

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 278I 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 underrepresented 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 278I 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. 278l], 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.

“(C) In evaluating each application, the Secretary shall consider—

“(i) the number and types of additional businesses that will be assisted under the cooperative agreement;

“(ii) the extent to which the State extension service will demonstrate new methods to increase the use of Federal technology;

“(iii) geographic diversity; and

“(iv) the ability of the State to maintain the extension service after the cooperative agreement has expired.

“(D) States which are party to cooperative agreements under this subsection may provide services directly or may arrange for the provision of any or all of such services by institutions of higher education or other non-profit institutions or organizations.

“(3) In carrying out section 26 of the Act of March 3, 1901 [15 U.S.C. 278l], and this subsection, the Secretary shall coordinate the activities with the Federal Laboratory Consortium; the National Technical Information Service; the National Science Foundation; the Office of Productivity, Technology, and Innovation; the Small Business Administration; and other appropriate Federal agencies.

“(4) There are authorized to be appropriated for the purposes of this subsection \$2,000,000 for each of the fiscal years 1989, 1990, and 1991.

“(c) FEDERAL TECHNOLOGY TRANSFER ACT OF 1986.—Nothing in sections [sic] 25 or 26 of the Act of March 3, 1901 [15 U.S.C. 278k, 278l], or in subsection (b) of this section shall be construed as limiting the authorities contained in the Federal Technology Transfer Act of 1986 (Public Law 99-502) [see Short Title of 1986 Amendments note set out under section 3701 of this title].”

#### § 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 build-