

(iv) the nature of the participation by for-profit entities and the extent to which the proposed projects address the concerns of industry; and

(v) other criteria determined by the Director, based on information specified for inclusion in applications under subsection (c); and

(D) monitoring the progress of research projects supported under the program.

#### (4) Reports

The Director shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science annually on the use and responsibility of individuals on assignment at the Institute under the Intergovernmental Personnel Act of 1970 [42 U.S.C. 4701 et seq.] who are performing duties under subsection (d).

#### (e) Review of program

##### (1) Periodic review

The Director shall periodically review the portfolio of research awards monitored by each program manager designated in accordance with subsection (d). In conducting those reviews, the Director shall seek the advice of the Computer System Security<sup>1</sup> and Privacy Advisory Board, established under section 278g-4 of this title, on the appropriateness of the research goals and on the quality and utility of research projects managed by program managers in accordance with subsection (d).

##### (2) Comprehensive 5-year review

The Director shall also contract with the National Research Council for a comprehensive review of the program established under subsection (a) during the 5th year of the program. Such review shall include an assessment of the scientific quality of the research conducted, the relevance of the research results obtained to the goals of the program established under subsection (d)(3)(A), and the progress of the program in promoting the development of a substantial academic research community working at the leading edge of knowledge in the field. The Director shall submit to Congress a report on the results of the review under this paragraph no later than 6 years after the initiation of the program.

#### (f) Definitions

In this section:

##### (1) Computer system

The term “computer system” has the meaning given that term in section 278g-3(d)(1)<sup>2</sup> of this title.

##### (2) Institution of higher education

The term “institution of higher education” has the meaning given that term in section 1001(a) of title 20.

(Mar. 3, 1901, ch. 872, §22, as added Pub. L. 107-305, §8(a)(2), Nov. 27, 2002, 116 Stat. 2375.)

#### REFERENCES IN TEXT

Section 278g-3 of this title, referred to in subsecs. (a)(2) and (f)(1), was amended generally by Pub. L.

107-296, title X, §1003, Nov. 25, 2002, 116 Stat. 2269, and, as so amended, did not contain a subsec. (d) defining “computer system” or a subsec. (f). A later amendment by Pub. L. 113-274, title II, §204(1), Dec. 18, 2014, 128 Stat. 2980, redesignated subsec. (e) of section 278g-3 of this title, relating to definitions, as subsec. (f).

The Intergovernmental Personnel Act of 1970, referred to in subsec. (d)(2), (4), is Pub. L. 91-648, Jan. 5, 1971, 84 Stat. 1909, as amended, which enacted sections 3371 to 3376 of Title 5, Government Organization and Employees, and chapter 62 (§4701 et seq.) of Title 42, The Public Health and Welfare, amended section 1304 of Title 5 and section 246 of Title 42, repealed sections 1881 to 1888 of Title 7, Agriculture, and section 869b of Title 20, Education, and enacted provisions set out as notes under section 3371 of Title 5. For complete classification of this Act to the Code, see Short Title note set out under section 4701 of Title 42 and Tables.

#### PRIOR PROVISIONS

A prior section 22 of act Mar. 3, 1901, ch. 872, was renumbered section 32 and is classified to section 278q of this title.

#### 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.

#### § 278i. Reports to Congress

##### (a) Information to Congress on Institute activities

The Director shall keep the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives fully and currently informed with regard to all of the activities of the Institute.

##### (b) Justification for changes in policies and fees

The Director shall justify in writing all changes in policies regarding fees for standard reference materials and calibration services occurring after June 30, 1987, including a description of the anticipated impact of any proposed changes on demand for and anticipated revenues from the materials and services. Changes in policy and fees shall not be effective unless and until the Director has submitted the proposed schedule and justification to the Congress and 30 days on which both Houses of Congress are in session have elapsed since such submission, except that the requirement of this sentence shall not apply with respect to adjustments which are based solely on changes in the costs of raw materials or of producing and delivering standard reference materials or calibration services.

