

116TH CONGRESS
2D SESSION

S. 4194

To establish the National Institute of Manufacturing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Mr. PETERS introduced the following bill; which was read twice and referred
to the Committee on Commerce, Science, and Transportation

A BILL

To establish the National Institute of Manufacturing, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute of
5 Manufacturing Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CHIEF MANUFACTURING OFFICER.—The
9 term “Chief Manufacturing Officer” means the prin-
10 cipal advisor to the Secretary regarding manufac-
11 turing issues and the Director of the Institute.

1 (2) COUNCIL.—The term “Council” means the
2 National Manufacturing Council established under
3 section 4.

4 (3) INSTITUTE.—The term “Institute” means
5 the National Institute of Manufacturing established
6 under section 3.

7 (4) INSTITUTION OF HIGHER EDUCATION.—The
8 term “institution of higher education” has the
9 meaning given the term in section 102 of the Higher
10 Education Act of 1965 (20 U.S.C. 1002).

11 (5) NATIONAL STRATEGIC PLAN FOR MANUFAC-
12 TURING.—The term “national strategic plan for
13 manufacturing” means the national strategic plan
14 for manufacturing developed under section 3(c)(1).

15 (6) SECONDARY SCHOOL.—The term “sec-
16 ondary school” has the meaning given the term in
17 section 8101 of the Elementary and Secondary Edu-
18 cation Act of 1965 (20 U.S.C. 7801).

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of Commerce.

21 (8) TRANSITION PERIOD.—The term “transi-
22 tion period” means the 1-year period beginning on
23 the date of enactment of this Act.

1 **SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE OF MAN-**
2 **UFACTURING.**

3 (a) ESTABLISHMENT.—There is established in the
4 Department of Commerce an institute to be known as the
5 “National Institute of Manufacturing”.

6 (b) MISSION.—The primary missions of the Institute
7 are to—

8 (1) ensure global leadership in advanced manu-
9 facturing technologies critical to the long-term eco-
10 nomic and national security of the United States;

11 (2) restore and strengthen the United States
12 industrial commons, which includes the essential
13 skills, equipment, and suppliers that provide the
14 foundation for the innovativeness and competitive-
15 ness of all United States manufacturers;

16 (3) strengthen the technical, financial, and edu-
17 cational conditions and assets necessary to ensure
18 that the United States is the best location for the
19 creation and production of advanced technologies
20 emerging from national research and development
21 investments;

22 (4) capitalize on the scientific and technological
23 advances produced by researchers and innovators in
24 the United States by developing capable and respon-
25 sive institutions focused on advancing the technology

1 and manufacturing readiness levels of those ad-
2 vances;

3 (5) support the discovery, invention, scale-up,
4 and transition of new products and manufacturing
5 technologies to full-scale production in the United
6 States;

7 (6) address the evolving needs of manufacturers
8 to find a diverse set of workers with the necessary
9 skills, training, and expertise;

10 (7) improve and expand manufacturing engi-
11 neering and technology offerings within institutions
12 of higher education and secondary schools to be
13 more closely aligned with the needs of the United
14 States manufacturing sector and the goal of
15 strengthening the long-term competitiveness of
16 United States manufacturing; and

17 (8) work collaboratively with other Federal
18 agencies, State and local governments, Tribal gov-
19 ernments, regional authorities, economic develop-
20 ment organizations, labor organizations, and institu-
21 tions of higher education to leverage their knowl-
22 edge, resources, and programs to foster manufac-
23 turing in the United States and anticipate and pre-
24 pare for emergencies and global, national, and re-
25 gional supply chain disruptions.

1 (c) FUNCTIONS.—In carrying out the purposes of this
2 Act, the Institute shall—

3 (1) convene key industry, academic, defense,
4 government, and other stakeholders to develop a na-
5 tional strategic plan for manufacturing in the
6 United States that would identify short-, medium-,
7 and long-term needs and priorities of the manufac-
8 turing sector in the United States, including emer-
9 gency readiness;

10 (2) monitor the status of technological develop-
11 ments, critical production capacity, skill availability,
12 investment patterns, emerging defense needs, and
13 other key indicators of manufacturing competitive-
14 ness, such as key indicators from manufacturing
15 dealers, to provide foresight for periodic updates to
16 the national strategic plan for manufacturing and to
17 guide investment decisions;

18 (3) initiate and support discovery, invention,
19 and translational research in engineering and manu-
20 facturing by making contracts or other arrange-
21 ments, including grants, awards, cooperative agree-
22 ments, loans, and other forms of assistance, to con-
23 duct that research and to assess the impact of that
24 research on the economic well-being, climate impact,
25 and national security of the United States;

1 (4) administer programs that incentivize and
2 facilitate collaboration among private and public sec-
3 tor stakeholders in United States manufacturing;

4 (5) award scholarships and graduate fellowships
5 in the engineering and manufacturing disciplines;

6 (6) award industrial, academic, and govern-
7 mental fellowships to faculty and retired manufac-
8 turing experts to support the manufacturing inter-
9 ests of the United States;

10 (7) advise United States manufacturers on
11 international trade and investment policies in inter-
12 national markets and advise the Federal Govern-
13 ment on how to expand business opportunities for
14 United States manufacturers in international mar-
15 kets;

16 (8) develop and assess key indicators of manu-
17 facturing competitiveness, including the geographic
18 diversity of manufacturing in the United States, and
19 provide interpretation and analysis of collected data
20 on the manufacturing sector in the United States;

21 (9) provide small and medium manufacturers,
22 including new startups, with financial support, in-
23 cluding loans, counseling, training, technical assist-
24 ance, and advocacy;

1 (10) identify opportunities to achieve commer-
2 cial-scale production of emerging technologies by
3 leveraging government procurement contracts, in
4 particular contracts of the Department of Defense;
5 and

6 (11) be the primary entity with which other en-
7 tities in the Federal Government will consult on de-
8 cisions relating to manufacturing.

