federal scientific and technical information, including the results and application of Federal and federally funded research.

The Secretary shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, at the time of submission of the organization plan for the Institute under section 5112(d)(1) [of Pub. L. 100-418, set out as a note under section 272 of this title], the results of the study and an initial implementation plan for the programs under section 26 of the Act of March 3, 1901 [15 U.S.C. 278I], and under this section [enacting sections 278k to 278m of this title]. The implementation plan shall include methods of providing technical assistance to States and criteria for awarding financial assistance under this section. The Secretary may make use of contractors and experts for any or all of the studies and findings called for in this section.

“(2)(A) The Institute shall enter into cooperative agreements with State technology extension services to—

“(i) demonstrate methods by which the States can, in cooperation with Federal agencies, increase the use of Federal technology by businesses within their States to improve industrial competitiveness; or

“(ii) help businesses in their States take advantage of the services and information offered by the Regional Centers for the Transfer of Manufacturing Technology created under [former] section 25 of the Act of March 3, 1901 [former 15 U.S.C. 278k].

“(B) Any State, for itself or for a consortium of States, may submit to the Secretary an application for a cooperative agreement under this subsection, in accordance with procedures established by the Secretary. To qualify for a cooperative agreement under this subsection, a State shall provide adequate assurances that it will increase its spending on technology extension services by an amount at least equal to the amount of Federal assistance.