

112TH CONGRESS
1ST SESSION

S. 1247

To develop and recruit new, high-value jobs to the United States, to encourage the repatriation of jobs that have been off-shored to other countries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2011

Mr. WARNER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To develop and recruit new, high-value jobs to the United States, to encourage the repatriation of jobs that have been off-shored to other countries, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “America Recruits Act of 2011”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Inbound investment program to recruit jobs to the United States.

- Sec. 4. United States Economic Competitiveness Commission.
- Sec. 5. Improvements to Federal efforts to support job creation in manufacturing and services sectors.
- Sec. 6. Utilization of industry-approved certification assessments and standards to improve education and training program performance.
- Sec. 7. Feasibility assessment for manufacturing capacity improvement partnership.
- Sec. 8. Surveys of United States corporations with manufacturing facilities or customer service centers located in foreign countries.
- Sec. 9. National Academy of Sciences recommendations for improving advanced manufacturing.
- Sec. 10. Assessment of distortive economic policies.
- Sec. 11. Limitation on Government printing costs.

1 **SEC. 2. FINDINGS.**

2 (a) IN GENERAL.—Congress finds the following:

3 (1) Between 1971 and 2011, the United States
4 share of manufacturing output as a percentage of
5 the world total has dropped by almost 10 percent,
6 with 50 percent of this decline occurring during the
7 last decade.

8 (2) Manufacturing has been a source of good
9 jobs and has historically provided wages and benefits
10 nine percent above the average for American work-
11 ers.

12 (3) The number of manufacturing sites in the
13 United States fell from 397,552 in 2001 to 344,352
14 by June 2010, leaving more than 50,000 factories
15 far below capacity or vacant.

16 (4) In 2010, the trade deficit of the United
17 States in manufactured products with advanced
18 technology was over \$81,000,000,000.

1 (5) The percentage of Americans working in
2 manufacturing fell from 12.5 percent in 1998 to 8.9
3 percent in 2008, and is expected to decline to 7.4
4 percent by 2018.

5 (6) United States service industries, including
6 information technology, financial services, profes-
7 sional and business services, transportation and lo-
8 gistics, utilities, and others employ more than
9 90,000,000 Americans and have enjoyed significant
10 growth over the last decade.

11 (7) The unemployment rate in the United
12 States has been greater than 8 percent since Janu-
13 ary 2009.

14 (8) Exports currently support more than $\frac{1}{3}$ of
15 United States manufacturing jobs and more than
16 \$500,000,000,000 in services exports. The earnings
17 of Americans who work for firms that export are
18 more than 15 percent higher than those of similar
19 workers at firms that do not export.

20 (9) Ninety-five percent of the world's con-
21 sumers of goods and services live outside the United
22 States.

23 (10) To create the next generation of high-value
24 jobs and to be competitive in the global marketplace,
25 we need to expand the capacity of the manufac-

1 turing and traded services sectors to support ex-
2 ports.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that Congress should—

5 (1) take action to help companies create new
6 manufacturing and services jobs in the United
7 States, including an inbound investment program
8 which would provide matching funds to States that
9 seek to recruit companies to locate in their State;

10 (2) encourage expedited consideration of export
11 financing for companies that are already working
12 with the Federal Government to increase their ex-
13 port capacity;

14 (3) ensure industry-approved certification as-
15 sessments and standards are established for pro-
16 viders of education and workforce training programs
17 in manufacturing and information technology;

18 (4) establish policies that enable lawmakers to
19 better understand the challenges facing American
20 manufacturing, including—

21 (A) metrics that measure the success of
22 onshoring and manufacturing-related programs;

23 (B) baseline and annual targets for high-
24 value job creation and job repatriation; and

1 (C) improvements to existing surveys of
2 companies with overseas facilities;

3 (5) establish an independent United States Eco-
4 nomic Competitiveness Commission to provide ongo-
5 ing assessments of the competitiveness of the United
6 States in key sectors;

7 (6) further exercise its oversight role by asking
8 the National Academy of Sciences to assess the ef-
9 fectiveness of Federal research and development
10 funding and programs that support advanced manu-
11 facturing; and

12 (7) call upon the independent United States
13 International Trade Commission and the Govern-
14 ment Accountability Office to contribute to a more
15 comprehensive understanding of distortive or dis-
16 criminatory economic policies in global markets in
17 order to better support and assist United States
18 companies.

19 **SEC. 3. INBOUND INVESTMENT PROGRAM TO RECRUIT**
20 **JOBS TO THE UNITED STATES.**

21 (a) PROGRAM REQUIRED.—Not later than 180 days
22 after the date of the enactment of this Act, the Secretary
23 of Commerce shall establish a program to award grants
24 to States that are recruiting high-value jobs. Grants
25 awarded under this section may be used to issue forgivable

1 loans to eligible entities that are deciding whether to locate
2 eligible facilities in foreign countries or in the United
3 States to assist such entities in locating such facilities in
4 rural or distressed areas.

5 (b) FEDERAL GRANTS TO STATES.—

6 (1) IN GENERAL.—The Secretary shall carry
7 out the program through the award of grants to
8 States to provide loans described in subsection (c).

9 (2) APPLICATION.—

10 (A) IN GENERAL.—A State seeking a
11 grant under the program shall submit an appli-
12 cation to the Secretary in such manner and
13 containing such information as the Secretary
14 may require. Once the program is operational,
15 any State may apply for a grant on an ongoing
16 basis, until funds are exhausted. The Secretary
17 may also establish a process for pre-clearing ap-
18 plications from States. The Secretary shall no-
19 tify all States of this grant opportunity once the
20 program is operational. All information about
21 the program and the State application process
22 must be online and must be in a format that
23 is easily understood and is widely accessible.

1 (B) ELEMENTS.—Each application sub-
2 mitted by a State under subparagraph (A) shall
3 include—

4 (i) a description of the eligible entity
5 the State proposes to assist in locating an
6 eligible facility in a rural or distressed area
7 of the State;

8 (ii) a description of such facility, in-
9 cluding the number of high-value jobs re-
10 lating to such facility;

11 (iii) a description of such rural or dis-
12 tressed area;

13 (iv) a description of the resources of
14 the State that the State has committed to
15 assisting such corporation in locating such
16 facility, including tax incentives provided,
17 bonding authority exercised, and land
18 granted; and

19 (v) such other elements as the Sec-
20 retary considers appropriate.

