

Suspend the Rules and Pass the Bill, H.R. 5639, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

114TH CONGRESS
2^D SESSION

H. R. 5639

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

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2016

Mr. MOOLENAAR (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. LIPINSKI, Mr. POSEY, Ms. CLARK of Massachusetts, Mr. TONKO, and Mr. GRAYSON) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To update the National Institute of Standards and Technology Act, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute of
5 Standards and Technology Improvement Act of 2016”.

1 **SEC. 2. STANDARDS AND CONFORMITY ASSESSMENT.**

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

4 (1) in subsection (b)—

5 (A) in the matter preceding paragraph (1),
6 by striking “authorized to take” and inserting
7 “authorized to serve as the President’s principal
8 adviser on standards policy pertaining to the
9 Nation’s technological competitiveness and in-
10 novation ability and to take”;

11 (B) in paragraph (3), by striking “compare
12 standards” and all that follows through “Fed-
13 eral Government” and inserting “facilitate
14 standards-related information sharing and co-
15 operation between Federal agencies”; and

16 (C) in paragraph (13), by striking “Fed-
17 eral, State, and local” and all that follows
18 through “private sector” and inserting “tech-
19 nical standards activities and conformity assess-
20 ment activities of Federal, State, and local gov-
21 ernments with private sector”; and

22 (2) in subsection (c)—

23 (A) in paragraph (22), by striking “and”
24 after the semicolon;

25 (B) by redesignating paragraph (23) as
26 paragraph (25); and

1 (C) by inserting after paragraph (22) the
2 following:

3 “(23) participate in and support scientific and
4 technical conferences;

5 “(24) perform pre-competitive measurement
6 science and technology research in partnership with
7 institutions of higher education and industry to pro-
8 mote United States industrial competitiveness; and”.

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

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

12 (1) in subsection (a)—

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

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

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

18 “The Committee may consult with the National
19 Research Council in making recommendations
20 regarding general policy for the Institute.”; and

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

23 **SEC. 4. POLICE AND SECURITY AUTHORITY.**

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

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

3 (2) by striking “United States Code.” and in-
4 serting “United States Code; and (i) the protection
5 of Institute buildings and other plant facilities,
6 equipment, and property, and of employees, associ-
7 ates, visitors, or other persons located therein or as-
8 sociated therewith, notwithstanding any other provi-
9 sion of law.”.

10 **SEC. 5. EDUCATION AND OUTREACH.**

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

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

15 “(a) IN GENERAL.—The Director may support, pro-
16 mote, and coordinate activities and efforts to enhance pub-
17 lic awareness and understanding of measurement sciences,
18 standards, and technology by the general public, industry,
19 government, and academia in support of the Institute’s
20 mission.

21 “(b) RESEARCH FELLOWSHIPS.—

22 “(1) IN GENERAL.—The Director may award
23 research fellowships and other forms of financial and
24 logistical assistance, including direct stipend awards,
25 to—

1 “(A) students at institutions of higher edu-
2 cation within the United States who show
3 promise as present or future contributors to the
4 mission of the Institute; and

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

7 “(2) SELECTION.—The Director shall select
8 persons to receive such fellowships and assistance on
9 the basis of ability and of the relevance of the pro-
10 posed work to the mission and programs of the In-
11 stitute.

12 “(3) DEFINITION.—For the purposes of this
13 subsection, financial and logistical assistance in-
14 cludes, notwithstanding section 1345 of title 31,
15 United States Code, or any contrary provision of
16 law, temporary housing and local transportation to
17 and from the Institute facilities.

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

1 **SEC. 6. PROGRAMMATIC PLANNING REPORT.**

2 Section 23(d) of the National Institute of Standards
3 and Technology Act (15 U.S.C. 278i(d)) is amended by
4 adding at the end the following: “The 3-year pro-
5 grammatic planning document shall also describe how the
6 Director is addressing recommendations from the Visiting
7 Committee on Advanced Technology established under
8 section 10.”.

9 **SEC. 7. ASSESSMENTS BY THE NATIONAL RESEARCH COUN-**
10 **CIL.**

11 (a) NATIONAL ACADEMY OF SCIENCES REVIEW.—
12 Not later than 6 months after the date of enactment of
13 this Act, the Director of the National Institute of Stand-
14 ards and Technology shall enter into a contract with the
15 National Academy of Sciences to conduct a single, com-
16 prehensive review of the Institute’s laboratory programs.
17 The review shall—

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

20 (2) examine the strengths and weaknesses of
21 the 2010 laboratory reorganization on the Institute’s
22 ability to fulfill its mission;

23 (3) evaluate how crosscutting research and de-
24 velopment activities are planned, coordinated, and
25 executed across the laboratories; and

1 (4) assess how the laboratories are engaging in-
2 dustry, including the incorporation of industry need,
3 into the research goals and objectives of the Insti-
4 tute.

