

gional Innovation Engine that include multiple regional partners as described in subsection (e)(2).

**(4) Geographic distribution**

In making awards under this section, the Director shall take into consideration the extent to which the proposals expand the geographic distribution of the Regional Innovation Engines, including by giving special consideration to rural-serving institutions of higher education.

**(5) Resource availability**

The Director shall ensure that any eligible entity receiving an award under this section shall—

(A) provide information on relevant currently existing resources available to the proposing team from all internal and external sources, including all partner organizations; and

(B) include letters of collaboration from partner organizations that include information on resource contributions committed by such partners.

**(f) Collaboration with regional technology hubs**

Each Regional Innovation Engine established under this section may collaborate and participate in, as appropriate, the activities of any regional technology hub designated under section 3722a of title 15, as added by section 10621.

**(g) Duration**

**(1) Initial period**

An award under this section shall be for an initial period of 5 years.

**(2) Renewal**

An established Regional Innovation Engine may apply for, and the Director may award, extended funding for periods of 5 years on a merit-reviewed basis.

**(h) Competitive, merit-review**

In making awards under this section, the Director shall—

(1) use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise from both the private and public sectors; and

(2) ensure the focus areas of the Regional Innovation Engines do not substantially and unnecessarily duplicate the efforts of any other Regional Innovation Engine or any other similar effort at another Federal agency.

**(i) Collaboration**

In making awards under this section, the Director may collaborate with Federal departments and agencies whose missions contribute to or are affected by the technology focus area of the institute.

(Pub. L. 117–167, div. B, title III, § 10388, Aug. 9, 2022, 136 Stat. 1581.)

**Editorial Notes**

REFERENCES IN TEXT

Section 10621 of this division and section 10621, referred to in subsecs. (e)(2)(B)(iii) and (f), mean section 10621 of div. B of Pub. L. 117–167.

**§ 19109. Translation Accelerator**

**(a) In general**

The Director shall establish Translation Accelerators to further the research, development, and commercialization of innovation in the key technology focus areas.

**(b) Partnerships**

**(1) In general**

Each Translation Accelerator shall be comprised of a partnership including 2 or more of the following entities:

(A) An institution of higher education.

(B) A for-profit company.

(C) A nonprofit organization.

(D) A Federal agency.

(E) Another entity, if that entity is determined by the Director to be vital to the success of the program.

**(2) Institutional or organizational level**

The Director shall work to ensure that such partnerships exist at the institutional or organization level, rather than solely at the principal investigator level.

**(3) Cost share**

Not less than 25 percent of the funding for an institute shall be provided by non-Federal entities.

**(4) Number of centers and institutes established**

The Director shall endeavor to establish a balance in the number of Regional Innovation Engines and Translation Accelerators.

**(c) Authorization of appropriations**

From within funds authorized for the Directorate for Technology, Innovation, and Partnerships, there are authorized to carry out the activities under this section and section 19108 of this title \$6,500,000,000 for fiscal years 2023 through 2027.

(Pub. L. 117–167, div. B, title III, § 10389, Aug. 9, 2022, 136 Stat. 1584.)

**§ 19110. Test beds**

**(a) Program authorized**

**(1) In general**

From amounts made available for the Directorate, the Director, in coordination with the Director of the National Institute of Standards and Technology, the Secretary of Energy, and other Federal agencies, as determined appropriate by the Director, shall establish a program in the Directorate to make awards, on a competitive basis, to institutions of higher education, nonprofit organizations, or consortia thereof to establish and operate test beds, which may include fabrication facilities and cyberinfrastructure, to advance the development, operation, integration, deployment, and, as appropriate, demonstration of new, innovative critical technologies, which may include hardware or software.

**(2) Coordination**

In establishing new test beds under this section, the Director shall ensure coordination

with other test beds supported by the Foundation or other Federal agencies to avoid duplication and maximize the use of Federal resources.

**(b) Proposals**

An applicant for an award under this section shall submit a proposal to the Director, at such time, in such manner, and containing such information as the Director may reasonably require. The proposal shall, at a minimum, describe—

- (1) the technology or technologies that will be the focus of the test bed;
- (2) the goals of the work to be done at the test bed;
- (3) how the applicant will assemble a workforce with the skills needed to operate the test bed;
- (4) how the applicant will ensure broad access to the test bed;
- (5) how the applicant will collaborate with firms in critical technologies, including through coordinated research and development and funding, to ensure that work in the test bed will contribute to the commercial viability of any technologies and will include collaboration from industry and labor organizations;
- (6) how the applicant will encourage the participation of inventors and entrepreneurs and the development of new businesses;
- (7) how the applicant will increase participation by populations that are underrepresented in STEM;
- (8) how the applicant will demonstrate that the commercial viability of any new technologies will support the creation of high-quality domestic jobs;
- (9) how the test bed will operate after Federal funding has ended;
- (10) how the test bed will disseminate lessons and other technical information to United States entities or allied or partner country entities in the United States; and
- (11) how the applicant plans to take measures to prevent the inappropriate use of research results, data, and intellectual property, as applicable and consistent with the requirements of the award.

**(c) Authorized use of funds**

A recipient of an award under this section may, consistent with the purposes of this section, use the award for the purchase of equipment and for the support of students, faculty and staff, and postdoctoral researchers.

**(d) Geographic diversity**

In selecting award recipients under this section, the Director shall consider the extent to which proposals would expand the geographic diversity of test beds.

(Pub. L. 117–167, div. B, title III, § 10390, Aug. 9, 2022, 136 Stat. 1585.)

**§ 19111. Planning and capacity building awards**

**(a) In general**

Under the program established in section 1862p–2 of this title and the activities authorized under this section, from amounts made avail-

able to the Directorate, the Director, in coordination with other Federal agencies as determined appropriate by the Director, shall make awards, on a competitive basis, to eligible entities to advance the development, adoption, and commercialization of technologies, consistent with the purposes of the Directorate under section 19102 of this title.

**(b) Eligible entity**

To be eligible to receive an award under this section, an entity shall be—

- (1) an institution of higher education, which may be a community college (or a consortium of such institutions);
- (2) a nonprofit organization that is either affiliated with an institution of higher education or designed to support technology development or entrepreneurship; or
- (3) a consortium that includes—
  - (A) an entity described in paragraph (1) or
  - (B) one or more additional individuals or entities, which shall be—
    - (i) an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship;
    - (ii) an industry organization or firm in a relevant technology or innovation sector;
    - (iii) an industry-experienced executive with entrepreneurship experience that is focused primarily on de-risking technologies from both a scientific and a business perspective; or
    - (iv) an individual or entity with industry and startup expertise, including a mentor network, across relevant technology or innovation sectors.

**(c) Use of funds**

In addition to activities listed under section 19103 of this title, an eligible entity receiving an award under this section may use funds to—

- (1) identify academic research with the potential for technology transfer and commercialization, particularly as relevant to the purposes of the Directorate under section 19102 of this title;
- (2) ensure the availability of staff, including technology transfer professionals, entrepreneurs in residence, and other mentors as required to accomplish the purpose of this section;
- (3) help offset the costs of patenting and licensing research products, both domestically and internationally;
- (4) revise institution policies, including policies related to intellectual property and faculty entrepreneurship, and taking other necessary steps to implement relevant best practices for academic technology transfer;
- (5) develop local, regional, and national partnerships among institutions of higher education and between institutions of higher education and private sector entities and other relevant organizations, including investors, with the purpose of building networks, expertise, and other capacity to identify promising research that may have potential market value and enable researchers to pursue further development and transfer of their ideas into possible commercial or other use;