(Mar. 3, 1901, ch. 872, §23, as added Pub. L. 100-418, title V, §5114(2), Aug. 23, 1988, 102 Stat. 1432; amended Pub. L. 110-69, title III, §3004, Aug. 9, 2007, 121 Stat. 590; Pub. L. 114-329, title II, §204(a)(1)(B)(i), Jan. 6, 2017, 130 Stat. 2998.)

#### AMENDMENTS

2017—Subsecs. (c), (d). Pub. L. 114-329 struck out subsecs. (c) and (d) which required the Director to submit to Congress a 3-year programmatic planning document for the Institute and annual updates.

2007—Subsecs. (c), (d). Pub. L. 110-69 added subsecs. (c) and (d).

## CHANGE OF NAME

Committee on Science, Space, and Technology of House of Representatives treated as referring to Committee on Science of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. 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.

**§ 278j. Studies by National Research Council**

The Director may periodically contract with the National Research Council for advice and studies to assist the Institute to serve United States industry and science. The subjects of such advice and studies may include—

- (1) the competitive position of the United States in key areas of manufacturing and emerging technologies and research activities which would enhance that competitiveness;
- (2) potential activities of the Institute, in cooperation with industry and the States, to assist in the transfer and dissemination of new technologies for manufacturing and quality assurance; and
- (3) identification and assessment of likely barriers to widespread use of advanced manufacturing technology by the United States workforce, including training and other initiatives which could lead to a higher percentage of manufacturing jobs of United States companies being located within the borders of our country.

(Mar. 3, 1901, ch. 872, §24, as added Pub. L. 100-418, title V, §5114(2), Aug. 23, 1988, 102 Stat. 1432.)

**§ 278k. Hollings Manufacturing Extension Partnership****(a) Definitions**

In this section:

**(1) Appropriate committees of congress**

The term “appropriate committees of Congress” means—

- (A) the Committee on Commerce, Science, and Transportation of the Senate; and
- (B) the Committee on Science, Space, and Technology of the House of Representatives.

**(2) Area career and technical education school**

The term “area career and technical education school” has the meaning given the term in section 2302 of title 20.

**(3) Center**

The term “Center” means a manufacturing extension center that—

- (A) is created under subsection (b); and
- (B) is affiliated with an eligible entity that applies for and is awarded financial support under subsection (e).

**(4) Community college**

The term “community college” means an institution of higher education (as defined under section 1001(a) of title 20) at which the highest

degree that is predominately awarded to students is an associate’s degree.

**(5) Eligible entity**

The term “eligible entity” means a United States-based nonprofit institution, or consortium thereof, an institution of higher education, or a State, United States territory, local, or tribal government.

**(6) Hollings Manufacturing Extension Partnership or Program**

The term “Hollings Manufacturing Extension Partnership” or “Program” means the program established under subsection (b).

**(7) MEP advisory board**

The term “MEP Advisory Board” means the Manufacturing Extension Partnership Advisory Board established under subsection (n).<sup>1</sup>

**(b) Establishment and purpose**

The Secretary, acting through the Director and, if appropriate, through other Federal officials, shall establish a program to provide assistance for the creation and support of manufacturing extension centers for the transfer of manufacturing technology and best business practices.

**(c) Objective**

The objective of the Program shall be to enhance competitiveness, productivity, and technological performance in United States manufacturing through—

- (1) the transfer of manufacturing technology and techniques developed at the Institute to Centers and, through them, to manufacturing companies throughout the United States;
- (2) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;
- (3) efforts to make new manufacturing technology and processes usable by United States-based small and medium-sized companies;
- (4) the active dissemination of scientific, engineering, technical, and management information about manufacturing to industrial firms, including small and medium-sized manufacturing companies;
- (5) the utilization, when appropriate, of the expertise and capability that exists in Federal agencies, other than the Institute, and federally-sponsored laboratories;
- (6) the provision to community colleges and area career and technical education schools of information about the job skills needed in manufacturing companies, including small and medium-sized manufacturing businesses in the regions they serve;
- (7) the promotion and expansion of certification systems offered through industry, associations, and local colleges when appropriate, including efforts such as facilitating training, supporting new or existing apprenticeships, and providing access to information and experts, to address workforce needs and skills gaps in order to assist small- and medium-sized manufacturing businesses; and

<sup>1</sup> So in original. Probably should refer to subsec. (m).