

117TH CONGRESS
1ST SESSION

S. 1069

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

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2021

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) COUNCIL.—The term “Council” means the
9 National Manufacturing Advisory Council estab-
10 lished under section 4.

1 (2) DIRECTOR.—The term “Director” means
2 the Director of the Institute and the principal advi-
3 sor to the Secretary regarding manufacturing issues.

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

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Commerce.

17 **SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE OF MAN-**
18 **UFACTURING.**

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

22 (b) MISSION.—The primary missions of the Institute
23 are to—

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

4 (2) restore and strengthen the United States
5 industrial commons, which includes the essential
6 skills, equipment, and suppliers that provide the
7 foundation for the innovativeness and competitive-
8 ness of all United States manufacturers;

9 (3) strengthen the technical, financial, and edu-
10 cational conditions and assets necessary to ensure
11 that the United States is the best location for the
12 creation and production of advanced technologies
13 emerging from national research and development
14 investments;

15 (4) capitalize on the scientific and technological
16 advances produced by researchers and innovators in
17 the United States by developing capable and respon-
18 sive institutions focused on advancing the technology
19 and manufacturing readiness levels of those ad-
20 vances;

21 (5) support the discovery, invention, scale-up,
22 and transition of new products and manufacturing
23 technologies to full-scale production in the United
24 States;

1 (6) address the evolving needs of manufacturers
2 to find a diverse set of workers with the necessary
3 skills, training, and expertise;

4 (7) improve and expand manufacturing engi-
5 neering and technology offerings within institutions
6 of higher education and secondary schools to be
7 more closely aligned with the needs of the United
8 States manufacturing sector and the goal of
9 strengthening the long-term competitiveness of
10 United States manufacturing; and

11 (8) work collaboratively with the private sector
12 to leverage the knowledge, resources, and programs
13 of the private sector to foster manufacturing in the
14 United States and anticipate and prepare for emer-
15 gencies and global, national, and regional supply
16 chain disruptions.

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

19 (1) convene key industry, academic, and other
20 stakeholders to identify short-, medium-, and long-
21 term needs and priorities of the manufacturing sec-
22 tor in the United States, including emergency readi-
23 ness;

24 (2) monitor the status of technological develop-
25 ments, critical production capacity, skill availability,

1 investment patterns, emerging defense needs, and
2 other key indicators of manufacturing competitive-
3 ness, such as key indicators from manufacturing
4 dealers, to guide investment decisions;

5 (3) initiate and support discovery, invention,
6 and translational research in engineering and manu-
7 facturing by making contracts or other arrange-
8 ments, including grants, awards, cooperative agree-
9 ments, loans, and other forms of assistance, to con-
10 duct that research and to assess the impact of that
11 research on the economic well-being, climate, and
12 national security of the United States;

13 (4) administer programs that incentivize and
14 facilitate collaboration among private and public sec-
15 tor stakeholders in United States manufacturing;

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

18 (6) award industrial, academic, and govern-
19 mental fellowships to faculty and retired manufac-
20 turing experts to support the manufacturing inter-
21 ests of the United States;

22 (7) advise United States manufacturers on
23 international trade and investment policies in inter-
24 national markets and advise the Federal Govern-
25 ment on how to expand business opportunities for

1 United States manufacturers in international mar-
2 kets;

3 (8) develop and assess key indicators of manu-
4 facturing competitiveness, including the geographic
5 diversity of manufacturing in the United States, and
6 provide interpretation and analysis of collected data
7 on the manufacturing sector in the United States;

8 (9) provide small and medium manufacturers,
9 including new startups, with financial support, in-
10 cluding loans, counseling, training, technical assist-
11 ance, and advocacy; and

12 (10) identify opportunities to achieve commer-
13 cial-scale production of emerging technologies by
14 leveraging government procurement contracts.

