

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

# H. R. 5639

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

7 (1) in subsection (b)—

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

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

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

25 (2) in subsection (c)—

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

3 (B) by redesignating paragraph (23) as  
4 paragraph (25); and

5 (C) by inserting after paragraph (22) the  
6 following:

7 “(23) participate in and support scientific and  
8 technical conferences;

9 “(24) perform pre-competitive measurement  
10 science and technology research in partnership with  
11 institutions of higher education and industry to pro-  
12 mote United States industrial competitiveness; and”.

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

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

16 (1) in subsection (a)—

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

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

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

22 “The Committee may consult with the National  
23 Research Council in making recommendations  
24 regarding general policy for the Institute.”; and

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

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

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

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

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

15 **SEC. 5. EDUCATION AND OUTREACH.**

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

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

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

1 “(b) RESEARCH FELLOWSHIPS.—

2 “(1) IN GENERAL.—The Director may award  
3 research fellowships and other forms of financial and  
4 logistical assistance, including direct stipend awards,  
5 to—

6 “(A) students at institutions of higher edu-  
7 cation within the United States who show  
8 promise as present or future contributors to the  
9 mission of the Institute; and

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

12 “(2) SELECTION.—The Director shall select  
13 persons to receive such fellowships and assistance on  
14 the basis of ability and of the relevance of the pro-  
15 posed work to the mission and programs of the In-  
16 stitute.

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

23 “(c) POST-DOCTORAL FELLOWSHIP PROGRAM.—The  
24 Director shall establish and conduct a post-doctoral fellow-  
25 ship program, subject to the availability of appropriations,

1 that shall include not fewer than 20 fellows per fiscal year.  
2 In evaluating applications for fellowships under this sub-  
3 section, the Director shall give consideration to the goal  
4 of promoting the participation of underrepresented stu-  
5 dents in research areas supported by the Institute.”.

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

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

14 **SEC. 7. ASSESSMENTS BY THE NATIONAL RESEARCH COUN-**  
15 **CIL.**

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

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



1 contract with the National Research Council to prepare  
2 a report that summarizes the findings common across the  
3 individual assessment reports.

4 “(d) **ADDITIONAL ASSESSMENTS.**—The Institute, at  
5 the discretion of the Director, also may contract with the  
6 National Research Council to conduct additional assess-  
7 ments of Institute programs and projects that involve col-  
8 laboration across the Institute laboratories and centers  
9 and assessments of selected scientific and technical topics.

10 “(e) **CONSULTATION WITH VISITING COMMITTEE ON**  
11 **ADVANCED TECHNOLOGY.**—The National Research Coun-  
12 cil may consult with the Visiting Committee on Advanced  
13 Technology established under section 10 in performing the  
14 assessments under this section.

15 “(f) **REPORTS.**—Not later than 30 days after the  
16 completion of each assessment, the Institute shall transmit  
17 the report on such assessment to the Committee on  
18 Science, Space, and Technology of the House of Rep-  
19 resentatives and the Committee on Commerce, Science,  
20 and Transportation of the Senate.”.

21 **SEC. 8. HOLLINGS MANUFACTURING EXTENSION PARTNER-**  
22 **SHIP.**

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

1 **“SEC. 25. HOLLINGS MANUFACTURING EXTENSION PART-**  
2 **nership.**

3 “(a) ESTABLISHMENT AND PURPOSE.—

4 “(1) IN GENERAL.—The Secretary, through the  
5 Director and, if appropriate, through other officials,  
6 shall provide assistance for the creation and support  
7 of manufacturing extension centers, to be known as  
8 the ‘Hollings Manufacturing Extension Centers’, for  
9 the transfer of manufacturing technology and best  
10 business practices (in this Act referred to as the  
11 ‘Centers’). The program under this section shall be  
12 known as the ‘Hollings Manufacturing Extension  
13 Partnership’.

14 “(2) AFFILIATIONS.—Such Centers shall be af-  
15 filiated with any United States-based public or non-  
16 profit institution or organization, or group thereof,  
17 that applies for and is awarded financial assistance  
18 under this section.

