

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7688
OFFERED BY MR. DAVIDSON OF OHIO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “DPA Modernization
3 Act of 2026”.

4 SEC. 2. FRONT MATTER.

5 (a) **SHORT TITLE CORRECTION.**—The first undesig-
6 nated section of the the Defense Production Act of 1950
7 is amended, effective on the date of enactment of such
8 Act, by striking “cited as “the Defense” and inserting
9 “cited as the “Defense”.

10 (b) **TABLE OF CONTENTS.**—The table of contents for
11 the Defense Production Act of 1950 is amended to read
12 as follows:

“TABLE OF CONTENTS

“TITLE I. PRIORITIES AND ALLOCATIONS.

“TITLE II EXPANSION OF PRODUCTIVE CAPACITY AND SUPPLY.

“TITLE III. GENERAL PROVISIONS.

“TITLE IV. PROHIBITION AND NOTIFICATION ON INVESTMENTS
RELATING TO COVERED NATIONAL SECURITY TRANSACTIONS.”.

1 **SEC. 3. PRIORITIES AND ALLOCATIONS.**

2 Title I of the Defense Production Act of 1950 (50
3 U.S.C. 4511 et seq.) is amended—

4 (1) in section 101—

5 (A) by striking “he” each place such term
6 appears and inserting “the President”;

7 (B) in subsection (a), by striking “or ap-
8 propriate” each place such term appears;

9 (C) in subsection (b)—

10 (i) by striking “The powers” and in-
11 sserting “(1) The powers”

12 (ii) by striking “unless the President
13 finds (1) that such” and inserting the fol-
14 lowing: “unless—

15 “(A) the President finds that—

16 “(i) such”;

17 (iii) by striking “defense, and (2)
18 that” and inserting the following: “defense;
19 and

20 “(ii) that”;

21 (iv) by striking the period at the end
22 and inserting “; and”; and

23 (v) by adding at the end the following:

24 “(B) the powers are used to address—

25 “(i) a national emergency declared by
26 the President;

1 “(ii) a natural disaster declared by
2 the President pursuant to the Robert T.
3 Stafford Disaster Relief and Emergency
4 Assistance Act; or

5 “(iii) a public health emergency, as
6 determined by the Secretary of Health and
7 Human Services pursuant to section 319
8 of the Public Health Service Act.

9 “(2) The powers described in this section may not
10 be used to control the general distribution of any material
11 in the civilian market for a period exceeding 1 year, except
12 that the President may extend such 1-year period for up
13 to 180 days upon reporting to Congress, on a non-dele-
14 gable basis, that the extension is essential to meet national
15 defense requirements.”;

16 (D) in subsection (c)—

17 (i) in paragraph (1), by striking “Not-
18 withstanding any other provision of this
19 Act, the” and inserting “The”; and

20 (ii) in paragraph (3), by striking
21 “President” and inserting “Executive Di-
22 rector of the Defense Production Act Com-
23 mittee”; and

24 (E) in subsection (d)—

1 (i) strike “section shall” and all that
2 follows through “issue, and annually re-
3 view and update whenever appropriate,”
4 and insert the following: “section, in con-
5 sultation with the Defense Production Act
6 Committee—

7 “(1) shall—

8 “(A) issue and, whenever appropriate, re-
9 vise”;

10 (ii) by redesignating paragraph (2) as
11 subparagraph (B), and adjusting the mar-
12 gin of such subparagraph accordingly;

13 (iii) in subparagraph (B), as so redesi-
14 gnated, by striking the period at the end
15 and inserting “; and”; and

16 (iv) by adding at the end the fol-
17 lowing:

18 “(2) may waive or revise relevant regulations
19 for the purpose of expediting the procurement of
20 critical technologies (as defined under section
21 316(a)) or critical minerals subject to the priorities
22 and allocations.”;

23 (2) in section 102—

24 (A) by striking “he” each place such term
25 appears and inserting “the President”; and

1 (B) by striking “sections 101 and 704 of
2 this Act” and inserting “sections 101 and
3 304”;

4 (3) in section 103, by striking “\$10,000” and
5 inserting “\$100,000”;

6 (4) by redesignating section 107 as section 204
7 and transferring such section so as to appear after
8 section 303; and

9 (5) by redesignating section 108 as section 207
10 and transferring such section so as to appear after
11 section 305.

12 **SEC. 4. EXPANSION OF PRODUCTIVE CAPACITY AND SUP-**
13 **PLY.**

14 The Defense Production Act of 1950 (50 U.S.C.
15 4501 et seq.) is amended—

16 (1) by redesignating title III as title II;

17 (2) by redesignating sections 301, 302, 303,
18 304, and 305 as sections 201, 202, 203, 205, and
19 206, respectively;

20 (3) in section 201, as so redesignated—

21 (A) in the heading, by striking “**PRESI-**
22 **DENTIAL AUTHORIZATION FOR THE NA-**
23 **TIONAL DEFENSE**” and inserting “**LOAN**
24 **GUARANTEES**”;

25 (B) in subsection (a)—

1 (i) in paragraph (1), by inserting “,
2 with the concurrence of the Fund manager
3 of the Defense Production Act Fund,” be-
4 fore “to provide”; and

5 (ii) in paragraph (2)—

6 (I) in the heading, by striking
7 “PRESIDENTIAL DETERMINATIONS”
8 and inserting “DETERMINATIONS”;

9 (II) by striking “during a period
10 of” and inserting “with respect to a”;

11 (III) by striking “if the Presi-
12 dent” and inserting “if the guaran-
13 teeing agency, in coordination with
14 the Fund manager of the Defense
15 Production Act Fund and relevant
16 members of the Defense Production
17 Act Committee,”; and

18 (IV) in subparagraph (G)(i), by
19 striking “President” and inserting
20 “Fund manager of the Defense Pro-
21 duction Act Fund”;

22 (C) in subsection (b)(1), by striking
23 “President” and inserting “Fund manager of
24 the Defense Production Act Fund”;

1 (D) in subsection (c), by striking “Presi-
2 dent” each place such term appears and insert-
3 ing “Fund manager of the Defense Production
4 Act Fund”; and

5 (E) in subsection (d)—

6 (i) in paragraph (1)—

7 (I) by striking “SHORTFALLS.—”
8 and all that follows through “If the
9 making” and inserting “SHORT-
10 FALLS.—If the making”;

11 (II) by striking “\$50,000,000”
12 and inserting “\$100,000,000”;

13 (III) by striking “only—” and all
14 that follows through “if the Presi-
15 dent” and inserting “only if the Fund
16 manager of the Defense Production
17 Act Fund”;

18 (IV) by striking “guarantee;
19 and” and inserting “guarantee.”;

