

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4692
OFFERED BY MR. WAXMAN OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “National Manufac-
3 turing Strategy Act of 2010”.

4 SEC. 2. SENSE OF CONGRESS.

5 It is the sense of Congress that—

6 (1) the United States Government should pro-
7 mote policies related to the Nation’s manufacturing
8 sector that are intended to promote growth, sustain-
9 ability, and competitiveness; create well-paying, de-
10 cent jobs; enable innovation and investment; and
11 support national security; and

12 (2) the President and Congress should act
13 promptly to pursue policies consistent with a Na-
14 tional Manufacturing Strategy.

15 SEC. 3. NATIONAL MANUFACTURING STRATEGY.

16 (a) STRATEGY REQUIRED.—Not later than the first
17 day of July of the second year of each Presidential term,

1 the President shall submit to Congress, and publish on
2 a public website, a National Manufacturing Strategy.

3 (b) DEADLINE FOR FIRST NATIONAL MANUFAC-
4 TURING STRATEGY.—Notwithstanding subsection (a), the
5 President shall issue the first National Manufacturing
6 Strategy not later than the date that is one year after
7 the date of the enactment of this Act.

8 **SEC. 4. PRESIDENT'S MANUFACTURING STRATEGY BOARD.**

9 (a) IN GENERAL.—The President shall establish,
10 within the Department of Commerce, the President's
11 Manufacturing Strategy Board.

12 (b) PUBLIC SECTOR MEMBERS.—The President's
13 Manufacturing Strategy Board shall include the following
14 individuals:

15 (1) The Secretary or head (or the designee of
16 the Secretary or head) of each of the following orga-
17 nizations:

18 (A) The Department of the Treasury.

19 (B) The Department of Defense.

20 (C) The Department of Commerce.

21 (D) The Department of Labor.

22 (E) The Department of Energy.

23 (F) The Office of the United States Trade
24 Representative.

1 (G) The Office of Management and Budg-
2 et.

3 (H) The Office of Science and Technology
4 Policy.

5 (I) The Small Business Administration.

6 (J) Other Federal agencies the President
7 determines appropriate.

8 (2) The Governors of two States, from different
9 political parties, appointed by the President in con-
10 sultation with the National Governors Association.

11 (c) PRIVATE SECTOR MEMBERS.—

12 (1) IN GENERAL.—The President's Manufac-
13 turing Strategy Board shall further include 9 indi-
14 viduals from the private sector, appointed by the
15 President after consultation with industry and labor
16 organizations, including individuals with experience
17 in the areas of—

18 (A) managing manufacturing companies;

19 (B) managing supply chain providers;

20 (C) managing labor organizations;

21 (D) workforce development;

22 (E) conducting manufacturing-related re-
23 search and development; and

24 (F) the defense industrial base.

1 (2) BALANCE IN REPRESENTATION.—In mak-
2 ing appointments of private sector members to the
3 President’s Manufacturing Strategy Board under
4 paragraph (1), the President shall seek to ensure
5 that the individuals appointed represent a balance
6 among and within regions, sizes of firms, and indus-
7 tries of the manufacturing sector.

8 (3) TERMS.—

9 (A) IN GENERAL.—Each member ap-
10 pointed under this subsection shall be appointed
11 for a term of 6 years, except as provided in
12 subparagraphs (B) and (C).

13 (B) TERMS OF INITIAL APPOINTEES.—As
14 designated by the President at the time of ap-
15 pointment, of the members first appointed—

16 (i) 3 shall be appointed for a term of
17 2 years;

18 (ii) 3 shall be appointed for a term of
19 4 years; and

20 (iii) 3 shall be appointed for a term of
21 6 years.

22 (C) VACANCIES.—Any member appointed
23 to fill a vacancy occurring before the expiration
24 of the term for which the member’s predecessor
25 was appointed shall be appointed only for the

1 remainder of that term. A member may serve
2 after the expiration of that member's term until
3 a new member has been appointed.