9 (d) DIRECTOR AND CHIEF MANUFACTURING OFFI-
10 CER.—

11 (1) IN GENERAL.—There shall be a Director of
12 the Institute, who shall—

13 (A) be appointed by the President, by and
14 with the consent of the Senate;

15 (B) oversee all Institute activities;

16 (C) serve as an ex-officio member of the
17 Institute;

18 (D) make recommendations regarding, and
19 manage, the budget of the Institute;

20 (E) serve as the Chief Manufacturing Offi-
21 cer of the United States; and

22 (F) advise and consult with the President
23 and the Secretary on all policy issues relating
24 to manufacturing.

1 (2) EXERCISE OF AUTHORITY OF THE NA-
2 TIONAL INSTITUTE OF MANUFACTURING.—

3 (A) IN GENERAL.—Except as otherwise
4 provided, the Chief Manufacturing Officer shall
5 exercise all of the authority granted to the In-
6 stitute under this Act, including any powers
7 and functions that may be delegated to the
8 Chief Manufacturing Officer by the Secretary
9 or the President.

10 (B) FINAL ACTIONS.—All actions taken by
11 the Chief Manufacturing Officer under this Act,
12 or under the terms of a delegation described in
13 subparagraph (A), shall be final and binding
14 upon the Institute.

15 (3) DELEGATION OF FUNCTIONS.—The Chief
16 Manufacturing Officer may, from time to time, dele-
17 gate the performance of a function under this Act to
18 another officer, employee, or Directorate of the In-
19 stitute, including functions delegated to the Chief
20 Manufacturing Officer.

21 (4) DUTIES AS CHIEF MANUFACTURING OFFI-
22 CER.—The Chief Manufacturing Officer of the
23 United States shall—

24 (A) coordinate all activities within the De-
25 partment of Commerce relating to manufac-

1 turing and advise and consult with the Sec-
2 retary on all policy issues relating to manufac-
3 turing;

4 (B) advise and consult with the Secretary
5 and the heads of any other relevant agencies on
6 the national security supply chain;

7 (C) foster the coordination of manufac-
8 turing-related policies and activities across
9 agencies as Chair of the Committee on Tech-
10 nology of the National Science and Technology
11 Council established under section 102 of the
12 America COMPETES Reauthorization Act of
13 2010 (42 U.S.C. 6622);

14 (D) promote Federal Government meas-
15 ures, including inter-agency input on new regu-
16 lations that affect manufacturing, and policies
17 with the potential of advancing United States
18 technological innovation in manufacturing and
19 exploiting manufacturing innovations of foreign
20 origin;

21 (E) convene key industry, labor, academic,
22 defense, government, and other stakeholders to
23 aid in the development of the national strategic
24 plan for manufacturing;

1 (F) monitor the status of technological de-
2 velopments, critical production capacity, skill
3 availability, investment patterns, emerging de-
4 fense needs, and other key indicators of manu-
5 facturing competitiveness to provide foresight
6 for periodic updates to the national strategic
7 plan for manufacturing and to coordinate with
8 the Chief Financial Officer and Assistant Sec-
9 retary for Administration of the Department of
10 Commerce in developing the annual budgets for
11 manufacturing-related programs of the Depart-
12 ment of Commerce;

13 (G) oversee and convene the Council;

14 (H) solicit input from the public and pri-
15 vate sectors and academia regarding emerging
16 trends in manufacturing and the responsiveness
17 of Federal programming;

18 (I) convene interagency working groups to
19 align Federal policies to drive implementation
20 of the national strategic plan for manufac-
21 turing, including collaboration among the De-
22 partment of Education, the Department of
23 Labor, the Department of Energy, the Depart-
24 ment of Commerce, the Department of Defense,
25 the Environmental Protection Agency, the Na-

1 tional Science Foundation, the Small Business
2 Administration, and other agencies; and

3 (J) develop and maintain the manufac-
4 turing.gov hub developed under section 7 to—

5 (i) help inform, and serve as the prin-
6 cipal place of interaction between, United
7 States manufacturers and the Federal
8 manufacturing programs described in sec-
9 tion 7(b)(1); and

10 (ii) provide assistance relating to—

11 (I) international trade and in-
12 vestment matters;

13 (II) research and technology de-
14 velopment opportunities;

15 (III) workforce development and
16 training programs and opportunities;

17 (IV) small and medium manufac-
18 turer needs; and

19 (V) industrial commons and sup-
20 ply chains needs.

21 (5) TERM.—The Chief Manufacturing Officer
22 shall serve for a term of 6 years, unless removed
23 earlier by the President.