20 (V) in subparagraph (A), by
21 striking clause (ii); and

22 (VI) by striking subparagraph
23 (B); and

24 (ii) in paragraph (2)(B), by striking
25 “not later than 10 days”;

1 (4) in section 202, as so redesignated—

2 (A) in subsection (a), by inserting “author-
3 ize a lending agency, with the concurrence of
4 the Fund manager of the Defense Production
5 Act Fund and relevant members of the Defense
6 Production Act Committee, to” after “President
7 may”;

8 (B) in subsection (b)—

9 (i) in paragraph (1), by striking
10 “and” at the end;

11 (ii) in paragraph (2)—

12 (I) by striking “no such loan may
13 be made unless the President” and in-
14 serting “no such loan may be made
15 with respect to the national emer-
16 gency unless the lending agency, in
17 consultation with the Fund manager
18 of the Defense Production Act Fund
19 and relevant members of the Defense
20 Production Act Committee,”; and

21 (II) by striking the period at the
22 end and inserting a semicolon; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(3) any such loan shall be secured by a first-
2 priority lien on such collateral as the Fund manager
3 of the Defense Production Act Fund may require,
4 and such lien shall—

5 “(A) attach upon disbursement of funds;

6 “(B) be senior to all other liens and
7 claims; and

8 “(C) be deemed perfected upon attach-
9 ment; and

10 “(4) in the event that the loan recipient de-
11 faults on the repayment of the loan, any portion of
12 such repayment that is not satisfied from the collat-
13 eral described in paragraph (3) shall have priority in
14 payment over all other unsecured claims.”; and

15 (C) in subsection (d)—

16 (i) by striking “(1) IN GENERAL.—”;

17 (ii) by striking “\$50,000,000” and in-
18 serting “\$100,000,000”;

19 (iii) by striking “only—” and all that
20 follows through “if the President” and in-
21 serting “only if the Fund manager of the
22 Defense Production Act Fund”;

23 (iv) in subparagraph (A), by striking
24 “; and” at the end and inserting a period;

25 (v) by striking subparagraph (B); and

1 (vi) by striking paragraph (2);

2 (5) in section 203, as so redesignated—

3 (A) in the heading, by striking “**OTHER**
4 **PRESIDENTIAL ACTION AUTHORIZED**” and
5 inserting “**PURCHASES, COMMITMENTS TO**
6 **PURCHASE, AND SUBSIDY PAYMENTS**”;

7 (B) in subsection (a)—

8 (i) in paragraph (1) by striking “the
9 President” and inserting “a member of the
10 Defense Production Act Committee de-
11 scribed under section 317(b)(1)(A), in con-
12 sultation with the Executive Director of
13 the Defense Production Act Committee,”;

14 (ii) in paragraph (5)—

15 (I) in the heading, by striking
16 “PRESIDENTIAL” and inserting “FED-
17 ERAL AGENCY”;

18 (II) by striking “Except as pro-
19 vided in paragraph (7), the Presi-
20 dent” and inserting “The member de-
21 scribed under paragraph (1)”;

22 (III) by striking “the President,
23 on a non-delegable basis,” and insert-
24 ing “the member, on a non-delegable
25 basis, and in consultation with the

1 Executive Director of the Defense
2 Production Act Committee,”; and
3 (IV) in subparagraph (B), by
4 striking “Presidential”;
5 (iii) in paragraph (6)—
6 (I) in subparagraph (A)—
7 (aa) by striking “Except as
8 provided in paragraph (7), the
9 President” and inserting “The
10 member described under para-
11 graph (1)”; and
12 (bb) by striking “by the
13 President” and inserting “by the
14 member”;
15 (II) in subparagraph (B)—
16 (aa) by striking
17 “\$50,000,000” and inserting
18 “\$100,000,000”;
19 (bb) by striking “the 30-day
20 period following”; and
21 (cc) by inserting “by the
22 Fund manager of the Defense
23 Production Act Fund” after “in
24 writing”; and

1 (III) by striking subparagraph
2 (C); and
3 (iv) by striking paragraph (7) and in-
4 serting the following:

5 “(7) LIMITATIONS ON EQUITY INVESTMENTS.—
6 The equity shares of an entity may not be acquired
7 under this section if such acquisition would result in
8 the Government holding, in the aggregate, 15 per-
9 cent or more of the equity shares of the entity.

10 “(8) REPORT ON EQUITY INVESTMENTS.—The
11 Defense Production Act Committee shall include, in
12 each annual report of the Committee required under
13 section 317(d)—

14 “(A) a description of any equity held by
15 the Government pursuant to the authorities of
16 this Act;

17 “(B) the rationale for, and valuation of,
18 any such holding, including—

19 “(i) the expected contribution of the
20 holding to the objectives of this Act; and

21 “(ii) the estimated gain or loss in
22 value of the holding since the preceding re-
23 port.

1 “(9) ACQUISITION AND LIQUIDATION.—A mem-
2 ber of the Defense Production Act Committee de-
3 scribed under section 317(b)(1)(A)—

4 “(A) may make an equity investment in an
5 entity under this section only after the Fund
6 manager of the Defense Production Act Fund
7 reports to the Committee on Banking, Housing,
8 and Urban Affairs of the Senate and the Com-
9 mittee on Financial Services of the House of
10 Representatives that the entity is unable to ob-
11 tain additional equity investment from private
12 sources on commercially reasonable terms;

13 “(B) shall, with respect to each equity in-
14 vestment made in an entity by the member
15 under this section, transmit to the Committee
16 on Banking, Housing, and Urban Affairs of the
17 Senate and the Committee on Financial Serv-
18 ices of the House of Representatives—

19 “(i) not later than 10 days after mak-
20 ing the equity investment, copies of all rel-
21 evant documents concerning the terms of
22 the investment, including any governance
23 rights or contractual obligations; and

24 “(ii) a certification that the equity in-
25 vestment advances the objectives of this

1 Act, with a detailed explanation of the rea-
2 sons therefor; and

3 “(C) shall seek to sell and liquidate any
4 equity support for an entity provided under this
5 section as soon as commercially feasible, com-
6 mensurate with other similar investors in the
7 entity, taking into consideration the national se-
8 curity interests of the United States.”;

9 (C) by redesignating subsections (b)
10 through (g) as subsections (c) through (h), re-
11 spectively;

12 (D) by inserting after subsection (a) the
13 following:

14 “(b) CRITICAL MINERALS RESILIENCE.—

15 “(1) CRITICAL MINERALS RESILIENCE INITIA-
16 TIVE.—There is established the Critical Minerals
17 Resilience Initiative, under which a member of the
18 Defense Production Act Committee described under
19 section 317(b)(1)(A), in consultation with the Exec-
20 utive Director of the Defense Production Act Com-
21 mittee and the Fund manager of the Defense Pro-
22 duction Act Fund, may make grants, purchases, and
23 commitments to purchase involving an entity in the
24 United States, a member country of the North At-

1 lantic Treasury Organization, or a major non-NATO
2 ally, to—

3 “(A) ensure that the mining or processing
4 of critical and strategic materials is not domi-
5 nated by a foreign adversary; and

6 “(B) provide for offtake agreements, price
7 floors, or incentives in order to ensure the via-
8 bility of mines or processing facilities for crit-
9 ical and strategic materials outside the control
10 of a foreign adversary.