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

8 **“SEC. 24. ASSESSMENTS BY THE NATIONAL RESEARCH**
9 **COUNCIL.**

10 “(a) **IN GENERAL.**—The Institute shall contract with
11 the National Research Council to perform and report on
12 assessments of the technical quality and impact of the
13 work conducted at Institute laboratories.

14 “(b) **SCHEDULE.**—Two laboratories shall be assessed
15 under subsection (a) each year, and each laboratory shall
16 be assessed at least once every 3 years.

17 “(c) **SUMMARY REPORT.**—Beginning in the year
18 after the first assessment is conducted under subsection
19 (a), and once every 2 years thereafter, the Institute shall
20 contract with the National Research Council to prepare
21 a report that summarizes the findings common across the
22 individual assessment reports.

23 “(d) **ADDITIONAL ASSESSMENTS.**—The Institute, at
24 the discretion of the Director, also may contract with the
25 National Research Council to conduct additional assess-

1 ments of Institute programs and projects that involve col-
2 laboration across the Institute laboratories and centers
3 and assessments of selected scientific and technical topics.

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

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

15 **SEC. 8. HOLLINGS MANUFACTURING EXTENSION PARTNER-**
16 **SHIP.**

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

20 **“SEC. 25. HOLLINGS MANUFACTURING EXTENSION PART-**
21 **nership.**

22 “(a) ESTABLISHMENT AND PURPOSE.—

23 “(1) IN GENERAL.—The Secretary, through the
24 Director and, if appropriate, through other officials,
25 shall provide assistance for the creation and support

1 of manufacturing extension centers, to be known as
2 the ‘Hollings Manufacturing Extension Centers’, for
3 the transfer of manufacturing technology and best
4 business practices (in this Act referred to as the
5 ‘Centers’). The program under this section shall be
6 known as the ‘Hollings Manufacturing Extension
7 Partnership’.

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

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

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

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

1 “(C) efforts to make new manufacturing
2 technology and processes usable by United
3 States-based small- and medium-sized compa-
4 nies;

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

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

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

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

21 “(b) ACTIVITIES.—The activities of the Centers shall
22 include—

23 “(1) the establishment of automated manufac-
24 turing systems and other advanced production tech-
25 nologies, based on Institute-supported research, for

1 the purpose of demonstrations and technology trans-
2 fer;

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

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

15 “(c) OPERATIONS.—

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

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

1 “(3) APPLICATION.—

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

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

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

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

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

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

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

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

1 “(C) Geographical diversity and extent of
2 service area.

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

6 “(5) EVALUATION.—

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

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

16 “(C) CHAIR.—An official of the Institute
17 shall chair the panel.

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

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

1 “(F) PROBATION.—The Secretary shall
2 not provide funding unless the Center has re-
3 ceived a positive evaluation. A Center that has
4 not received a positive evaluation by the evalua-
5 tion panel shall be notified by the panel of the
6 deficiencies in its performance and shall be
7 placed on probation for 1 year, after which time
8 the panel shall reevaluate the Center. If the
9 Center has not addressed the deficiencies iden-
10 tified by the panel, or shown a significant im-
11 provement in its performance, the Director shall
12 conduct a new competition to select an operator
13 for the Center or may close the Center.

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

20 “(H) EIGHT-YEAR REVIEW.—A Center
21 shall undergo an independent review in the
22 eighth year of operation. Each evaluation panel
23 shall measure the Center’s performance against
24 the objectives specified in this section. A Center
25 that has not received a positive evaluation as a

1 result of an independent review shall be notified
2 by the Program of the deficiencies in its per-
3 formance and shall be placed on probation for
4 1 year, after which time the Program shall re-
5 evaluate the Center. If the Center has not ad-
6 dressed the deficiencies identified by the review,
7 or shown a significant improvement in its per-
8 formance, the Director shall conduct a new
9 competition to select an operator for the Center
10 or may close the Center.

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

19 “(J) REPORTS.—

20 “(i) PLAN.—Not later than 180 days
21 after the date of enactment of the National
22 Institute of Standards and Technology Im-
23 provement Act of 2016, the Director shall
24 transmit to the Committee on Science,
25 Space, and Technology of the House of

1 Representatives and the Committee on
2 Commerce, Science, and Transportation of
3 the Senate a plan as to how the Institute
4 will conduct reviews, assessments, and re-
5 application competitions under this para-
6 graph.