1 (e) DIRECTORATES.—Unless otherwise provided by
2 the Chief Manufacturing Officer, there shall be within the
3 Institute the following Directorates:

4 (1) A Directorate for Technology Development,
5 which shall—

6 (A) make competitive awards to support
7 discovery, invention, and translational research
8 in the fields of engineering and manufacturing;

9 (B) conduct prize competitions in accord-
10 ance with section 24 of the Stevenson-Wydler
11 Technology Innovation Act of 1980 (15 U.S.C.
12 3719) to stimulate innovation that has the po-
13 tential to advance manufacturing technology;

14 (C) administer a pilot program establishing
15 translational research centers associated with
16 research universities, which will guide and fund
17 research needed to translate laboratory results
18 to testable beta prototypes and facilitate con-
19 nections with domestic manufacturers to scale
20 domestic production; and

21 (D) administer other programs and activi-
22 ties that promote technology development.

23 (2) A Directorate for the Industrial Commons,
24 which shall—

1 (A) administer the Investing in Manufac-
2 turing Communities Partnership;

3 (B) administer the Manufacturing USA
4 Program established under section 34 of the
5 National Institute of Standards and Technology
6 Act (15 U.S.C. 278s); and

7 (C) administer other programs and activi-
8 ties that promote robust manufacturing innova-
9 tion ecosystems and support manufacturing
10 supply chains in the United States during emer-
11 gencies.

12 (3) A Directorate for Education and Workforce
13 Development, which shall—

14 (A) make competitive awards for scholar-
15 ships and graduate fellowships;

16 (B) make competitive awards for indus-
17 trial, academic, and governmental fellowships to
18 faculty and retired manufacturing experts;

19 (C) make competitive awards for research,
20 development, and evaluation of innovative train-
21 ing programs;

22 (D) administer the Manufacturing Engi-
23 neering Education Program established under
24 section 2196 of title 10, United States Code;
25 and

1 (E) administer other programs and activi-
2 ties that promote the short-term and long-term
3 workforce and education needs of the manufac-
4 turing sector.

5 (4) A Directorate for Small and Medium Manu-
6 facturers, which shall—

7 (A) administer programs for loans, invest-
8 ment capital, and surety bonds for small and
9 medium manufacturing firms;

10 (B) administer the Hollings Manufacturing
11 Extension Partnership Program established
12 under section 25 of the National Institute of
13 Standards and Technology Act (15 U.S.C.
14 278k); and

15 (C) administer other programs and activi-
16 ties that help small and medium manufacturers
17 prosper.

18 (5) A Directorate on Trade, which shall—

19 (A) manage and oversee an Office of Man-
20 ufacturer Trade, which shall—

21 (i) advise manufacturers in the United
22 States on trade;

23 (ii) advise the United States Trade
24 Representative, the International Trade
25 Administration, and other entities in the

1 Federal Government on trade to benefit
2 manufacturers in the United States;

3 (iii) receive and solicit recommenda-
4 tions and feedback from manufacturers in
5 the United States; and

6 (iv) appoint an employee of the Office
7 to serve as a liaison between—

8 (I) the Office; and

9 (II)(aa) the United States Trade
10 Representative; and

11 (bb) the Industry Trade Advisory
12 Committees on Aerospace Equipment,
13 Automotive Equipment and Capital
14 Goods, and Steel; and

15 (B) manage and oversee a United States
16 Manufacturer Trade Council, which shall—

17 (i) receive and solicit recommenda-
18 tions and feedback from manufacturers in
19 the United States; and

20 (ii) in addition to voting members, be
21 composed of ex-officio members of the In-
22 dustry Trade Advisory Committees de-
23 scribed in subparagraph (A)(iv)(II)(bb).

24 (f) AUTHORITIES.—In carrying out the duties under
25 this Act, the Institute may—

1 (1) appoint or create such advisory committees
2 as may be appropriate for purposes of consultation
3 and advice to the Institute in the performance of the
4 functions of the Institute;

5 (2) issue rules governing the manner of oper-
6 ations of the Institute;

7 (3) make expenditures necessary for admin-
8 istering the provisions in this Act;

9 (4) enter into contracts or other arrangements
10 with organizations and individuals in the United
11 States and foreign countries, including other govern-
12 ment agencies, as the Chief Manufacturing Officer
13 determines necessary to carry out the functions of
14 the Institute;

15 (5) award scholarships and fellowships to citi-
16 zens of the United States for the purpose of study
17 or scientific work in manufacturing;

18 (6) acquire, construct, hold, and dispose of real
19 and personal property as the Chief Manufacturing
20 Officer determines necessary; and

21 (7) accept unconditional gifts or donations of
22 services, money, or property.

23 (g) ADVISORY COMMITTEES.—The Institute shall
24 manage and oversee the following advisory committees:

25 (1) The Council.

1 (2) The Manufacturing Extension Partnership
2 Advisory Board established under section 25(m) of
3 the National Institute of Standards and Technology
4 Act (15 U.S.C. 278k(m)).

5 (3) The Materials Processing Equipment Tech-
6 nical Advisory Committee.

7 (h) PATENT RIGHTS.—

8 (1) IN GENERAL.—Each contract entered into
9 by the Director shall contain provisions governing
10 the disposition of inventions produced under the con-
11 tract.

12 (2) PROHIBITION.—No officer or employee of
13 the Institute may acquire or transfer any rights
14 under the patent laws of the United States for any
15 invention achieved in performing the assigned activi-
16 ties of the officer or employee.