11 “(2) COOPERATION AMONG ENTITIES.—To the
12 extent practicable, the Defense Production Act Com-
13 mittee shall develop a process to encourage coopera-
14 tion among, and manage potential conflicts be-
15 tween—

16 “(A) entities that are domestic sources,
17 and the countries where they are located; and

18 “(B) for the purpose of carrying out the
19 Critical Minerals Resilience Initiative, countries
20 involved in the Initiative.”;

21 (E) in subsection (c), as so redesignated,
22 by striking “not more than 10 years” and in-
23 serting “more than 10 years”

24 (F) in subsection (d), as so redesignated—

1 (i) in paragraph (1)(A), by striking
2 “necessary to carry out the objectives of
3 this title” and inserting “essential for na-
4 tional defense requirements”;

5 (ii) in paragraph (2)—

6 (I) by striking “President may
7 make provision for subsidy payments”
8 and inserting “President, in consulta-
9 tion with the Executive Director of
10 the Defense Production Act Com-
11 mittee and the Fund manager of the
12 Defense Production Act Fund, may
13 make provision for subsidy payments,
14 for a period not to exceed 1 year,”;
15 and

16 (II) by striking “President deter-
17 mines” and inserting “Fund manager
18 determines”; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(3) RENEWAL OF SUBSIDY.—The President
22 may renew subsidy payments authorized under para-
23 graph (2) for up to 180 days after submitting a re-
24 port to the Committee on Financial Services of the
25 House of Representatives and the Committee on

1 Banking, Housing, and Urban Affairs of the Senate
2 that—

3 “(A) certifies that the subsidy payment is
4 the most efficient means to ensure objectives
5 described under paragraph (2); and

6 “(B) explains why market conditions do
7 not allow for the achievement of the objec-
8 tives.”;

9 (G) in paragraph (1)(C) of subsection (f),
10 as so redesignated, by striking “section 301,
11 302” and inserting “section 201, 202”;

12 (H) in subsection (h), as so redesignated,
13 by striking “make provision” and inserting “ex-
14 ercise the authorities under title I and this
15 title”; and

16 (I) by adding at the end the following:

17 “(i) WAIVER TO EXPEDITE PROCUREMENT.—In ex-
18 ercising the authorities under section 201, section 202, or
19 this section, the President may waive or revise relevant
20 regulations for the purpose of expediting—

21 “(1) the procurement of critical technologies (as
22 defined under section 316(a)) or critical minerals; or

23 “(2) the permitting of critical infrastructure re-
24 quired to produce or refine the critical technologies
25 or critical minerals described in paragraph (1).

1 “(j) ADDITIONAL REQUIREMENTS.—

2 “(1) USE OF COMMERCIALY AVAILABLE SOFT-
3 WARE.—Software procured using funds appropriated
4 pursuant to this Act shall be commercially available
5 off-the-shelf software, unless no commercially avail-
6 able off-the-shelf software that meets the applicable
7 requirements is available, more cost-effective, or is
8 practicable to procure.

9 “(2) USE OF FUNDS FOR SKILLED LABOR.—

10 “(A) IDENTIFICATION OF WORKFORCE AND
11 SKILLS GAPS.—Each Federal agency to which
12 the President has delegated authority under
13 this Act shall identify any workforce gaps or
14 skills gaps that affect the ability of the domes-
15 tic industrial base to supply the materials and
16 services necessary to satisfy the objectives set
17 forth in section 2(b).

18 “(B) USE OF FUNDS.—With respect to an
19 entity receiving financial assistance under title
20 I or this title, the agency making such financial
21 assistance may direct that a portion of the fi-
22 nancial assistance be used to recruit, train,
23 place, or retain workers in defense-critical occu-
24 pations directly related to the activities funded
25 by the assistance, if such entity keeps records

1 of performance standards for workers recruited,
2 trained, placed, or retained using such assist-
3 ance.

4 “(C) INFORMATION INCLUDED IN ANNUAL
5 REPORT.—Each Federal agency to which the
6 President has delegated authority under this
7 Act shall include in the annual report of the
8 Defense Production Act Committee—

9 “(i) a discussion of the identification
10 required under subparagraph (A) and the
11 authority provided under subparagraph
12 (B); and

13 “(ii) short-term and long-term rec-
14 ommendations for administrative or legisla-
15 tive action to reduce any workforce gaps or
16 skills gaps identified by the agency, espe-
17 cially through the simulation required
18 under section 206(c), including rec-
19 ommendations on workforce training pro-
20 grams to recruit, train, place, and retain
21 workers in occupations critical to the na-
22 tional defense, including any apprentice-
23 ships.”;

24 (6) in section 204, as redesignated and moved
25 by section 3(4)—

1 (A) in subsection (a)—

2 (i) by striking “title III of this Act or
3 any other provision of law, the President
4 may” and inserting “this title, a member
5 of the Defense Production Act Committee
6 may, in consultation with the Executive
7 Director of the Defense Production Act
8 Committee,”; and

9 (ii) by inserting “essential” before
10 “materials”;

11 (B) in subsection (b)(1), by striking “as-
12 sure” and inserting “ensure”; and

13 (C) by adding at the end the following:

14 “(c) WAIVER TO EXPEDITE PROCUREMENT.—The
15 President may waive or revise relevant regulations for the
16 purpose of expediting—

17 “(1) the procurement of critical technologies (as
18 defined under section 316(a)) or critical minerals
19 subject to the incentives described in subsection (a);
20 or

21 “(2) the permitting of critical infrastructure re-
22 quired to produce or refine the critical technologies
23 or critical minerals described in paragraph (1).”.

