

## HR 1868

### Technology Innovation and Manufacturing Stimulation Act of 2007

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Apr 17, 2007

**Current Status:** Hearing Held by Subcommittee on Technology and Innovation Prior to Introduction and Referral (Februa

**Latest Action:** Hearing Held by Subcommittee on Technology and Innovation Prior to Introduction and Referral (February 15, 2007). (May 6, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/1868>

### Sponsor

**Name:** Rep. Wu, David [D-OR-1]

**Party:** Democratic • **State:** OR • **Chamber:** House

### Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Apr 17, 2007
Rep. Gingrey, Phil [R-GA-11]	R · GA		Apr 17, 2007
Rep. Gordon, Bart [D-TN-6]	D · TN		Apr 17, 2007
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Apr 17, 2007
Rep. Mitchell, Harry E. [D-AZ-5]	D · AZ		Apr 17, 2007
Rep. Chandler, Ben [D-KY-6]	D · KY		Apr 30, 2007
Rep. Holt, Rush [D-NJ-12]	D · NJ		Apr 30, 2007
Rep. Honda, Michael M. [D-CA-15]	D · CA		Apr 30, 2007
Rep. Hooley, Darlene [D-OR-5]	D · OR		Apr 30, 2007
Rep. Lampson, Nick [D-TX-22]	D · TX		Apr 30, 2007
Rep. Moran, James P. [D-VA-8]	D · VA		Apr 30, 2007
Rep. Reichert, David G. [R-WA-8]	R · WA		Apr 30, 2007
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Apr 30, 2007
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 30, 2007
Rep. Smith, Adam [D-WA-9]	D · WA		Apr 30, 2007
Rep. Udall, Mark [D-CO-2]	D · CO		Apr 30, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Apr 30, 2007

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	May 7, 2007
Science, Space, and Technology Committee	House	Hearings By (subcommittee)	May 6, 2008

## Subjects & Policy Tags

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### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
110 HR 2272	Related bill	<b>Sep 8, 2008:</b> Hearing Held by Subcommittee on Energy and Environment Prior to Introduction and Referral ( April 26, 2007)..
110 HRES 350	Procedurally related	<b>May 2, 2007:</b> Motion to reconsider laid on the table Agreed to without objection.

Technology Innovation and Manufacturing Stimulation Act of 2007 - **Title I: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations to the Secretary of Commerce for FY2008-FY2010 for: (1) scientific and technical research and services laboratory activities of the National Institute of Standards and Technology (NIST); (2) the Malcolm Baldrige National Quality Award program; (3) construction and maintenance of NIST facilities; and (4) NIST Industrial Technology Services activities.

**Title II: Innovation and Technology Policy Reforms** - (Sec. 201) Requires the Director of NIST (the Director), concurrent with submission to Congress of the President's annual budget request, to transmit a three-year programmatic planning report for NIST, including programs under the Scientific and Technical Research and Services, Industrial Technology Services, and Construction of Research Facilities functions, and subsequent updates.

(Sec. 202) Amends the National Institute of Standards and Technology Act to provide that annual reports to the Secretary of Commerce (the Secretary) and Congress be submitted by the Visiting Committee on Advanced Technology within 30 days (currently, on or before January 31 in each year) after the submission to Congress of the President's annual budget request. Requires that such report also comment on the programmatic planning document and updates thereto transmitted to Congress by the Director.

(Sec. 203) Establishes within NIST a Manufacturing Extension Partnership (MEP) Advisory Board. Requires such Board to provide to the Director advice on: (1) MEP programs, plans, and policies; (2) assessments of the soundness of MEP plans and strategies; and (3) assessments of current performance against MEP program plans. Requires such Board to transmit annual reports to the Secretary for transmittal to Congress within 30 days after the submission to Congress of the President's annual budget request which shall address the status of the MEP program and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to Congress by the Director.

Amends the National Institute of Standards and Technology Act to allow the Secretary and the Director to accept funds from other federal departments and agencies and from the private sector to strengthen U.S. manufacturing. Prohibits such funds, if allocated to a Regional Center for the Transfer of Manufacturing Technology or such Centers, from being considered in the calculation of the federal share of capital and annual operating and maintenance costs.

Requires the Director to establish within the MEP program a program to award competitive grants among the Centers, or a consortium of such Centers, for the development of projects to solve new or emerging manufacturing problems.

Permits one or more themes for the competition to be identified, which may vary from year to year, depending on the needs of manufacturers and the success of previous competitions. Bars recipients of such grant awards from being required to provide a matching contribution.

(Sec. 204) Abolishes the Advanced Technology Program (ATP) and replaces it with the Technology Innovation Program (TIP), while continuing support originally awarded under ATP. Provides for TIP to assist U.S. businesses and institutions of higher education or other organizations, such as national laboratories and nonprofit research institutes, to accelerate the development and application of challenging, high-risk, high-reward technologies in areas of critical national need that promise widespread economic benefits for the nation.