17 (i) TRANSFER OF FUNCTIONS AND TECHNICAL AND
18 CONFORMING AMENDMENTS.—

19 (1) INVESTING IN MANUFACTURING COMMU-
20 NITIES PARTNERSHIP.—

21 (A) TRANSFER OF FUNCTIONS.—All func-
22 tions of the Investing in Manufacturing Com-
23 munities Partnership of the Department of
24 Commerce, including the personnel, assets, and
25 obligations of the Investing in Manufacturing

1 Communities Partnership of the Department of
2 Commerce, as in existence on the day before the
3 date of enactment of this Act, shall be trans-
4 ferred to the Institute.

5 (B) DEEMING OF NAME.—Any reference in
6 law, regulation, document, paper, or other
7 record of the United States to the Investing in
8 Manufacturing Communities Partnership of the
9 Department of Commerce shall be deemed a
10 reference to the Investing in Manufacturing
11 Communities Partnership of the Institute.

12 (C) UNEXPENDED BALANCES.—Unex-
13 pended balances of appropriations, authoriza-
14 tion, allocations, or other funds related to the
15 Investing in Manufacturing Communities Part-
16 nership of the Department of Commerce shall
17 be available for use by the Institute for pur-
18 poses for which the appropriations, authoriza-
19 tions, allocations, or other funds were originally
20 made available.

21 (2) COMMITTEE ON TECHNOLOGY.—Section
22 102(a) of the America Creating Opportunities to
23 Meaningfully Promote Excellence in Technology,
24 Education, and Science Reauthorization Act of 2010
25 (42 U.S.C. 6622(a)) is amended by adding at the

1 end the following: “The Chief Manufacturing Officer
2 of the United States shall serve as Chair of the
3 Committee, as described in section 3(d)(4)(C) of the
4 National Institute of Manufacturing Act.”.

5 (3) MANUFACTURING USA PROGRAM.—

6 (A) TRANSFER OF FUNCTIONS.—All func-
7 tions of the Manufacturing USA Program of
8 the Advanced Manufacturing National Program
9 Office, including the personnel, assets, and obli-
10 gations of the Manufacturing USA Program of
11 the Advanced Manufacturing National Program
12 Office, as in existence on the day before the
13 date of enactment of this Act, shall be trans-
14 ferred to the Directorate for the Industrial
15 Commons of the Institute.

16 (B) DEEMING OF NAME.—Any reference in
17 law, regulation, document, paper, or other
18 record of the United States to the Manufac-
19 turing USA Program of the Advanced Manufac-
20 turing National Program Office shall be deemed
21 a reference to the Manufacturing USA Program
22 of the Directorate for the Industrial Commons
23 of the Institute.

24 (C) UNEXPENDED BALANCES.—Unex-
25 pended balances of appropriations, authoriza-

tion, allocations, or other funds related to the Manufacturing USA Program of the Advanced Manufacturing National Program Office shall be available for use by the Institute for purposes for which the appropriations, authorizations, allocations, or other funds were originally made available.

(D) TECHNICAL AND CONFORMING AMENDMENTS.—Section 34 of the National Institute of Standards and Technology Act (15 U.S.C. 278s) is amended—

(i) in subsection (a)—

(I) by redesignating paragraph

(2) as paragraph (3); and

(II) by inserting after paragraph

(1) the following:

“(2) MANUFACTURING DIRECTOR.—The term ‘Manufacturing Director’ means the Director of the National Institute of Manufacturing.”;

(ii) in subsection (b)—

(I) in paragraph (1), by striking

“The Secretary shall establish within the Institute” and inserting “There is within the National Institute of Manufacturing”;

(II) in paragraph (3), in the matter preceding subparagraph (A), by striking “The Secretary, acting through the Director” and inserting “The Manufacturing Director, acting through the Directorate for the Industrial Commons of the National Institute of Manufacturing”; and

(III) in paragraph (4)—

(aa) in the paragraph heading, by inserting “MANUFACTURING” before “DIRECTOR”;

(bb) by striking “Secretary” and inserting “Manufacturing Director”; and

(cc) by striking “Director” and inserting “Directorate for the Industrial Commons of the National Institute of Manufacturing”;

(iii) in subsections (c)(1), (d)(3)(B), (f), (g)(1), (h)(3), (h)(4), (h)(5)(A), (h)(5)(B), (i)(1)(A)(ii), (i)(2)(A), (i)(2)(B)(i), (i)(2)(B)(ii), (j)(1), (j)(2), (j)(3), (j)(4), (j)(5), and (j)(7), by striking

1 “Secretary” and inserting “Manufacturing
2 Director”;

3 (iv) in subsection (e)(1), by striking
4 “the Secretary and the Secretary of En-
5 ergy” and inserting “the Manufacturing
6 Director and the Secretary of Energy”;

7 (v) in subsection (g), by amending
8 paragraph (1) to read as follows:

9 “(2) AUTHORITY.—To the extent provided for
10 in advance by appropriations Acts, the Manufac-
11 turing Director may use an amount not to exceed
12 \$5,000,000 for each of fiscal years 2019 through
13 2024 to carry out this section from amounts appro-
14 priated to the National Institute of Manufacturing.”;

15 (vi) in subsection (h)(1), by striking
16 “The Secretary shall establish, within the
17 Institute,” and inserting “There is within
18 the Directorate for the Industrial Com-
19 mons of the National Institute of Manufac-
20 turing”; and

21 (vii) in subsection (i)(1), in the para-
22 graph heading, by striking “SECRETARY”
23 and inserting “MANUFACTURING DIREC-
24 TOR”.