24 (7) in section 205, as so redesignated—

1 (A) in subsection (a), by inserting before
2 the period at the end the following: “, to be ad-
3 ministered by the Secretary of the Treasury”;

4 (B) in subsection (b)—

5 (i) in paragraph (1)—

6 (I) by striking “section 711” and
7 inserting “section 311”; and

8 (II) by striking “and” at the end;

9 (ii) by redesignating paragraph (2) as
10 paragraph (3);

11 (iii) by inserting after paragraph (1)
12 the following:

13 “(2) all moneys appropriated for activities pur-
14 suant to this title; and”;

15 (iv) in paragraph (3), as so redesi-
16 gnated, by striking “section 303” and in-
17 serting “this title”;

18 (C) in subsection (c), by inserting “and
19 section 318” after “this title”;

20 (D) in subsection (e), by striking
21 “\$750,000,000” each place such term appears
22 and inserting “\$2,000,000,000”;

23 (E) by redesignating subsections (f) and
24 (g) as subsections (g) and (h), respectively;

1 (F) by inserting after subsection (e) the
2 following:

3 “(f) WAIVER.—The Executive Director of the De-
4 fense Production Act Committee may waive the require-
5 ment described under subsection (e) for up to 1 year at
6 a time upon notifying the Committee on Financial Serv-
7 ices of the House of Representatives and the Committee
8 on Banking, Housing, and Urban Affairs of the Senate
9 in writing that the waiver is in the national security inter-
10 ests of the United States.”;

11 (G) in subsection (g), as so redesignated—

12 (i) by striking “President shall des-
13 ignate a” and inserting “Secretary of the
14 Treasury shall serve as”;

15 (ii) in paragraph (1), by striking
16 “subsection (g)” and inserting “subsection
17 (h)”;

18 (iii) in paragraph (2), by striking
19 “and” at the end;

20 (iv) in paragraph (3)—

21 (I) by inserting “and the Defense
22 Production Act Committee” after
23 “Congress”; and

24 (II) by striking the period at the
25 end and inserting “, including an

1 analysis of the effectiveness of invest-
2 ments made during the previous fiscal
3 year;” and

4 (v) by adding at the end the following:

5 “(4) designating financial institutions as finan-
6 cial agents of the Federal Government, as appro-
7 priate, for the purposes of this title;

8 “(5) delegating authorities, as the Fund man-
9 ager finds appropriate, to members of the Defense
10 Production Act Committee; and

11 “(6) issuing rules and guidance regarding fi-
12 nancing activities authorized by this title.”; and

13 (H) by adding at the end the following:

14 “(i) DEFERRAL.—The Executive Director of the De-
15 fense Production Act Committee shall defer budget au-
16 thority involving the Fund for an agency that has repeat-
17 edly failed to submit complete reports described under sec-
18 tion 206(a).”;

19 (8) section 206, as so redesignated—

20 (A) in the heading, by striking “**REPORTS**
21 **ON EXERCISE OF AUTHORITIES**” and insert-
22 ing “**DPA STRATEGY**”;

23 (B) by redesignating subsection (c) as sub-
24 section (e);

1 (C) by striking subsections (a) and (b) and
2 inserting the following:

3 “(a) IN GENERAL.—Not later than 180 days after
4 the effective date of this subsection, and annually there-
5 after, the head of each agency to which the President has
6 delegated authorities under title I or this title shall submit
7 the report described under subsection (b) to the Executive
8 Director of the Defense Production Act Committee and
9 the Fund manager of the Defense Production Act Fund.

10 “(b) DPA STRATEGY.—A report described under this
11 subsection is a report that includes—

12 “(1) an assessment, in consultation with the
13 Defense Production Act Committee and the private
14 sector, of industrial base needs required by the head
15 of the agency to meet the highest priorities arising
16 from national defense requirements, as determined
17 by the President;

18 “(2) a detailed strategy, timeline, and spending
19 plan, in consultation with the Defense Production
20 Act Committee, to deploy the authorities under title
21 I and this title to address the needs identified under
22 paragraph (1);

23 “(3) the results of the most recent simulation
24 described in subsection (c);

1 “(4) a comprehensive list of actions (including
2 all priority ratings, the exercise or non-exercise of
3 such ratings and any allocations or financing) taken
4 by the agency pursuant to the authorities since the
5 previous report, and an explanation of how the ac-
6 tions support the strategy described under para-
7 graph (2);

8 “(5) any use of authorities under section 308 or
9 section 310 in support of the strategy described
10 under paragraph (2);

11 “(6) a description of any waivers exercised pur-
12 suant to section 101(d)(2), section 107(c), or section
13 203(h); and

14 “(7) in the case of an action taken pursuant to
15 title I or this title involving a business concern in
16 Canada, the United Kingdom, or Australia, a jus-
17 tification of the necessity of the use of authorities
18 under the applicable title.

19 “(c) STRATEGY SIMULATION.—At least once every 5
20 years, the Defense Production Act Committee shall con-
21 duct a discussion-based simulation (commonly known as
22 a ‘table-top exercise’) to determine the resources needed
23 and the best use of the authorities under title I and this
24 title to implement the strategy described in subsection

1 (b)(2) contained in the most recent report required under
2 subsection (a).

3 “(d) STRATEGY ON SECURING SUPPLY CHAINS ES-
4 SSENTIAL TO NATIONAL DEFENSE.—The head of any rel-
5 evant agency, as determined by the President, shall, in the
6 first report submitted under subsection (a) after the date
7 of enactment of this subsection, include in such report the
8 following:

9 “(1) A detailed plan to ensure the supply of the
10 following, to the extent necessary for national de-
11 fense:

12 “(A) Medical materials (including drugs,
13 devices, and biological products (as that term is
14 defined in section 351 of the Public Health
15 Service Act (42 U.S.C. 262)) to diagnose, cure,
16 mitigate, treat, or prevent disease).

17 “(B) Critical minerals.

18 “(C) Naval shipbuilding capacity, mate-
19 rials, and components.

20 “(2) An analysis of vulnerabilities to existing
21 supply chains for the materials, minerals, and capac-
22 ity described in paragraph (1).

23 “(3) Any authorities provided by this Act to be
24 used by the agency to ensure that essential compo-

1 nents of such supply chains are not under the con-
2 trol of a foreign adversary.”; and

3 (D) in paragraph (2) of subsection (e), as
4 so redesignated, by striking “section
5 702(7)(B)(ii)(II)(bb)” and inserting “section
6 302(7)(B)(ii)(II)(bb)”;

7 (9) in section 207, as redesignated and moved
8 by section 3(5)—

9 (A) in subsection (a), by inserting “, to the
10 extent required for national defense purposes,”
11 after “President shall”; and

12 (B) in subsection (b)—

13 (i) in paragraph (1)—

14 (I) by striking “title III” and in-
15 serting “this title”; and

16 (II) by striking “advance” and
17 inserting “advanced”; and

18 (ii) in paragraph (2)—

19 (I) by striking “title III” and in-
20 serting “this title”; and

21 (II) in subparagraph (C), by
22 striking “section 301, 302, or 303”
23 and inserting “section 201, 202, or
24 203”;

25 (10) by adding at the end the following:

1 **“SEC. 208. PROHIBITION ON DISCRIMINATION BASED ON**
2 **ENERGY SOURCE.**

3 “In using the authorities under this title, the Presi-
4 dent may not deny financial support pursuant to sections
5 201, 202, 203, or 204, other than for the production of
6 energy, based on the energy source involved in the explo-
7 ration, development, production, utilization, transpor-
8 tation, or sale of energy.

