

(a) for small and medium manufacturers so that small and medium manufacturers can fully use the high-performance computing resources of the National Laboratories to enhance the manufacturing competitiveness of the United States. (Pub. L. 117-58, div. D, title V, §40533, Nov. 15, 2021, 135 Stat. 1069.)

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

§ 18814. State manufacturing leadership

(a) Financial assistance authorized

The Secretary may provide financial assistance on a competitive basis to States for the establishment of programs to be used as models for supporting the implementation of smart manufacturing technologies.

(b) Applications

(1) In general

To be eligible to receive financial assistance under this section, a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) Criteria

The Secretary shall evaluate an application for financial assistance under this section on the basis of merit using criteria identified by the Secretary, including—

- (A) technical merit, innovation, and impact;
- (B) research approach, workplan, and deliverables;
- (C) academic and private sector partners; and
- (D) alternate sources of funding.

(c) Requirements

(1) Term

The term of an award of financial assistance under this section shall not exceed 3 years.

(2) Maximum amount

The amount of an award of financial assistance under this section shall be not more than \$2,000,000.

(3) Matching requirement

Each State that receives financial assistance under this section shall contribute matching funds in an amount equal to not less than 30 percent of the amount of the financial assistance.

(d) Use of funds

A State may use financial assistance provided under this section—

- (1) to facilitate access to high-performance computing resources for small and medium manufacturers; and
- (2) to provide assistance to small and medium manufacturers to implement smart manufacturing technologies and practices.

(e) Evaluation

The Secretary shall conduct semiannual evaluations of each award of financial assistance under this section—

- (1) to determine the impact and effectiveness of programs funded with the financial assistance; and
- (2) to provide guidance to States on ways to better execute the program of the State.

(f) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for the period of fiscal years 2022 through 2026.

(Pub. L. 117-58, div. D, title V, §40534, Nov. 15, 2021, 135 Stat. 1070.)

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

§ 18815. Report

The Secretary annually shall submit to Congress and make publicly available a report on the progress made in advancing smart manufacturing in the United States.

(Pub. L. 117-58, div. D, title V, §40535, Nov. 15, 2021, 135 Stat. 1071.)

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

PART D—SCHOOLS AND NONPROFITS

§ 18831. Grants for energy efficiency improvements and renewable energy improvements at public school facilities

(a) Definitions

In this section:

(1) Alternative fueled vehicle

The term “alternative fueled vehicle” has the meaning given the term in section 13211 of this title.

(2) Alternative fueled vehicle infrastructure

The term “alternative fueled vehicle infrastructure” means infrastructure used to charge or fuel an alternative fueled vehicle.

(3) Eligible entity

The term “eligible entity” means a consortium of—

- (A) 1 local educational agency; and
- (B) 1 or more—
 - (i) schools;
 - (ii) nonprofit organizations that have the knowledge and capacity to partner and assist with energy improvements;

(iii) for-profit organizations that have the knowledge and capacity to partner and assist with energy improvements; or

(iv) community partners that have the knowledge and capacity to partner and assist with energy improvements.

(4) Energy improvement

The term “energy improvement” means—

(A) any improvement, repair, or renovation to a school that results in a direct reduction in school energy costs, including improvements to the envelope, air conditioning system, ventilation system, heating system, domestic hot water heating system, compressed air system, distribution system, lighting system, power system, and controls of a building;

(B) any improvement, repair, or renovation to, or installation in, a school that—

(i) leads to an improvement in teacher and student health, including indoor air quality; and

(ii) achieves energy savings;

(C) any improvement, repair, or renovation to a school involving the installation of renewable energy technologies;

(D) the installation of alternative fueled vehicle infrastructure on school grounds for—

(i) exclusive use of school buses, school fleets, or students; or

(ii) the general public; and

(E) the purchase or lease of alternative fueled vehicles to be used by a school, including school buses, fleet vehicles, and other operational vehicles.

(5) High school

The term “high school” has the meaning given the term in section 7801 of title 20.

(6) Local educational agency

The term “local educational agency” has the meaning given the term in section 7801 of title 20.

(7) Nonprofit organization

The term “nonprofit organization” means—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(B) a mutual or cooperative electric company described in section 501(c)(12) of such Code.

(8) Partnering local educational agency

The term “partnering local educational agency”, with respect to an eligible entity, means the local educational agency participating in the consortium of the eligible entity.

(b) Grants

The Secretary shall award competitive grants to eligible entities to make energy improvements in accordance with this section.

(c) Applications

(1) In general

An eligible entity desiring a grant under this section shall submit to the Secretary an appli-

cation at such time, in such manner, and containing such information as the Secretary may require.

(2) Contents

The application submitted under paragraph (1) shall include each of the following:

(A) A needs assessment of the current condition of the school and school facilities that would receive the energy improvements if the application were approved.

(B) A draft work plan of the intended achievements of the eligible entity at the school.

