

(Pub. L. 117-167, div. B, title II, §10245, Aug. 9, 2022, 136 Stat. 1488.)

§ 18952. Standards development organization grants

(a) Nongovernmental standards development organization defined

In this section, the term “nongovernmental standards development organization” means a nongovernmental standards development organization (as defined in section 2(e) of the Office of Management and Budget Circular A-119 (relating to Federal participation in the development and use of voluntary consensus standards in conformity assessment activities), or any successor document) that adheres to the American National Standards Institute (ANSI) Essential Requirements for Due Process for American National Standards.

(b) Grant authority

The Secretary of Commerce, acting through the Director, shall establish a competitive program of grants for nongovernmental standards development organizations for the purposes described in subsection (c).

(c) Purposes

A grant awarded under subsection (b) shall be used to develop, approve, disseminate, maintain, and review forensic science voluntary consensus standards and best practices that shall be available to the public free of charge.

(d) Additional requirements

The Director may promulgate such requirements, guidelines, and procedures as may be necessary to carry out this section.

(e) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2022 through 2026.

(Pub. L. 117-167, div. B, title II, §10248, Aug. 9, 2022, 136 Stat. 1495.)

PART C—HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP

§ 18961. National Supply Chain Database

(a) Establishment of National Supply Chain Database

The Director shall establish a voluntary National Supply Chain Database, subject to the availability of appropriations.

(b) Purpose

The purpose of the voluntary National Supply Chain Database shall be to assist the Federal Government and industry sectors in minimizing disruptions to the United States supply chain by having an assessment of United States manufacturers’ capabilities.

(c) Study on National Supply Chain Database

In establishing the National Supply Chain Database, the Director shall consider the findings and recommendations from the study authorized pursuant to section 9413 of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), including measures to se-

cure and protect the Database from adversarial attacks and vulnerabilities.

(d) Database and Manufacturing Extension Partnership

(1) In general

The Director shall establish the infrastructure for the National Supply Chain Database through the Hollings Manufacturing Extension Partnership, established pursuant to section 278k of title 15, by connecting information from the Centers (as such term is defined in such section) through the Database.

(2) National view

The Director shall ensure that connections under paragraph (1)—

(A) provide a national overview of the networks of supply chains of the United States; and

(B) support understanding of whether there is a need for some manufacturers to retool in some critical areas to meet the urgent need for key products.

(3) Individual Hollings Manufacturing Extension Partnership Center databases

(A) In general

The Director shall ensure that—

(i) each Center is connected to the National Supply Chain Database; and

(ii) each supply chain database maintained by a Center is interoperable with the Database.

(B) Rule of construction

Nothing in this section may be construed to require a State or territory of the United States to establish a new supply chain database through the Hollings Manufacturing Extension Partnership program.

(e) Maintenance of National Supply Chain Database

The Director, acting through the Hollings Manufacturing Extension Partnership program or a designee of the program—

(1) shall maintain the National Supply Chain Database as an integration of State-level databases from the Center of each State or territory of the United States;

(2) may populate the Database with information from past or current clients of Centers; and

(3) may include in the Database information voluntarily provided by non-client private sector entities based and operating in the United States, as applicable and appropriate.

(f) Database content

The National Supply Chain Database may include the following:

(1) Basic private sector entity information.

(2) An overview of capabilities, accreditations, and products.

(3) Proprietary information.

(g) Standard classification system

The National Supply Chain Database may, where applicable, use the North American Industry Classification System (NAICS) Codes as follows:

(1) Sector 31-33 – Manufacturing.

(2) Sector 54 – Professional, Scientific, and Technical Services.

(3) Sector 48-49 – Transportation and Warehousing.

(h) Levels

The National Supply Chain Database shall be multi-leveled as agreed to under terms of mutual disclosure as follows:

(1) Level 1 shall have the capability to provide basic private sector entity information and shall be available to the public.

(2) Level 2 shall have the capability to provide a deeper, nonproprietary overview into capabilities, products, and accreditations and shall be available to all companies that contribute to the Database.

(3) Level 3 shall have the capability to hold proprietary information.

(i) Matters relating to disclosure and access

(1) FOIA exemption

The National Supply Chain Database, and any information contained therein that is not publicly released by the Institute, shall be exempt from public disclosure under section 552(b)(3) of title 5.

(2) Limitation on access to content

Access to a contributing private sector entity's nonpublic content in the National Supply Chain Database shall be limited to—

(A) the contributing private sector entity, the Institute, and staff from a Center who sign a nondisclosure agreement, and

(B) other Federal departments and agencies,

as the Director considers appropriate.

(3) Aggregated information

The Director may make aggregated, de-identified information available to contributing companies, Centers, or the public, as the Director considers appropriate, in support of the purposes of this section.

(j) Coordination with National Technology and Industrial Base Council

The Director, acting through the Hollings Manufacturing Extension Partnership program, may work with the National Defense Technology and Industrial Base Council established under section 4812 of title 10 as the Director considers appropriate, to include in the National Supply Chain Database information regarding the defense manufacturing supply chain.

(k) Protections

(1) In general

Supply chain information that is voluntarily and lawfully submitted to the National Supply Chain Database by a private sector entity and accompanied by an express statement described in paragraph (2)—

(A) shall be exempt from disclosure under section 552(b)(3) of title 5;

(B) may not be made available pursuant to any Federal, State, local, or Tribal authority pursuant to any Federal, State, local, or Tribal law requiring public disclosure of information or records; and

(C) may not, without the written consent of the private sector entity submitting such

information, be used directly by the Director, or any other Federal, State, or local authority in any civil enforcement action brought by a Federal, State, Tribal, or local authority.

(2) Express statement

The express statement described in this paragraph, with respect to information or records, is—

(A) in the case of written information or records, a written marking on the information or records substantially similar to the following: “This information is voluntarily submitted to the Federal Government in expectation of protection from disclosure as provided by the provisions of section 10253(k) of the Research and Development, Competition, and Innovation Act.”; or

(B) in the case of oral information, a written statement similar to the statement described in subparagraph (A) submitted within a reasonable period following the oral communication.

(l) Rules of construction

(1) Private entities

Nothing in this section may be construed to require any private sector entity to share data, including proprietary information, with the Director or the National Supply Chain Database.

(2) Prohibition on new regulatory authority

Nothing in this section may be construed to grant the Director, or the head of any other Federal agency, any authority to promulgate regulations or set standards on manufacturers, based on data within the National Supply Chain Database, that was not in effect on the day before August 9, 2022.

(Pub. L. 117–167, div. B, title II, §10253, Aug. 9, 2022, 136 Stat. 1500.)

Editorial Notes

REFERENCES IN TEXT

Section 9413 of the National Defense Authorization Act for Fiscal Year 2021, referred to in subsec. (c), is section 9413 of Pub. L. 116–283, div. H, title XCIV, Jan. 1, 2021, 134 Stat. 4819, also known as the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. Section 9413 of the Act is not classified to the Code.

Section 10253(k) of the Research and Development, Competition, and Innovation Act, referred to in subsec. (k)(2)(A), is section 10253(k) of Pub. L. 117–167, div. B, title II, Aug. 9, 2022, 136 Stat. 1500, which is classified to subsec. (k) of this section.

PART D—MANUFACTURING USA PROGRAM

§ 18971. Expanding opportunities through the Manufacturing USA Program

(a) In general

The Secretary of Commerce, in consultation with the Secretary of Energy, the Secretary of Defense, and the heads of such other Federal agencies as the Secretary of Commerce considers relevant, shall coordinate with existing and new Manufacturing USA institutes to integrate covered entities as active members of the