9 **“SEC. 209. LIMITATION ON ELIGIBILITY FOR ASSISTANCE.**

10 “(a) IN GENERAL.—Notwithstanding any other pro-
11 vision of this Act or any other Act, a covered entity is
12 not eligible for assistance authorized under this title.

13 “(b) DEFINITIONS.—In this section:

14 “(1) COVERED ENTITY.—The term ‘covered en-
15 tity’ means an entity in which a covered individual
16 directly or indirectly holds a significant interest. For
17 the purpose of determining whether an entity is a
18 covered entity, if securities of the entity are owned,
19 controlled, or held by 2 or more individuals who are
20 related as described in paragraph (2), such securi-
21 ties shall be aggregated.

22 “(2) COVERED INDIVIDUAL.—The term ‘cov-
23 ered individual’ means—

24 “(A) the President, the Vice President, or
25 a member of the Defense Production Act Com-
26 mittee; and

1 “(B) the spouse, child, son-in-law, or
2 daughter-in-law of an individual described in
3 subparagraph (A).

4 “(3) EQUITY INTEREST.—The term ‘equity in-
5 terest’ means—

6 “(A) a share in an entity, without regard
7 to whether the share is—

8 “(i) transferable; or

9 “(ii) classified as stock or anything
10 similar;

11 “(B) a capital or profit interest in a lim-
12 ited liability company or partnership; and

13 “(C) a warrant or right (other than a right
14 to convert) to purchase, sell, or subscribe to a
15 share or interest described in subparagraph (A)
16 or (B), respectively.

17 “(4) SIGNIFICANT INTEREST.—The term ‘sig-
18 nificant interest’ means owning, controlling, or hold-
19 ing not less than 20 percent, by vote or value, of the
20 outstanding amount of any class of equity interest in
21 an entity.”.

22 **SEC. 5. GENERAL PROVISIONS.**

23 The Defense Production Act of 1950 (50 U.S.C.
24 4501 et seq.) is amended—

25 (1) by redesignating title VII as title III;

1 (2) by striking section 714 and 723;

2 (3) by redesignating sections 701 through 711
3 as sections 301 through 311, respectively;

4 (4) by redesignating section 713 as section 312;

5 (5) by redesignating section 715 as section 313;

6 (6) by redesignating section 717 as section 315;

7 (7) by redesignating sections 721 and 722 as
8 sections 316 and 317, respectively;

9 (8) in section 301, as so redesignated, in sub-
10 section (e), by inserting “and consistent with na-
11 tional defense requirements” after “practicable”;

12 (9) in section 302, as so redesignated—

13 (A) in paragraph (7)(B), by striking “title
14 III” each place such term appears in a heading
15 or text, and inserting “title II”; and

16 (B) in paragraph (14)—

17 (i) by inserting “or section 319 of the
18 Public Health Service Act,” after “Assist-
19 ance Act”; and

20 (ii) by striking “and critical infra-
21 structure protection and restoration” and
22 inserting “, critical infrastructure protec-
23 tion and restoration, and public health
24 emergency preparedness and response ac-
25 tivities”;

1 (10) in section 303, as so redesignated—

2 (A) by striking “Any officer” and inserting
3 the following:

4 “(a) IN GENERAL.—Any officer”;

5 (B) by striking “GS–18 of the General
6 Schedule, as the President deems appropriate to
7 carry out this Act” and inserting “senior-level
8 positions described under section 5376 of title
9 5, United States Code, as the President deems
10 appropriate to carry out title I or title II”; and

11 (C) by adding at the end the following:

12 “(b) OUTREACH REPRESENTATIVE DURING A PUB-
13 LIC HEALTH EMERGENCY.—

14 “(1) IN GENERAL.—Consistent with the au-
15 thorities in this title, the Administrator of the Fed-
16 eral Emergency Management Agency, in consulta-
17 tion with the Secretary of Health and Human Serv-
18 ices, may designate or appoint, pursuant to sub-
19 section (a), an individual to be known as the ‘Out-
20 reach Representative’ for the period of a public
21 health emergency. Such individual shall—

22 “(A) be appointed from among individuals
23 with substantial experience in the production or
24 distribution of medical supplies or equipment;
25 and

1 “(B) act as the Government-wide single
2 point of contact during the public health emer-
3 gency for outreach to manufacturing companies
4 and their suppliers who may be interested in
5 producing medical supplies or equipment.

6 “(2) ENCOURAGING PARTNERSHIPS.—During
7 the period of a public health emergency, the Out-
8 reach Representative shall seek to develop partner-
9 ships between companies, in coordination with any
10 overall coordinator appointed by the President to
11 oversee the response to the public health emergency,
12 including through the exercise of the authorities del-
13 egated by the President under section 308.”;

14 (11) in section 304, as so redesignated—

15 (A) by striking “(a) **IN GENERAL.**—”;

16 (B) by striking “section 709 and sub-
17 section (b), the President may prescribe” and
18 inserting “section 309 and subsection (b), the
19 President, not later than 360 days after the
20 date of enactment of the DPA Modernization
21 Act of 2026, shall issue”; and

22 (C) by striking subsection (b);

23 (12) in section 305, as so redesignated—

24 (A) in subsection (a)—

1 (i) by striking “or appropriate, in his
2 discretion,”; and

3 (ii) by striking “in order” and insert-
4 ing “essential”;

5 (B) in subsection (e), by striking
6 “\$10,000” and inserting “\$100,000”;

7 (C) in subsection (d), by striking
8 “\$10,000” and inserting “\$100,000”; and

9 (D) by adding at the end the following:

10 “(f) The authority of the President under this section
11 may not be used to obtain sensitive personally identifiable
12 information. In this subsection, the term ‘sensitive person-
13 ally identifiable information’ means personally identifiable
14 information which, if lost, compromised, or disclosed with-
15 out authorization, could result in substantial harm, em-
16 barrassment, inconvenience, or unfairness to an indi-
17 vidual.”.