Requires the Director to make grants to eligible companies for research and development on high-risk, high-reward emerging and enabling technologies (including any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use) that address critical national

needs and have a wide breadth of potential application, and form an important technical basis for future innovations. Specifies that such grants be made to: (1) eligible companies that are small or medium-sized businesses; or (2) joint ventures. Sets forth limitations on single company and joint venture grant amounts. Limits the federal share of a project to not more than half of total project costs.

Requires the Director, in carrying out TIP, as appropriate, to coordinate with other senior state and federal officials to ensure cooperation and coordination in state and federal technology programs and to avoid unnecessary duplication of efforts.

Establishes within NIST a Technology Innovation Program (TIP) Advisory Board. Requires such Board to provide to the Director: (1) advice on programs, plans, and policies of TIP; (2) reviews of TIP's efforts to assess its economic impact; (3) reports on the general health of the program and its effectiveness in achieving its legislatively mandated mission; (4) guidance on areas of technology that are appropriate for TIP funding; and (5) recommendations as to whether, in order to better assess whether specific innovations to be pursued are being adequately supported by the private sector, the Director could benefit from advice and information from additional industry and other experts sources without a proprietary or financial interest in proposals being evaluated.

Requires such Board to transmit annual reports to the Secretary for transmittal to Congress within 30 days after the submission to Congress of the President's annual budget request which shall address the status of TIP and comment on the relevant sections of the programmatic planning document and updates thereto transmitted to Congress by the Director.

Defines "high-risk, high-reward research" to mean research that: (1) has the potential for yielding results with far-ranging or wide-ranging implications; (2) addresses critical national needs related to technology and measurement standards; and (3) is too novel or spans too diverse a range of disciplines to fare well in the traditional peer review process.

(Sec. 205) Increases funding for research fellowships and other financial assistance to students at institutions of higher education within the United States and to U.S. citizens for research and technical activities on NIST programs.

(Sec. 206) Requires the Director to establish a manufacturing research pilot grants program to make awards to partnerships to foster cost-shared collaborations among firms, educational and research institutions, state agencies, and nonprofit organizations in the development of innovative, multidisciplinary manufacturing technologies. Requires such partnerships to include at least one manufacturing industry partner and one nonindustry partner.

Requires partnerships receiving awards to conduct applied research to develop new manufacturing processes, techniques, or materials that would contribute to improved performance, productivity, and competitiveness of U.S. manufacturing, and build lasting alliances among collaborators. Bars: (1) awards from providing for not more than one-third of the costs of a partnership; and (2) not more than an additional one-third of such costs from being obtained directly or indirectly from other federal sources.

Instructs the Director, in selecting applications, to ensure, a distribution of overall awards among a variety of manufacturing industry sectors and a range of firm sizes.

Requires the Director to run a single pilot competition to solicit and make awards. Limits each award to a 3-year period.

(Sec. 207) Requires the Director, in order to promote the development of a robust research community working at the leading edge of manufacturing sciences, to establish a program to award: (1) postdoctoral research fellowships at NIST

for research activities related to manufacturing sciences; and (2) senior research fellowships to establish researchers in industry or at institutions of higher education who wish to pursue studies related to the manufacturing sciences at NIST.

Requires the Director to provide stipends for post-doctoral research fellowships at a level consistent with the National Institute of Standards and Technology Post-doctoral Research Fellowship Program, and senior research fellowships at levels consistent with support for a faculty member in a sabbatical position.

(Sec. 208) Amends the National Institute of Standards and Technology Act to provide for the Visiting Committee on Advanced Technology to meet at least twice each year (currently at least quarterly) at the call of the chairman of the Committee or whenever one-third of the Committee's members so request in writing.

(Sec. 209) Directs NIST to provide for the establishment of a manufacturing research database to enable private sector individuals and federal officials to access a broad range of information on manufacturing research carried out with funding support from the federal government.

Requires the database to contain: (1) all publicly available information maintained by a federal agency relating to manufacturing research projects funded in whole or in part by the federal government; and (2) information about all federal programs that may be of interest to manufacturers.

Requires that the information contained in the database be accessible in a manner that enables users of the database to easily retrieve information of specific interest to them.

Allows NIST to authorize charging a nominal fee for using the database to access such information as necessary to recover the costs of maintaining the database.

Authorizes appropriations.

**Title III: Miscellaneous** - (Sec. 301) Amends the National Institute of Standards and Technology Act to double the number of fellows per fiscal year to be included in the post-doctoral fellowship program.

(Sec. 302) Amends such Act to add as a function of the Secretary and NIST, the authority to enter into contracts which include grants and cooperative agreements to further the purposes of NIST.

(Sec. 303) Prohibits the transfer of not more than one-quarter of 1% of the amounts appropriated to NIST for any fiscal year to the Working Capital Fund, in addition to any other transfer authority. Permits, in addition, transfer to such Fund of funds provided to NIST from other federal agencies for the production of standard reference materials.

