

PROVIDING FOR CONSIDERATION OF H.R. 250, MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2005

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SEPTEMBER 20, 2005.—Referred to the House Calendar and ordered to be printed

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Mr. GINGREY, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 451]

The Committee on Rules, having had under consideration House Resolution 451, 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. 250, the Manufacturing Technology Competitiveness Act of 2005, 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.

#### EXPLANATION OF WAIVERS

The waiver of all points of 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).

#### SUMMARY OF AMENDMENTS MADE IN ORDER

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

1. Boehlert: Manager's Amendment. Requires the Manufacturing Extension Partnership program to assist businesses affected by Hurricane Katrina, and requires the National Institute of Standards and Technology to study the effects of Katrina on buildings to determine whether to recommend any changes in building codes. (10 minutes)

2. Gordon: Requires the Director of the National Institute of Standards and Technology (NIST) to provide to the House Science Committee and the Senate Committee on Commerce, Science, and Transportation a 3-year programmatic and operational plan for the MEP. Requires the plan to include comments of the MEP National Advisory Board and of the State partners. (10 minutes)

3. Jackson-Lee: Makes funds under the section titled "Scientific and Technical Research and Services" available to the maximum extent practicable, to diverse institutions, including Historically Black Colleges and Universities and other minority serving institutions for Technical Workforce Education and Development. (10 minutes)

4. 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, an Undersecretary of Manufacturing, and an Office of Industry Analysis. Requires the Manufacturing Administration to conduct broad-based manufacturing and technology policy analysis; and to coordinate with States, local governments, and universities on manufacturing and technology activities. NIST and the National Technical Information Service would remain a part of the Manufacturing Administration. (10 minutes)

5. Udall (CO): Increases the authorization levels of NSF's Advanced Technological Education Program to \$70 million for FY06, \$73.5 million for FY07, and \$77 million for FY08. (10 minutes)

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#### TEXT OF AMENDMENTS MADE IN ORDER

##### 1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOEHLERT OF NEW YORK, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of the bill, add the following new sections:

**SEC. 10. KATRINA ASSISTANCE PROGRAM.**

(a) **PROGRAM ESTABLISHMENT.**— Not later than 30 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall establish within the Manufacturing Extension Partnership program established under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l) a Katrina Assistance Program, to provide assistance to impacted small and medium-sized manufacturers in the areas affected by Hurricane Katrina.

(b) **PURPOSES.**—The Katrina Assistance Program shall—

(1) establish triage teams, consisting of personnel from within the national network of Manufacturing Extension Partnership Centers established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) and local experts, the purpose of which shall be to assist impacted manufacturers;

(2) develop virtual assistance centers, consisting of databases incorporating the results and recommendations of the triage team assessments;

(3) assess the potential disruption on national manufacturing supply chains as a result of Hurricane Katrina, and develop recommendations of how to minimize such disruption; and

(4) provide assistance to small and medium-sized manufacturers in the areas affected by Hurricane Katrina, consistent with the authorities of the Manufacturing Extension Partnership program established under section 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

(c) **NO MATCHING FUND REQUIREMENT.**—Assistance under the Program established under this section shall be exempt from matching requirements for the Manufacturing Extension Partnership program under the National Institute of Standards and Technology Act.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary for the Katrina Assistance Program established under this section.

**SEC. 11. BUILT ENVIRONMENT INVESTIGATION FOR HURRICANE KATRINA.**

(a) **IN GENERAL.**—The Director of the National Institute of Standards and Technology shall carry out an engineering performance study of the effects of Hurricane Katrina in the areas of Louisiana, Alabama, and Mississippi covered by the President's major disaster declarations of August 29, 2005. The study shall be based on an examination of physical structures damaged due to excessive wind, storm surge, and flooding, including—

(1) key physical infrastructures such as ports, utilities, lifelines associated with infrastructure facilities, and transportation systems; and

(2) engineered and nonengineered buildings.

(b) **PURPOSE.**—The purpose of the study shall be to—

(1) develop new knowledge concerning practices related to building standards and codes; and

(2) review the adequacy of current building codes and standards for excessive wind, storm surge, and flooding.

(c) MEETINGS AND CONFERENCES.—The Director of the National Institute of Standards and Technology may convene public meetings and conferences to inform the public, government authorities, and relevant professional associations regarding findings and recommendations of the study.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Institute of Standards and Technology \$3,000,000 for carrying out this section.

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

At the end of section 5, add the following new subsection:

(d) PROGRAMMATIC AND OPERATIONAL PLAN.—Not later than 120 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 3-year programmatic and operational plan 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). The plan shall include comments on the plan from the Manufacturing Extension Partnership State partners and the Manufacturing Extension Partnership National Advisory Board.

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

Page 20, after line 14, insert the following:

Funds shall be made available under this subsection, to the maximum extent practicable, to diverse institutions, including Historically Black Colleges and Universities and other minority serving institutions.

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

At the end of the bill, add the following new section:

**SEC. 10. 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 purposes 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 organizations, 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.).”

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE UDALL OF COLORADO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 20, line 3, strike “\$55,000,000” and insert “\$70,000,000”.

Page 20, line 7, strike “\$57,750,000” and insert “\$73,500,000”.

Page 20, line 11, strike “\$60,600,000” and insert “\$77,000,000”.