19 “(3) OBJECTIVE.—The objective of the Centers  
20 is to enhance competitiveness, productivity, and  
21 technological performance in United States manufac-  
22 turing through—

23 “(A) the transfer of manufacturing tech-  
24 nology and techniques developed at the Insti-  
25 tute to Centers and, through them, to manufac-  
26 turing companies throughout the United States;

1           “(B) the participation of individuals from  
2 industry, institutions of higher education, State  
3 governments, other Federal agencies, and, when  
4 appropriate, the Institute in cooperative tech-  
5 nology transfer activities;

6           “(C) efforts to make new manufacturing  
7 technology and processes usable by United  
8 States-based small- and medium-sized compa-  
9 nies;

10           “(D) the active dissemination of scientific,  
11 engineering, technical, and management infor-  
12 mation about manufacturing to industrial firms,  
13 including small- and medium-sized manufac-  
14 turing companies;

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

18           “(F) the provision to community colleges  
19 and area career and technical education schools  
20 of information about the job skills needed in  
21 small- and medium-sized manufacturing busi-  
22 nesses in the regions they serve; and

23           “(G) promoting and expanding certifi-  
24 cation systems offered through industry, asso-  
25 ciations, and local colleges, when appropriate.

1       “(b) ACTIVITIES.—The activities of the Centers shall  
2 include—

3               “(1) the establishment of automated manufac-  
4 turing systems and other advanced production tech-  
5 nologies, based on Institute-supported research, for  
6 the purpose of demonstrations and technology trans-  
7 fer;

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

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

20       “(c) OPERATIONS.—

21               “(1) FINANCIAL SUPPORT.—The Secretary may  
22 provide financial support to any Center created  
23 under subsection (a). The Secretary may not provide  
24 to a Center more than 50 percent of the capital and

1 annual operating and maintenance funds required to  
2 create and maintain such Center.

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

7 “(3) APPLICATION.—

8 “(A) IN GENERAL.—Any nonprofit institu-  
9 tion, or consortium thereof, or State or local  
10 government, may submit to the Secretary an  
11 application for financial support under this sec-  
12 tion, in accordance with the procedures estab-  
13 lished by the Secretary.

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

1           logical performance of small- and medium-sized  
2           manufacturing companies.

3           “(C) AGREEMENTS WITH OTHER ENTI-  
4           TIES.—In meeting the 50 percent requirement,  
5           it is anticipated that a Center will enter into  
6           agreements with other entities such as private  
7           industry, institutions of higher education, and  
8           State governments to accomplish programmatic  
9           objectives and access new and existing resources  
10          that will further the impact of the Federal in-  
11          vestment made on behalf of small- and medium-  
12          sized manufacturing companies.

13          “(D) LEGAL RIGHTS.—Each applicant  
14          under subparagraph (A) shall also submit a  
15          proposal for the allocation of the legal rights as-  
16          sociated with any invention which may result  
17          from the proposed Center’s activities.

18          “(4) MERIT REVIEW.—The Secretary shall sub-  
19          ject each such application to merit review. In mak-  
20          ing a decision whether to approve such application  
21          and provide financial support under this section, the  
22          Secretary shall consider, at a minimum, the fol-  
23          lowing:

24                  “(A) The merits of the application, par-  
25                  ticularly those portions of the application re-

1           garding technology transfer, training and edu-  
2           cation, and adaptation of manufacturing tech-  
3           nologies to the needs of particular industrial  
4           sectors.

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

6           “(C) Geographical diversity and extent of  
7           service area.

8           “(D) The percentage of funding and  
9           amount of in-kind commitment from other  
10          sources.

11          “(5) EVALUATION.—

12           “(A) IN GENERAL.—Each Center that re-  
13          ceives financial assistance under this section  
14          shall be evaluated during its third year of oper-  
15          ation by an evaluation panel appointed by the  
16          Secretary.

17           “(B) COMPOSITION.—Each such evalua-  
18          tion panel shall be composed of private experts,  
19          none of whom shall be connected with the in-  
20          volved Center, and Federal officials.

21           “(C) CHAIR.—An official of the Institute  
22          shall chair the panel.

23           “(D) PERFORMANCE MEASUREMENT.—  
24          Each evaluation panel shall measure the in-

1           involved Center’s performance against the objec-  
2           tives specified in this section.