15 (d) DIRECTOR.—

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

18 (A) be appointed by the President, by and
19 with the consent of the Senate;

20 (B) oversee all Institute activities;

21 (C) serve as an ex-officio member of the
22 Council;

23 (D) make recommendations regarding, and
24 manage, the budget of the Institute; and

1 (E) advise and consult with the Secretary
2 on all policy issues relating to manufacturing.

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

5 (A) IN GENERAL.—Except as otherwise
6 provided, the Director shall exercise all of the
7 authority granted to the Institute under this
8 Act, including any powers and functions that
9 may be delegated to the Director by the Sec-
10 retary.

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

15 (3) DUTIES AS DIRECTOR.—The Director
16 shall—

17 (A) coordinate all activities within the De-
18 partment of Commerce relating to manufac-
19 turing and advise and consult with the Sec-
20 retary on all policy issues relating to manufac-
21 turing;

22 (B) advise and consult with the Secretary
23 on the national security supply chain;

24 (C) monitor the status of technological de-
25 velopments, critical production capacity, skill

1 availability, investment patterns, emerging de-
 2 fense needs, and other key indicators of manu-
 3 facturing competitiveness to coordinate with the
 4 Chief Financial Officer and Assistant Secretary
 5 for Administration of the Department of Com-
 6 merce in developing the annual budgets for
 7 manufacturing-related programs of the Depart-
 8 ment of Commerce;

9 (D) oversee and convene the Council; and

10 (E) solicit input from the public and pri-
 11 vate sectors and academia regarding emerging
 12 trends in manufacturing and the responsiveness
 13 of Federal programming.

14 (4) TERM.—The Director shall serve for a term
 15 of 6 years, unless removed earlier by the President.

16 (e) DIRECTORATES.—Unless otherwise provided by
 17 the Director, there shall be within the Institute the fol-
 18 lowing Directorates:

19 (1) A Directorate for Technology Development,
 20 which shall—

21 (A) make competitive awards to support
 22 discovery, invention, and translational research
 23 in the fields of engineering and manufacturing;

24 (B) conduct prize competitions in accord-
 25 ance with section 24 of the Stevenson-Wydler

1 Technology Innovation Act of 1980 (15 U.S.C.
2 3719) to stimulate innovation that has the po-
3 tential to advance manufacturing technology;

4 (C) administer a pilot program establishing
5 translational research centers associated with
6 institutions of higher education, which will
7 guide and fund research needed to translate
8 laboratory results to testable beta prototypes
9 and facilitate connections with domestic manu-
10 facturers to scale domestic production; and

11 (D) administer other programs and activi-
12 ties that promote technology development.

13 (2) A Directorate for the Industrial Commons,
14 which shall—

15 (A) administer the Investing in Manufac-
16 turing Communities Partnership;

17 (B) administer the Manufacturing USA
18 Program established under section 34 of the
19 National Institute of Standards and Technology
20 Act (15 U.S.C. 278s); and

21 (C) administer other programs and activi-
22 ties that promote robust manufacturing innova-
23 tion ecosystems and support manufacturing
24 supply chains in the United States during emer-
25 gencies.

1 (3) A Directorate for Education and Workforce
2 Development, which shall—

3 (A) make competitive awards for scholar-
4 ships and graduate fellowships;

5 (B) make competitive awards for indus-
6 trial, academic, and governmental fellowships to
7 faculty and retired manufacturing experts;

8 (C) make competitive awards for research,
9 development, and evaluation of innovative train-
10 ing programs; and

11 (D) administer programs and activities
12 that promote the short-term and long-term
13 workforce and education needs of the manufac-
14 turing sector.

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

17 (A) administer programs for loans, invest-
18 ment capital, and surety bonds for small and
19 medium manufacturing firms;

20 (B) administer the Hollings Manufacturing
21 Extension Partnership Program established
22 under 25 of the National Institute of Standards
23 and Technology Act (15 U.S.C. 278k); and

1 (C) administer other programs and activi-
2 ties that help small and medium manufacturers
3 prosper.

