

116TH CONGRESS  
1ST SESSION

# H. R. 2397

To amend the National Institute of Standards and Technology Act to make changes to the implementation of the network for manufacturing innovation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2019

Ms. STEVENS (for herself, Mr. BALDERSON, Mr. KENNEDY, Mr. REED, Ms. JOHNSON of Texas, and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To amend the National Institute of Standards and Technology Act to make changes to the implementation of the network for manufacturing innovation, 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 “American Manufac-  
5 turing Leadership Act”.

1 **SEC. 2. CHANGES IN IMPLEMENTATION OF NETWORK FOR**  
2 **MANUFACTURING INNOVATION.**

3 Section 34 of the National Institute of Standards and  
4 Technology Act (15 U.S.C. 278s) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “Net-  
7 work for Manufacturing Innovation Program”  
8 and inserting “Manufacturing USA Program”;  
9 and

10 (B) in paragraph (2)—

11 (i) in subparagraph (G), by striking  
12 “and” at the end;

13 (ii) in subparagraph (H), by striking  
14 the period at the end and inserting “;  
15 and”; and

16 (iii) by adding at the end the fol-  
17 lowing:

18 “(I) to contribute to the development of re-  
19 gional manufacturing innovation clusters across  
20 the Nation;”;

21 (2) in subsection (c)—

22 (A) in paragraph (1), by striking “Sec-  
23 retary” each place it appears in subparagraph  
24 (C) and (D) and inserting “agency head”;

25 (B) in paragraph (2)—

26 (i) by striking subparagraph (E);

(ii) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively, and moving the margins of such clauses (as so redesignated) two ems to the right;

(iii) in the matter preceding clause (i) (as so redesignated), by striking “Activities of a center for manufacturing innovation may include” and inserting “(A) REQUIRED ACTIVITIES.—Activities of a center for manufacturing innovation shall include”;

(iv) in clause (ii), as so redesignated, by inserting before the period at the end the following: “addressing workforce needs through training and education programs at all appropriate education levels”;

(v) in clause (iii), as so redesignated, by inserting before the period at the end the following: “, as appropriate”;

(vi) by inserting after clause (iv) (as so redesignated) the following:

“(v) Development of roadmaps with respect to certain technology areas that take into account the research and develop-

1           ment undertaken at other centers for man-  
2           ufacturing innovation and Federal agencies  
3           with respect to such areas to avoid duplica-  
4           tion of effort and to ensure that research  
5           and development undertaken at such other  
6           centers and Federal agencies may be used  
7           for future, later-stage work at the centers  
8           for manufacturing innovation.”; and

9           (vii) by adding at the end the fol-  
10          lowing:

11          “(B) PERMISSIBLE ACTIVITIES.—Activities  
12          of a center for manufacturing innovation may  
13          include such other activities as the agency head,  
14          in consultation with Federal departments and  
15          agencies whose missions contribute to, or are  
16          affected by, advanced manufacturing, considers  
17          consistent with the purposes described in sub-  
18          section (a)(2).”; and

19          (C) in paragraph (3), by adding at the end  
20          the following:

21          “(C) APPLICATION.—Effective beginning  
22          on the date of the enactment of the American  
23          Manufacturing Leadership Act, a manufac-  
24          turing center shall be subject to subsections  
25          (a)(2), (c), and (d) in the same manner and to

1 the same extent as such provisions apply to a  
2 center for manufacturing innovation established  
3 pursuant to this section if such center—

4 “(i)(I) is, as of such date of enact-  
5 ment, considered a center for manufac-  
6 turing innovation under subparagraph (A)  
7 or recognized as a center for manufac-  
8 turing innovation under subparagraph (B);  
9 and

10 “(II) as of such date of enactment, re-  
11 ceives Federal financial assistance under  
12 subsection (d) or otherwise consistent with  
13 the purposes of this section; or

14 “(ii) is under pending agency review  
15 for such recognition as of such date of en-  
16 actment.”;

17 (3) in subsection (d)—

18 (A) in paragraph (1)—

19 (i) by striking “Secretary” and insert-  
20 ing “agency head”; and

21 (ii) by inserting “for a period of not  
22 less than 5 and not more than 7 years”  
23 after “financial assistance”;

1 (B) in paragraph (2), by striking “Sec-  
2 retary” each place it appears and inserting  
3 “agency head”;

4 (C) in paragraph (4)—

5 (i) by amending subparagraph (A) to  
6 read as follows:

7 “(A) COMPETITIVE, MERIT REVIEW.—In  
8 awarding financial assistance under paragraph  
9 (1), the agency head shall—

10 “(i) use a competitive, merit review  
11 process that includes peer review by a di-  
12 verse group of individuals with relevant ex-  
13 pertise from both the private and public  
14 sectors; and

15 “(ii) ensure that the technology focus  
16 of a center for manufacturing innovation  
17 does not substantially duplicate the tech-  
18 nology focus of any other center for manu-  
19 facturing innovation.”;