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

17 “(iii) COMPARISON OF CENTERS.—
18 Not later than 2 years after the date of en-
19 actment of the National Institute of Stand-
20 ards and Technology Improvement Act of
21 2016, the Director shall transmit to the
22 Committee on Science, Space, and Tech-
23 nology of the House of Representatives
24 and the Committee on Commerce, Science,
25 and Transportation of the Senate a report

1 providing information on the first and sec-
2 ond years of operations for centers oper-
3 ating from new competitions or recompeti-
4 tion as compared to longstanding centers.
5 The report shall provide detail on the en-
6 gagement in services provided by Centers
7 and the characteristics of services pro-
8 vided, including volume and type of serv-
9 ices, so that the Committees can evaluate
10 whether the cost-sharing ratio has an ef-
11 fect on the services provided at Centers.

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

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

1 “(A) Information on the business operation
2 of any participant in a Hollings Manufacturing
3 Extension Partnership program or of a client of
4 a Center.

5 “(B) Trade secrets possessed by any client
6 of a Center.

7 “(8) ADVISORY BOARDS.—Each Center’s advi-
8 sory boards shall institute a conflict of interest pol-
9 icy, approved by the Director, that ensures the
10 Board represents local small- and medium-sized
11 manufacturers in the Center’s region. Board Mem-
12 bers may not serve as a vendor or provide services
13 to the Center, nor may they serve on more than one
14 Center’s oversight board simultaneously.

15 “(d) ACCEPTANCE OF FUNDS.—

16 “(1) IN GENERAL.—In addition to such sums
17 as may be appropriated to the Secretary and Direc-
18 tor to operate the Hollings Manufacturing Extension
19 Partnership, the Secretary and Director also may
20 accept funds from other Federal departments and
21 agencies and, under section 2(c)(7), from the private
22 sector, to be available to the extent provided by ap-
23 propriations Acts, for the purpose of strengthening
24 United States manufacturing.

25 “(2) ALLOCATION OF FUNDS.—

1 “(A) FUNDS ACCEPTED FROM OTHER FED-
2 ERAL DEPARTMENTS OR AGENCIES.—The Di-
3 rector shall determine whether funds accepted
4 from other Federal departments or agencies
5 shall be counted in the calculation of the Fed-
6 eral share of capital and annual operating and
7 maintenance costs under subsection (c).

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

14 “(e) MEP ADVISORY BOARD.—

15 “(1) ESTABLISHMENT.—There is established
16 within the Institute a Manufacturing Extension
17 Partnership Advisory Board (in this subsection re-
18 ferred to as the ‘MEP Advisory Board’).

19 “(2) MEMBERSHIP.—

20 “(A) IN GENERAL.—The MEP Advisory
21 Board shall consist of not fewer than 10 mem-
22 bers broadly representative of stakeholders, to
23 be appointed by the Director. At least two
24 members shall be employed by or on an advi-
25 sory board for the Centers, at least one member

1 shall represent a community college, and at
2 least five other members shall be from United
3 States small businesses in the manufacturing
4 sector. No member shall be an employee of the
5 Federal Government.

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

10 “(C) VACANCIES.—Any member appointed
11 to fill a vacancy occurring prior to the expira-
12 tion of the term for which his predecessor was
13 appointed shall be appointed for the remainder
14 of such term.

15 “(D) SERVING CONSECUTIVE TERMS.—
16 Any person who has completed two consecutive
17 full terms of service on the MEP Advisory
18 Board shall thereafter be ineligible for appoint-
19 ment during the 1-year period following the ex-
20 piration of the second such term.

21 “(3) MEETINGS.—The MEP Advisory Board
22 shall meet not less than two times annually and
23 shall provide to the Director—

1 “(A) advice on Hollings Manufacturing
2 Extension Partnership programs, plans, and
3 policies;

4 “(B) assessments of the soundness of Hol-
5 lings Manufacturing Extension Partnership
6 plans and strategies; and

7 “(C) assessments of current performance
8 against Hollings Manufacturing Extension
9 Partnership program plans.

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

12 “(A) IN GENERAL.—In discharging its du-
13 ties under this subsection, the MEP Advisory
14 Board shall function solely in an advisory ca-
15 pacity, in accordance with the Federal Advisory
16 Committee Act.

17 “(B) EXCEPTION.—Section 14 of the Fed-
18 eral Advisory Committee Act shall not apply to
19 the MEP Advisory Board.

