

118TH CONGRESS
1ST SESSION

H. R. 3917

To require the Secretary of Commerce to establish the National Manufacturing Advisory Council within the Department of Commerce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2023

Mr. NEGUSE (for himself and Mr. MANN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Commerce to establish the National Manufacturing Advisory Council within the Department of Commerce, 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 Manufac-
5 turing Advisory Council for the 21st Century Act”.

6 **SEC. 2. NATIONAL MANUFACTURING ADVISORY COUNCIL.**

7 (a) DEFINITIONS.—In this section:

1 (1) ADVISORY COUNCIL.—The term “Advisory
2 Council” means the National Manufacturing Advi-
3 sory Council established under subsection (b).

4 (2) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Commerce, Science,
8 and Transportation of the Senate;

9 (B) the Committee on Health, Education,
10 Labor, and Pensions of the Senate;

11 (C) the Committee on Energy and Natural
12 Resources of the Senate;

13 (D) the Committee on Armed Services of
14 the Senate;

15 (E) the Committee on Appropriations of
16 the Senate;

17 (F) the Committee on Small Business and
18 Entrepreneurship of the Senate;

19 (G) the Committee on Energy and Com-
20 merce of the House of Representatives;

21 (H) the Committee on Education and the
22 Workforce of the House of Representatives;

23 (I) the Committee on Science, Space, and
24 Technology of the House of Representatives;

1 (J) the Committee on Armed Services of
2 the House of Representatives;

3 (K) the Committee on Appropriations of
4 the House of Representatives; and

5 (L) the Committee on Small Business of
6 the House of Representatives.

7 (3) ECONOMICALLY DISTRESSED AREA.—The
8 term “economically distressed area” means an area
9 that meets 1 or more of the requirements described
10 in section 301(a) of the Public Works and Economic
11 Development Act of 1965 (42 U.S.C. 3161(a)).

12 (4) SECRETARY.—The term “Secretary” means
13 the Secretary of Commerce.

14 (b) ESTABLISHMENT.—Not later than 180 days after
15 the date of enactment of this Act, the Secretary, in con-
16 sultation with the Secretary of Labor, the Secretary of De-
17 fense, the Secretary of Energy, the United States Trade
18 Representative, and the Secretary of Education, shall es-
19 tablish within the Department of Commerce the National
20 Manufacturing Advisory Council.

21 (c) MISSION.—The mission of the Advisory Council
22 shall be to—

23 (1) provide a forum for—

24 (A) regular communication between the
25 Federal Government and the manufacturing

1 sector, including manufacturing workers, in the
2 United States; and

3 (B) discussing and proposing solutions to
4 problems relating to the manufacturing sector
5 in the United States, including the manufac-
6 turing workforce, supply chain interruptions,
7 and other logistical challenges;

8 (2) advise the Secretary regarding policies and
9 programs of the Federal Government that affect
10 manufacturing, including the manufacturing work-
11 force, in the United States; and

12 (3) annually produce a national strategic plan,
13 as described in subsection (g), that provides rec-
14 ommendations to the Secretary and the appropriate
15 committees of Congress regarding how to help the
16 United States remain the preeminent destination
17 throughout the world for investment in manufac-
18 turing, which shall be based on the execution of the
19 duties of the Advisory Council.

20 (d) DUTIES.—The duties of the Advisory Council
21 shall include the following:

22 (1) Meeting not less frequently than once every
23 180 days, in a manner to be determined by the Sec-
24 retary, in order to provide independent advice and

1 recommendations to the Secretary regarding issues
2 involving manufacturing in the United States.

3 (2) Identifying and assessing the impact that
4 technological developments, critical production ca-
5 pacity, skill availability, investment patterns, and
6 emerging defense needs have on the manufacturing
7 competitiveness of the United States and providing
8 advice and recommendations to the Secretary re-
9 garding that impact.

10 (3) Soliciting input from the public and private
11 sectors and academia relating to emerging trends in
12 manufacturing, and the responsiveness of Federal
13 programming with respect to manufacturing, and
14 providing advice and recommendations to the Sec-
15 retary for areas of increased Federal attention with
16 respect to manufacturing.