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

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

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

1           “(H) EIGHT-YEAR REVIEW.—A Center  
2 shall undergo an independent review in the  
3 eighth year of operation. Each evaluation panel  
4 shall measure the Center’s performance against  
5 the objectives specified in this section. A Center  
6 that has not received a positive evaluation as a  
7 result of an independent review shall be notified  
8 by the Program of the deficiencies in its per-  
9 formance and shall be placed on probation for  
10 1 year, after which time the Program shall re-  
11 evaluate the Center. If the Center has not ad-  
12 dressed the deficiencies identified by the review,  
13 or shown a significant improvement in its per-  
14 formance, the Director shall conduct a new  
15 competition to select an operator for the Center  
16 or may close the Center.

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

25           “(J) REPORTS.—

1           “(i) PLAN.—Not later than 180 days  
2 after the date of enactment of the National  
3 Institute of Standards and Technology Im-  
4 provement Act of 2016, the Director shall  
5 transmit to the Committee on Science,  
6 Space, and Technology of the House of  
7 Representatives and the Committee on  
8 Commerce, Science, and Transportation of  
9 the Senate a plan as to how the Institute  
10 will conduct reviews, assessments, and re-  
11 application competitions under this para-  
12 graph.

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

23           “(iii) COMPARISON OF CENTERS.—  
24 Not later than 2 years after the date of en-  
25 actment of the National Institute of Stand-

1           ards and Technology Improvement Act of  
2           2016, the Director shall transmit to the  
3           Committee on Science, Space, and Tech-  
4           nology of the House of Representatives  
5           and the Committee on Commerce, Science,  
6           and Transportation of the Senate a report  
7           providing information on the first and sec-  
8           ond years of operations for centers oper-  
9           ating from new competitions or recompeti-  
10          tion as compared to longstanding centers.  
11          The report shall provide detail on the en-  
12          gagement in services provided by Centers  
13          and the characteristics of services pro-  
14          vided, including volume and type of serv-  
15          ices, so that the Committees can evaluate  
16          whether the cost-sharing ratio has an ef-  
17          fect on the services provided at Centers.

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

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

8           “(A) Information on the business operation  
9 of any participant in a Hollings Manufacturing  
10 Extension Partnership program or of a client of  
11 a Center.

12           “(B) Trade secrets possessed by any client  
13 of a Center.

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

22           “(d) ACCEPTANCE OF FUNDS.—

23           “(1) IN GENERAL.—In addition to such sums  
24 as may be appropriated to the Secretary and Direc-  
25 tor to operate the Hollings Manufacturing Extension

1 Partnership, the Secretary and Director also may  
2 accept funds from other Federal departments and  
3 agencies and, under section 2(c)(7), from the private  
4 sector, to be available to the extent provided by ap-  
5 propriations Acts, for the purpose of strengthening  
6 United States manufacturing.

7 “(2) ALLOCATION OF FUNDS.—

8 “(A) FUNDS ACCEPTED FROM OTHER FED-  
9 ERAL DEPARTMENTS OR AGENCIES.—The Di-  
10 rector shall determine whether funds accepted  
11 from other Federal departments or agencies  
12 shall be counted in the calculation of the Fed-  
13 eral share of capital and annual operating and  
14 maintenance costs under subsection (c).

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

21 “(e) MEP ADVISORY BOARD.—

22 “(1) ESTABLISHMENT.—There is established  
23 within the Institute a Manufacturing Extension  
24 Partnership Advisory Board (in this subsection re-  
25 ferred to as the ‘MEP Advisory Board’).

1 “(2) MEMBERSHIP.—

2 “(A) IN GENERAL.—The MEP Advisory  
3 Board shall consist of not fewer than 10 mem-  
4 bers broadly representative of stakeholders, to  
5 be appointed by the Director. At least two  
6 members shall be employed by or on an advi-  
7 sory board for the Centers, at least one member  
8 shall represent a community college, and at  
9 least five other members shall be from United  
10 States small businesses in the manufacturing  
11 sector. No member shall be an employee of the  
12 Federal Government.

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

17 “(C) VACANCIES.—Any member appointed  
18 to fill a vacancy occurring prior to the expira-  
19 tion of the term for which his predecessor was  
20 appointed shall be appointed for the remainder  
21 of such term.

22 “(D) SERVING CONSECUTIVE TERMS.—  
23 Any person who has completed two consecutive  
24 full terms of service on the MEP Advisory  
25 Board shall thereafter be ineligible for appoint-

1           ment during the 1-year period following the ex-  
2           piration of the second such term.

