

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5035

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## AN ACT

To reauthorize the National Institute of Standards and  
Technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “NIST Reauthorization  
3 Act of 2014”.

4 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) FISCAL YEAR 2014.—

6 (1) IN GENERAL.—There are authorized to be  
7 appropriated to the Secretary of Commerce  
8 \$850,000,000 for the National Institute of Stand-  
9 ards and Technology for fiscal year 2014.

10 (2) SPECIFIC ALLOCATIONS.—Of the amount  
11 authorized by paragraph (1)—

12 (A) \$651,000,000 shall be for scientific  
13 and technical research and services laboratory  
14 activities;

15 (B) \$56,000,000 shall be for the construc-  
16 tion and maintenance of facilities; and

17 (C) \$143,000,000 shall be for industrial  
18 technology services activities, of which  
19 \$128,000,000 shall be for the Manufacturing  
20 Extension Partnership program under sections  
21 25 and 26 of the National Institute of Stand-  
22 ards and Technology Act (15 U.S.C. 278k and  
23 278l).

24 (b) FISCAL YEAR 2015.—

25 (1) IN GENERAL.—There are authorized to be  
26 appropriated to the Secretary of Commerce

1       \$855,800,000 for the National Institute of Stand-  
2       ards and Technology for fiscal year 2015.

3               (2) SPECIFIC ALLOCATIONS.—Of the amount  
4       authorized by paragraph (1)—

5                       (A) \$670,500,000 shall be for scientific  
6       and technical research and services laboratory  
7       activities;

8                       (B) \$55,300,000 shall be for the construc-  
9       tion and maintenance of facilities; and

10                      (C) \$130,000,000 shall be for industrial  
11       technology services activities, of which  
12       \$130,000,000 shall be for the Manufacturing  
13       Extension Partnership program under sections  
14       25 and 26 of the National Institute of Stand-  
15       ards and Technology Act (15 U.S.C. 278k and  
16       278l).

17 **SEC. 3. STANDARDS AND CONFORMITY ASSESSMENT.**

18       Section 2 of the National Institute of Standards and  
19       Technology Act (15 U.S.C. 272) is amended—

20               (1) in subsection (b)—

21                       (A) in the matter preceding paragraph (1),  
22       by striking “authorized to take” and inserting  
23       “authorized to serve as the President’s principal  
24       adviser on standards policy pertaining to the

1 Nation’s technological competitiveness and in-  
2 novation ability and to take”;

3 (B) in paragraph (3), by striking “compare  
4 standards” and all that follows through “Fed-  
5 eral Government” and inserting “facilitate  
6 standards-related information sharing and co-  
7 operation between Federal agencies”; and

8 (C) in paragraph (13), by striking “Fed-  
9 eral, State, and local” and all that follows  
10 through “private sector” and inserting “tech-  
11 nical standards activities and conformity assess-  
12 ment activities of Federal, State, and local gov-  
13 ernments with private sector”; and

14 (2) in subsection (c)—

15 (A) in paragraph (21), by striking “and”  
16 after the semicolon;

17 (B) by redesignating paragraph (22) as  
18 paragraph (24); and

19 (C) by inserting after paragraph (21) the  
20 following:

21 “(22) participate in and support scientific and  
22 technical conferences;

23 “(23) perform pre-competitive measurement  
24 science and technology research in partnership with

1 institutions of higher education and industry to pro-  
2 mote United States industrial competitiveness; and”.

3 **SEC. 4. VISITING COMMITTEE ON ADVANCED TECHNOLOGY.**

4 Section 10 of the National Institute of Standards and  
5 Technology Act (15 U.S.C. 278) is amended—

6 (1) in subsection (a)—

7 (A) by striking “15 members” and insert-  
8 ing “not fewer than 11 members”;

9 (B) by striking “at least 10” and inserting  
10 “at least two-thirds”; and

11 (C) by adding at the end the following:

12 “The Committee may consult with the National  
13 Research Council in making recommendations  
14 regarding general policy for the Institute.”; and

15 (2) in subsection (h)(1), by striking “, including  
16 the Program established under section 28,”.