21 (C) NOTICE.—As soon as practicable after
22 establishing the program under subsection (a),
23 the Secretary shall notify all States of the
24 grants available under the program and the
25 process for applying for such grants.

1 (D) ONLINE SUBMISSION OF APPLICA-
2 TIONS.—The Secretary shall establish a mecha-
3 nism for the electronic submission of applica-
4 tions under subparagraph (A). Such mechanism
5 shall utilize an Internet website and all infor-
6 mation on such website shall be in a format
7 that is easily understood and widely accessible.

8 (E) CONFIDENTIALITY.—The Secretary
9 may not make public any information submitted
10 by a State to the Secretary under this para-
11 graph regarding the efforts of such State to as-
12 sist an eligible entity in locating an eligible fa-
13 cility in such State without the express consent
14 of the State.

15 (3) SELECTION.—The Secretary shall award
16 grants under the program on a competitive basis to
17 States that—

18 (A) the Secretary determines are most
19 likely to succeed with a grant under the pro-
20 gram in assisting an eligible entity in locating
21 an eligible facility in a rural or distressed area;

22 (B) if successful in assisting an eligible en-
23 tity as described in subparagraph (A), will cre-
24 ate the greatest number of high-value jobs in
25 rural or distressed areas;

1 (C) have committed significant resources,
2 to the extent of their ability as determined by
3 the Secretary, to assisting eligible entities in lo-
4 cating eligible facilities in a rural or distressed
5 areas; or

6 (D) meet such other criteria as the Sec-
7 retary considers appropriate, including criteria
8 relating to marketing plans, benefits to ongoing
9 regional or State strategies for economic devel-
10 opment, and job growth.

11 (4) LIMITATION ON COMPETITION BETWEEN
12 STATES.—The Secretary may not award a grant to
13 a State under the program to assist an eligible enti-
14 ty in locating an eligible facility in such State if an-
15 other State is seeking to assist such eligible entity
16 in locating such eligible facility in such other State.

17 (5) AVAILABILITY OF GRANT AMOUNTS.—For
18 each grant awarded to a State under the program,
19 the Secretary shall make available to such State the
20 amount of such grant not later than 30 days after
21 the date on which the Secretary awarded the grant.
22 The total amount of grants awarded under this pro-
23 gram may not exceed \$100,000,000.

24 (c) LOANS FROM STATES TO CORPORATIONS.—

1 (1) IN GENERAL.—Amounts received by a State
2 under the program shall be used to provide assist-
3 ance to an eligible entity to locate an eligible facility
4 in a rural or distressed area of the State.

5 (2) LOANS.—A State receiving a grant under
6 the program shall provide assistance under para-
7 graph (1) in the form of a single loan to a single
8 eligible entity as described in paragraph (1) to cover
9 the costs incurred by the eligible entity in locating
10 the eligible facility as described in such paragraph.

11 (3) LOAN TERMS AND CONDITIONS.—Each loan
12 provided under paragraph (2) shall have a term of
13 5 years and shall bear interest at rates equal to the
14 Federal long-term rate under section 1274(d)(1)(C)
15 of the Internal Revenue Code of 1986.

16 (4) AMOUNT.—The amount of a loan issued to
17 an eligible entity under the program for the location
18 of an eligible facility shall be an amount equal to not
19 more than \$5,000 per full-time equivalent employee
20 to be employed at such facility.

21 (5) REPAYMENT.—Repayment of a loan issued
22 by a State to an eligible entity under the program
23 shall be repaid in accordance with such schedule as
24 the State shall establish in accordance with such
25 rules as the Secretary shall prescribe for purposes of

1 the program. Such rules shall provide for the fol-
2 lowing:

3 (A) Forgiveness of all or a portion of the
4 loan, the amount of such forgiveness depending
5 upon the following:

6 (i) The performance of the borrower.

7 (ii) The number or quality of the jobs
8 at the facility located under the program.

9 (B) Repayment of principal or interest, if
10 any, at the end of the term of the loan.

11 (d) EXISTING OFFICE.—To the degree practicable,
12 the Secretary shall carry out the program through an of-
13 fice of the Department of Commerce that existed on the
14 day before the date of the enactment of this Act.

15 (e) ASSESSMENT AND RECOMMENDATIONS.—

16 (1) ONGOING ASSESSMENT.—The Secretary
17 shall conduct an ongoing assessment of the program.

18 (2) RECOMMENDATIONS.—The Secretary may
19 submit to Congress recommendations for such legis-
20 lative action as the Secretary considers appropriate
21 to improve the program, including with respect to
22 any findings of the Secretary derived by comparing
23 the program established under subsection (a) with
24 the programs and policies of governments of other
25 countries used to recruit high-value jobs.

1 (f) DEFINITIONS.—In this section:

2 (1) DISTRESSED.—The term “distressed”, with
3 respect to an area, means an area in the United
4 States that, on the date on which the program is es-
5 tablished under subsection (a)—

6 (A) is included in the most recent classi-
7 fication of labor surplus areas by the Secretary
8 of Labor; and

9 (B) has an unemployment rate equal to or
10 great than 110 percent of the unemployment
11 rate of the United States.

12 (2) ELIGIBLE ENTITY.—The term “eligible enti-
13 ty” means an entity that employs not fewer than 50
14 full-time equivalent employees in high-value jobs.

15 (3) ELIGIBLE FACILITY.—The term “eligible fa-
16 cility” means a facility at which—

17 (A) an eligible entity employs not fewer
18 than 50 full-time equivalent employees in high-
19 value jobs;

20 (B) with respect to a rural or distressed
21 area, the mean of the wages provided by the eli-
22 gible entity to individuals employed at such fa-
23 cility is greater than the mean wage for the
24 county in which the rural or distressed area is
25 located; and

1 (C) forms part of a manufacturing supply
2 chain by deriving at least the majority of its
3 revenues from—

4 (i) goods production; or

5 (ii) providing product design, engi-
6 neering, marketing, or information tech-
7 nology services to manufacturers.