18 (13) in section 306, as so redesignated—

19 (A) in subsection (a), by striking “he” and
20 inserting “the President”;

21 (B) in subsection (b), by striking “sub-
22 pena” each place such term appears and insert-
23 ing “subpoena”; and

24 (C) by adding at the end the following:

1 “(c) CIVIL ACTIONS.—A civil action challenging an
2 action taken under this Act may be brought only in the
3 United States Court of Appeals for the District of Colum-
4 bia Circuit.”;

5 (14) in section 308, as so redesignated—

6 (A) by striking “he” each place such term
7 appears and inserting “the President”;

8 (B) in subsection (e)(2), by striking “not
9 less than ten days”; and

10 (C) in subsection (e)—

11 (i) by striking “(1) The individual”
12 and inserting “The individual”;

13 (ii) by striking “section 553 of title 5,
14 United States Code” and inserting “sec-
15 tion 309”; and

16 (iii) by striking paragraphs (2) and
17 (3);

18 (15) in section 309, as so redesignated—

19 (A) in subsection (a), by striking “sections
20 551 through 559” and inserting “sections 552
21 through 552b and sections 554 through 559”;
22 and

23 (B) by striking subsection (c);

24 (16) in section 310, as so redesignated—

25 (A) by striking subsection (e);

1 (B) by redesignating subsections (b), (c),
2 (d), (f), and (g) as subsections (a) through (e),
3 respectively;

4 (C) in subsection (a), as so redesignated—

5 (i) in paragraph (1), by striking “he”
6 each place such term appears and inserting
7 “the President”; and

8 (ii) in paragraph (6)—

9 (I) by striking “his or her” and
10 inserting “the Director’s”; and

11 (II) by striking “he or she” and
12 inserting “the Director”;

13 (D) in subsection (b), as so redesignated—

14 (i) by striking “he” and inserting “the
15 President”; and

16 (ii) by striking “section 55a of title 5
17 of the United States Code. Individuals so
18 employed may be compensated at rates not
19 in excess of \$50 per diem and while away
20 from their homes or regular places of busi-
21 ness they may be allowed transportation
22 and not to exceed \$15 per diem in lieu of
23 subsistence and other expenses while so
24 employed” and inserting “section 3109 of
25 title 5, United States Code”;

1 (E) in subsection (d), as so redesignated,
2 by striking “\$10,000” and inserting
3 “\$100,000”; and

4 (F) in subsection (e), as so redesignated,
5 by striking “he” each place such term appears
6 and inserting “the President”;

7 (17) in section 311, as so redesignated—

8 (A) by striking “he” and inserting “the
9 President”;

10 (B) by striking “\$133,000,000 for fiscal
11 year 2015” and inserting “\$250,000,000 for
12 fiscal year 2025”; and

13 (C) by striking “\$117,000,000 for each of
14 fiscal years 2020 through 2024 to carry out
15 title III” and inserting “\$5,000,000 for each of
16 fiscal years 2026 through 2031 to the Execu-
17 tive Director of the Defense Production Act
18 Committee and the Fund manager of the De-
19 fense Production Act Fund to carry out this
20 Act”;

21 (18) by inserting after section 313, as so redesi-
22 gnated, the following:

1 **“SEC. 314. NATIONAL DEFENSE EXECUTIVE RESERVE.**

2 “(a) ESTABLISHMENT.—The President shall estab-
3 lish a National Defense Executive Reserve (in this section
4 referred to as the ‘Reserve’).

5 “(b) PURPOSE.—The purpose of the Reserve shall be
6 to improve the preparedness of the Federal Government
7 for national defense emergencies by allowing private per-
8 sons with unique expertise to volunteer, be trained for, and
9 be temporarily employed in Federal positions within any
10 of the Federal agencies that has established a Reserve unit
11 under subsection (c) that may be necessary during periods
12 of national defense emergency, as determined by the Presi-
13 dent.

14 “(c) RESERVE UNITS.—

15 “(1) IN GENERAL.—The President shall require
16 the heads of each of the following agencies to estab-
17 lish a unit of the Reserve within the applicable agen-
18 cy:

19 “(A) The Department of Commerce.

20 “(B) The Department of Defense.

21 “(C) The Department of Homeland Secu-
22 rity.

23 “(D) Such other agencies as the President
24 determines appropriate.

25 “(2) ACTIVITIES OF RESERVE UNITS.—Activi-
26 ties of such Reserve units within each agency shall

1 be aligned with the contents of the reports required
2 under—

3 “(A) section 203(j)(2)(C), related to work-
4 force and skills gaps;

5 “(B) section 206(b), related to overall
6 strategy;

7 “(C) section 206(d), related to the strategy
8 on securing supply chains essential to national
9 defense; and

10 “(D) section 317(h)(1), the report from
11 the Subcommittee on Emerging Technology.

12 “(3) DEADLINE.—The units of the Reserve
13 within the agencies described under subparagraphs
14 (A), (B), and (C) shall be established not later than
15 180 days after the issuance of the final rules re-
16 quired under subsection (f).

17 “(d) TRAINING.—The President may, without acti-
18 vating the Reserve, allow for periodic training and exer-
19 cises to prepare the Reserve for duty during an activation.

20 “(e) RULEMAKING.—Not later than 360 days after
21 the date of enactment of this section, the Director of the
22 Office of Personnel Management, in consultation with the
23 Secretary of Commerce, the Secretary of Defense, and the
24 Secretary of Homeland Security, shall issue rules, in ac-

1 cordance with section 553 of title 5, United States Code,
2 to provide—

3 “(1) criteria for determining the number of po-
4 sitions in and organization of Reserve units;

5 “(2) criteria for determining the appropriate
6 level of seniority and job classifications of Reserve
7 positions;

8 “(3) the advertisement of the Reserve to the
9 public to generate interest in volunteers;

10 “(4) the selection of individuals for the Reserve
11 and the job assignment process;

12 “(5) the appointment authorities to be used by
13 the head of an agency during an activation of the
14 applicable Reserve unit;

15 “(6) the appropriate levels of compensation for
16 private individuals for service in the Reserve, de-
17 pendent on the qualifications and expected roles of
18 the individuals;

19 “(7) the appropriate levels of compensation for
20 private individuals for service in the Reserve for ad-
21 ditional expenses, such as travel and accommoda-
22 tion, to fulfill the responsibilities in the Reserve, in-
23 cluding during training and exercise;

1 “(8) additional incentives to be provided to pri-
2 vate individuals to encourage participation in the
3 Reserve;

4 “(9) whether and how to issue security clear-
5 ances to individuals selected to serve in the Reserve,
6 both prior to and during activation;

7 “(10) the frequency and content of training and
8 exercises for the Reserve;

9 “(11) the appropriate interaction between per-
10 manent Government employees and individuals in
11 the Reserve during training, exercises, and activa-
12 tions of the Reserve;

13 “(12) the appointment of permanent Govern-
14 ment employees to manage the Reserve for each
15 agency with a Reserve unit, both prior to and during
16 activation;

17 “(13) practices to ensure that ethics and con-
18 flict-of-interest standards are implemented and
19 maintained throughout the activities of the Reserve;
20 and

21 “(14) all other matters necessary to effectively
22 manage the Reserve, as determined by the Director
23 of the Office of Personnel Management.