(E) REFERENCES.—Any reference in this Act or an amendment made by this Act to the Manufacturing USA Program of the Advanced Manufacturing National Program Office shall also be a reference to the Network for Manufacturing Innovation Program of the National Institute of Standards and Technology.

(F) RULE OF CONSTRUCTION FOR CENTERS OF MANUFACTURING INNOVATION.—Nothing in this Act shall be construed to affect, or require the transfer to the Institute of, any Federal financial assistance that is provided to a center for manufacturing innovation by any Federal entity other than the Institute under the Manufacturing USA Program of the Advanced Manufacturing National Program Office.

(4) MANUFACTURING ENGINEERING EDUCATION PROGRAM.—

(A) TRANSFER OF FUNCTIONS.—All functions of the Manufacturing Engineering Education Program of the Department of Defense, including the personnel, assets, and obligations of the Manufacturing Engineering Education Program of the Department of Defense, as in

1 existence on the day before the date of enact-
2 ment of this Act, shall be transferred to the Di-
3 rectorate for Education and Workforce Develop-
4 ment of the Institute.

5 (B) DEEMING OF NAME.—Any reference in
6 law, regulation, document, paper, or other
7 record of the United States to the Manufac-
8 turing Engineering Education Program of the
9 Department of Defense shall be deemed a ref-
10 erence to the Manufacturing Engineering Edu-
11 cation Program of the Institute.

12 (C) UNEXPENDED BALANCES.—Unex-
13 pended balances of appropriations, authoriza-
14 tion, allocations, or other funds related to the
15 Manufacturing Engineering Education Program
16 of the Department of Defense shall be available
17 for use by the Institute for purposes for which
18 the appropriations, authorizations, allocations,
19 or other funds were originally made available.

20 (D) TECHNICAL AND CONFORMING
21 AMENDMENTS.—Section 2196 of title 10,
22 United States Code, is amended—

23 (i) in subsection (a)—

24 (I) in paragraph (1), by striking
25 “Secretary of Defense” and inserting

1 “Director of the National Institute of
 2 Manufacturing (referred to in this
 3 section as the ‘Director’), acting
 4 through the Directorate for Education
 5 and Workforce Development of the
 6 National Institute of Manufacturing”;

7 (II) in paragraph (3)—

8 (aa) by striking “The Sec-
 9 retary” and inserting “The Di-
 10 rector”; and

11 (bb) by striking “as the Sec-
 12 retary” and inserting “as the Di-
 13 rector”; and

14 (III) in paragraph (4), by strik-
 15 ing “Secretary” and inserting “Direc-
 16 tor”;

17 (ii) in subsection (b), by striking
 18 “Secretary” and inserting “Director”;

19 (iii) in subsection (d)(1)(A), by strik-
 20 ing “Secretary” and inserting “Director”;

21 (iv) in subsection (e), by striking
 22 “Secretary of Defense” and inserting “Di-
 23 rector”;

24 (v) in subsection (f), by striking “Sec-
 25 retary” and inserting “Director”; and

1 (vi) in subsection (g), in the matter
2 preceding paragraph (1), by striking “Sec-
3 retary” and inserting “Director”.

4 (5) HOLLINGS MANUFACTURING EXTENSION
5 PARTNERSHIP PROGRAM.—

6 (A) TRANSFER OF FUNCTIONS.—All func-
7 tions of the Hollings Manufacturing Extension
8 Partnership Program of the National Institute
9 of Standards and Technology, including the
10 personnel, assets, and obligations of the Hol-
11 lings Manufacturing Extension Partnership
12 Program of the National Institute of Standards
13 and Technology, as in existence on the day be-
14 fore the date of enactment of this Act, shall be
15 transferred to the Directorate for Small and
16 Medium Manufacturers of the Institute.

17 (B) DEEMING OF NAME.—Any reference in
18 law, regulation, document, paper, or other
19 record of the United States to the Hollings
20 Manufacturing Extension Partnership Program
21 of the National Institute of Standards and
22 Technology shall be deemed a reference to the
23 Hollings Manufacturing Extension Partnership
24 Program of the Directorate for Small and Me-
25 dium Manufacturers of the Institute.

(C) UNEXPENDED BALANCES.—Unexpended balances of appropriations, authorization, allocations, or other funds related to the Hollings Manufacturing Extension Partnership Program of the National Institute of Standards and Technology shall be available for use by the Institute for purposes for which the appropriations, authorizations, allocations, or other funds were originally made available.