17 **SEC. 5. POLICE AND SECURITY AUTHORITY.**

18 Section 15 of the National Institute of Standards and  
19 Technology Act (15 U.S.C. 278e) is amended—

20 (1) by striking “of the Government; and” and  
21 inserting “of the Government;”; and

22 (2) by striking “United States Code.” and in-  
23 sserting “United States Code; and (i) for the protec-  
24 tion of Institute buildings and other plant facilities,  
25 equipment, and property, and of employees, associ-

1       ates, visitors, or other persons located therein or as-  
2       sociated therewith, notwithstanding any other provi-  
3       sion of law.”.

4       **SEC. 6. EDUCATION AND OUTREACH.**

5       The National Institute of Standards and Technology  
6       Act (15 U.S.C. 271 et seq.) is amended by striking sec-  
7       tions 18, 19, and 19A and inserting the following:

8       **“SEC. 18. EDUCATION AND OUTREACH.**

9       “(a) IN GENERAL.—The Director may support, pro-  
10      mote, and coordinate activities and efforts to enhance pub-  
11      lic awareness and understanding of measurement sciences,  
12      standards, and technology by the general public, industry,  
13      and academia in support of the Institute’s mission.

14      “(b) RESEARCH FELLOWSHIPS.—

15              “(1) IN GENERAL.—The Director may award  
16      research fellowships and other forms of financial and  
17      logistical assistance, including direct stipend awards,  
18      to—

19                      “(A) students at institutions of higher edu-  
20      cation within the United States who show  
21      promise as present or future contributors to the  
22      mission of the Institute; and

23                      “(B) United States citizens for research  
24      and technical activities of the Institute.

1           “(2) SELECTION.—The Director shall select  
2 persons to receive such fellowships and assistance on  
3 the basis of ability and of the relevance of the pro-  
4 posed work to the mission and programs of the In-  
5 stitute.

6           “(3) DEFINITION.—For the purposes of this  
7 subsection, financial and logistical assistance in-  
8 cludes, notwithstanding section 1345 of title 31,  
9 United States Code, or any contrary provision of  
10 law, temporary housing and local transportation to  
11 and from the Institute facilities.

12          “(c) POST-DOCTORAL FELLOWSHIP PROGRAM.—The  
13 Director shall establish and conduct a post-doctoral fellow-  
14 ship program, subject to the availability of appropriations,  
15 that shall include not fewer than 20 fellows per fiscal year.  
16 In evaluating applications for fellowships under this sub-  
17 section, the Director shall give consideration to the goal  
18 of promoting the participation of underrepresented stu-  
19 dents in research areas supported by the Institute.”.

20 **SEC. 7. PROGRAMMATIC PLANNING REPORT.**

21          Section 23(d) of the National Institute of Standards  
22 and Technology Act (15 U.S.C. 278i(d)) is amended by  
23 adding at the end the following: “The 3-year pro-  
24 grammatic planning document shall also describe how the  
25 Director is addressing recommendations from the Visiting

1 Committee on Advanced Technology established under  
2 section 10.”.

3 **SEC. 8. ASSESSMENTS BY THE NATIONAL RESEARCH COUN-**  
4 **CIL.**

5 (a) NATIONAL ACADEMY OF SCIENCES REVIEW.—  
6 Not later than 6 months after the date of enactment of  
7 this Act, the Director of the National Institute of Stand-  
8 ards and Technology shall enter into a contract with the  
9 National Academy of Sciences to conduct a single, com-  
10 prehensive review of the Institute’s laboratory programs.

11 The review shall—

12 (1) assess the technical merits and scientific  
13 caliber of the research conducted at the laboratories;

14 (2) examine the strengths and weaknesses of  
15 the 2010 laboratory reorganization on the Institute’s  
16 ability to fulfill its mission;

17 (3) evaluate how cross-cutting research and de-  
18 velopment activities are planned, coordinated, and  
19 executed across the laboratories; and

20 (4) assess how the laboratories are engaging in-  
21 dustry, including the incorporation of industry need,  
22 into the research goals and objectives of the Insti-  
23 tute.