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

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

7 (i) advise manufacturers in the United
8 States on trade;

9 (ii) advise the United States Trade
10 Representative, the Undersecretary of
11 Commerce for International Trade, and
12 other entities in the Federal Government
13 on trade to benefit manufacturers in the
14 United States;

15 (iii) receive and solicit recommenda-
16 tions and feedback from manufacturers in
17 the United States; and

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

20 (I) the Office; and

21 (II)(aa) the United States Trade
22 Representative; and

23 (bb) the Industry Trade Advisory
24 Committees on Aerospace Equipment,

1 Automotive Equipment and Capital
2 Goods, and Steel; and

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

5 (i) receive and solicit recommenda-
6 tions and feedback from manufacturers in
7 the United States; and

8 (ii) in addition to voting members, be
9 composed of ex-officio members of the In-
10 dustry Trade Advisory Committees de-
11 scribed in subparagraph (A)(iv)(II)(bb).

12 (f) AUTHORITIES.—In carrying out the duties of the
13 Director under this Act, the Director may—

14 (1) appoint or create such advisory committees
15 as may be appropriate for purposes of consultation
16 and advice to the Institute in the performance of the
17 functions of the Institute;

18 (2) issue rules governing the manner of oper-
19 ations of the Institute;

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

22 (4) enter into contracts or other arrangements
23 with organizations and individuals in the United
24 States and foreign countries as the Director deter-

1 mines necessary to carry out the functions of the In-
2 stitute;

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

6 (6) acquire, construct, hold, and dispose of real
7 and personal property as the Director determines
8 necessary; and

9 (7) accept unconditional gifts or donations of
10 services, money, or property.

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

13 (1) The Council.

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

18 (3) The Materials Processing Equipment Tech-
19 nical Advisory Committee.

20 (h) PATENT RIGHTS.—

21 (1) IN GENERAL.—Each contract entered into
22 by the Director shall contain provisions governing
23 the disposition of inventions produced under the con-
24 tract.

1 (2) PROHIBITION.—No officer or employee of
 2 the Institute may acquire or transfer any rights
 3 under the patent laws of the United States for any
 4 invention achieved in performing the assigned activi-
 5 ties of the officer or employee.

6 (i) TRANSFER OF FUNCTIONS AND TECHNICAL AND
 7 CONFORMING AMENDMENTS.—

8 (1) INVESTING IN MANUFACTURING COMMU-
 9 NITIES PARTNERSHIP.—

10 (A) TRANSFER OF FUNCTIONS.—All func-
 11 tions of the Investing in Manufacturing Com-
 12 munities Partnership of the Department of
 13 Commerce, including the personnel, assets, and
 14 obligations of the Investing in Manufacturing
 15 Communities Partnership of the Department of
 16 Commerce, as in existence on the day before the
 17 date of enactment of this Act, shall be trans-
 18 ferred to the Institute.

19 (B) DEEMING OF NAME.—Any reference in
 20 any law, regulation, document, paper, or other
 21 record of the United States to the Investing in
 22 Manufacturing Communities Partnership of the
 23 Department of Commerce shall be deemed a
 24 reference to the Investing in Manufacturing
 25 Communities Partnership of the Institute.

1 (C) UNEXPENDED BALANCES.—Unex-
2 pended balances of appropriations, authoriza-
3 tion, allocations, or other funds related to the
4 Investing in Manufacturing Communities Part-
5 nership of the Department of Commerce shall
6 be available for use by the Institute for pur-
7 poses for which the appropriations, authoriza-
8 tions, allocations, or other funds were originally
9 made available.