4 (d) CHAIR AND VICE CHAIR.—

5 (1) CHAIR.—The Secretary of Commerce (or
6 the designee of the Secretary) shall serve as the
7 Chair of the President's Manufacturing Strategy
8 Board.

9 (2) VICE CHAIR.—The President shall appoint
10 the Vice Chair of the President's Manufacturing
11 Strategy Board from among the private sector mem-
12 bers appointed by the President under subsection
13 (c).

14 (e) SUBGROUPS.—The President's Manufacturing
15 Strategy Board may convene subgroups to address par-
16 ticular industries, policy topics, or other matters. Such
17 subgroups may include members representing any of the
18 following:

19 (1) Such other Federal agencies as the Chair
20 determines appropriate.

21 (2) State, local, tribal, and Territorial govern-
22 ments.

23 (3) The private sector, including labor, indus-
24 try, academia, trade associations, and other appro-
25 priate groups.

1 (f) MEETINGS.—

2 (1) TIMING OF MEETINGS.—The President's
3 Manufacturing Strategy Board shall meet at the call
4 of the Chair.

5 (2) FREQUENCY OF MEETINGS.—The Presi-
6 dent's Manufacturing Strategy Board shall meet not
7 less than 2 times each year, and not less than 4
8 times in a year preceding the issuance of a National
9 Manufacturing Strategy required under section 3(a).

10 (3) PUBLIC MEETINGS REQUIRED.—The Presi-
11 dent's Manufacturing Strategy Board shall convene
12 public meetings to solicit views on the Nation's man-
13 ufacturing sector and recommendations for the Na-
14 tional Manufacturing Strategy.

15 (4) LOCATIONS OF PUBLIC MEETINGS.—The lo-
16 cations of public meetings convened under para-
17 graph (3) shall ensure the inclusion of multiple re-
18 gions and industries of the manufacturing sector.

19 (g) APPLICATION OF FEDERAL ADVISORY COM-
20 MITTEE ACT.—The Federal Advisory Committee Act (5
21 U.S.C. App.), other than section 14 of such Act, shall
22 apply to the President's Manufacturing Strategy Board,
23 including any subgroups established pursuant subsection
24 (e).

1 **SEC. 5. DUTIES OF THE PRESIDENT'S MANUFACTURING**
2 **STRATEGY BOARD.**

3 (a) IN GENERAL.—The President's Manufacturing
4 Strategy Board shall—

5 (1) advise the President and Congress on issues
6 affecting the Nation's manufacturing sector;

7 (2) conduct a comprehensive analysis in accord-
8 ance with subsection (b);

9 (3) develop a National Manufacturing Strategy
10 in accordance with subsection (c);

11 (4) submit to the President and Congress an
12 annual report under subsection (d); and

13 (5) carry out other activities determined appro-
14 priate by the President.

15 (b) COMPREHENSIVE ANALYSIS.—In developing each
16 National Manufacturing Strategy under subsection (c),
17 the President's Manufacturing Strategy Board shall con-
18 duct a comprehensive analysis of the Nation's manufac-
19 turing sector that addresses—

20 (1) the value and role, both historic and cur-
21 rent, of manufacturing in the Nation's economy, se-
22 curity, and global leadership;

23 (2) the current domestic and international envi-
24 ronment for the Nation's manufacturing sector, and
25 any relevant subset thereof;

1 (3) Federal, State, local, and Territorial poli-
2 cies, programs, and conditions that affect manufac-
3 turing;

4 (4) a comparison of the manufacturing policies
5 and strategies of the United States relative to other
6 nations' policies and strategies;

7 (5) the identification of emerging or evolving
8 markets, technologies, and products for which the
9 Nation's manufacturers could compete;

10 (6) the short- and long-term forecasts for the
11 Nation's manufacturing sector, and forecasts of ex-
12 pected national and international trends and factors
13 likely to affect such sector in the future; and

14 (7) any other matters affecting the competitive-
15 ness, growth, stability, and sustainability of the Na-
16 tion's manufacturing sector, including—

17 (A) levels of domestic production;

18 (B) productivity;

19 (C) the trade balance;

20 (D) financing and investment;

21 (E) research and development;

22 (F) job creation and employment dispari-
23 ties;

24 (G) workforce skills and development; and

1 (H) adequacy of the industrial base for
2 maintaining national security.