1 (b) ADDITIONAL ASSESSMENTS.—Section 24 of the  
2 National Institute of Standards and Technology Act (15  
3 U.S.C. 278j) is amended to read as follows:

4 **“SEC. 24. ASSESSMENTS BY THE NATIONAL RESEARCH**  
5 **COUNCIL.**

6 “(a) IN GENERAL.—The Institute shall contract with  
7 the National Research Council to perform and report on  
8 assessments of the technical quality and impact of the  
9 work conducted at Institute laboratories.

10 “(b) SCHEDULE.—Two laboratories shall be assessed  
11 under subsection (a) each year, and each laboratory shall  
12 be assessed at least once every 3 years.

13 “(c) SUMMARY REPORT.—Beginning in the year  
14 after the first assessment is conducted under subsection  
15 (a), and once every two years thereafter, the Institute shall  
16 contract with the National Research Council to prepare  
17 a report that summarizes the findings common across the  
18 individual assessment reports.

19 “(d) ADDITIONAL ASSESSMENTS.—The Institute, at  
20 the discretion of the Director, also may contract with the  
21 National Research Council to conduct additional assess-  
22 ments of Institute programs and projects that involve col-  
23 laboration across the Institute laboratories and centers  
24 and assessments of selected scientific and technical topics.

1       “(e) CONSULTATION WITH VISITING COMMITTEE ON  
2 ADVANCED TECHNOLOGY.—The National Research Coun-  
3 cil may consult with the Visiting Committee on Advanced  
4 Technology established under section 10 in performing the  
5 assessments under this section.

6       “(f) REPORTS.—Not later than 30 days after the  
7 completion of each assessment, the Institute shall transmit  
8 the report on such assessment to the Committee on  
9 Science, Space, and Technology of the House of Rep-  
10 resentatives and the Committee on Commerce, Science,  
11 and Transportation of the Senate.”.

12 **SEC. 9. HOLLINGS MANUFACTURING EXTENSION PARTNER-**  
13 **SHIP.**

14       Section 25 of the National Institute of Standards and  
15 Technology Act (15 U.S.C. 278k) is amended to read as  
16 follows:

17 **“SEC. 25. HOLLINGS MANUFACTURING EXTENSION PART-**  
18 **nership.**

19       “(a) ESTABLISHMENT AND PURPOSE.—

20               “(1) IN GENERAL.—The Secretary, through the  
21 Director and, if appropriate, through other officials,  
22 shall provide assistance for the creation and support  
23 of manufacturing extension centers, to be known as  
24 the ‘Hollings Manufacturing Extension Centers’, for  
25 the transfer of manufacturing technology and best

1 business practices (in this Act referred to as the  
2 ‘Centers’). The program under this section shall be  
3 known as the ‘Hollings Manufacturing Extension  
4 Partnership’.

5 “(2) AFFILIATIONS.—Such Centers shall be af-  
6 filiated with any United States-based public or non-  
7 profit institution or organization, or group thereof,  
8 that applies for and is awarded financial assistance  
9 under this section.

10 “(3) OBJECTIVE.—The objective of the Centers  
11 is to enhance competitiveness, productivity, and  
12 technological performance in United States manufac-  
13 turing through—

14 “(A) the transfer of manufacturing tech-  
15 nology and techniques developed at the Insti-  
16 tute to Centers and, through them, to manufac-  
17 turing companies throughout the United States;

18 “(B) the participation of individuals from  
19 industry, institutions of higher education, State  
20 governments, other Federal agencies, and, when  
21 appropriate, the Institute in cooperative tech-  
22 nology transfer activities;

23 “(C) efforts to make new manufacturing  
24 technology and processes usable by United