10 (2) MANUFACTURING USA PROGRAM.—

11 (A) TRANSFER OF FUNCTIONS.—All func-
12 tions of the Manufacturing USA Program car-
13 ried out by the National Office of the Manufac-
14 turing USA Network of the National Institute
15 of Standards and Technology, including the
16 personnel, assets, and obligations carried out by
17 that National Office, as in existence on the day
18 before the date of enactment of this Act, shall
19 be transferred to the Directorate for the Indus-
20 trial Commons of the Institute.

21 (B) DEEMING OF NAME.—Any reference in
22 any law, regulation, document, paper, or other
23 record of the United States to the Manufac-
24 turing USA Program carried out by the Na-
25 tional Office of the Manufacturing USA Net-

1 work of the National Institute of Standards and
2 Technology shall be deemed a reference to the
3 Manufacturing USA Program carried out by
4 the Directorate for the Industrial Commons of
5 the Institute.

6 (C) UNEXPENDED BALANCES.—Unex-
7 pended balances of appropriations, authoriza-
8 tion, allocations, or other funds related to the
9 Manufacturing USA Program carried out by
10 the National Office of the Manufacturing USA
11 Network of the National Institute of Standards
12 and Technology shall be available for use by the
13 Institute for purposes for which the appropria-
14 tions, authorizations, allocations, or other funds
15 were originally made available.

16 (D) TECHNICAL AND CONFORMING
17 AMENDMENTS.—Section 34 of the National In-
18 stitute of Standards and Technology Act (15
19 U.S.C. 278s) is amended—

20 (i) in subsection (a)—

21 (I) by redesignating paragraph

22 (2) as paragraph (3); and

23 (II) by inserting after paragraph

24 (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 Man-
 ufacturing”;

(II) in paragraph (3), in the mat-
 ter preceding subparagraph (A), by
 striking “The Secretary, acting
 through the Director” and inserting
 “The Manufacturing Director, acting
 through the Directorate for the Indus-
 trial Commons of the National Insti-
 tute of Manufacturing”; and

(III) in paragraph (4)—

(aa) in the paragraph head-
 ing, by inserting “MANUFAC-
 TURING” before “DIRECTOR”;

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

1 (cc) by striking “Director.”
 2 and inserting “Directorate for
 3 the Industrial Commons of the
 4 National Institute of Manufac-
 5 turing.”;

6 (iii) in subsections (c)(1), (d)(3)(B),
 7 (f), (h)(3), (h)(4), (h)(5)(A), (h)(5)(B),
 8 (i)(1)(A)(ii), (i)(2)(A), (i)(2)(B)(i),
 9 (i)(2)(B)(ii), (j)(1), (j)(2), (j)(3), (j)(4),
 10 (j)(5), and (j)(7), by striking “Secretary”
 11 each place that term appears and inserting
 12 “Manufacturing Director”;

13 (iv) in subsection (e)(1), by striking
 14 the “Secretary and the Secretary of En-
 15 ergy” and inserting “the Manufacturing
 16 Director and the Secretary of Energy”;

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

19 “(1) AUTHORITY.—To the extent provided for
 20 in advance by appropriations Acts, the Manufac-
 21 turing Director may use an amount not to exceed
 22 \$5,000,000 for each of fiscal years 2021 through
 23 2026 to carry out this section from amounts appro-
 24 priated to the National Institute of Manufacturing.”;

1 (vi) in subsection (h)(1), by striking
 2 “The Secretary shall establish, within the
 3 Institute,” and inserting “There is within
 4 the Directorate for the Industrial Com-
 5 mons of the National Institute of Manufac-
 6 turing”; and

7 (vii) in subsection (i)(1), in the para-
 8 graph heading, by striking “SECRETARY”
 9 and inserting “MANUFACTURING DIREC-
 10 TOR”.

11 (E) REFERENCES.—Any reference in this
 12 Act or an amendment made by this Act to the
 13 Manufacturing USA Program carried out by
 14 the National Office of the Manufacturing USA
 15 Network of the National Institute of Standards
 16 and Technology shall also be a reference to the
 17 Network for Manufacturing Innovation Pro-
 18 gram of the National Institute of Standards
 19 and Technology.