(D) TECHNICAL AND CONFORMING AMENDMENTS.—Section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k) is amended—

(i) in subsection (a)—

(I) by redesignating paragraph

(7) as paragraph (8); and

(II) by inserting after paragraph

(6) the following:

“(7) MANUFACTURING DIRECTOR.—The term ‘Manufacturing Director’ means the Director of the National Institute of Manufacturing.”;

(ii) in subsection (b), by striking

“Secretary, acting through the Director”

and inserting “Manufacturing Director,

acting through the Directorate for Small

and Medium Manufacturers of the National Institute of Manufacturing”;

(iii) in subsection (e), by striking “Secretary” each place that term appears and inserting “Manufacturing Director”;

(iv) in subsection (f), by striking “Secretary” each place that term appears and inserting “Manufacturing Director”;

(v) in subsection (g)—

(I) by striking “Secretary” each place that term appears and inserting “Manufacturing Director”; and

(II) in paragraph (2), in the paragraph heading, by striking “SECRETARY” and inserting “MANUFACTURING DIRECTOR”;

(vi) in subsection (h), by striking “Secretary” each place that term appears and inserting “Manufacturing Director”;

(vii) in subsection (i), by striking “Not” and all that follows through “the Secretary” and inserting “Not later than 180 days after the date of enactment of the National Institute of Manufacturing Act, the Manufacturing Director”;

(viii) in subsection (k), by inserting “Manufacturing” before “Director” each place that term appears;

(ix) in subsection (l)—

(I) by striking “the Secretary and the Director” and inserting “the Manufacturing Director”; and

(II) by striking “and from the private sector under section 2(c)(7) of this Act (15 U.S.C. 272(c)(7)”;

(x) in subsection (n)—

(I) in paragraph (1), in the matter preceding subparagraph (A), by inserting “Manufacturing” before “Director”; and

(II) in paragraph (2), by striking “Secretary” and inserting “Manufacturing Director”.

(6) MANUFACTURING EXTENSION PARTNERSHIP ADVISORY BOARD.—

(A) TRANSFER OF FUNCTIONS.—All functions of the Manufacturing Extension Partnership Advisory Board of the National Institute of Standards and Technology, including the personnel, assets, and obligations of the Manu-

1 facturing Extension Partnership Advisory
2 Board of the National Institute of Standards
3 and Technology, as in existence on the day be-
4 fore the date of enactment of this Act, shall be
5 transferred to the Institute.

6 (B) DEEMING OF NAME.—Any reference in
7 law, regulation, document, paper, or other
8 record of the United States to the Manufac-
9 turing Extension Partnership Advisory Board
10 of the National Institute of Standards and
11 Technology shall be deemed a reference to the
12 Manufacturing Extension Partnership Advisory
13 Board of the Institute.

14 (C) UNEXPENDED BALANCES.—Unex-
15 pended balances of appropriations, authoriza-
16 tion, allocations, or other funds related to the
17 Manufacturing Extension Partnership Advisory
18 Board of the National Institute of Standards
19 and Technology shall be available for use by the
20 Institute for purposes for which the appropria-
21 tions, authorizations, allocations, or other funds
22 were originally made available.

23 (D) TECHNICAL AND CONFORMING
24 AMENDMENTS.—Section 25(m) of the National

Institute of Standards and Technology Act (15 U.S.C. 278k(m)) is amended—

(i) in paragraph (1), by striking “Institute” and inserting “National Institute of Manufacturing”;

(ii) in paragraph (3)(B), by inserting “Manufacturing” before “Director”; and

(iii) in paragraph (5)(A), by striking “Secretary” and inserting “Manufacturing Director”.

(7) OFFICE OF MANUFACTURING.—

(A) TRANSFER OF FUNCTIONS.—All functions of the Office of Manufacturing of the International Trade Administration of the Department of Commerce, including the personnel, assets, and obligations of the Office of Manufacturing of the International Trade Administration of the Department of Commerce, as in existence on the day before the date of enactment of this Act, shall be transferred to the Office of Manufacturer Trade described in subsection (e)(5)(A).

(B) DEEMING OF NAME.—Any reference in law, regulation, document, paper, or other record of the United States to the Office of

1 Manufacturing of the International Trade Ad-
 2 ministration of the Department of Commerce
 3 shall be deemed a reference to the Office of
 4 Manufacturer Trade of the Directorate on
 5 Trade of the Institute.

6 (C) UNEXPENDED BALANCES.—Unex-
 7 pended balances of appropriations, authoriza-
 8 tion, allocations, or other funds related to the
 9 Office of Manufacturing of the International
 10 Trade Administration of the Department of
 11 Commerce shall be available for use by the In-
 12 stitute for purposes for which the appropria-
 13 tions, authorizations, allocations, or other funds
 14 were originally made available.

15 (8) MATERIALS PROCESSING EQUIPMENT TECH-
 16 NICAL ADVISORY COMMITTEE.—

17 (A) TRANSFER OF FUNCTIONS.—All func-
 18 tions of the Materials Processing Equipment
 19 Technical Advisory Committee of the Bureau of
 20 Industry and Security of the Department of
 21 Commerce, including the personnel, assets, and
 22 obligations of the Materials Processing Equip-
 23 ment Technical Advisory Committee of the Bu-
 24 reau of Industry and Security of the Depart-
 25 ment of Commerce, as in existence on the day

1 before the date of enactment of this Act, shall
2 be transferred to the Institute.

3 (B) DEEMING OF NAME.—Any reference in
4 law, regulation, document, paper, or other
5 record of the United States to the Materials
6 Processing Equipment Technical Advisory Com-
7 mittee of the Bureau of Industry and Security
8 of the Department of Commerce shall be
9 deemed a reference to the Materials Processing
10 Equipment Technical Advisory Committee of
11 the Institute.

12 (C) UNEXPENDED BALANCES.—Unex-
13 pended balances of appropriations, authoriza-
14 tion, allocations, or other funds related to the
15 Materials Processing Equipment Technical Ad-
16 visory Committee of the Bureau of Industry
17 and Security of the Department of Commerce
18 shall be available for use by the Institute for
19 purposes for which the appropriations, author-
20 izations, allocations, or other funds were origi-
21 nally made available.