1 States-based small and medium-sized compa-  
2 nies;

3 “(D) the active dissemination of scientific,  
4 engineering, technical, and management infor-  
5 mation about manufacturing to industrial firms,  
6 including small and medium-sized manufac-  
7 turing companies;

8 “(E) the utilization, when appropriate, of  
9 the expertise and capability that exists in Fed-  
10 eral laboratories other than the Institute;

11 “(F) the provision to community colleges  
12 and area career and technical education schools  
13 of information about the job skills needed in  
14 small and medium-sized manufacturing busi-  
15 nesses in the regions they serve; and

16 “(G) promoting and expanding certifi-  
17 cation systems offered through industry, asso-  
18 ciations, and local colleges, when appropriate.

19 “(b) ACTIVITIES.—The activities of the Centers shall  
20 include—

21 “(1) the establishment of automated manufac-  
22 turing systems and other advanced production tech-  
23 nologies, based on Institute-supported research, for  
24 the purpose of demonstrations and technology trans-  
25 fer;

1           “(2) the active transfer and dissemination of re-  
2           search findings and Center expertise to a wide range  
3           of companies and enterprises, particularly small and  
4           medium-sized manufacturers; and

5           “(3) the facilitation of collaborations and part-  
6           nerships between small and medium-sized manufac-  
7           turing companies and community colleges and area  
8           career and technical education schools to help such  
9           colleges and schools better understand the specific  
10          needs of manufacturers and to help manufacturers  
11          better understand the skill sets that students learn  
12          in the programs offered by such colleges and schools.

13          “(c) OPERATIONS.—

14                 “(1) FINANCIAL SUPPORT.—The Secretary may  
15                 provide financial support to any Center created  
16                 under subsection (a). The Secretary may not provide  
17                 to a Center more than 50 percent of the capital and  
18                 annual operating and maintenance funds required to  
19                 create and maintain such Center.

20                 “(2) REGULATIONS.—The Secretary shall im-  
21                 plement, review, and update the sections of the Code  
22                 of Federal Regulations related to this section at  
23                 least once every 3 years.

24                 “(3) APPLICATION.—

1           “(A) IN GENERAL.—Any nonprofit institu-  
2           tion, or consortium thereof, or State or local  
3           government, may submit to the Secretary an  
4           application for financial support under this sec-  
5           tion, in accordance with the procedures estab-  
6           lished by the Secretary.

7           “(B) COST SHARING.—In order to receive  
8           assistance under this section, an applicant for  
9           financial assistance under subparagraph (A)  
10          shall provide adequate assurances that non-  
11          Federal assets obtained from the applicant and  
12          the applicant’s partnering organizations will be  
13          used as a funding source to meet not less than  
14          50 percent of the costs incurred. For purposes  
15          of the preceding sentence, the costs incurred  
16          means the costs incurred in connection with the  
17          activities undertaken to improve the competi-  
18          tiveness, management, productivity, and techno-  
19          logical performance of small and medium-sized  
20          manufacturing companies.

21          “(C) AGREEMENTS WITH OTHER ENTI-  
22          TIES.—In meeting the 50 percent requirement,  
23          it is anticipated that a Center will enter into  
24          agreements with other entities such as private  
25          industry, institutions of higher education, and

1 State governments to accomplish programmatic  
2 objectives and access new and existing resources  
3 that will further the impact of the Federal in-  
4 vestment made on behalf of small and medium-  
5 sized manufacturing companies.

6 “(D) LEGAL RIGHTS.—Each applicant  
7 under subparagraph (A) shall also submit a  
8 proposal for the allocation of the legal rights as-  
9 sociated with any invention which may result  
10 from the proposed Center’s activities.

11 “(4) MERIT REVIEW.—The Secretary shall sub-  
12 ject each such application to merit review. In mak-  
13 ing a decision whether to approve such application  
14 and provide financial support under this section, the  
15 Secretary shall consider, at a minimum, the fol-  
16 lowing:

17 “(A) The merits of the application, par-  
18 ticularly those portions of the application re-  
19 garding technology transfer, training and edu-  
20 cation, and adaptation of manufacturing tech-  
21 nologies to the needs of particular industrial  
22 sectors.

