

PROVIDING FOR CONSIDERATION OF H.R. 3598, MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2004

JULY 7, 2004.—Referred to the House Calendar and ordered to be printed

Mr. LINCOLN DIAZ-BALART, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 706]

The Committee on Rules, having had under consideration House Resolution 706, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3598, the Manufacturing Technology Competitiveness Act of 2004, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute.

The rule makes in order only those amendments printed in this report. The rule provides that the amendments printed in this report may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in this report.

Finally, the rule provides one motion to recommit with or without instructions.

The waiver of all points or order against consideration of the bill includes a waiver of section 401(a)(1) of the Congressional Budget Act of 1974 (prohibiting consideration of legislation, as reported, providing new contract authority or new borrowing authority that is not limited to amounts provided in appropriation acts).

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 305

Date: July 7, 2004.

Measure: H.R. 3598—Manufacturing Technology Competitiveness Act of 2004.

Motion by: Mr. Frost.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Representative Costello which requires a study on the manufacturing and professional workforce to assess various trends relating to outsourcing, foreign investment, federal contractors, and reemployment.

Results: Defeated 2 to 5.

Vote by Members: Linder—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; McGovern—Yea; Dreier—Nay.

Rules Committee record vote No. 306

Date: July 7, 2004.

Measure: H.R. 3598—Manufacturing Technology Competitiveness Act of 2004.

Motion by: Mr. Frost.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Representative Gordon which authorizes \$169 million per year for FY05–08 for the Advanced Technology Program (ATP) at the Department of Commerce of which 25 percent of new award funding will be for a focused competition in manufacturing sciences.

Results: Defeated 2 to 5.

Vote by Members: Linder—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; McGovern—Yea; Dreier—Nay.

Rules Committee record vote No. 307

Date: July 7, 2004.

Measure: H.R. 3598—Manufacturing Technology Competitiveness Act of 2004.

Motion by: Mr. Frost.

Summary of motion: To make in order and provide the appropriate waivers for the amendment offered by Representative Mark Udall of Colorado which expands the National Science Foundation's Advanced Technological Education program to include the preparation of students to manufacturing jobs and provides funding for the manufacturing Skills Standards Council.

Results: Defeated 2 to 5.

Vote by Members: Linder—Nay; Myrick—Nay; Sessions—Nay; Reynolds—Nay; Frost—Yea; McGovern—Yea; Dreier—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by the amendment sponsor.)

1. Jackson Lee—Prevents the use of appropriated funds for general re-competition of Manufacturing Extension Partnership (MEP) centers. (10 minutes)

2. Larson—Re-orientes the current Technology Administration (TA), the Undersecretary of Technology, and Office of Technology Policy (OTP) towards manufacturing and competitiveness issues. Renames and refocuses TA by establishing a Manufacturing Administration, and Undersecretary of Manufacturing, and an Office of Industry Analysis. Requires the Manufacturing Administration to conduct broad-based manufacturing and technology policy analysis; coordinate with States, local governments, universities, on manufacturing and technology activities. NIST and the National Technical Information Service would remain a part of the Manufacturing Administration. (10 minutes)

3. Peterson, John (PA)—Clarifies requirements to ensure that MEP centers submit audited, annual budgets and provide financial disclosure documents consistent with OMB requirements. Further, these documents must be made available to the public upon request. (10 minutes)

4. Gordon—Authorizes \$117 million for the Manufacturing Extension Partnership and 10% yearly increases for FY06–08 and allows the federal cost-share for MEP Centers in the FY05–08 to increase up to one-half on a case-by-case basis as determined by the Administration. (20 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON-LEE OF TEXAS, OR HER DESIGNEE, TO BE DEBATABLE FOR 10 MINUTES

In section 8(a), strike “In any fiscal year for which appropriations are \$106,000,000 or greater, none” and insert “None”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LARSON OF CONNECTICUT, OR HIS DESIGNEE, TO BE DEBATABLE FOR 10 MINUTES

In section 2(a)(1), strike “Commerce for Technology” and insert “Commerce for Manufacturing and Technology”.

Redesignate section 8 as section 9.

After section 7, insert the following new section:

SEC. 8. MANUFACTURING AND TECHNOLOGY ADMINISTRATION.

Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended to read as follows:

“SEC. 5. MANUFACTURING AND TECHNOLOGY ADMINISTRATION.

“(a) ESTABLISHMENT.—There is established in the Department of Commerce a Manufacturing and Technology Administration, which shall operate in accordance with the provisions, findings, and pur-

poses of this Act. The Manufacturing and Technology Administration shall include—

“(1) the National Institute of Standards and Technology;

“(2) the National Technical Information Service; and

“(3) a policy analysis office, which shall be known as the Office of Manufacturing and Technology Policy.