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

6                   “(A) advice on Hollings Manufacturing  
7           Extension Partnership programs, plans, and  
8           policies;

9                   “(B) assessments of the soundness of Hol-  
10          lings Manufacturing Extension Partnership  
11          plans and strategies; and

12                   “(C) assessments of current performance  
13          against Hollings Manufacturing Extension  
14          Partnership program plans.

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

17                   “(A) IN GENERAL.—In discharging its du-  
18          ties under this subsection, the MEP Advisory  
19          Board shall function solely in an advisory ca-  
20          pacity, in accordance with the Federal Advisory  
21          Committee Act.

22                   “(B) EXCEPTION.—Section 14 of the Fed-  
23          eral Advisory Committee Act shall not apply to  
24          the MEP Advisory Board.

1           “(5) REPORT.—The MEP Advisory Board shall  
2           transmit an annual report to the Secretary for  
3           transmittal to Congress within 30 days after the  
4           submission to Congress of the President’s annual  
5           budget request in each year. Such report shall ad-  
6           dress the status of the program established pursuant  
7           to this section and comment on the relevant sections  
8           of the programmatic planning document and updates  
9           thereto transmitted to Congress by the Director  
10          under subsections (c) and (d) of section 23.

11          “(f) COMPETITIVE GRANT PROGRAM.—

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

18                 “(2) PARTICIPANTS.—Participants receiving  
19                 awards under this subsection shall be the Centers, or  
20                 a consortium of such Centers.

21                 “(3) PURPOSE.—The purpose of the program  
22                 under this subsection is to add capabilities to the  
23                 Hollings Manufacturing Extension Partnership, in-  
24                 cluding the development of projects to solve new or  
25                 emerging manufacturing problems as determined by

1 the Director, in consultation with the Director of the  
2 Hollings Manufacturing Extension Partnership pro-  
3 gram, the MEP Advisory Board, and small- and me-  
4 dium-sized manufacturers. One or more themes for  
5 the competition may be identified, which may vary  
6 from year to year, depending on the needs of manu-  
7 facturers and the success of previous competitions.  
8 Centers may be reimbursed for costs incurred under  
9 the program.

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

15 “(5) SELECTION.—Awards under this sub-  
16 section shall be peer reviewed and competitively  
17 awarded. The Director shall endeavor to have broad  
18 geographic diversity among selected proposals. The  
19 Director shall select proposals to receive awards that  
20 will—

21 “(A) improve the competitiveness of indus-  
22 tries in the region in which the Center or Cen-  
23 ters are located;

24 “(B) create jobs or train newly hired em-  
25 ployees; and

1           “(C) promote the transfer and commer-  
2           cialization of research and technology from in-  
3           stitutions of higher education, national labora-  
4           tories, and nonprofit research institutes.

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

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

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

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

20                 “(1) evaluate obstacles that are unique to small  
21                 manufacturers that prevent such manufacturers  
22                 from effectively competing in the global market;

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

1           “(3) facilitate improved communication between  
2 the Centers to assist such manufacturers in imple-  
3 menting appropriate, targeted solutions to such ob-  
4 stacles.

5           “(h) DEFINITIONS.—In this section—

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

11           “(2) the term ‘community college’ means an in-  
12 stitution of higher education (as defined under sec-  
13 tion 101(a) of the Higher Education Act of 1965  
14 (20 U.S.C. 1001(a))) at which the highest degree  
15 that is predominately awarded to students is an as-  
16 sociate’s degree.”.

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

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

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

21           (2) in subsection (k)—

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

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

1 (C) by striking paragraph (5).

2 **SEC. 10. MODIFICATIONS TO GRANTS AND COOPERATIVE**  
3 **AGREEMENTS.**

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

9 **SEC. 11. INFORMATION SYSTEMS STANDARDS CONSULTA-**  
10 **TION.**

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

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

18 It is the Sense of Congress that—

19 (1) partnerships that facilitate basic scientific  
20 research between the United States and Israel ad-  
21 vance technology development, innovation, and com-  
22 mercialization leading to growth in various sectors,  
23 including manufacturing, and creating benefits for  
24 both nations;

1           (2) joint research and development agreements  
2 carried out through government organizations like  
3 the National Institute of Standards and Technology  
4 support these efforts;

5           (3) partnerships between the United States and  
6 Israel that further the basic scientific enterprise  
7 should be encouraged; and

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

Passed the House of Representatives July 11, 2016.

Attest:

*Clerk.*



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

**H. R. 5639**

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**AN ACT**

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