23 “(B) The quality of service to be provided.

24 “(C) Geographical diversity and extent of  
25 service area.

1           “(D) The percentage of funding and  
2 amount of in-kind commitment from other  
3 sources.

4           “(5) EVALUATION.—

5           “(A) IN GENERAL.—Each Center that re-  
6 ceives financial assistance under this section  
7 shall be evaluated during its third year of oper-  
8 ation by an evaluation panel appointed by the  
9 Secretary.

10           “(B) COMPOSITION.—Each such evalua-  
11 tion panel shall be composed of private experts,  
12 none of whom shall be connected with the in-  
13 volved Center, and Federal officials.

14           “(C) CHAIR.—An official of the Institute  
15 shall chair the panel.

16           “(D) PERFORMANCE MEASUREMENT.—  
17 Each evaluation panel shall measure the in-  
18 volved Center’s performance against the objec-  
19 tives specified in this section.

20           “(E) POSITIVE EVALUATION.—If the eval-  
21 uation is positive, the Secretary may provide  
22 continued funding through the sixth year.

23           “(F) PROBATION.—The Secretary shall  
24 not provide funding unless the Center has re-  
25 ceived a positive evaluation. A Center that has



1 not received a positive evaluation by the evalua-  
2 tion panel shall be notified by the panel of the  
3 deficiencies in its performance and shall be  
4 placed on probation for one year, after which  
5 time the panel shall reevaluate the Center. If  
6 the Center has not addressed the deficiencies  
7 identified by the panel, or shown a significant  
8 improvement in its performance, the Director  
9 shall conduct a new competition to select an op-  
10 erator for the Center or may close the Center.

11 “(G) ADDITIONAL FINANCIAL SUPPORT.—  
12 After the sixth year, a Center may receive addi-  
13 tional financial support under this section if it  
14 has received a positive evaluation through an  
15 independent review, under procedures estab-  
16 lished by the Institute.

17 “(H) EIGHT-YEAR REVIEW.—A Center  
18 shall undergo an independent review in the 8th  
19 year of operation. Each evaluation panel shall  
20 measure the Center’s performance against the  
21 objectives specified in this section. A Center  
22 that has not received a positive evaluation as a  
23 result of an independent review shall be notified  
24 by the Program of the deficiencies in its per-  
25 formance and shall be placed on probation for

1 one year, after which time the Program shall  
2 reevaluate the Center. If the Center has not ad-  
3 dressed the deficiencies identified by the review,  
4 or shown a significant improvement in its per-  
5 formance, the Director shall conduct a new  
6 competition to select an operator for the Center  
7 or may close the Center.

8 “(I) RECOMPETITION.—If a recipient of a  
9 Center award has received financial assistance  
10 for 10 consecutive years, the Director shall con-  
11 duct a new competition to select an operator for  
12 the Center consistent with the plan required in  
13 this Act. Incumbent Center operators in good  
14 standing shall be eligible to compete for the new  
15 award.

16 “(J) REPORTS.—

17 “(i) PLAN.—Not later than 180 days  
18 after the date of enactment of the NIST  
19 Reauthorization Act of 2014, the Director  
20 shall transmit to the Committee on  
21 Science, Space, and Technology of the  
22 House of Representatives and the Com-  
23 mittee on Commerce, Science, and Trans-  
24 portation of the Senate a plan as to how  
25 the Institute will conduct reviews, assess-

1           ments, and reapplication competitions  
2           under this paragraph.

3           “(ii) INDEPENDENT ASSESSMENT.—

4           The Director shall contract with an inde-  
5           pendent organization to perform an assess-  
6           ment of the implementation of the re-  
7           application competition process under this  
8           paragraph within 3 years after the trans-  
9           mittal of the report under clause (i). The  
10          organization conducting the assessment  
11          under this clause may consult with the  
12          MEP Advisory Board.