8 (4) HIGH-VALUE JOB DEFINED.—The term
9 “high-value job” means a job that—

10 (A) exists within an eligible facility;

11 (B) contributes to the value of a manufac-
12 tured product; and

13 (C) has a North American Industrial Clas-
14 sification that corresponds with manufacturing,
15 software publishers, computer systems design,
16 or related codes, and is higher than the mean
17 hourly wage in the country.

18 (5) RURAL.—The term “rural”, with respect to
19 an area, means any area in the United States which,
20 as confirmed by the latest decennial census, is not
21 located within—

22 (A) a city, town, or incorporated area that
23 has a population of greater than 20,000 inhab-
24 itants; or

1 (B) an urbanized area contiguous and ad-
2 jacent to a city or town that has a population
3 of greater than 50,000 inhabitants.

4 **SEC. 4. UNITED STATES ECONOMIC COMPETITIVENESS**
5 **COMMISSION.**

6 (a) **ESTABLISHMENT.**—There is established a com-
7 mission to be known as the “United States Economic
8 Competitiveness Commission” (referred to in this section
9 as the “Commission”).

10 (b) **MEMBERSHIP.**—

11 (1) **COMPOSITION.**—The Commission shall be
12 composed of 12 members appointed as follows:

13 (A) Three members appointed by the ma-
14 jority leader of the Senate.

15 (B) Three members appointed by the mi-
16 nority leader of the Senate.

17 (C) Three members appointed by the
18 Speaker of the House of Representatives.

19 (D) Three members appointed by the mi-
20 nority leader of the House of Representatives.

21 (2) **DEADLINE FOR APPOINTMENT.**—Each
22 member of the Commission shall be appointed not
23 later than 180 days after the date of the enactment
24 of this Act.

1 (3) TERMS.—Each member of the Commission
2 shall be appointed for a term of 2 years and may
3 serve not more than 3 terms.

4 (4) VACANCIES.—Any vacancy in the Commis-
5 sion shall not affect its powers, but shall be filled in
6 the same manner in which the original appointment
7 was made.

8 (5) MEETINGS.—The Commission shall meet at
9 least once each month at the call of the chairperson
10 or a majority of its members. The Commission shall
11 hold at least 1 meeting in corporation in each of 6
12 months per year.

13 (6) QUORUM.—Eight members of the Commis-
14 sion shall constitute a quorum, except that if a ma-
15 jority of members in the quorum have been ap-
16 pointed by a leader of the same political party, the
17 quorum shall include not fewer than 3 members ap-
18 pointed by a leader of the other political party.

19 (7) CHAIRPERSON AND VICE CHAIRPERSON.—
20 The Commission shall elect a chairperson and vice
21 chairperson from among its members. The term of
22 office of the chairperson and vice chairperson shall
23 be 2 years.

24 (c) DUTIES.—

1 (1) ONGOING ASSESSMENT OF UNITED STATES
2 COMPETITIVENESS.—

3 (A) ASSESSMENT REQUIRED.—The Com-
4 mission shall conduct an ongoing independent
5 assessment of the competitiveness of the United
6 States in the global economy in order to offer
7 recommendations to the Government for the im-
8 provement of United States competitiveness
9 over time.

10 (B) ELEMENTS.—In carrying out the as-
11 sessment required by subparagraph (A), the
12 Commission shall, on an ongoing basis—

13 (i) assess the competitiveness of the
14 United States in all sectors of the global
15 economy, including sectors relating to
16 manufacturing, aerospace, communica-
17 tions, information technology, energy, life
18 sciences, biotechnology, and such other sec-
19 tors as the Commission considers appro-
20 priate;

21 (ii) identify, including through use of
22 the Technology Database Mapping Pro-
23 gram developed under paragraph (2)—

24 (I) markets (including antici-
25 pated markets) for new and devel-

1 oping technologies in each sector of
2 the global economy; and

3 (II) new and developing process
4 technologies, including manufacturing
5 process technologies that can be used
6 by United States corporations to gain
7 a competitive advantage in such sec-
8 tors of the global economy; and

9 (iii) identify measures to take advan-
10 tage of the markets and technologies iden-
11 tified under subclauses (I) and (II) of
12 clause (ii), respectively, to give the United
13 States a competitive advantage in such sec-
14 tors of the global economy, including, as
15 appropriate, measures to encourage and fa-
16 cilitate the development, acquisition, and
17 use of technologies described in such sub-
18 clauses.

19 (2) TECHNOLOGY DATABASE MAPPING PRO-
20 GRAM.—The Commission shall develop a detailed,
21 accurate, and comprehensive computer program
22 database, to be known as the “Technology Database
23 Mapping Program”, to identify and keep track of
24 new and developing technologies described in sub-
25 clauses (I) and (II) of paragraph (1)(B)(ii).

1 (3) REPOSITORY.—The Commission shall serve
2 as an independent repository for information about
3 technological developments in global markets.

4 (4) REPORTS.—

5 (A) PERIODIC REPORTS.—The Commission
6 shall submit to Congress, at such periodic fre-
7 quency as the Commission considers appro-
8 priate, a report on the competitiveness of the
9 United States in the global economy.

10 (B) ELEMENTS.—Each report submitted
11 pursuant to subparagraph (A) shall include the
12 following:

13 (i) The findings of the Commission
14 with respect to the most recent assessment
15 carried out pursuant to clause (i) of para-
16 graph (1)(B).

17 (ii) A description of the markets and
18 technologies identified pursuant to clause
19 (ii) of such paragraph.

20 (iii) A description of the measures
21 identified pursuant to clause (iii) of such
22 paragraph and any factors affecting the
23 implementation of such measures, includ-
24 ing factors relating to the following:

1 (I) Proposed trade agreements
2 and the enforcement of existing trade
3 agreements.

4 (II) Taxation.

5 (III) Government procurement
6 and Government regulations.

7 (IV) The United States patent
8 system.

9 (V) Intellectual property laws
10 and the enforcement of such laws.

11 (VI) Education, including voca-
12 tional training.

13 (VII) Research and development
14 programs.