3 (c) NATIONAL MANUFACTURING STRATEGY.—

4 (1) DEVELOPMENT.—The President's Manufac-
5 turing Strategy Board shall develop a National Man-
6 ufacturing Strategy, based on—

7 (A) the results of the comprehensive anal-
8 ysis conducted under subsection (b);

9 (B) the studies carried out by the National
10 Academy of Sciences pursuant to section 7; and

11 (C) any other information, studies, or per-
12 spectives that the President's Manufacturing
13 Strategy Board determines to be appropriate.

14 (2) GOALS AND RECOMMENDATIONS.—

15 (A) GOALS.—The President's Manufac-
16 turing Strategy Board shall include in each Na-
17 tional Manufacturing Strategy short- and long-
18 term goals for the Nation's manufacturing sec-
19 tor, taking into account the matters addressed
20 in the comprehensive analysis conducted under
21 subsection (b).

22 (B) RECOMMENDATIONS.—The President's
23 Manufacturing Strategy Board shall include in
24 each National Manufacturing Strategy rec-
25 ommendations for achieving the goals provided

1 under subparagraph (A). Such recommenda-
2 tions may propose—

3 (i) actions to be taken by the Presi-
4 dent, Congress, State, local, and Terri-
5 torial governments, the private sector, uni-
6 versities, industry associations, and other
7 stakeholders; and

8 (ii) ways to improve Government poli-
9 cies, coordination among entities devel-
10 oping such policies, and Government inter-
11 action with the manufacturing sector.

12 (3) REPORT.—

13 (A) DRAFT.—Not later than 90 days be-
14 fore the date on which the President is required
15 to submit to Congress a report containing a
16 National Manufacturing Strategy under section
17 3, the President's Manufacturing Strategy
18 Board shall publish in the Federal Register and
19 on a public website a draft report containing a
20 National Manufacturing Strategy.

21 (B) PUBLIC COMMENT; REVIEW AND REVI-
22 SION.—A draft report published under subpara-
23 graph (A) shall remain available for public com-
24 ment for a period of 30 days from the date of
25 publication. The President's Manufacturing

1 Strategy Board shall review any comments re-
2 ceived regarding such draft report and may re-
3 vise the draft report based upon those com-
4 ments.

5 (C) PUBLICATION.—Not later than 30
6 days before the date on which the President is
7 required to submit to Congress a report con-
8 taining a National Manufacturing Strategy
9 under section 3, the President’s Manufacturing
10 Strategy Board shall submit to the President
11 for review and revision a final report containing
12 a National Manufacturing Strategy, and shall
13 publish such final report on a public website.

14 (D) ESTIMATES.—The final report sub-
15 mitted under subparagraph (C) shall include—

16 (i) when feasible, an estimate of the
17 short- and long-term Federal Government
18 outlays and revenue changes necessary to
19 implement the National Manufacturing
20 Strategy and an estimate of savings that
21 may be derived from implementation of the
22 National Manufacturing Strategy;

23 (ii) a detailed explanation of the
24 methods and analysis used to determine

1 the estimates included under clause (i);
2 and
3 (iii) detailed recommendations regard-
4 ing how to pay for the cost of implementa-
5 tion estimated under clause (i), when fea-
6 sible.

7 (d) ANNUAL REPORT.—Not later than the date that
8 is one year after the date on which the first National Man-
9 ufacturing Strategy is published under section 3, and an-
10 nually thereafter, the President’s Manufacturing Strategy
11 Board shall submit to the President and Congress a report
12 that includes—

13 (1) views on the current state of manufacturing
14 in the United States;

15 (2) an assessment of the implementation of pre-
16 viously issued National Manufacturing Strategies;

17 (3) recommendations for furthering the imple-
18 mentation of previously issued National Manufac-
19 turing Strategies; and

20 (4) any suggested revisions to the estimate re-
21 quired under section 5(c)(3)(D)(i) to implement the
22 recommendations included under paragraph (3).