20 (F) RULE OF CONSTRUCTION FOR CEN-
 21 TERS OF MANUFACTURING INNOVATION.—
 22 Nothing in this Act shall be construed to affect,
 23 or require the transfer to the Institute of, any
 24 Federal financial assistance that is provided to
 25 a center for manufacturing innovation by any

1 Federal entity other than the Institute under
2 the Manufacturing USA Program carried out
3 by the National Office of the Manufacturing
4 USA Network of the National Institute of
5 Standards and Technology.

6 (3) HOLLINGS MANUFACTURING EXTENSION
7 PARTNERSHIP PROGRAM.—

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

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

1 Program of the Directorate for Small and Me-
2 dium Manufacturers of the Institute.

3 (C) UNEXPENDED BALANCES.—Unex-
4 pended balances of appropriations, authoriza-
5 tion, allocations, or other funds related to the
6 Hollings Manufacturing Extension Partnership
7 Program of the National Institute of Standards
8 and Technology shall be available for use by the
9 Directorate for Small and Medium Manufactur-
10 ers of the Institute for purposes for which the
11 appropriations, authorizations, allocations, or
12 other funds were originally made available.

13 (D) TECHNICAL AND CONFORMING
14 AMENDMENTS.—Section 25 of the National In-
15 stitute of Standards and Technology Act (15
16 U.S.C. 278k) is amended—

17 (i) in subsection (a)—

18 (I) by redesignating paragraph

19 (7) as paragraph (8); and

20 (II) by inserting after paragraph

21 (6) the following:

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

1 (ii) in subsection (b), by striking
 2 “Secretary, acting through the Director”
 3 and inserting “Manufacturing Director,
 4 acting through the Directorate for Small
 5 and Medium Manufacturers of the Na-
 6 tional Institute of Manufacturing”;

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

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

13 (v) in subsection (g)—

14 (I) in paragraph (2), in the para-
 15 graph heading, by striking “SEC-
 16 RETARY” and inserting “MANUFAC-
 17 TURING DIRECTOR”; and

18 (II) by striking “Secretary” each
 19 place that term appears and inserting
 20 “Manufacturing Director”;

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

24 (vii) in subsection (i)—

1 (I) by striking “Not” and all that
 2 follows through “the Secretary” and
 3 inserting “Not later than 180 days
 4 after the date of enactment of the Na-
 5 tional Institute of Manufacturing Act,
 6 the Manufacturing Director”; and

7 (II) by striking “Institute” and
 8 inserting “the Directorate for Small
 9 and Medium Manufacturers of the
 10 National Institute of Manufacturing”;

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

14 (ix) in subsection (l)—

15 (I) by striking “the Secretary
 16 and Director” each place that term
 17 appears and inserting “the Manufac-
 18 turing Director”; and

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

22 (x) in subsection (n)—

23 (I) in paragraph (1), in the mat-
 24 ter preceding subparagraph (A), by

1 inserting “Manufacturing” before
2 “Director”; and
3 (II) in paragraph (2), by striking
4 “Secretary” and inserting “Manufac-
5 turing Director”.

6 (4) MANUFACTURING EXTENSION PARTNERSHIP
7 ADVISORY BOARD.—

8 (A) TRANSFER OF FUNCTIONS.—All func-
9 tions of the Manufacturing Extension Partner-
10 ship Advisory Board of the National Institute
11 of Standards and Technology, including the
12 personnel, assets, and obligations of the Manu-
13 facturing Extension Partnership Advisory
14 Board of the National Institute of Standards
15 and Technology, as in existence on the day be-
16 fore the date of enactment of this Act, shall be
17 transferred to the Institute.