22 (j) REORGANIZATION PLAN AND TRANSITIONAL PRO-
23 VISIONS.—

24 (1) REORGANIZATION PLAN.—

1 (A) SUBMISSION OF PLAN.—Not later than
2 90 days after the date of enactment of this Act,
3 the President shall transmit to the appropriate
4 congressional committees a reorganization plan
5 regarding—

6 (i) the transfer of functions, per-
7 sonnel, assets, and obligations to the Insti-
8 tute under subsection (i); and

9 (ii) any consolidation, reorganization,
10 or streamlining of any entity transferred to
11 the Institute under subsection (i).

12 (B) PLAN ELEMENTS.—The plan trans-
13 mitted under subparagraph (A) shall contain,
14 consistent with this Act, such elements as the
15 President determines to be appropriate, includ-
16 ing—

17 (i) an identification of any functions
18 of entities transferred to the Institute
19 under subsection (i) that will not be trans-
20 ferred to the Institute under the plan;

21 (ii) a specification of the steps to be
22 taken by the Director to organize the Insti-
23 tute, including the delegation or assign-
24 ment of functions transferred to the Insti-
25 tute among officers of the Institute in

1 order to permit the Institute to carry out
2 the functions transferred under the plan;

3 (iii) a specification of the funds avail-
4 able to each entity that will be transferred
5 to the Institute as a result of transfers
6 under the plan;

7 (iv) a specification of the proposed al-
8 locations within the Institute of unex-
9 pended funds transferred in connection
10 with transfers under the plan; and

11 (v) a specification of any proposed
12 disposition of property, facilities, contracts,
13 records, and other assets and obligations of
14 entities transferred under the plan.

15 (C) MODIFICATION OF PLAN.—The Presi-
16 dent may, on the basis of consultations with the
17 appropriate congressional committees, modify
18 or revise any part of the plan until that part of
19 the plan becomes effective in accordance with
20 subparagraph (D).

21 (D) EFFECTIVE DATE.—

22 (i) IN GENERAL.—The reorganization
23 plan described in this paragraph, including
24 any modifications or revisions of the plan
25 under subparagraph (C), shall become ef-

fective for an entity in the Institute described in subsection (i) on the earlier of—

(I) the date specified in the plan

(or the plan as modified pursuant to

subparagraph (C)), except that such

date may not be earlier than 90 days

after the date the President has

transmitted the reorganization plan to

the appropriate congressional commit-

tees pursuant to subparagraph (A); or

(II) the end of the transition pe-

riod.

(ii) STATUTORY CONSTRUCTION.—

Nothing in this subparagraph may be con-

strued to require the transfer of functions,

personnel, records, balances of appropria-

tions, or other assets of an entity on a sin-

gle date.

(iii) SUPERSEDES EXISTING LAW.—

Clause (i) shall apply notwithstanding sec-

tion 905(b) of title 5, United States Code.

(2) TRANSITIONAL AUTHORITIES.—

(A) PROVISION OF ASSISTANCE BY OFFI-

CIALS.—Until the transfer of an entity to the

Institute, any official having authority over or

functions relating to the entity as of the day before the date of enactment of this Act shall provide to the Director such assistance, including the use of personnel and assets, as the Director may request in preparing for the transfer and integration of the entity into the Institute.

(B) SERVICES AND PERSONNEL.—During the transition period, upon the request of the Secretary, the head of any executive agency may, on a reimbursable basis, provide services or detail personnel to assist with the transition.

(3) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, in consultation with the Chief Manufacturing Officer, shall make such additional incidental dispositions of personnel, assets, and liabilities held, used, arising from, available, or to be made available, in connection with the functions transferred by subsection (i), as the Director of the Office of Management and Budget may determine necessary to accomplish the purposes of this Act.

SEC. 4. NATIONAL MANUFACTURING COUNCIL.

(a) ESTABLISHMENT.—There is established in the Department of Commerce the “National Manufacturing Council”.

1 (b) MISSION.—The mission of the Council shall be
2 to—

3 (1) ensure regular communication between the
4 Federal Government and the manufacturing sector
5 in the United States;

6 (2) advise the Chief Manufacturing Officer on
7 government policies and programs that affect United
8 States manufacturing and provide a forum for dis-
9 cussing and proposing solutions to industry-related
10 problems; and

11 (3) ensure that the United States remains the
12 preeminent destination for investment in manufac-
13 turing throughout the world.

14 (c) DUTIES.—The duties of the Council shall in-
15 clude—

16 (1) meeting from time to time to provide inde-
17 pendent advice and recommendations to the Chief
18 Manufacturing Officer or the Secretary regarding
19 issues involving United States manufacturing;

20 (2) completing specific tasks requested by the
21 Chief Manufacturing Officer or the Secretary;

22 (3) conveying input from key industry, labor,
23 academic, defense, government, and other stake-
24 holders to aid in the development of the national

1 strategic plan for manufacturing in the United
2 States;

3 (4) monitoring the status of technological devel-
4 opments, critical production capacity, skill avail-
5 ability, investment patterns, emerging defense needs,
6 and other key indicators of manufacturing competi-
7 tiveness to provide foresight for periodic updates to
8 the national strategic plan for manufacturing;