24 “(f) ADDITIONAL GUIDANCE.—The Director of the
25 Office of Personnel Management may issue any additional

1 internal guidance as the Director of the Office of Per-
2 sonnel determines is necessary to supplement the rules
3 issued under subsection (e).

4 “(g) EMPLOYMENT PROTECTION.—For purposes of
5 chapter 43 of title 38, United States Code, an individual
6 absent from a position of employment due to an appoint-
7 ment into service in the Reserve shall be subject to the
8 same employment and reemployment protections as are
9 provided under such chapter for an individual absent from
10 a position of employment due to an appointment into serv-
11 ice in the Federal Emergency Management Agency as
12 intermittent personnel under section 306(b)(1) of the Rob-
13 ert T. Stafford Disaster Relief and Emergency Assistance
14 Act.”;

15 (19) in section 315, as so redesignated—

16 (A) in subsection (a)—

17 (i) by striking “title III, and title VII
18 (except sections 707, 708, and 721)” and
19 inserting “title II, and title III (except sec-
20 tions 307, 308, and 316)”;

21 (ii) by striking “2026” and inserting
22 “2031”; and

23 (iii) by striking “under title III” and
24 inserting “under title II”;

1 (B) in subsection (c), by striking “section
2 301 of this Act” and inserting “section 201”;
3 and

4 (C) by striking subsection (d);
5 (20) in section 316, as so redesignated—

6 (A) in subsection (a)(4)(C)(i)(II), by strik-
7 ing “in ‘urbanized areas’, as” and inserting “in
8 an ‘urbanized area’, or equivalent term, as”;

9 (B) in subsection (b)—

10 (i) in paragraph (1), by adding at the
11 end the following:

12 “(I) CONSIDERATION OF CERTAIN AGRI-
13 CULTURAL LAND TRANSACTIONS.—

14 “(i) IN GENERAL.—After receiving no-
15 tification from the Secretary of Agriculture
16 of a reportable agricultural land trans-
17 action, the Committee shall determine—

18 “(I) whether the transaction is a
19 covered transaction; and

20 “(II) if the Committee deter-
21 mines that the transaction is a cov-
22 ered transaction, whether the Com-
23 mittee should initiate a review pursu-
24 ant to subparagraph (D), or take an-
25 other action authorized under this sec-

1 tion, with respect to the reportable ag-
2 ricultural land transaction.

3 “(ii) REPORTABLE AGRICULTURAL
4 LAND TRANSACTION.—In this subpara-
5 graph, the term ‘reportable agricultural
6 land transaction’ means a transaction—

7 “(I) that the Secretary of Agri-
8 culture has reason to believe is a cov-
9 ered transaction, based on information
10 from or in cooperation with the intel-
11 ligence community;

12 “(II) that involves the acquisition
13 of an interest in agricultural land by
14 a foreign person of the People’s Re-
15 public of China, the Democratic Peo-
16 ple’s Republic of Korea, the Russian
17 Federation, or the Islamic Republic of
18 Iran; and

19 “(III) with respect to which a
20 person is required to submit a report
21 to the Secretary of Agriculture under
22 section 2(a) of the Agricultural For-
23 eign Investment Disclosure Act of
24 1978.

1 “(iii) SUNSET.—The requirements
2 under this subparagraph shall terminate,
3 with respect to a foreign person of the re-
4 spective foreign country, on the date that
5 the People’s Republic of China, the Demo-
6 cratic People’s Republic of Korea, the Rus-
7 sian Federation, or the Islamic Republic of
8 Iran, as the case may be, is removed from
9 the list of foreign adversaries in section
10 791.4 of title 15, Code of Federal Regula-
11 tions.”;

12 (ii) in paragraph (3)—

13 (I) in subparagraph (A), by strik-
14 ing “Upon completion of” and insert-
15 ing “Not later than the seventh day of
16 the month following the month in
17 which the Committee completed”; and

18 (II) in subparagraph (C)(i)—

19 (aa) by striking “shall be
20 submitted to the members” and
21 inserting “shall be submitted in a
22 searchable, machine-readable for-
23 mat to the members”;

24 (bb) in subclause (II), by
25 striking “and” at the end;

1 (cc) by redesignating sub-
2 clause (III) as subclause (IV);
3 and

4 (dd) by inserting after sub-
5 clause (II) the following:

6 “(III) the date on which the
7 transaction was accepted by the Com-
8 mittee and the date on which trans-
9 action parties were notified of the
10 completion by the Committee of the
11 Committee’s review of the transaction
12 pursuant to subsection (b)(6); and”;

13 (C) in subsection (d)(4)(A), by striking
14 “assets as a result” and inserting “assets or in
15 real estate in the United States as a result”;

16 (D) in subsection (k), by adding at the end
17 the following:

18 “(8) INCLUSION OF THE SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall be a
19 member of the Committee with respect to a covered
20 transaction that involves—

21 “(A) agricultural land;

22 “(B) agriculture biotechnology; or
23

1 “(C) the agriculture industry, including ag-
2 ricultural transportation, storage, and proc-
3 essing.”;

4 (E) in subsection (l)(3)(D), by striking
5 “section 706(b)” and inserting “section
6 306(b)”;

7 (F) in subsection (o)—

8 (i) in paragraph (1), by striking
9 “March 31” and inserting “September
10 30”; and

11 (ii) in paragraph (2), by striking “the
12 date that is 7 years after the date of the
13 enactment of the Foreign Investment Risk
14 Review Modernization Act of 2018” and
15 inserting “November 30, 2030”; and

16 (G) in subsection (p)(2), by striking
17 “through 2023 \$20,000,000” and inserting
18 “through 2030 \$21,000,000”; and

19 (21) in section 317, as so redesignated—

20 (A) in subsection (a), by striking “plan for
21 on” and inserting “plan for”;

22 (B) in subsection (b)—

23 (i) in paragraph (1)—

24 (I) in subparagraph (A), by strik-
25 ing “and” at the end;

1 (II) in subparagraph (B), by
2 striking the period at the end and in-
3 sserting a semicolon; and

4 (III) by adding at the end the
5 following:

6 “(C) the Fund manager of the Defense
7 Production Act Fund; and

8 “(D) the Director of the Office of Manage-
9 ment and Budget.”; and

10 (ii) by striking paragraph (2) and in-
11 sserting the following:

12 “(2) CHAIRPERSON.—The Assistant to the
13 President for National Security Affairs shall serve
14 as the non-voting Chairperson of the Committee.