15 (VIII) Infrastructure develop-
16 ment, with emphasis on improvements
17 necessary to attract new jobs.

18 (iv) Recommendations for national
19 priorities for advanced research projects
20 for industries of the future.

21 (C) AD HOC REPORTS.—The Commission
22 shall submit to Congress such other reports as
23 are requested by members of Congress or con-
24 gressional committees.

25 (d) POWERS OF COMMISSION.—

1 (1) HEARINGS AND EVIDENCE.—The Commis-
2 sion may hold such hearings, sit and act at such
3 times and places, take such testimony, and receive
4 such evidence as the Commission considers advisable
5 to carry out this section. The Commission may ad-
6 minister oaths or affirmations to witnesses appear-
7 ing before it.

8 (2) POWERS OF MEMBERS AND AGENTS.—Any
9 member or agent of the Commission may, if author-
10 ized by the Commission, take any action which the
11 Commission is authorized to take under this section.

12 (3) INFORMATION FROM FEDERAL AGENCIES.—
13 The Commission may secure directly from any Fed-
14 eral department or agency such information as the
15 Commission considers necessary to enable it to carry
16 out this section. Upon request of the chairperson of
17 the Commission, the head of such department or
18 agency shall, to the extent authorized by law, fur-
19 nish such information to the Commission.

20 (4) POSTAL SERVICES.—The Commission may
21 use the United States mails in the same manner and
22 under the same conditions as other departments and
23 agencies of the Federal Government.

24 (5) GIFTS, BEQUESTS, AND DEVISES.—The
25 Commission may accept, use, and dispose of gifts,

1 bequests, or devises of services or property, both real
2 and personal, for the purpose of aiding or facili-
3 tating the work of the Commission. Gifts, bequests,
4 or devises of money and proceeds from sales of other
5 property received as gifts, bequests, or devises shall
6 be deposited in the Treasury of the United States
7 and shall be available for disbursement upon order
8 of the chairperson of the Commission.

9 (6) ADMINISTRATIVE SUPPORT SERVICES.—
10 Upon the request of the Commission, the Adminis-
11 trator of the General Services Administration shall
12 provide to the Commission, on a reimbursable basis,
13 the administrative support services necessary for the
14 Commission to carry out its responsibilities under
15 this section.

16 (7) CONTRACT AUTHORITY.—To the extent or
17 in the amounts provided in advance in appropriation
18 Acts, the Commission may contract with and com-
19 pensate government and private agencies or corpora-
20 tions to enable the Commission to discharge its du-
21 ties under this section.

22 (e) COMMISSION PERSONNEL MATTERS.—

23 (1) SERVICE WITHOUT PAY.—The members of
24 the Commission shall serve without pay.

1 (2) TRAVEL EXPENSES.—Each member shall
2 receive travel expenses, including per diem in lieu of
3 subsistence, in accordance with applicable provisions
4 under subchapter I of chapter 57 of title 5, United
5 State Code.

6 (3) STAFF.—

7 (A) DIRECTOR.—

8 (i) IN GENERAL.—Subject to subpara-
9 graph (C) and to the extent provided in
10 advance in appropriation Acts, the Com-
11 mission shall appoint and fix the com-
12 pensation of a director.

13 (ii) DUTIES.—The director of the
14 Commission shall be responsible for the ad-
15 ministration and coordination of the duties
16 of the Commission and shall perform such
17 other duties as the Commission may direct.

18 (B) STAFF.—In accordance with rules
19 agreed upon by the Commission, subject to sub-
20 paragraph (C), and to the extent provided in
21 advance in appropriation Acts, the director may
22 appoint and fix the compensation of such addi-
23 tional personnel as may be necessary to enable
24 the Commission to carry out its duties.

1 (C) APPLICABILITY OF CERTAIN CIVIL
2 SERVICE LAWS.—The director and staff of the
3 Commission may be appointed without regard
4 to the provisions of title 5, United States Code,
5 governing appointments in the competitive serv-
6 ice and may be compensated without regard to
7 the provisions of chapter 51 and subchapter III
8 of chapter 53 of such title relating to classifica-
9 tion and General Schedule pay rates, except
10 that—

11 (i) compensation fixed under subpara-
12 graph (A)(i) may not exceed \$150,000 per
13 year; and

14 (ii) compensation fixed under sub-
15 paragraph (B) may not exceed a rate equal
16 to the daily equivalent of the annual rate
17 of basic pay for level V of the Executive
18 States Code.

19 (4) EXPERTS AND CONSULTANTS.—In accord-
20 ance with rules agreed upon by the Commission and
21 to the extent provided in advance in appropriation
22 Acts, the director may procure the services of ex-
23 perts and consultants under section 3109(b) of title
24 5, United States Code, but at rates for individuals
25 not to exceed the daily equivalent of the annual rate

1 of basic pay for level V of the Executive Schedule
2 under section 5316 of such title.

3 (5) **DETAIL OF GOVERNMENT EMPLOYEES.**—
4 Upon request of the Commission, the head of any
5 Federal department or agency may detail, without
6 reimbursement from the Commission, any of the
7 personnel of that department or agency to the Com-
8 mission to assist it in carrying out its duties under
9 this section. Such detailee shall retain the rights,
10 status, and privileges of their regular employment
11 without interruption.

12 (f) **TERMINATION.**—The authority for the Commis-
13 sion provided in this section shall terminate and the Com-
14 mission shall be dissolved on September 30, 2016.

15 (g) **AUTHORIZATION OF APPROPRIATIONS.**—There is
16 authorized to be appropriated to carry out this section
17 \$1,000,000 for each of the fiscal years 2012 through
18 2016.

19 **SEC. 5. IMPROVEMENTS TO FEDERAL EFFORTS TO SUP-**
20 **PORT JOB CREATION IN MANUFACTURING**
21 **AND SERVICES SECTORS.**

22 (a) **BASELINE AND ANNUAL TARGETS.**—Each year,
23 the Secretary of Commerce shall establish a baseline and
24 target levels for—

1 (1) high-value job creation and high-value job
2 growth in United States manufacturing and infor-
3 mation technology; and

4 (2) repatriating high-value jobs to the United
5 States.