20 “(5) REPORT.—The MEP Advisory Board shall
21 transmit an annual report to the Secretary for
22 transmittal to Congress within 30 days after the
23 submission to Congress of the President’s annual
24 budget request in each year. Such report shall ad-
25 dress the status of the program established pursuant

1 to this section and comment on the relevant sections
2 of the programmatic planning document and updates
3 thereto transmitted to Congress by the Director
4 under subsections (c) and (d) of section 23.

5 “(f) COMPETITIVE GRANT PROGRAM.—

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

12 “(2) PARTICIPANTS.—Participants receiving
13 awards under this subsection shall be the Centers, or
14 a consortium of such Centers.

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

1 facturers and the success of previous competitions.
2 Centers may be reimbursed for costs incurred under
3 the program.

4 “(4) APPLICATIONS.—Applications for awards
5 under this subsection shall be submitted in such
6 manner, at such time, and containing such informa-
7 tion as the Director shall require, in consultation
8 with the MEP Advisory Board.

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

15 “(A) improve the competitiveness of indus-
16 tries in the region in which the Center or Cen-
17 ters are located;

18 “(B) create jobs or train newly hired em-
19 ployees; and

20 “(C) promote the transfer and commer-
21 cialization of research and technology from in-
22 stitutions of higher education, national labora-
23 tories, and nonprofit research institutes.

1 “(6) PROGRAM CONTRIBUTION.—Recipients of
2 awards under this subsection shall not be required
3 to provide a matching contribution.

4 “(7) GLOBAL MARKETPLACE PROJECTS.—In
5 making awards under this subsection, the Director,
6 in consultation with the MEP Advisory Board and
7 the Secretary, may take into consideration whether
8 an application has significant potential for enhance-
9 ing the competitiveness of small- and medium-sized
10 United States manufacturers in the global market-
11 place.

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

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

16 “(1) evaluate obstacles that are unique to small
17 manufacturers that prevent such manufacturers
18 from effectively competing in the global market;

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

21 “(3) facilitate improved communication between
22 the Centers to assist such manufacturers in imple-
23 menting appropriate, targeted solutions to such ob-
24 stacles.

25 “(h) DEFINITIONS.—In this section—

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

6 “(2) the term ‘community college’ means an in-
7 stitution of higher education (as defined under sec-
8 tion 101(a) of the Higher Education Act of 1965
9 (20 U.S.C. 1001(a))) at which the highest degree
10 that is predominately awarded to students is an as-
11 sociate’s degree.”.

12 **SEC. 9. ELIMINATION OF OBSOLETE REPORTS.**

13 Section 28 of the National Institute of Standards and
14 Technology Act (15 U.S.C. 278n) is amended—

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

16 (2) in subsection (k)—

17 (A) in paragraph (3), by inserting “and”
18 after the semicolon at the end;

19 (B) in paragraph (4)(B), by striking “;
20 and” at the end and inserting a period; and

21 (C) by striking paragraph (5).

22 **SEC. 10. MODIFICATIONS TO GRANTS AND COOPERATIVE**
23 **AGREEMENTS.**

24 Section 8(a) of the Stevenson-Wydler Technology In-
25 novation Act of 1980 (15 U.S.C. 3706(a)) is amended by

1 striking “The total amount of any such grant or coopera-
2 tive agreement may not exceed 75 percent of the total cost
3 of the program.”.

4 **SEC. 11. INFORMATION SYSTEMS STANDARDS CONSULTA-**
5 **TION.**

6 Notwithstanding any other provision of law, the Na-
7 tional Institute of Standards and Technology shall not
8 consult with the Department of Defense and the National
9 Security Agency in contravention of section 20(c)(1) of the
10 National Institute of Standards and Technology Act (15
11 U.S.C. 278g-3(c)(1)).

12 **SEC. 12. UNITED STATES-ISRAELI COOPERATION.**

13 It is the Sense of Congress that—

14 (1) partnerships that facilitate basic scientific
15 research between the United States and Israel ad-
16 vance technology development, innovation, and com-
17 mercialization leading to growth in various sectors,
18 including manufacturing, and creating benefits for
19 both nations;

20 (2) joint research and development agreements
21 carried out through government organizations like
22 the National Institute of Standards and Technology
23 support these efforts;

1 (3) partnerships between the United States and
2 Israel that further the basic scientific enterprise
3 should be encouraged; and

4 (4) the National Institute of Standards and
5 Technology should continue to facilitate scientific
6 collaborations between Israel and United States
7 technical agencies working in measurement science
8 and standardization.