

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.

(Mar. 3, 1901, ch. 872, § 30, as added Pub. L. 100-418, title V, § 5161, Aug. 23, 1988, 102 Stat. 1450.)

#### § 278p. Notice to Congress

##### (a) Notice of reprogramming

If any funds authorized for carrying out this chapter are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

##### (b) Notice of reorganization

###### (1) Requirement

The Secretary shall provide notice to the Committees on Science and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Institute.

###### (2) “Major reorganization” defined

For purposes of this subsection, the term “major reorganization” means any reorganization of the Institute that involves the reassignment of more than 25 percent of the employees of the Institute.

(Mar. 3, 1901, ch. 872, § 31, as added Pub. L. 105-309, § 4(b), Oct. 30, 1998, 112 Stat. 2935.)

#### CHANGE OF NAME

Committee on Science of House of Representatives changed to Committee on Science and Technology of

House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

#### § 278q. Appropriations; availability

Appropriations to carry out the provisions of this chapter may remain available for obligation and expenditure for such period or periods as may be specified in the Acts making such appropriations.

(Mar. 3, 1901, ch. 872, § 32, formerly § 18, as added Pub. L. 92-317, § 3(a), June 22, 1972, 86 Stat. 235; amended Pub. L. 95-322, § 2(b), July 21, 1978, 92 Stat. 395; Pub. L. 96-461, § 10, Oct. 15, 1980, 94 Stat. 2052; renumbered § 19, Pub. L. 99-574, § 6(a), Oct. 28, 1986, 100 Stat. 3237; renumbered § 20, Pub. L. 99-574, § 8(a), Oct. 28, 1986, 100 Stat. 3238; renumbered § 22, Pub. L. 100-235, § 3(2), Jan. 8, 1988, 101 Stat. 1724; renumbered § 32, Pub. L. 107-305, § 8(a)(1), Nov. 27, 2002, 116 Stat. 2375.)

#### CODIFICATION

Section was formerly classified to section 278h of this title prior to renumbering by Pub. L. 107-305.

Another section 32 of act Mar. 3, 1901, ch. 872, was renumbered section 35 and is set out as a Short Title note under section 271 of this title.

#### AMENDMENTS

1980—Pub. L. 96-461 substituted “Appropriations” for “(a) Appropriations” and struck out subsec. (b) which authorized appropriations to carry out provisions of this chapter, including the Working Capital Fund referred to in section 278b(a) of this title, but excluding section 278f of this title, of such sums as may be necessary for each of the fiscal years 1979 and 1980.

1978—Pub. L. 95-322 designated existing provisions as subsec. (a) and added subsec. (b).

#### § 278r. Collaborative manufacturing research pilot grants

##### (a) Authority

###### (1) Establishment

The Director shall establish a pilot program of awards to partnerships among participants described in paragraph (2) for the purposes described in paragraph (3). Awards shall be made on a peer-reviewed, competitive basis.

###### (2) Participants

Such partnerships shall include at least—

- (A) 1 manufacturing industry partner; and
- (B) 1 nonindustry partner.

###### (3) Purpose

The purpose of the program under this section is to foster cost-shared collaborations among firms, educational institutions, research institutions, State agencies, and non-profit organizations to encourage the development of innovative, multidisciplinary manufacturing technologies. Partnerships receiving awards under this section shall conduct applied research to develop new manufacturing processes, techniques, or materials that would contribute to improved performance, productivity, and competitiveness of United States manufacturing, and build lasting alliances among collaborators.

**(b) Program contribution**

Awards under this section shall provide for not more than one-third of the costs of a partnership. Not more than an additional one-third of such costs may be obtained directly or indirectly from other Federal sources.

**(c) 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. Such applications shall describe at a minimum—

- (1) how each partner will participate in developing and carrying out the research agenda of the partnership;
- (2) the research that the grant would fund; and
- (3) how the research to be funded with the award would contribute to improved performance, productivity, and competitiveness of the United States manufacturing industry.

**(d) Selection criteria**

In selecting applications for awards under this section, the Director shall consider at a minimum—

- (1) the degree to which projects will have a broad impact on manufacturing;
- (2) the novelty and scientific and technical merit of the proposed projects; and
- (3) the demonstrated capabilities of the applicants to successfully carry out the proposed research.

**(e) Distribution**

In selecting applications under this section the Director shall ensure, to the extent practicable, a distribution of overall awards among a variety of manufacturing industry sectors and a range of firm sizes.

**(f) Duration**

In carrying out this section, the Director shall run a single pilot competition to solicit and make awards. Each award shall be for a 3-year period.

(Mar. 3, 1901, ch. 872, §33, as added Pub. L. 110-69, title III, §3007(2), Aug. 9, 2007, 121 Stat. 591.)

**§ 278s. Network for Manufacturing Innovation****(a) Establishment of Network for Manufacturing Innovation Program****(1) In general**

The Secretary shall establish within the Institute a program to be known as the “Network for Manufacturing Innovation Program” (referred to in this section as the “Program”).

**(2) Purposes of Program**

The purposes of the Program are—

- (A) to improve the competitiveness of United States manufacturing and to increase the production of goods manufactured predominantly within the United States;
- (B) to stimulate United States leadership in advanced manufacturing research, innovation, and technology;
- (C) to facilitate the transition of innovative technologies into scalable, cost-effective, and high-performing manufacturing capabilities;

(D) to facilitate access by manufacturing enterprises to capital-intensive infrastructure, including high-performance electronics and computing, and the supply chains that enable these technologies;

(E) to accelerate the development of an advanced manufacturing workforce;

(F) to facilitate peer exchange of and the documentation of best practices in addressing advanced manufacturing challenges;

(G) to leverage non-Federal sources of support to promote a stable and sustainable business model without the need for long-term Federal funding; and

(H) to create and preserve jobs.

**(3) Support**

The Secretary, acting through the Director, shall carry out the purposes set forth in paragraph (2) by supporting—

(A) the Network for Manufacturing Innovation established under subsection (b); and

(B) the establishment of centers for manufacturing innovation.

**(4) Director**

The Secretary shall carry out the Program through the Director.

**(b) Establishment of Network for Manufacturing Innovation****(1) In general**

As part of the Program, the Secretary shall establish a network of centers for manufacturing innovation.

**(2) Designation**

The network established under paragraph (1) shall be known as the “Network for Manufacturing Innovation” (referred to in this section as the “Network”).

**(c) Centers for manufacturing innovation****(1) In general**

For purposes of this section, a “center for manufacturing innovation” is a center that—

(A) has been established by a person or group of persons to address challenges in advanced manufacturing and to assist manufacturers in retaining or expanding industrial production and jobs in the United States;

(B) has a predominant focus on a manufacturing process, novel material, enabling technology, supply chain integration methodology, or another relevant aspect of advanced manufacturing, such as nanotechnology applications, advanced ceramics, photonics and optics, composites, biobased and advanced materials, flexible hybrid technologies, and tool development for microelectronics;

(C) as determined by the Secretary, has the potential—

- (i) to improve the competitiveness of United States manufacturing, including key advanced manufacturing technologies such as nanotechnology, advanced ceramics, photonics and optics, composites, biobased and advanced materials, flexible hybrid technologies, and tool development for microelectronics;