6 (b) RECOMMENDATIONS TO ENCOURAGE REPATRI-
7 ATION OF HIGH-VALUE JOBS.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Sec-
10 retary of Commerce shall, in consultation with rel-
11 evant Federal agencies, develop recommendations for
12 such executive or legislative action as the Secretary
13 considers appropriate—

14 (A) to expand the scope of high-value jobs
15 performed by companies in the United States in
16 order to create new jobs in the United States,
17 including efforts—

18 (i) to serve the United States domes-
19 tic market;

20 (ii) to increase exports from the
21 United States to overseas; and

22 (iii) to identify and support develop-
23 ments in emerging sectors;

24 (B) to expand the scope of engineering
25 work performed by companies in the United

1 States in order to create new jobs in the United
2 States, including efforts described in subpara-
3 graph (A);

4 (C) to assess—

5 (i) the effectiveness of current laws on
6 companies based in the United States in
7 terms of the effect on marginal decisions
8 on where to locate capacity expansions;
9 and

10 (ii) if United States domestic or glob-
11 al growth occurs, how can legislation facili-
12 tate United States-based companies ex-
13 panding their United States-based manu-
14 facturing, not solely their foreign-based
15 manufacturing operations; and

16 (D) to encourage United States corpora-
17 tions with production or services located in a
18 foreign country to repatriate such production or
19 services to the United States, including foreign
20 earnings, for the purpose of increasing invest-
21 ment and job creation in the United States.

22 (2) ELEMENTS.—The recommendations re-
23 quired by paragraph (1) shall include the following:

24 (A) An assessment of the effectiveness of
25 current law in encouraging the repatriation of

1 foreign earnings to the United States and in in-
2 vesting foreign earnings in the United States,
3 including an estimate of the loss of revenue to
4 the United States from any existing policies.

5 (B) An assessment of the feasibility and
6 advisability of additional legislative action to
7 encourage the repatriation of manufacturing
8 production or services to the United States.

9 (C) An estimate of the potential impacts of
10 the legislative action described in subparagraph
11 (B).

12 (D) Development of recommendations re-
13 garding legislative action described in subpara-
14 graph (B).

15 (3) REPORT.—

16 (A) IN GENERAL.—Not later than 180
17 days after the date of the enactment of this
18 Act, the Secretary of Commerce shall submit to
19 Congress the recommendations required by
20 paragraph (1).

21 (B) PUBLICATION.—Upon submission of
22 the report pursuant to subparagraph (A), the
23 Secretary shall make such report available to
24 the public.

1 (c) ESTABLISHMENT OF REPATRIATION TASK
2 FORCES.—

3 (1) ESTABLISHMENT.—The Secretary of Com-
4 merce may establish such task forces as the Sec-
5 retary considers necessary to meet the baseline and
6 target levels established under subsection (a) and, to
7 the extent possible, implement the recommendations
8 issued under subsection (b).

9 (2) COOPERATION.—To the degree practicable,
10 each task force established pursuant to paragraph
11 (1) shall cooperate with—

12 (A) the President’s Council on Innovation
13 and Competitiveness in the development of the
14 agenda required by section 1006(d)(1) of the
15 America COMPETES Act (15 U.S.C.
16 3718(d)(1)); and

17 (B) other relevant efforts to improve
18 United States competitiveness.

19 (3) MEMBERSHIP.—Each task force established
20 pursuant to paragraph (1) shall be composed of
21 members appointed by the Secretary as follows:

22 (A) At least 1 representative of each of the
23 following:

24 (i) The Office of the Secretary of
25 Commerce.

1 (ii) The Economic Development Ad-
2 ministration.

3 (iii) The International Trade Adminis-
4 tration.

5 (iv) The United States Patent and
6 Trademark Office.

7 (v) The National Institute of Stand-
8 ards and Technology.

9 (vi) The Bureau of Industry and Se-
10 curity.

11 (B) Not fewer than 3 representatives of
12 the private sector, including different industries
13 representing the manufacturing sector, as the
14 Secretary considers appropriate.

15 (4) DUTIES.—Each task force established pur-
16 suant to paragraph (1) shall—

17 (A) identify United States corporations
18 with production or services located in a foreign
19 country that are interested in repatriating
20 goods or services production to the United
21 States;

22 (B) identify the unique needs of each cor-
23 poration described in subparagraph (A) that are
24 necessary to facilitate repatriation;

1 (C) advise and assist corporations de-
2 scribed in subparagraph (A) and State and
3 local governments to promote and facilitate re-
4 patriation opportunities;

5 (D) act as an impartial advocate for all
6 State and local governments choosing to com-
7 pete for facilities or jobs being repatriated;

8 (E) to the maximum extent practicable,
9 work with Federal agencies to provide the tech-
10 nical assistance necessary to corporations de-
11 scribed in subparagraph (A) and State and
12 local governments to facilitate the repatriation
13 of facilities or jobs to the United States;

14 (F) educate corporations described in sub-
15 paragraph (A) and State and local governments
16 on—

17 (i) each task force established pursu-
18 ant to paragraph (1); and

19 (ii) all Federal assistance available to
20 facilitate repatriation of facilities and jobs
21 relating to the manufacturing and informa-
22 tion technology sectors;

23 (G) identify Federal policies and regula-
24 tions that—

1 (i) encourage the offshoring of United
2 States manufacturing and information
3 technology jobs or facilities; or

4 (ii) that discourage repatriation of
5 such jobs or facilities; and

6 (H) work closely with the President and
7 relevant agencies to change the policies and reg-
8 ulations identified pursuant to subparagraph
9 (G) to discourage offshoring of United States
10 manufacturing and traded services and to en-
11 courage the repatriation of manufacturing and
12 services.

13 (d) NONDUPLICATION OF EFFORTS.—In carrying out
14 the requirements of this section, the Secretary shall, to
15 the degree practicable, coordinate with any existing efforts
16 to improve the competitiveness of the United States in the
17 global economy and to strengthen the manufacturing and
18 information technology-related sectors of the United
19 States.

20 (e) HIGH-VALUE JOB DEFINED.—In this section, the
21 term “high-value job” has the meaning given the term in
22 section 3(f).