17 (4) Identifying, and providing advice and rec-
18 ommendations to the Secretary regarding, global
19 and domestic manufacturing trends and threats to
20 the manufacturing sector in the United States, in-
21 cluding on matters such as supply chain interrup-
22 tions, logistical challenges, and technological changes
23 affecting the manufacturing base in the United
24 States.

1 (5) Providing advice and recommendations to
2 the Secretary on matters relating to investment in,
3 and support of, the manufacturing workforce in the
4 United States, including on matters such as—

5 (A) worker participation, including through
6 labor organizations and through other methods
7 determined by the Advisory Council, in plan-
8 ning for the deployment of new technologies
9 across the manufacturing sector in the United
10 States and within workplaces in that sector;

11 (B) training and education priorities for
12 the Federal Government and employers to as-
13 sist workers in adapting the skills and experi-
14 ences of those workers to fit the demands of the
15 manufacturing sector in the United States in
16 the 21st century;

17 (C) how the development of new tech-
18 nologies and processes have impacted, and will
19 impact, the manufacturing workforce of the
20 United States and the economy of the United
21 States, which shall be based on input from
22 manufacturing workers;

23 (D) management practices in the manufac-
24 turing sector in the United States that lead to
25 worker employment, job quality, worker protec-

1 tion, worker participation and power in decision
2 making, and investment in worker career suc-
3 cess;

4 (E) policies and procedures that expand
5 access to jobs, career advancement opportuni-
6 ties, and management opportunities for under-
7 represented populations; and

8 (F) how to improve access to demand-driv-
9 en manufacturing-related education, training,
10 and re-training for workers, including at com-
11 munity and technical colleges, through other in-
12 stitutions of higher education, and through ap-
13 prenticeships and work-based learning opportu-
14 nities.

15 (6) Providing recommendations to the Secretary
16 on ways to—

17 (A) provide—

18 (i) manufacturing-related worker edu-
19 cation, training, and development; and

20 (ii) entrepreneurship training relating
21 to manufacturing;

22 (B) connect individuals and businesses
23 with services described in subparagraph (A)
24 that are offered in the communities of those in-
25 dividuals or businesses;

1 (C) coordinate services relating to manu-
2 facturing employee engagement, including em-
3 ployee ownership and workforce training;

4 (D) connect manufacturers with commu-
5 nity and technical colleges, other institutions of
6 higher education, State or local workforce devel-
7 opment boards established under section 101 or
8 107 of the Workforce Innovation and Oppor-
9 tunity Act (29 U.S.C. 3111, 3122), labor orga-
10 nizations, and nonprofit job training providers
11 to develop and support training and job place-
12 ment services, and apprenticeship and online
13 learning platforms, for new and incumbent
14 manufacturing workers;

15 (E) develop programming to prevent man-
16 ufacturing job losses in the United States as
17 entities adopt new technologies and processes;
18 and

19 (F) develop best practices for manufactur-
20 ers to incorporate, or transition to, employee
21 ownership structures.

22 (7) With respect to the matters described in
23 paragraphs (1) through (6), soliciting input from—

24 (A) economically distressed areas; and

1 (B) areas of the United States in which
2 foreign competition has resulted in mass layoffs
3 in the manufacturing sector.

4 (8) Completing other specific tasks requested by
5 the Secretary.

6 (e) MEMBERSHIP.—

7 (1) IN GENERAL.—The Advisory Council
8 shall—

9 (A) consist of individuals appointed by the
10 Secretary with a balance of backgrounds, expe-
11 riences, and viewpoints; and

12 (B) include individuals with manufacturing
13 experience who represent—

14 (i) private industry, including small
15 and medium-sized manufacturers and any
16 relevant standards development organiza-
17 tions or relevant trade associations;

18 (ii) academia; and

19 (iii) labor.

20 (2) PUBLIC PARTICIPATION.—The Secretary
21 shall, to the maximum extent practicable, accept rec-
22 ommendations from the public regarding the ap-
23 pointment of individuals under paragraph (1).