9 (5) soliciting input from the public and private
10 sector and academia regarding emerging trends in
11 manufacturing, the responsiveness of Federal pro-
12 gramming, and suggestions for areas of increased
13 Federal attention;

14 (6) monitoring global manufacturing trends and
15 global threats to manufacturing sectors in the
16 United States; and

17 (7) providing input and improvements for the
18 manufacturing.gov hub developed under section 7(a)
19 to—

20 (A) help that hub become the principal
21 place of interaction between manufacturers in
22 the United States and the Federal manufac-
23 turing programs described in section 7(b)(1);
24 and

1 (B) provide input on providing Federal as-
2 sistance for manufacturers relating to—

3 (i) international trade and investment
4 matters;

5 (ii) research and technology develop-
6 ment opportunities;

7 (iii) workforce development and train-
8 ing programs and opportunities;

9 (iv) small and medium manufacturer
10 needs; and

11 (v) industrial commons and supply
12 chains needs.

13 (d) CHARTER.—The Council shall develop a charter
14 to govern the structure and mission of the Council.

15 (e) MEMBERSHIP.—

16 (1) IN GENERAL.—The Council shall consist of
17 individuals with a balance of backgrounds, experi-
18 ences, and viewpoints, and shall include individuals
19 that directly represent private industry, academia,
20 and labor.

21 (2) PUBLIC PARTICIPATION.—The nomination
22 process for membership on the Council shall include
23 a public nomination process to the maximum extent
24 practicable.

1 (f) TRANSFER OF FUNCTIONS.—All functions of the
2 United States Manufacturing Council of the International
3 Trade Administration of the Department of Commerce, in-
4 cluding the personnel, assets, and obligations of the
5 United States Manufacturing Council of the International
6 Trade Administration of the Department of Commerce, as
7 in existence on the day before the date of enactment of
8 this Act, shall be transferred to the Office of the Chief
9 Manufacturer.

10 (1) DEEMING OF NAME.—Any reference in law,
11 regulation, document, paper, or other record of the
12 United States to the United States Manufacturing
13 Council of the International Trade Administration of
14 the Department of Commerce shall be deemed a ref-
15 erence to the National Manufacturing Council.

16 (2) UNEXPENDED BALANCES.—Unexpended
17 balances of appropriations, authorization, alloca-
18 tions, or other funds related to the United States
19 Manufacturing Council of the International Trade
20 Administration of the Department of Commerce
21 shall be available for use by the Chief Manufac-
22 turing Officer for which the appropriations, author-
23 izations, allocations, or other funds were originally
24 made available.

1 (g) PERMANENT AUTHORITY.—Notwithstanding sec-
 2 tion 14 of the Federal Advisory Committee Act (5 U.S.C.
 3 App.), the Council shall be a permanent authority.

4 **SEC. 5. NATIONAL STRATEGIC PLAN FOR MANUFACTURING.**

5 Not later than January 1 of the first calendar year
 6 beginning after the date of enactment of this Act, and
 7 each January 1 thereafter, the Chief Manufacturing Offi-
 8 cer shall submit to Congress a report that includes—

9 (1) an evaluation of activities and accomplish-
 10 ments of all Federal agencies related to carrying out
 11 the national strategic plan for manufacturing;

12 (2) updates on, and recommendations for, the
 13 transference of any governmental entities to the In-
 14 stitute; and

15 (3) recommendations for legislation to carry out
 16 the national strategic plan for manufacturing.

17 **SEC. 6. REMOVAL OF NATIONAL STRATEGIC PLAN FOR AD-**
 18 **VANCED MANUFACTURING.**

19 Section 102 of the America COMPETES Reauthor-
 20 ization Act of 2010 (42 U.S.C. 6622) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (5), by adding “and” at
 23 the end;

24 (B) in paragraph (6), by striking “; and”
 25 and inserting a period; and

1 (C) by striking paragraph (7); and

2 (2) by striking subsection (c).

3 **SEC. 7. MANUFACTURING.GOV HUB.**

4 (a) ESTABLISHMENT.—Not later than 1 year after
5 the date of enactment of this Act, the Chief Manufac-
6 turing Officer, in coordination with the Chief Information
7 Officer of the Department of Commerce, shall modify the
8 website of the Department of Commerce to establish a sec-
9 tion of the website to be known as the “manufacturing.gov
10 hub”.

11 (b) FUNCTIONS.—The manufacturing.gov hub estab-
12 lished under subsection (a) shall—

13 (1) serve as the primary hub for information re-
14 lating to every Federal manufacturing program, in-
15 cluding the programs identified in the March 28,
16 2017, report of the Government Accountability Of-
17 fice entitled “U.S. Manufacturing” (GAO 17–240);

18 (2) provide the contact information of employ-
19 ees of the Federal manufacturing programs de-
20 scribed in paragraph (1);

21 (3) provide an avenue for public input and feed-
22 back relating to the functionality of the website of
23 the Department of Commerce and the Federal man-
24 ufacturing programs described in paragraph (1);

1 (4) establish web pages within the hub that
2 shall focus on—

3 (A) technology and research and develop-
4 ment;

5 (B) trade;

6 (C) workforce development and training;

7 (D) industrial commons and supply chains;

8 and

9 (E) small and medium manufacturers; and

10 (5) use machine learning to identify and dis-
11 seminate answers to frequently asked questions to
12 the public.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated to the Insti-
15 tute such sums as may be necessary to carry out this Act.

○