“(b) UNDER SECRETARY AND ASSISTANT SECRETARIES.—The President shall appoint, by and with the advice and consent of the Senate, to the extent provided for in appropriations Acts—

“(1) an Under Secretary of Commerce for Manufacturing and Technology, who shall be compensated at the rate provided for level III of the Executive Schedule in section 5314 of title 5, United States Code;

“(2) an Assistant Secretary of Manufacturing who shall serve as a policy analyst for the Under Secretary; and

“(3) an Assistant Secretary of Technology who shall serve as a policy analyst for the Under Secretary.

“(c) DUTIES.—The Secretary, through the Under Secretary, as appropriate, shall—

“(1) manage the Manufacturing and Technology Administration and supervise its agencies, programs, and activities;

“(2) conduct manufacturing and technology policy analyses to improve United States industrial productivity, manufacturing capabilities, and innovation, and cooperate with United States industry to improve its productivity, manufacturing capabilities, and ability to compete successfully in an international marketplace;

“(3) identify manufacturing and technological needs, problems, and opportunities within and across industrial sectors, that, if addressed, could make significant contributions to the economy of the United States;

“(4) assess whether the capital, technical, and other resources being allocated to domestic industrial sectors which are likely to generate new technologies are adequate to meet private and social demands for goods and services and to promote productivity and economic growth;

“(5) propose and support studies and policy experiments, in cooperation with other Federal agencies, to determine the effectiveness of measures for improving United States manufacturing capabilities and productivity;

“(6) provide that cooperative efforts to stimulate industrial competitiveness and innovation be undertaken between the Under Secretary and other officials in the Department of Commerce responsible for such areas as trade and economic assistance;

“(7) encourage and assist the creation of centers and other joint initiatives by State or local governments, regional organizations, private businesses, institutions of higher education, nonprofit organizations, or Federal laboratories to encourage technology transfer, to encourage innovation, and to promote an appropriate climate for investment in technology-related industries;

“(8) propose and encourage cooperative research involving appropriate Federal entities, State or local governments, regional organizations, colleges or universities, nonprofit organi-

zations, or private industry to promote the common use of resources, to improve training programs and curricula, to stimulate interest in manufacturing and technology careers, and to encourage the effective dissemination of manufacturing and technology skills within the wider community;

“(9) serve as a focal point for discussions among United States companies on topics of interest to industry and labor, including discussions regarding manufacturing, competitiveness, and emerging technologies;

“(10) consider government measures with the potential of advancing United States technological innovation and exploiting innovations of foreign origin and publish the results of studies and policy experiments; and

“(11) assist in the implementation of the Metric Conversion Act of 1975 (15 U.S.C. 205a et seq.).”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JOHN PETERSON OF PENNSYLVANIA, OR HIS DESIGNEE, TO BE DEBATABLE FOR 10 MINUTES

Page 10, line 21, strike “subsection” and insert “subsections”.

Page 12, after line 17, insert the following:

“(f) AUDITS.—A center that receives assistance under this section shall submit annual audits to the Secretary in accordance with Office of Management and Budget Circular A-133 and shall make such audits available to the public on request.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GORDON OF TENNESSEE, OR HIS DESIGNEE, TO BE DEBATABLE FOR 20 MINUTES

Redesignate section 8 as section 9.

After section 7, insert the following new section:

SEC. 8. MANUFACTURING EXTENSION CENTERS.

(a) MANUFACTURING TECHNOLOGY CENTER COST SHARING.—Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) is amended by inserting “, except that for each of fiscal years 2005 through 2008 such funding may be as much as a one half of such costs” after “Center under the program”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce, or other appropriate Federal agencies, for the Manufacturing Extension Partnership program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l)—

(1) \$120,600,000 for fiscal year 2005, of which not more than \$4,000,000 shall be for the competitive grant program under section 25(e) of such Act (15 U.S.C. 278k(e));

(2) \$132,400,000 for fiscal year 2006, of which not more than \$4,100,000 shall be for the competitive grant program under section 25(e) of such Act (15 U.S.C. 278k(e));

(3) \$145,300,000 for fiscal year 2007, of which not more than \$4,200,000 shall be for the competitive grant program under section 25(e) of such Act (15 U.S.C. 278k(e)); and

(4) \$159,500,000 for fiscal year 2008, of which not more than \$4,300,000 shall be for the competitive grant program under section 25(e) of such Act (15 U.S.C. 278k(e)).

In any fiscal year for which appropriations are \$106,000,000 or greater, none of the funds appropriated pursuant to this subsection shall be used for a general recompetition of Centers established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k).