20 (ii) in subparagraphs (B)(i), by strik-  
21 ing “Secretary” each place it appears and  
22 inserting “agency head”;

23 (iii) by amending subparagraph (C) to  
24 read as follows:

“(C) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—For each award of financial assistance under paragraph (1), the agency head shall develop and implement metrics-based performance standards to assess the effectiveness of activities funded in making progress toward the purposes of the Program.”;

(iv) in subparagraph (D), by striking “the Secretary shall” and all that follows through “collaborate” and inserting the following: “agency head, in coordination with the National Program Office, as appropriate, shall collaborate”; and

(v) in subparagraph (E), by striking “Secretary” each place it appears and inserting “agency head”; and

(D) in paragraph (5)—

(i) by amending subparagraph (A) to read as follows:

“(A) TERM OF AWARD.—

“(i) IN GENERAL.—Subject to clause (ii), an award made to a center for manufacturing innovation may be renewed for an additional period not to exceed the du-

1           ration of the original funding award, sub-  
2           ject to a rigorous merit review. In award-  
3           ing additional funds, the agency head shall  
4           consider the extent to which the center has  
5           made progress in achieving the purposes  
6           described in subsection (a) and carrying  
7           out the activities specified in subsection  
8           (c)(2).

9           “(ii) EXISTING CENTERS.—Notwith-  
10          standing clause (i), a center already in ex-  
11          istence or undergoing a renewal process on  
12          the date of enactment of the \_\_\_\_\_  
13          Act—

14                 “(I) may continue to receive sup-  
15                 port for the duration of the original  
16                 funding award beginning on the date  
17                 of establishment of that center; and

18                 “(II) shall be eligible for renewal  
19                 of that funding pursuant to clause  
20                 (i).”; and

21                 (ii) in subparagraphs (B) and (C), by  
22                 striking “Secretary” each place it appears  
23                 and inserting “agency head”;

24           (4) by striking subsection (e);



1           (5) by redesignating subsections (f), (g), (h),  
2           and (i) as subsections (e), (f), (g), and (h), respec-  
3           tively;

4           (6) in subsection (e) (as so redesignated)—

5                 (A) in paragraph (2)—

6                     (i) in subparagraph (E), by striking  
7                     “and” at the end;

8                     (ii) in subparagraph (F), by striking  
9                     the period at the end and inserting a semi-  
10                    colon; and

11                    (iii) by adding at the end the fol-  
12                    lowing:

13                    “(H) to work with non-sponsoring Federal  
14                    agencies to explore and develop options for  
15                    sponsoring centers for manufacturing innova-  
16                    tion at such agencies;

17                    “(I) to work with sponsoring Federal agen-  
18                    cies to develop and implement network-wide  
19                    performance goals with measurable targets and  
20                    timelines;

21                    “(J) to help develop pilot programs that  
22                    may be implemented by the centers for manu-  
23                    facturing innovation such to address specific  
24                    purposes of the Program, including to accel-

1 erate technology transfer to the private sector;  
2 and

3 “(K) to identify and disseminate best  
4 workforce education and training practices  
5 across centers for manufacturing innovation  
6 and further enhance collaboration among cen-  
7 ters for manufacturing innovation in developing  
8 and implementing such programs.”; and

9 (B) by amending paragraph (5) to read as  
10 follows:

11 “(5) HOLLINGS MANUFACTURING EXTENSION  
12 PARTNERSHIP.—The Secretary shall ensure that the  
13 National Program Office incorporates the Hollings  
14 Manufacturing Extension Partnership into Program  
15 planning to ensure—

16 “(A) significant outreach to, participation  
17 of, and engagement of small- and medium-sized  
18 manufacturers in centers for manufacturing in-  
19 novation across the entirety of the manufac-  
20 turing supply chain; and

21 “(B) that the results of the Program, in-  
22 cluding technologies developed by the Program,  
23 reach small- and medium-sized manufacturers  
24 and that such entities have access to technical

1 assistance, as appropriate, in deploying those  
2 technologies.”;

3 (7) in subsection (f) (as so redesignated)—

4 (A) in paragraph (1)(A)—

5 (i) by striking “The Secretary” and  
6 all that follows through “report to the Sec-  
7 retary” and inserting the following: “Each  
8 agency head shall require each recipient of  
9 financial assistance from that agency  
10 under subsection (d)(1) and any other  
11 manufacturing centers considered to be  
12 centers for manufacturing innovation pur-  
13 suant to subsection (c)(3) to annually sub-  
14 mit to the appropriate agency head a re-  
15 port”; and

16 (ii) by adding at the end the fol-  
17 lowing: “Each agency head shall submit  
18 such reports to the Secretary.”; and

19 (B) by amending paragraph (3) to read as  
20 follows:

21 “(3) ASSESSMENTS BY GAO.—

22 “(A) ASSESSMENTS.—Not less frequently  
23 than once every 3 years, the Comptroller Gen-  
24 eral shall submit to Congress an assessment of  
25 the operation of the Program during the most

1 recent 3-year period, including an assessment of  
2 the progress made towards achieving the goals  
3 specified in the national strategic plan for ad-  
4 vanced manufacturing under section 102(b)(7)  
5 of the America COMPETES Reauthorization  
6 Act of 2010 (42 U.S.C. 6622(b)(7)).