24 (3) PERIOD OF APPOINTMENT; VACANCIES.—

1 (A) IN GENERAL.—Each member of the
2 Advisory Council shall be appointed by the Sec-
3 retary for a term of 3 years.

4 (B) RENEWAL.—The Secretary may renew
5 an appointment made under subparagraph (A)
6 for not more than 2 additional terms.

7 (C) STAGGER TERMS.—The Secretary may
8 stagger the terms of the members of the Advi-
9 sory Council to ensure that the terms of those
10 members expire during different years.

11 (D) VACANCIES.—

12 (i) IN GENERAL.—Subject to clause
13 (ii), a member appointed to fill a vacancy
14 on the Advisory Council occurring before
15 the expiration of the term for which the
16 predecessor of the newly appointed member
17 was appointed shall be appointed only for
18 the remainder of that term of the prede-
19 cessor.

20 (ii) FURTHER SERVICE.—A member
21 of the Advisory Council who is appointed
22 for the remainder of a term of a prede-
23 cessor under clause (i) may serve after the
24 expiration of that term of the predecessor

1 and until the date on which the Secretary
2 has appointed a successor.

3 (f) TRANSFER OF FUNCTIONS.—

4 (1) IN GENERAL.—All functions of the United
5 States Manufacturing Council of the International
6 Trade Administration of the Department of Com-
7 merce, including the personnel, assets, and obliga-
8 tions of the United States Manufacturing Council of
9 the International Trade Administration of the De-
10 partment of Commerce, as in existence on the day
11 before the date of enactment of this Act, shall be
12 transferred to the Advisory Council.

13 (2) DEEMING OF NAME.—Any reference in any
14 law, regulation, document, paper, or other record of
15 the United States to the United States Manufac-
16 turing Council of the International Trade Adminis-
17 tration of the Department of Commerce shall be
18 deemed a reference to the Advisory Council.

19 (3) UNEXPENDED BALANCES.—Unexpended
20 balances of appropriations, authorization, alloca-
21 tions, or other funds related to the United States
22 Manufacturing Council of the International Trade
23 Administration of the Department of Commerce
24 shall be available for use by the Advisory Council for
25 the purpose for which the appropriations, authoriza-

1 tions, allocations, or other funds were originally
2 made available.

3 (4) EXISTING ADVISORY COMMITTEE.—Any
4 Federal advisory committee of the Department of
5 Commerce that is operating on the day before the
6 date of enactment of this Act under a charter filed
7 in accordance with section 1008(c) of title 5, United
8 States Code, for the purpose of addressing the pur-
9 poses and duties described in this section shall sat-
10 isfy the requirement under subsection (b) to estab-
11 lish the Advisory Council if, not later than 90 days
12 after that date of enactment, the Federal advisory
13 committee is modified, as necessary, to comply with
14 the requirements of this section.

15 (g) NATIONAL STRATEGIC PLAN.—Not later than
16 180 days after the date on which the Advisory Council
17 holds the initial meeting of the Advisory Council, and an-
18 nually thereafter, the Advisory Council shall submit to the
19 Secretary and the appropriate committees of Congress—

20 (1) a national strategic plan for manufacturing
21 in the United States that is based on the execution
22 of the duties of the Advisory Council under sub-
23 section (d); and

1 (2) a detailed statement of the activities that
2 the Advisory Council conducted to carry out the du-
3 ties of the Advisory Council under subsection (d).

4 (h) DEPARTMENTAL SUPPORT.—In accordance with
5 prevailing laws and regulations, the Secretary, as the Sec-
6 retary considers appropriate, shall furnish to the Advisory
7 Council relevant information that—

8 (1) is in the possession of the Department of
9 Commerce; and

10 (2) relates to the mission of the Advisory Coun-
11 cil.

12 (i) INAPPLICABILITY OF CERTAIN PROVISIONS.—
13 Chapter 10 of title 5, United States Code, shall not apply
14 with respect to the Advisory Council or the activities of
15 the Advisory Council.

16 (j) SUNSET.—The Advisory Council shall terminate
17 on September 30 of the fifth year after the year in which
18 the Advisory Council holds the first meeting of the Advi-
19 sory Council.

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