(Sec. 304) Authorizes the Director to retain all building use and depreciation surcharge fees collected pursuant to OMB Circular A-25 (relating fees assessed for government services and for sale or use of government goods or resources). Requires such fees to be collected and credited to the construction of research facilities appropriation account for use in maintenance and repair of NIST's existing facilities.

(Sec. 305) Amends the National Institute of Standards and Technology Act to repeal the non-energy inventions program.

(Sec. 307) Repeals the Act of July 21, 1950 (relating to the legal units of electrical and photometric measurement in the United States and relating to the establishment of the values of the primary electric and photometric units in absolute measure and the legal values for these units).

(Sec. 309) Allows the Director, through September 30, 2010, to annually procure the temporary or intermittent services of

up to 200 experts or consultants to assist on urgent or short-term projects.

Directs the Comptroller General to report on whether additional safeguards would be needed with respect to the use of such authority if it were to be made permanent.

(Sec. 310) Amends the Stevenson-Wydler Technology Innovation Act of 1980 to revise the limitation on the number of Malcolm Baldrige National Quality Awards that may be made in any year by permitting not more than 18 awards to be made in any year to recipients who have not previously received such an award. Prohibits any award from being made within any category in which such an award may be given if there are no qualifying enterprises in that category.

## Actions Timeline

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- **May 6, 2008:** Hearing Held by Subcommittee on Technology and Innovation Prior to Introduction and Referral (February 15, 2007).
- **May 7, 2007:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **May 3, 2007:** Considered under the provisions of rule H. Res. 350. (consideration: CR H4452-4461)
- **May 3, 2007:** Rule provides for consideration of H.R. 1868 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill.
- **May 3, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 350 and Rule XVIII.
- **May 3, 2007:** The Speaker designated the Honorable Vic Snyder to act as Chairman of the Committee.
- **May 3, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1868.
- **May 3, 2007:** DEBATE - Pursuant to the provisions of H.Res. 350, the Committee of the Whole proceeded with 10 minutes of debate on the Wu/Gingrey amendment.
- **May 3, 2007:** DEBATE - Pursuant to the provisions of H.Res. 350, the Committee of the Whole proceeded with 10 minutes of debate on the Manzullo amendment.
- **May 3, 2007:** DEBATE - Pursuant to the provisions of H.Res. 350, the Committee of the Whole proceeded with 10 minutes of debate on the Boyda amendment.
- **May 3, 2007:** Mr. Wu moved that the Committee rise.
- **May 3, 2007:** On motion that the Committee rise Agreed to by voice vote.
- **May 3, 2007:** ORDER OF PROCEDURE - Mr. Wynn asked unanimous consent that during further consideration of H.R. 1868 in the Committee of the Whole pursuant to H.Res. 350, amendment numbered 2 may be offered out of order. Agreed to without objection.
- **May 3, 2007:** Committee of the Whole House on the state of the Union rises leaving H.R. 1868 as unfinished business.
- **May 3, 2007:** Considered as unfinished business. (consideration: CR H4461-4464)
- **May 3, 2007:** DEBATE - Pursuant to the provisions of H.Res. 350, the Committee of the Whole proceeded with 10 minutes of debate on the Wynn amendment.
- **May 3, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1868.
- **May 3, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR H4462)
- **May 3, 2007:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H4455-4459)
- **May 3, 2007:** Mr. English (PA) moved to recommit with instructions to Science and Technology. (consideration: CR H4462-4463; text: CR H4462)
- **May 3, 2007:** DEBATE - The House proceeded with 10 minutes of debate on the English motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to limit authorizations in any year following a year with an on-budget (excluding social security) deficit and an off-budget (social security) surplus.
- **May 3, 2007:** The previous question was ordered without objection. (consideration: CR H4462)
- **May 3, 2007:** On motion to recommit with instructions Failed by the Yeas and Nays: 190 - 216 (Roll no. 300).
- **May 3, 2007:** Passed/agreed to in House: On passage Passed by recorded vote: 385 - 23 (Roll no. 301).
- **May 3, 2007:** On passage Passed by recorded vote: 385 - 23 (Roll no. 301).
- **May 3, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **May 3, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1868.
- **May 2, 2007:** Rule H. Res. 350 passed House.
- **May 1, 2007:** Rules Committee Resolution H. Res. 350 Reported to House. Rule provides for consideration of H.R. 1868 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in

order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill.

- **Apr 30, 2007:** Reported (Amended) by the Committee on Science and Technology. H. Rept. 110-115.
- **Apr 30, 2007:** Placed on the Union Calendar, Calendar No. 69.
- **Apr 24, 2007:** Committee Consideration and Mark-up Session Held.
- **Apr 24, 2007:** Ordered to be Reported (Amended).
- **Apr 19, 2007:** Subcommittee Consideration and Mark-up Session Held.
- **Apr 19, 2007:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Apr 18, 2007:** Referred to the Subcommittee on Technology and Innovation.
- **Apr 17, 2007:** Introduced in House
- **Apr 17, 2007:** Referred to the House Committee on Science and Technology.