(C) A description of the energy improvements that the eligible entity would carry out at the school if the application were approved.

(D) A description of the capacity of the eligible entity to provide services and comprehensive support to make the energy improvements referred to in subparagraph (C).

(E) An assessment of the expected needs of the eligible entity for operation and maintenance training funds, and a plan for use of those funds, if applicable.

(F) An assessment of the expected energy efficiency, energy savings, and safety benefits of the energy improvements.

(G) A cost estimate of the proposed energy improvements.

(H) An identification of other resources that are available to carry out the activities for which grant funds are requested under this section, including the availability of utility programs and public benefit funds.

(d) Priority

(1) In general

In awarding grants under this section, the Secretary shall give priority to an eligible entity—

(A) that has renovation, repair, and improvement funding needs;

(B)(i) that, as determined by the Secretary, serves a high percentage of students, including students in a high school in accordance with paragraph (2), who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); or

(ii) the partnering local educational agency of which is designated with a school district locale code of 41, 42, or 43, as determined by the National Center for Education Statistics in consultation with the Bureau of the Census; and

(C) that leverages private sector investment through energy-related performance contracting.

(2) High school students

In the case of students in a high school, the percentage of students eligible for a free or reduced price lunch described in paragraph (1)(B)(i) shall be calculated using data from the schools that feed into the high school.

(e) Competitive criteria

The competitive criteria used by the Secretary to award grants under this section shall include the following:

(1) The extent of the disparity between the fiscal capacity of the eligible entity to carry out energy improvements at school facilities and the needs of the partnering local educational agency for those energy improvements, including consideration of—

(A) the current and historic ability of the partnering local educational agency to raise funds for construction, renovation, modernization, and major repair projects for schools;

(B) the ability of the partnering local educational agency to issue bonds or receive other funds to support the current infrastructure needs of the partnering local educational agency for schools; and

(C) the bond rating of the partnering local educational agency.

(2) The likelihood that the partnering local educational agency or eligible entity will maintain, in good condition, any school and school facility that is the subject of improvements.

(3) The potential energy efficiency and safety benefits from the proposed energy improvements.

(f) Use of grant amounts

(1) In general

Except as provided in this subsection, an eligible entity receiving a grant under this section shall use the grant amounts only to make the energy improvements described in the application submitted by the eligible entity under subsection (c).

(2) Operation and maintenance training

An eligible entity receiving a grant under this section may use not more than 5 percent of the grant amounts for operation and maintenance training for energy efficiency and renewable energy improvements, such as maintenance staff and teacher training, education, and preventative maintenance training.

(3) Third-party investigation and analysis

An eligible entity receiving a grant under this section may use a portion of the grant amounts for a third-party investigation and analysis of the energy improvements carried out by the eligible entity, such as energy audits and existing building commissioning.

(4) Continuing education

An eligible entity receiving a grant under this section may use not more than 3 percent of the grant amounts to develop a continuing education curriculum relating to energy improvements.

(g) Competition in contracting

If an eligible entity receiving a grant under this section uses grant funds to carry out repair or renovation through a contract, the eligible entity shall be required to ensure that the contract process—

(1) through full and open competition, ensures the maximum practicable number of qualified bidders, including small, minority, and women-owned businesses; and

(2) gives priority to businesses located in, or resources common to, the State or geo-

graphical area in which the repair or renovation under the contract will be carried out.

(h) Best practices

The Secretary shall develop and publish guidelines and best practices for activities carried out under this section.

(i) Report by eligible entity

An eligible entity receiving a grant under this section shall submit to the Secretary, at such time as the Secretary may require, a report describing—

(1) the use of the grant funds for energy improvements;

(2) the estimated cost savings realized by those energy improvements;

(3) the results of any third-party investigation and analysis conducted relating to those energy improvements;

(4) the use of any utility programs and public benefit funds; and

(5) the use of performance tracking for energy improvements, such as—

(A) the Energy Star program established under section 6294a of this title; or

(B) the United States Green Building Council Leadership in Energy and Environmental Design (LEED) green building rating system for existing buildings.

(j) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$500,000,000 for the period of fiscal years 2022 through 2026.

(Pub. L. 117-58, div. D, title V, §40541, Nov. 15, 2021, 135 Stat. 1071.)

Editorial Notes

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (a)(7), is classified generally to Title 26, Internal Revenue Code.

The Richard B. Russell National School Lunch Act, referred to in subsec. (d)(1)(B)(i), is act June 4, 1946, ch. 281, 60 Stat. 230, which is classified generally to chapter 13 (§1751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1751 of this title and Tables.

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

§ 18832. Energy efficiency materials pilot program

(a) Definitions

In this section:

(1) Applicant

The term “applicant” means a nonprofit organization that applies for a grant under this section.

(2) Energy-efficiency material

(A) In general

The term “energy-efficiency material” means a material (including a product,