7 “(B) ELEMENTS.—Each assessment sub-  
8 mitted under subparagraph (A) shall include,  
9 for the period covered by the report—

10 “(i) a review of the management, co-  
11 ordination, and industry utility of the Pro-  
12 gram;

13 “(ii) an assessment of the extent to  
14 which the Program has furthered the pur-  
15 poses described in subsection (a)(2);

16 “(iii) such recommendations for legis-  
17 lative and administrative action as the  
18 Comptroller General considers appropriate  
19 to improve the Program; and

20 “(iv) an assessment as to whether any  
21 prior recommendations for improvement  
22 made by the Comptroller General have  
23 been implemented or adopted.”;

24 (8) in subsection (g) (as so redesignated)—

1 (A) in paragraph (2), by striking “sub-  
2 section (e)” and inserting “subsection (j)”; and

3 (B) by adding at the end the following:

4 “(6) COLLABORATIONS WITH OTHER FEDERAL  
5 AGENCIES.—The Secretary shall collaborate with  
6 Federal agencies whose missions contribute to, or  
7 are affected by, advanced manufacturing to identify  
8 and leverage existing resources at such Federal  
9 agencies to assist centers of manufacturing innova-  
10 tion in carrying out the purposes of the program  
11 specified in subsection (a)(2). Such existing re-  
12 sources may include programs—

13 “(A) at the Department of Labor relating  
14 to labor and apprenticeships;

15 “(B) at the Economic Development Ad-  
16 ministration relating to regional innovation,  
17 such as the Regional Innovation Strategies pro-  
18 gram;

19 “(C) at the Department of Education re-  
20 lating to workforce development, education,  
21 training, and retraining;

22 “(D) at the Department of Defense relat-  
23 ing to procurement and other authorities of the  
24 Department of Defense;

1 “(E) at the Food and Drug Administration  
2 relating to biopharmaceutical manufacturing;

3 “(F) at the National Science Foundation,  
4 including the Advanced Technological Edu-  
5 cation program; and

6 “(G) additional programs that the Sec-  
7 retary determines are appropriate to support  
8 the activities of existing centers for manufac-  
9 turing innovation.”; and

10 (9) by adding at the end the following:

11 “(i) DEFINITIONS.—In this section:

12 “(1) AGENCY HEAD.—The term ‘agency head’  
13 means the head of a Federal agency that is pro-  
14 viding financial assistance for a center of manufac-  
15 turing innovation, including the Secretary of Com-  
16 merce and the Secretary of Energy.

17 “(2) REGIONAL INNOVATION CLUSTER.—The  
18 term ‘regional innovation cluster’ has the meaning  
19 given such term in section 27(f)(1) of the Stevenson-  
20 Wydler Technology Innovation Act of 1980 (15  
21 U.S.C. 3722(f)(1)).

22 “(j) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) NIST.—There are authorized to be appro-  
24 priated to the Secretary to carry out this section

1       \$25,000,000 for each of fiscal years 2020 through  
2       2024.

3           “(2) RESERVATION.—Of the amount made  
4       available under paragraph (1) the Secretary shall re-  
5       serve not less than \$5,000,000 for the National Of-  
6       fice of the Network for Manufacturing Innovation  
7       Program established under subsection (e).

8           “(3) DEPARTMENT OF ENERGY.—For centers  
9       of manufacturing innovation operated by the De-  
10      partment of Energy, there are authorized to be ap-  
11      propriated to the Secretary of Energy—

12           “(A) \$70,000,000 for each of fiscal years  
13           2020 and 2021; and

14           “(B) \$84,000,000 for each of fiscal years  
15           2022 and 2023.”.

16 **SEC. 3. INCREASED EMPHASIS ON REGIONAL INNOVATION**  
17 **WITHIN AND EXTENSION OF REGIONAL INNO-**  
18 **VATION PROGRAM.**

19       Section 27 of the Stevenson-Wydler Technology Inno-  
20      vation Act of 1980 (15 U.S.C. 3722) is amended—

21           (1) in subsection (b)(2) by adding at the end  
22      the following new subparagraph:

23           “(I) Developing relationships at the local  
24           level to build supply chains and use existing ca-  
25           pabilities of entities operating on that level to

1           bring economic growth to suburban and rural  
2           areas.”; and  
3           (2) in subsection (d)(2) by striking “2019” and  
4           inserting “2024”.

○