1 **SEC. 6. UTILIZATION OF INDUSTRY-APPROVED CERTIFI-**
2 **CATION ASSESSMENTS AND STANDARDS TO**
3 **IMPROVE EDUCATION AND TRAINING PRO-**
4 **GRAM PERFORMANCE.**

5 (a) IN GENERAL.—The Secretary of Commerce, in
6 cooperation with the Secretary of Labor, the Secretary of
7 Education, and the heads of other relevant Federal agen-
8 cies and industry partners, shall take such actions as may
9 be necessary to ensure that industry-approved certification
10 assessments and standards are established and available
11 to providers of education and training programs in manu-
12 facturing and information technology not later than 2
13 years after the date of the enactment of this Act in order
14 to improve the performance of training programs and to
15 ensure that individuals who complete such training have
16 the skills necessary to enter high-skill, high-demand occu-
17 pations in manufacturing and information technology.

18 (b) ACTIVITIES.—To ensure that education and
19 training providers have access to industry-approved certifi-
20 cation assessments and standards pursuant to subsection
21 (a), the Secretary of Commerce shall—

22 (1) create an initial list of high-skill, high-de-
23 mand manufacturing and information technology oc-
24 cupations where academically accredited degrees are
25 not required for job entrance;

1 (2) catalogue existing current, industry-ap-
2 proved training and education program standards
3 that have accompanying objective certification as-
4 sessments, which may be the products of Federal
5 agencies, State agencies, local workforce investment
6 boards, community and technical colleges, appren-
7 ticeships, industry associations, or localized industry
8 formations within or across States or education or-
9 ganizations, or any other institution the Secretary
10 considers appropriate;

11 (3) identify industry-approved training and edu-
12 cation program standards that do not have a certifi-
13 cation assessment to measure the competency of
14 those completing training, and where such assess-
15 ments do not exist, work with relevant Federal agen-
16 cies, State agencies, education and training organi-
17 zations, and representatives of affected industries
18 and industry-approved skills standards accrediting
19 bodies to create objective certification assessments
20 for industries that have substantial current or future
21 employment, as determined by the Secretary;

22 (4) identify training and education programs
23 that do not implement industry-approved standards
24 and accompanying certification assessments, and
25 where neither standards nor assessments exist, work

1 with relevant Federal agencies, State agencies, edu-
2 cation and training organizations, and representa-
3 tives of the affected industries and industry-ap-
4 proved skills standards accrediting bodies to create
5 industry-recognized standards and objective certifi-
6 cation assessments for industries that have substan-
7 tial current or future employment, as determined by
8 the Secretary;

9 (5) include within the catalogue required by
10 paragraph (2) any training or education program
11 standards or certification assessments created under
12 paragraph (3) or (4); and

13 (6) not less frequently than once every 3 years,
14 review the catalogue required by paragraph (2) to
15 ensure training and education programs and accom-
16 panying certification assessments are current and
17 continue to have industry-approval, and in any case
18 in which training and education programs have lost
19 industry-approval, work with the effected industries,
20 related Federal agencies, and education and training
21 organizations—

22 (A) to identify existing standards and as-
23 sessments that are appropriate; or

24 (B) to create them.

25 (c) PERFORMANCE EVALUATIONS.—

1 (1) IN GENERAL.—The Secretary shall evaluate
2 the assessments and standards described in sub-
3 section (a) by assessing—

4 (A) how accurately the assessments de-
5 scribed in such subsection measure the com-
6 petency of workers who have completed edu-
7 cation and training programs described in such
8 subsection; and

9 (B) the satisfaction of manufacturing and
10 information technology companies with the
11 quality of such assessments and standards.

12 (2) COLLECTION OF DATA.—In evaluating as-
13 sessments and standards under paragraph (1), the
14 Secretary shall work with relevant agencies and in-
15 dustry organizations to collect the following data:

16 (A) The number of students taking each
17 occupational assessment annually.

18 (B) The number of students demonstrating
19 competency on each assessment on the first,
20 second, or third attempt, annually.

21 (C) The number of assessed students em-
22 ployed in the occupation for which they were
23 trained.

24 (3) ANNUAL SURVEY.—Not less frequently than
25 once each year, the Secretary shall carry out a sur-

1 vey, through an existing annual industry survey if
2 practicable, of a sample of manufacturing and infor-
3 mation technology firms to assess—

4 (A) satisfaction with the assessments and
5 standards described in subsection (a); and

6 (B) labor shortages by each high-skill,
7 high-demand occupation.

8 (4) PUBLICATION OF RESULTS.—Not less fre-
9 quently than once each year, the Secretary shall
10 publish the results of the evaluations carried out
11 under paragraph (1) and the surveys carried out
12 under paragraph (3). In publishing such results, the
13 Secretary shall disaggregate data by State and
14 where possible by county, State and local workforce
15 investment board, and training or education pro-
16 vider.

17 (d) SEAL.—In carrying out subsection (a), the Sec-
18 retary shall establish a Department of Commerce Certifi-
19 cation of Excellence that the Secretary shall make avail-
20 able to education and training providers that use the as-
21 sessments and standards described in such subsection and
22 who show strong evidence of success in placing students
23 in the occupations for which they were trained. If the Sec-
24 retary establishes a seal or indicator under this subsection,

1 the Secretary shall establish a process for revocation of
2 the seal if the quality of the assessment is not maintained.

3 (e) INNOVATION AWARDS.—In carrying out this sec-
4 tion, the Secretary may collaborate with relevant Federal
5 agencies to issue awards to providers of training and edu-
6 cation programs described in subsection (a) to encourage
7 innovative and promising practices for the purpose of de-
8 veloping, improving, and implementing the most successful
9 methods for addressing the education and training needs
10 of participants in career and technical education pro-
11 grams, including through existing programs at such agen-
12 cies.

13 **SEC. 7. FEASIBILITY ASSESSMENT FOR MANUFACTURING**
14 **CAPACITY IMPROVEMENT PARTNERSHIP.**

15 (a) ASSESSMENT AND EVALUATION.—Not later than
16 1 year after the date of the enactment of this Act, the
17 Secretary of Commerce, in consultation with the President
18 of the Export-Import Bank of the United States, shall—

19 (1) assess the feasibility and advisability of cre-
20 ating a partnership to improve the manufacturing
21 capacity of the United States; and

22 (2) evaluate options for integration of global
23 business development activities of United States
24 companies into existing Federal programs that facili-

1 tate participation by United States businesses in the
2 global marketplace.