13          “(iii) COMPARISON OF CENTERS.—

14          Not later than 2 years after the date of en-  
15          actment of the NIST Reauthorization Act  
16          of 2014, the Director shall transmit to the  
17          Committee on Science, Space, and Tech-  
18          nology of the House of Representatives  
19          and the Committee on Commerce, Science,  
20          and Transportation of the Senate a report  
21          providing information on the first and sec-  
22          ond years of operations for centers oper-  
23          ating from new competitions or recompeti-  
24          tion as compared to longstanding centers.  
25          The report shall provide detail on the en-

1                    gagement in services provided by Centers  
2                    and the characteristics of services pro-  
3                    vided, including volume and type of serv-  
4                    ices, so that the Committees can evaluate  
5                    whether the cost-sharing ratio has an ef-  
6                    fect on the services provided at Centers.

7                    “(6) PATENT RIGHTS.—The provisions of chap-  
8                    ter 18 of title 35, United States Code, shall apply,  
9                    to the extent not inconsistent with this section, to  
10                    the promotion of technology from research by Cen-  
11                    ters under this section except for contracts for such  
12                    specific technology extension or transfer services as  
13                    may be specified by statute or by the Director.

14                    “(7) PROTECTION OF CENTER CLIENT CON-  
15                    FIDENTIAL INFORMATION.—Section 552 of title 5,  
16                    United States Code, shall apply to the following in-  
17                    formation obtained by the Federal Government on a  
18                    confidential basis in connection with the activities of  
19                    any participant involved in the Hollings Manufac-  
20                    turing Extension Partnership:

21                    “(A) Information on the business operation  
22                    of any participant in a Hollings Manufacturing  
23                    Extension Partnership program or of a client of  
24                    a Center.

1           “(B) Trade secrets possessed by any client  
2           of a Center.

3           “(8) ADVISORY BOARDS.—Each Center’s advi-  
4           sory boards shall institute a conflict of interest pol-  
5           icy, approved by the Director, that ensures the  
6           Board represents local small and medium-sized man-  
7           ufacturers in the Center’s region. Board Members  
8           may not serve as a vendor or provide services to the  
9           Center, nor may they serve on more than one Cen-  
10          ter’s oversight board simultaneously.

11          “(d) ACCEPTANCE OF FUNDS.—

12           “(1) IN GENERAL.—In addition to such sums  
13           as may be appropriated to the Secretary and Direc-  
14           tor to operate the Hollings Manufacturing Extension  
15           Partnership, the Secretary and Director also may  
16           accept funds from other Federal departments and  
17           agencies and, under section 2(c)(7), from the private  
18           sector for the purpose of strengthening United  
19           States manufacturing.

20          “(2) ALLOCATION OF FUNDS.—

21           “(A) FUNDS ACCEPTED FROM OTHER FED-  
22           ERAL DEPARTMENTS OR AGENCIES.—The Di-  
23           rector shall determine whether funds accepted  
24           from other Federal departments or agencies  
25           shall be counted in the calculation of the Fed-

1           eral share of capital and annual operating and  
2           maintenance costs under subsection (c).

3           “(B) FUNDS ACCEPTED FROM THE PRI-  
4           VATE SECTOR.—Funds accepted from the pri-  
5           vate sector under section 2(c)(7), if allocated to  
6           a Center, may not be considered in the calcula-  
7           tion of the Federal share under subsection (c)  
8           of this section.

9           “(e) MEP ADVISORY BOARD.—

10           “(1) ESTABLISHMENT.—There is established  
11           within the Institute a Manufacturing Extension  
12           Partnership Advisory Board (in this subsection re-  
13           ferred to as the ‘MEP Advisory Board’).