18 (B) DEEMING OF NAME.—Any reference in
19 any law, regulation, document, paper, or other
20 record of the United States to the Manufac-
21 turing Extension Partnership Advisory Board
22 of the National Institute of Standards and
23 Technology shall be deemed a reference to the
24 Manufacturing Extension Partnership Advisory
25 Board of the Institute.

(C) UNEXPENDED BALANCES.—Unexpended balances of appropriations, authorization, allocations, or other funds related to the Manufacturing Extension Partnership Advisory Board 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(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 (2)(A)(i), by inserting “Manufacturing” before “Director”;

(iii) in paragraph (3)(B), in the matter preceding clause (i), by inserting “Manufacturing” before “Director”; and

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

(5) OFFICE OF MANUFACTURING.—

1 (A) TRANSFER OF FUNCTIONS.—All func-
2 tions of the Office of Manufacturing of the
3 International Trade Administration of the De-
4 partment of Commerce, including the personnel,
5 assets, and obligations of the Office of Manu-
6 facturing of the International Trade Adminis-
7 tration of the Department of Commerce, as in
8 existence on the day before the date of enact-
9 ment of this Act, shall be transferred to the Of-
10 fice of Manufacturer Trade described in sub-
11 section (e)(5)(A).

12 (B) DEEMING OF NAME.—Any reference in
13 any law, regulation, document, paper, or other
14 record of the United States to the Office of
15 Manufacturing of the International Trade Ad-
16 ministration of the Department of Commerce
17 shall be deemed a reference to the Office of
18 Manufacturer Trade of the Directorate on
19 Trade of the Institute.

20 (C) UNEXPENDED BALANCES.—Unex-
21 pended balances of appropriations, authoriza-
22 tion, allocations, or other funds related to the
23 Office of Manufacturing of the International
24 Trade Administration of the Department of
25 Commerce shall be available for use by the Of-

1 fice of Manufacturer Trade of the Directorate
2 on Trade of the Institute for purposes for which
3 the appropriations, authorizations, allocations,
4 or other funds were originally made available.

5 (6) MATERIALS PROCESSING EQUIPMENT TECH-
6 NICAL ADVISORY COMMITTEE.—

7 (A) TRANSFER OF FUNCTIONS.—All func-
8 tions of the Materials Processing Equipment
9 Technical Advisory Committee of the Bureau of
10 Industry and Security of the Department of
11 Commerce, including the personnel, assets, and
12 obligations of the Materials Processing Equip-
13 ment Technical Advisory Committee of the Bu-
14 reau of Industry and Security of the Depart-
15 ment of Commerce, as in existence on the day
16 before the date of enactment of this Act, shall
17 be transferred to the Institute.

18 (B) DEEMING OF NAME.—Any reference in
19 any law, regulation, document, paper, or other
20 record of the United States to the Materials
21 Processing Equipment Technical Advisory Com-
22 mittee of the Bureau of Industry and Security
23 of the Department of Commerce shall be
24 deemed a reference to the Materials Processing

1 Equipment Technical Advisory Committee of
2 the Institute.

3 (C) UNEXPENDED BALANCES.—Unex-
4 pended balances of appropriations, authoriza-
5 tion, allocations, or other funds related to the
6 Materials Processing Equipment Technical Ad-
7 visory Committee of the Bureau of Industry
8 and Security of the Department of Commerce
9 shall be available for use by the Institute for
10 purposes for which the appropriations, author-
11 izations, allocations, or other funds were origi-
12 nally made available.

13 (j) TRANSITIONAL PROVISIONS.—

14 (1) TRANSITIONAL AUTHORITIES.—

15 (A) PROVISION OF ASSISTANCE BY OFFI-
16 CIALS.—Until the date of the transfer of an en-
17 tity to the Institute or a component of the In-
18 stitute under subsection (i), any official having
19 authority over the entity, or functions relating
20 to the entity, as of the day before the date of
21 enactment of this Act shall provide to the Di-
22 rector such assistance, including the use of per-
23 sonnel and assets, as the Director may request
24 in preparing for the transfer and integration of

1 the entity into the Institute or a component of
2 the Institute.