3 (b) REPORT.—The Secretary of Commerce shall sub-
4 mit a report to the Committee on Commerce, Science, and
5 Transportation of the Senate that contains the results of
6 the assessment and evaluation carried out under sub-
7 section (a).

8 **SEC. 8. SURVEYS OF UNITED STATES CORPORATIONS WITH**
9 **MANUFACTURING FACILITIES OR CUSTOMER**
10 **SERVICE CENTERS LOCATED IN FOREIGN**
11 **COUNTRIES.**

12 (a) IMPROVEMENTS TO SURVEYS CARRIED OUT BY
13 BUREAU OF ECONOMIC ANALYSIS.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of the enactment of this Act, the Secretary
16 of Commerce, in cooperation with other Federal
17 agencies, shall improve existing annual surveys and
18 5-year benchmark surveys conducted by the Bureau
19 of Economic Analysis to gather information about
20 all companies in the United States that own or oper-
21 ate manufacturing or information technology facili-
22 ties, including customer service facilities outside of
23 the United States, to identify—

24 (A) the dollar value of products manufac-
25 tured or information technology provided at

1 such facilities by category and by type of prod-
2 uct or service;

3 (B) the total employment at such facilities,
4 disaggregated by type of activity or occupation,
5 including the number of full-time employees,
6 part-time employees, contractors, and any other
7 personnel not included on payroll which con-
8 tribute to such facility;

9 (C) information relevant to geolocate such
10 facilities within the supply chain; and

11 (D) such other information as the Sec-
12 retary considers may assist in the development
13 of such surveys.

14 (2) STANDARDIZATION.—

15 (A) IN GENERAL.—In improving surveys
16 as required by paragraph (1), the Secretary
17 shall establish a policy to ensure that the find-
18 ings of the Secretary with respect to each such
19 survey, across all types of companies, use
20 standardized data elements, models, and out-
21 come-based analysis in a manner that assists
22 the Federal Government in better tracking data
23 gathered by the surveys described in such para-
24 graph.

1 (B) NORTH AMERICAN INDUSTRY CLASSI-
2 FICATION SYSTEM.—The policy established
3 under subparagraph (A) may include require-
4 ments for the use of the North American Indus-
5 try Classification System and related product
6 classification systems developed by the Bureau
7 of the Census.

8 (3) COORDINATION.—The Secretary shall re-
9 quire the Director of the Bureau of Economic Anal-
10 ysis, the Director of the Bureau of the Census, the
11 Director of the Bureau of Labor Statistics, and such
12 other heads of bureaus, offices, and agencies of the
13 Department of Commerce and other Federal agen-
14 cies that are responsible for collecting and analyzing
15 data relevant to the surveys described in paragraph
16 (1) to share aggregate-level data with each entity
17 collecting data in support of the survey or as part
18 of the surveys described in paragraph (1).

19 (4) USE OF TECHNOLOGY FOR MORE EFFI-
20 CIENT DATA COLLECTION.—To the degree prac-
21 ticable, the Secretary shall use technology to in-
22 crease the efficiency of data collected for the surveys
23 described in paragraph (1).

1 (b) DATABASE.—The Secretary shall make available
2 all of the aggregate-level data generated through the sur-
3 veys described in subsection (a)(1) to—

4 (1) the Data.gov Internet website, or any suc-
5 cessor Federal Internet website that centralizes Gov-
6 ernment-wide data and statistics or seeks to improve
7 the performance of the Federal Government; and

8 (2) the Internet website of the Department of
9 Commerce.

10 (c) REPORTS.—

11 (1) FINDINGS AND ANALYSIS.—The Secretary
12 shall submit to Congress the findings and analysis of
13 the Secretary with respect to the surveys improved
14 under subsection (a) along with other reports the
15 Secretary is otherwise required to submit to Con-
16 gress.

17 (2) RECOMMENDATIONS.—As soon as prac-
18 ticable after the date of the enactment of this Act,
19 the Secretary shall submit to Congress specific
20 short-term and long-term recommendations regard-
21 ing—

22 (A) longitudinal trends in United States
23 manufacturing and the creation or repatriation
24 of manufacturing and information technology
25 jobs to the United States;

1 (B) legislative action to improve the com-
2 petitiveness of United States manufacturing
3 and information technology, including specific
4 recommendations which relate to ongoing ef-
5 forts of the Federal Government to improve the
6 competitiveness of United States manufacturing
7 and information technology; and

8 (C) such other criteria as the Secretary
9 considers appropriate, including coordination
10 with ongoing regional or State strategies for
11 economic development and job growth.

12 (d) CONFIDENTIALITY PROTECTIONS.—Notwith-
13 standing any other provision of this section, all data col-
14 lected through the surveys improved under subsection (a)
15 shall remain subject to the confidentiality protections es-
16 tablished with respect to such surveys under the provisions
17 of law authorizing or requiring such surveys.

18 (e) PENALTY.—Notwithstanding any other provision
19 of law, a corporation that is invited to participate in a
20 survey described in subsection (a)(1) but refuses to par-
21 ticipate in such survey shall not be eligible to enter into
22 any contract or to renew any contract with the United
23 States, receive any grant from the Federal Government,
24 or act as a subcontractor or subgrantee with respect to
25 such a contract or grant.

1 **SEC. 9. NATIONAL ACADEMY OF SCIENCES RECOMMENDA-**
2 **TIONS FOR IMPROVING ADVANCED MANU-**
3 **FACTURING.**

4 (a) AGREEMENT.—Not later than 60 days after the
5 date of the enactment of this Act, the Secretary of Com-
6 merce shall seek to enter into an agreement with the Na-
7 tional Academy of Sciences to perform the services covered
8 by this section.

9 (b) DEVELOPMENT OF RECOMMENDATIONS.—

10 (1) IN GENERAL.—Under an agreement be-
11 tween the Secretary and the National Academy of
12 Sciences under this section, the National Academy
13 of Sciences shall develop recommendations for im-
14 proving the competitive capabilities of United States
15 industrial facilities.