14           “(2) MEMBERSHIP.—

15           “(A) IN GENERAL.—The MEP Advisory  
16           Board shall consist of not fewer than 10 mem-  
17           bers broadly representative of stakeholders, to  
18           be appointed by the Director. At least 2 mem-  
19           bers shall be employed by or on an advisory  
20           board for the Centers, at least 1 member shall  
21           represent a community college, and at least 5  
22           other members shall be from United States  
23           small businesses in the manufacturing sector.  
24           No member shall be an employee of the Federal  
25           Government.

1           “(B) TERM.—Except as provided in sub-  
2 paragraph (C) or (D), the term of office of each  
3 member of the MEP Advisory Board shall be 3  
4 years.

5           “(C) VACANCIES.—Any member appointed  
6 to fill a vacancy occurring prior to the expira-  
7 tion of the term for which his predecessor was  
8 appointed shall be appointed for the remainder  
9 of such term.

10          “(D) SERVING CONSECUTIVE TERMS.—  
11 Any person who has completed two consecutive  
12 full terms of service on the MEP Advisory  
13 Board shall thereafter be ineligible for appoint-  
14 ment during the one-year period following the  
15 expiration of the second such term.

16          “(3) MEETINGS.—The MEP Advisory Board  
17 shall meet not less than 2 times annually and shall  
18 provide to the Director—

19                 “(A) advice on Hollings Manufacturing  
20 Extension Partnership programs, plans, and  
21 policies;

22                 “(B) assessments of the soundness of Hol-  
23 lings Manufacturing Extension Partnership  
24 plans and strategies; and

1           “(C) assessments of current performance  
2           against Hollings Manufacturing Extension  
3           Partnership program plans.

4           “(4) FEDERAL ADVISORY COMMITTEE ACT AP-  
5           PLICABILITY.—

6           “(A) IN GENERAL.—In discharging its du-  
7           ties under this subsection, the MEP Advisory  
8           Board shall function solely in an advisory ca-  
9           pacity, in accordance with the Federal Advisory  
10          Committee Act.

11          “(B) EXCEPTION.—Section 14 of the Fed-  
12          eral Advisory Committee Act shall not apply to  
13          the MEP Advisory Board.

14          “(5) REPORT.—The MEP Advisory Board shall  
15          transmit an annual report to the Secretary for  
16          transmittal to Congress within 30 days after the  
17          submission to Congress of the President’s annual  
18          budget request in each year. Such report shall ad-  
19          dress the status of the program established pursuant  
20          to this section and comment on the relevant sections  
21          of the programmatic planning document and updates  
22          thereto transmitted to Congress by the Director  
23          under subsections (e) and (d) of section 23.

24          “(f) COMPETITIVE GRANT PROGRAM.—



1           “(1) ESTABLISHMENT.—The Director shall es-  
2           tablish, within the Hollings Manufacturing Exten-  
3           sion Partnership, under this section and section 26,  
4           a program of competitive awards among participants  
5           described in paragraph (2) for the purposes de-  
6           scribed in paragraph (3).

7           “(2) PARTICIPANTS.—Participants receiving  
8           awards under this subsection shall be the Centers, or  
9           a consortium of such Centers.

10           “(3) PURPOSE.—The purpose of the program  
11           under this subsection is to add capabilities to the  
12           Hollings Manufacturing Extension Partnership, in-  
13           cluding the development of projects to solve new or  
14           emerging manufacturing problems as determined by  
15           the Director, in consultation with the Director of the  
16           Hollings Manufacturing Extension Partnership pro-  
17           gram, the MEP Advisory Board, and small and me-  
18           dium-sized manufacturers. One or more themes for  
19           the competition may be identified, which may vary  
20           from year to year, depending on the needs of manu-  
21           facturers and the success of previous competitions.  
22           Centers may be reimbursed for costs incurred under  
23           the program.

24           “(4) APPLICATIONS.—Applications for awards  
25           under this subsection shall be submitted in such

1 manner, at such time, and containing such informa-  
2 tion as the Director shall require, in consultation  
3 with the MEP Advisory Board.