23 (e) CONSULTATION.—In order to gain perspectives
24 and avoid duplication of efforts, the President’s Manufac-
25 turing Strategy Board shall consult on manufacturing

1 issues with the Defense Science Board, the President's
2 Council of Advisors on Science and Technology, the Manu-
3 facturing Council established by the Department of Com-
4 merce, and the Labor Advisory Committee for Trade Ne-
5 gotiations and Trade Policy, and may consult with other
6 relevant governmental entities or the private sector.

7 **SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**
8 **OF NATIONAL MANUFACTURING STRATEGY.**

9 Not later than the first day of April in calendar years
10 2013, 2017, and 2021, the Comptroller General shall sub-
11 mit to Congress a report regarding the National Manufac-
12 turing Strategy published under section 3. The report
13 shall include—

14 (1) an assessment of whether the recommenda-
15 tions from such National Manufacturing Strategy,
16 and any preceding National Manufacturing Strate-
17 gies, were implemented;

18 (2) an analysis of the impact of such rec-
19 ommendations, to the extent data are available;

20 (3) a review of the process involved in devel-
21 oping such National Manufacturing Strategy and
22 any preceding National Manufacturing Strategies;
23 and

24 (4) recommendations for improvements in de-
25 veloping the next National Manufacturing Strategy.

1 **SEC. 7. STUDIES.**

2 (a) QUADRENNIAL STUDY.—

3 (1) IN GENERAL.—In developing each National
4 Manufacturing Strategy, the President, acting
5 through the Secretary of Commerce, shall enter into
6 an agreement with the National Academy of
7 Sciences to conduct a study in accordance with this
8 subsection.

9 (2) ELEMENTS.—The study shall examine the
10 following:

11 (A) The current state of manufacturing in
12 the United States.

13 (B) Federal programs and activities re-
14 lated to manufacturing systems.

15 (C) The ways in which Federal policies af-
16 fect manufacturing, and likely future trends in
17 manufacturing if such policies remain un-
18 changed.

19 (D) Various possible approaches for evalu-
20 ating the implementation of the National Manu-
21 facturing Strategy.

22 (E) An assessment of the trends and
23 short- and long-term forecasts of manufac-
24 turing.

25 (F) A review of the trends and short- and
26 long-term forecasts of manufacturing relied

1 upon in previous National Manufacturing Strat-
2 egies as compared with actual events and
3 trends.

4 (3) REPORT.—The agreement entered into
5 under paragraph (1) shall provide that not later
6 than the first day of April of the first year of each
7 Presidential term, the National Academy of Sciences
8 shall submit to Congress and the President a report
9 containing the findings of the study.

10 (4) DEADLINE FOR FIRST REPORT.—Notwith-
11 standing paragraph (3), the first agreement entered
12 into under this subsection shall provide that the Na-
13 tional Academy of Sciences shall submit to Congress
14 and the President a report containing the findings
15 of the study not later than 2 years after the date
16 such agreement is entered into.

17 (5) DEADLINE FOR SUBSEQUENT AGREE-
18 MENTS.—After the first agreement entered into
19 under this subsection, all subsequent agreements
20 under this subsection shall be entered into not later
21 than 18 months before the deadline for submission
22 of the corresponding report under paragraph (3).

23 (b) DISCRETIONARY STUDIES.—The President, act-
24 ing through the Secretary of Commerce, may enter into
25 further agreements with the National Academy of Sciences

1 as necessary to develop studies to provide information for
2 future National Manufacturing Strategies.

3 **SEC. 8. REQUIREMENT TO CONSIDER NATIONAL MANUFAC-**
4 **TURING STRATEGY IN BUDGET.**

5 In preparing the budget for a fiscal year under sec-
6 tion 1105(a) of title 31, United States Code, the President
7 shall include information regarding the consistency of the
8 budget with the goals and recommendations included in
9 National Manufacturing Strategy covering that fiscal
10 year.