16 (2) ELEMENTS.—The study shall include the
17 following:

18 (A) Consideration of the benefits of—

19 (i) the innovative application of ad-
20 vanced manufacturing technologies, proc-
21 esses, and methods for product design and
22 production, including rapid development of
23 prototypes, scalability of new products, and
24 technology;

1 (ii) commercialization of research
2 funded by university research programs;
3 and

4 (iii) such other issues as the National
5 Academy of Sciences considers relevant to
6 improving the competitive capabilities of
7 United States industrial facilities.

8 (B) An analysis of the issues in imple-
9 menting improvements to United States indus-
10 trial facilities.

11 (C) Recommendations on how the issues
12 described in subparagraph (B) can be mitigated
13 or promoted.

14 (3) CONSIDERATIONS.—In developing rec-
15 ommendations pursuant to paragraph (1), the Na-
16 tional Academy of Sciences shall consider the fol-
17 lowing:

18 (A) The ongoing efforts of the President to
19 create jobs in the United States by improving
20 the ability of United States manufacturing fa-
21 cilities to compete in the global economy.

22 (B) The reorganization of Federal depart-
23 ments and agencies.

24 (C) Measures undertaken by Congress to
25 reduce the deficit.

1 (c) REPORTS.—Not later than 1 year after the devel-
2 opment of the recommendations under this section, the
3 Secretary of Commerce shall submit to Congress a report
4 describing such recommendations.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Secretary of Com-
7 merce to carry out this section such sums as may be nec-
8 essary to carry out this section.

9 **SEC. 10. ASSESSMENT OF DISTORTIVE ECONOMIC POLI-**
10 **CIES.**

11 (a) BIENNIAL REPORT OF UNITED STATES INTER-
12 NATIONAL TRADE COMMISSION.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of the enactment of this Act and not less
15 frequently than once every 2 years thereafter, the
16 United States International Trade Commission shall
17 submit a report to Congress and the President that
18 quantifies the effects of distortive or discriminatory
19 economic policies of foreign countries, inclusive of
20 any overarching policy or systematic approach, such
21 as discrimination against United States companies,
22 trading monopolies, restrictive government procure-
23 ment policies or practices, tax policies or pref-
24 erences, foreign direct investment policies or prac-
25 tices, standards or subsidies, restrictive domestic fi-

1 nancial policies, and intellectual property theft in
2 terms of their potential adverse effect on the eco-
3 nomic or commercial interests of United States in-
4 dustries, producers, and employees as outlined in the
5 National Trade Estimate. The Commission shall as-
6 sess the effects of countries, practices, and indus-
7 tries in the National Trade Estimate, and other ex-
8 isting trade reports if appropriate, that are commer-
9 cially significant and pose the greatest potential op-
10 portunity or threat to the United States over the
11 next 10 years.

12 (2) ELEMENTS.—Each report submitted under
13 paragraph (1) shall include the following:

14 (A) Qualitative indicators of specific poli-
15 cies and practices that may be unfair, distor-
16 tive, or anti-competitive carried out by specific
17 foreign countries and an assessment of the rel-
18 ative significance of such policies and practices.

19 (B) An assessment of resources spent in
20 foreign countries that are being used to pre-
21 clude exports of United States goods and serv-
22 ices, United States interests, or to support the
23 development of technologies, manufacturing
24 base, and businesses that compete directly with
25 United States businesses.

1 (3) FACILITATION.—To assist in the prepara-
2 tion of each report required by paragraph (1), the
3 Commission shall facilitate the reporting by inter-
4 ested persons of distortive economic policies and
5 practices, where possible.

6 (b) REPORT BY COMPTROLLER GENERAL OF THE
7 UNITED STATES.—Not later than 1 year after the initial
8 International Trade Commission report which includes the
9 requirements under this section, the Comptroller General
10 of the United States shall submit to Congress a report
11 that—

12 (1) assesses the effectiveness of—

13 (A) the recommendations carried out or
14 implemented by trade agencies including actions
15 taken to mitigate distortive economic policies
16 and practices of countries, with emphasis on the
17 most egregious problems; and

18 (B) recommendations identified by such
19 agencies that were not carried out or were un-
20 successful;

21 (2) identifies gaps in trade or foreign economic
22 policies of the United States which should be ad-
23 dressed by the Executive Branch or by legislation;
24 and

1 (3) identifies agencies or programs which have
2 successfully implemented policies to discourage dis-
3 tortive economic activities, including—

4 (A) specific steps taken by each program
5 to reduce such policies and practices;

6 (B) recommendations on how these entities
7 can improve their awareness and monitoring of
8 distortive economic policies or practices and de-
9 velop programs to discourage their use; and

10 (C) other information which may help in-
11 form efforts to develop programs to combat
12 these policies and practices.

13 **SEC. 11. LIMITATION ON GOVERNMENT PRINTING COSTS.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Director of the Office of Manage-
16 ment and Budget shall coordinate with the heads of Fed-
17 eral departments and independent agencies—

18 (1) to determine which Government publications
19 could be available on Government Internet websites
20 and no longer printed;

21 (2) to devise a strategy to reduce overall Gov-
22 ernment printing costs over the 10-year period be-
23 ginning on October 1, 2010, except that the Director
24 shall ensure that essential printed documents pre-
25 pared for social security recipients, Medicare bene-

1 ficiaries, and other populations in areas with limited
2 Internet access or use continue to remain available;

3 (3) to establish government-wide Federal guide-
4 lines on employee printing;

5 (4) to issue on the Office of Management and
6 Budget's public website the results of a cost-benefit
7 analysis on implementing a digital signature system
8 and on establishing employee printing identification
9 systems, such as the use of individual employee
10 cards or codes; and

11 (5) to monitor the amount of printing done by
12 Federal employees, except that the Director of the
13 Office of Management and Budget shall ensure that
14 Federal employee printing costs unrelated to na-
15 tional defense, homeland security, border security,
16 national disasters, and other emergencies do not ex-
17 ceed \$860,000,000 annually.

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