3 (B) SERVICES AND PERSONNEL.—During
4 the 1-year period beginning on the date of en-
5 actment of this Act, upon the request of the
6 Secretary, the head of any executive agency
7 may, on a reimbursable basis, provide services
8 or detail personnel to assist with the transfer of
9 an entity to the Institute or a component of the
10 Institute under subsection (i).

11 (2) INCIDENTAL TRANSFERS.—The Director of
12 the Office of Management and Budget, in consulta-
13 tion with the Director, shall make such additional
14 incidental dispositions of personnel, assets, and li-
15 abilities held, used, arising from, available, or to be
16 made available, in connection with the functions
17 transferred under subsection (i), as the Director of
18 the Office of Management and Budget may deter-
19 mine necessary to accomplish the purposes of this
20 Act.

21 **SEC. 4. NATIONAL MANUFACTURING ADVISORY COUNCIL.**

22 (a) ESTABLISHMENT.—There is established in the
23 Department of Commerce the “National Manufacturing
24 Advisory 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 Secretary on government policies
7 and government programs that affect United States
8 manufacturing and provide a forum for discussing
9 and proposing solutions to industry-related prob-
10 lems; 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 Sec-
18 retary regarding issues involving United States man-
19 ufacturing;

20 (2) completing specific tasks requested by the
21 Director or the Secretary;

22 (3) monitoring the status of technological devel-
23 opments, critical production capacity, skill avail-
24 ability, investment patterns, emerging defense needs,

1 and other key indicators of manufacturing competi-
2 tiveness;

3 (4) soliciting input from the public and private
4 sector and academia regarding emerging trends in
5 manufacturing, the responsiveness of Federal pro-
6 gramming, and suggestions for areas of increased
7 Federal attention;

8 (5) monitoring global manufacturing trends and
9 global threats to manufacturing sectors in the
10 United States;

11 (6) providing input on providing Federal assist-
12 ance for manufacturers relating to—

13 (A) international trade and investment
14 matters;

15 (B) research and technology development
16 opportunities;

17 (C) workforce development and training
18 programs and opportunities;

19 (D) small and medium manufacturer
20 needs; and

21 (E) industrial commons and supply chains
22 needs.

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

25 (e) MEMBERSHIP.—

1 (1) IN GENERAL.—The Council shall—

2 (A) consist of individuals with a balance of
3 backgrounds, experiences, and viewpoints; and

4 (B) include individuals that directly rep-
5 resent private industry, academia, and labor.

6 (2) PUBLIC PARTICIPATION.—The nomination
7 process for membership on the Council shall include
8 a public nomination process to the maximum extent
9 practicable.

10 (f) TRANSFER OF FUNCTIONS.—

11 (1) TRANSFER OF FUNCTIONS.—All functions
12 of the Manufacturing Council of the International
13 Trade Administration of the Department of Com-
14 merce, including the personnel, assets, and obliga-
15 tions of the United States Manufacturing Council of
16 the International Trade Administration of the De-
17 partment of Commerce, as in existence on the day
18 before the date of enactment of this Act, shall be
19 transferred to the Institute.

20 (2) DEEMING OF NAME.—Any reference in law,
21 regulation, document, paper, or other record of the
22 United States to the Manufacturing Council of the
23 International Trade Administration of the Depart-
24 ment of Commerce shall be deemed a reference to
25 the National Manufacturing Advisory Council.

1 (3) UNEXPENDED BALANCES.—Unexpended
2 balances of appropriations, authorization, alloca-
3 tions, or other funds related to the Manufacturing
4 Council of the International Trade Administration of
5 the Department of Commerce shall be available for
6 use by the Director for which the appropriations, au-
7 thorizations, allocations, or other funds were origi-
8 nally made available.

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

12 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

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