

## HR 5639

### National Institute of Standards and Technology Improvement Act of 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** House

**Policy Area:** Science, Technology, Communications

**Introduced:** Jul 6, 2016

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jul 12, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/house-bill/5639>

## Sponsor

**Name:** Rep. Moolenaar, John R. [R-MI-4]

**Party:** Republican • **State:** MI • **Chamber:** House

## Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Clark, Katherine M. [D-MA-5]	D · MA		Jul 6, 2016
Rep. Grayson, Alan [D-FL-9]	D · FL		Jul 6, 2016
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Jul 6, 2016
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Jul 6, 2016
Rep. Posey, Bill [R-FL-8]	R · FL		Jul 6, 2016
Rep. Smith, Lamar [R-TX-21]	R · TX		Jul 6, 2016
Rep. Tonko, Paul [D-NY-20]	D · NY		Jul 6, 2016
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Jul 7, 2016
Rep. Comstock, Barbara [R-VA-10]	R · VA		Jul 7, 2016
Rep. Esty, Elizabeth H. [D-CT-5]	D · CT		Jul 7, 2016

## Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Jul 12, 2016
Science, Space, and Technology Committee	House	Referred To	Jul 6, 2016

## Subjects & Policy Tags

**Policy Area:**

Science, Technology, Communications

## Related Bills

Bill	Relationship	Last Action
114 HR 1806	Related bill	May 21, 2015: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.

## **National Institute of Standards and Technology Improvement Act of 2016**

(Sec. 2) This bill amends the National Institute of Standards and Technology Act (NISTA) to authorize the National Institute of Standards and Technology (NIST) of the Department of Commerce to serve as the President's principal advisor on standards policy pertaining to technological competitiveness and innovation ability.

The NIST shall:

- facilitate standards-related information sharing and cooperation between federal agencies,
- participate in and support scientific and technical conferences, and
- perform pre-competitive measurement science and technology research with institutions of higher education and industry.

(Sec. 3) The bill revises the membership of the Visiting Committee on Advanced Technology from a maximum of 15 to a minimum of 11, requiring that at least two-thirds of them (currently 10) be from U.S. industry. The Committee may consult with the National Research Council (NRC) in making recommendations regarding general policy for NIST.

(Sec. 4) Commerce may undertake activities to give police protection to NIST buildings and other plant facilities, equipment, and property and persons located in them or associated with them.

(Sec. 5) The bill revises requirements for research fellowships.

The NIST may support, promote, and coordinate activities and efforts to enhance awareness and understanding of measurement sciences, standards, and technology.

The Post-Doctoral Fellowship Program shall include no fewer than 20 fellows per fiscal year (currently, no fewer than 20 nor more than 120 new fellows per fiscal year). The bill eliminates the separate manufacturing fellowship and teacher science and technology enhancement programs.

(Sec. 6) The three-year programmatic planning document for NIST shall describe how the NIST Director is addressing recommendations from the Visiting Committee on Advanced Technology.

(Sec. 7) The NIST shall contract with the National Academy of Sciences to review NIST laboratory programs.

The NIST shall contract with the NRC to assess the technical quality and impact of the work conducted at NIST laboratories. (Currently, NIST may contract with the NRC for advice and studies to serve industry and science.)

The NIST may contract with the NRC also to conduct additional assessments of NIST programs and projects that involve collaboration across NIST laboratories and centers and assessments of selected scientific and technical topics.

(Sec. 8) The bill revises requirements for the Hollings Manufacturing Extension Partnership and Hollings Manufacturing Extension Centers.

One objective of the Centers shall be the promotion and expansion of certification systems offered through industry, associations, and local colleges.

The bill eliminates from Center activities the making of selective, short-term loans of advanced manufacturing equipment

to small manufacturing firms with less than 100 employees.

Those activities shall instead include facilitation of collaborations and partnerships between small and medium-sized manufacturing companies and community colleges and area career and technical education schools to help: (1) the colleges and schools better understand the specific needs of manufacturers, and (2) manufacturers better understand the skill sets that students learn in the programs offered by those institutions.

The bill repeals the six-year limitation on financial support Commerce may give to any Center created under the Partnership.

Commerce shall implement, review, and update regulations related to the Partnership at least once every three years.

The bill revises cost-sharing requirements for the receipt by an applicant of financial assistance under the Partnership.

A Center must: (1) undergo an independent review in its eighth year of operation, and (2) be placed on probation for one year if the evaluation is not positive. If a Center, upon reevaluation, has not shown a significant improvement in its performance, the NIST shall conduct a new competition to select an operator for the Center; or, as an alternative, the Center may be closed.

The NIST shall: (1) transmit to Congress a plan for how it will conduct reviews, assessments, and reapplication competitions; and (2) contract with an independent organization to assess the implementation of the reapplication competition process required for any Center after 10 consecutive years of financial assistance.

The Freedom of Information Act shall apply to:

- confidential information obtained by the government on the business operation of any participant in a Partnership program or of a client of a Center, and
- trade secrets possessed by any client of a Center.

Each Center's advisory boards shall institute a conflict of interest policy that ensures representation of local small and medium-sized manufacturers in the Center's region. No board members shall serve or deliver services to the Center or serve on more than one Center's oversight board simultaneously.

The bill changes the membership of the Manufacturing Extension Partnership Advisory Board from a maximum to a minimum of 10, at least one of whom represents a community college.

Under the competitive grant program, the NIST shall select proposals that will promote the transfer and commercialization of research and technology from institutions of higher education, national laboratories, and nonprofit research institutes.

The bill eliminates the separate innovative services initiative to assist small- and medium-sized manufacturers.

(Sec. 9) The bill also eliminates the requirement for NIST, through the Technology Innovation Program (TIP), to continue providing support originally awarded under the Advanced Technology Program.

(Sec. 10) The Stevenson-Wydler Technology Innovation Act of 1980 is amended to repeal the limitation to 75% of the total program cost on the total amount of any grant or cooperative agreement to assist technology innovation activities under the Act.

(Sec. 11) In developing standards and guidelines for information systems, the NIST shall not consult with the Department of Defense and the National Security Agency in contravention of the NISTA requirement that it do so.

(Sec. 12) The bill expresses the sense of Congress concerning U.S.-Israeli cooperation with regard to basic scientific research.

The NIST should continue to facilitate scientific collaborations between Israel and the U.S. technical agencies working in measurement science and standardization.

## **Actions Timeline**

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- **Jul 12, 2016:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Jul 11, 2016:** Mr. Moolenaar moved to suspend the rules and pass the bill, as amended.
- **Jul 11, 2016:** Considered under suspension of the rules. (consideration: CR H4641-4645)
- **Jul 11, 2016:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5639.
- **Jul 11, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H4641-4644)
- **Jul 11, 2016:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4641-4644)
- **Jul 11, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 6, 2016:** Introduced in House
- **Jul 6, 2016:** Referred to the House Committee on Science, Space, and Technology.