4 “(5) SELECTION.—Awards under this sub-  
5 section shall be peer reviewed and competitively  
6 awarded. The Director shall endeavor to have broad  
7 geographic diversity among selected proposals. The  
8 Director shall select proposals to receive awards that  
9 will—

10 “(A) improve the competitiveness of indus-  
11 tries in the region in which the Center or Cen-  
12 ters are located;

13 “(B) create jobs or train newly hired em-  
14 ployees; and

15 “(C) promote the transfer and commer-  
16 cialization of research and technology from in-  
17 stitutions of higher education, national labora-  
18 tories, and nonprofit research institutes.

19 “(6) PROGRAM CONTRIBUTION.—Recipients of  
20 awards under this subsection shall not be required  
21 to provide a matching contribution.

22 “(7) GLOBAL MARKETPLACE PROJECTS.—In  
23 making awards under this subsection, the Director,  
24 in consultation with the MEP Advisory Board and  
25 the Secretary, may take into consideration whether

1 an application has significant potential for enhanc-  
2 ing the competitiveness of small and medium-sized  
3 United States manufacturers in the global market-  
4 place.

5 “(8) DURATION.—Awards under this subsection  
6 shall last no longer than 3 years.

7 “(g) EVALUATION OF OBSTACLES UNIQUE TO SMALL  
8 MANUFACTURERS.—The Director shall—

9 “(1) evaluate obstacles that are unique to small  
10 manufacturers that prevent such manufacturers  
11 from effectively competing in the global market;

12 “(2) implement a comprehensive plan to train  
13 the Centers to address such obstacles; and

14 “(3) facilitate improved communication between  
15 the Centers to assist such manufacturers in imple-  
16 menting appropriate, targeted solutions to such ob-  
17 stacles.

18 “(h) DEFINITIONS.—In this section—

19 “(1) the term ‘area career and technical edu-  
20 cation school’ has the meaning given such term in  
21 section 3 of the Carl D. Perkins Career and Tech-  
22 nical Education Improvement Act of 2006 (20  
23 U.S.C. 2302); and

24 “(2) the term ‘community college’ means an in-  
25 stitution of higher education (as defined under sec-

1       tion 101(a) of the Higher Education Act of 1965  
2       (20 U.S.C. 1001(a)) at which the highest degree  
3       that is predominately awarded to students is an as-  
4       sociate’s degree.”.

5       **SEC. 10. ELIMINATION OF OBSOLETE REPORTS.**

6       (a) ENTERPRISE INTEGRATION STANDARDIZATION  
7       AND IMPLEMENTATION ACTIVITIES REPORT.—Section 3  
8       of the Enterprise Integration Act of 2002 (15 U.S.C.  
9       278g–5) is amended—

10               (1) by striking subsection (c); and

11               (2) by redesignating subsections (d) and (e) as  
12       subsections (c) and (d), respectively.

13       (b) TIP REPORTS.—Section 28 of the National Insti-  
14       tute of Standards and Technology Act (15 U.S.C. 278n)  
15       is amended—

16               (1) by striking subsection (g); and

17               (2) in subsection (k), by striking paragraph (5).

18       **SEC. 11. MODIFICATIONS TO GRANTS AND COOPERATIVE**  
19       **AGREEMENTS.**

20       Section 8(a) of the Stevenson-Wydler Technology In-  
21       novation Act of 1980 (15 U.S.C. 3706(a)) is amended by  
22       striking “The total amount of any such grant or coopera-  
23       tive agreement may not exceed 75 percent of the total cost  
24       of the program.”.

1 **SEC. 12. INFORMATION SYSTEMS STANDARDS CONSULTA-**  
2 **TION.**

3 Section 20(c)(1) of the National Institute of Stand-  
4 ards and Technology Act (15 U.S.C. 278g-3(c)(1)) is  
5 amended by striking “the National Security Agency,”.

Passed the House of Representatives July 22, 2014.

Attest:

*Clerk.*

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5035**

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**AN ACT**

To reauthorize the National Institute of Standards  
and Technology, and for other purposes.