15 “(3) EXECUTIVE DIRECTOR.—The Director of
16 the Office of Management and Budget shall serve as
17 the Executive Director of the Committee, who shall
18 oversee interagency planning, coordination, and im-
19 plementation of this Act.”;

20 (C) in subsection (c)—

21 (i) by striking “one person” and in-
22 sserting “one or more persons”; and

23 (ii) by striking “such person” and in-
24 sserting “each such person”;

25 (D) in subsection (d)—

1 (i) by inserting “Chairperson of the”
2 before “Committee shall”;

3 (ii) by striking “signed by the Chair-
4 person”;

5 (iii) by striking paragraphs (1) and
6 (2) and inserting the following:

7 “(1) the most recent reports submitted pursu-
8 ant to section 206;”;

9 (iv) by striking paragraph (5);

10 (v) by redesignating paragraphs (3),
11 (4), and (6) as paragraphs (2), (3), and
12 (7), respectively;

13 (vi) in paragraph (2), as so redesign-
14 ated, by striking “legislation” and insert-
15 ing “legislative”;

16 (vii) in paragraph (3), as so redesign-
17 ated, by striking “recommendations for
18 improving” and inserting “actions taken to
19 improve”;

20 (viii) by inserting after paragraph (3),
21 as so redesignated, the following:

22 “(4) an evaluation of the effectiveness of each
23 relevant Federal agency in deploying the authorities
24 under title I and title II to address the needs de-
25 scribed under section 206(b)(2);

1 “(5) a summary of any steps taken to reduce
2 fraud in transactions under this Act and a fraud
3 risk assessment for all activities undertaken under
4 this Act;

5 “(6) a summary of activities by the National
6 Defense Executive Reserve, along with any rec-
7 ommendations for regulatory and legislative im-
8 provements to support the National Defense Execu-
9 tive Reserve; and”;

10 (ix) in paragraph (7), as so redesignig-
11 nated, by striking “each” and inserting
12 “any”;

13 (E) by redesignating subsection (e) as sub-
14 section (k); and

15 (F) by inserting after subsection (d) the
16 following:

17 “(e) DEFENSE PRODUCTION ACT DASHBOARD.—The
18 Executive Director of the Committee shall maintain a
19 database that—

20 “(1) compiles and categorizes the actions re-
21 ported under section 206(b)(4);

22 “(2) is available to all members of the Com-
23 mittee, for the purpose of more effective coordina-
24 tion of actions authorized this Act;

1 “(3) allows for real-time updates by the mem-
2 bers of the Committee; and

3 “(4) is subject to appropriate information secu-
4 rity, confidentiality, and classification requirements.

5 “(f) TOOLKIT AND ONLINE RESOURCES SITE.—

6 “(1) IN GENERAL.—Not later than 365 days
7 after the date of the enactment of this subsection,
8 the Committee shall develop a toolkit and an online
9 ‘one-stop shop’ that allows Federal agencies to share
10 information and resources with interested persons
11 regarding the use of authorities under this Act
12 (other than authorities under section 316 or title
13 IV), including the following:

14 “(A) The process for solicitations under
15 such authorities, including information on sub-
16 mitting offers and receiving assistance.

17 “(B) Opportunities under such authorities
18 for business concerns, including small business
19 concerns (as defined under section 3 of the
20 Small Business Act (15 U.S.C. 632)), to par-
21 ticipate in contracts and other funding mecha-
22 nisms allowed such authorities.

23 “(C) A searchable description of awards,
24 including an identification of the awardee and

1 any priority rating for such award, made using
2 such authorities.

3 “(D) A description of any voluntary agree-
4 ments and executive reserves established, con-
5 sistent with such authorities, including an iden-
6 tification of the parties engaged in each activity
7 and the goals and terms of such activity, as the
8 Committee determines appropriate.

9 “(E) The contact information for an indi-
10 vidual at each Federal agency to which the
11 President may delegate such authorities.

12 “(2) OUTREACH.—Not later than 365 days
13 after the development of the toolkit required in para-
14 graph (1), and every 6 months thereafter, the Com-
15 mittee shall develop a plan for each Federal agency
16 to which the President has delegated authorities
17 under this Act (other than authorities under section
18 316 or title IV) to conduct outreach activities to
19 educate the private sector about the commercial op-
20 portunities available under such authorities.

21 “(g) MEETINGS.—The Committee shall meet at least
22 twice per year. The Chairperson of the Committee may
23 convene such other meetings as the Chairperson deter-
24 mines necessary.

25 “(h) SUBCOMMITTEES.—

1 “(1) EMERGING TECHNOLOGY SUB-
2 COMMITTEE.—

3 “(A) ESTABLISHMENT.—There is estab-
4 lished within the Committee a Subcommittee on
5 Emerging Technology.

6 “(B) ACTIVITIES.—The Subcommittee on
7 Emerging Technology shall analyze—

8 “(i) the effects or potential benefits of
9 covered technology on activities determined
10 essential to the national defense; and

11 “(ii) how covered technology can be
12 used within a single industry or Federal
13 agency, or across industries and Federal
14 agencies, to improve efficiencies, encourage
15 innovation, and address supply chain gaps

16 “(C) REPORT ELEMENTS.—The Sub-
17 committee on Emerging Technology shall in-
18 clude, in the annual report of the Defense Pro-
19 duction Act Committee, the analysis required
20 under subparagraph (B)(ii), including a de-
21 scription of how covered technology can be used
22 within a single industry or Federal agency, or
23 across industries and Federal agencies, to im-
24 prove efficiencies, conserve resources, and ad-

1 dress supply chain gaps, in support of national
2 defense priorities.

3 “(D) COVERED TECHNOLOGY.—For pur-
4 poses of this paragraph, the Subcommittee shall
5 establish a definition for the term ‘covered tech-
6 nology’ and, in establishing such definition,
7 shall consider including technologies in the
8 fields of—

9 “(i) artificial intelligence and robotics;

10 “(ii) biotechnology;

11 “(iii) cryptography and quantum com-
12 puting;

13 “(iv) materials science;

14 “(v) semiconductors; and

15 “(vi) space.

16 “(2) GENERAL SUBCOMMITTEE AUTHORITY.—
17 The Executive Director may establish and convene
18 such additional subcommittees of the Committee as
19 the Executive Director determines appropriate to
20 improve coordination among member agencies of the
21 Committee regarding particular activities authorized
22 under this Act.

23 “(i) FRAUD RISK MANAGEMENT IN TRANSACTIONS
24 UNDER THIS ACT.—Not later than 1 year after the date

1 of the enactment of this subsection, the Defense Produc-
2 tion Act Committee shall—

3 “(1) establish and implement processes and
4 procedures consistent with leading practices in the
5 Fraud Risk Framework established by the Govern-
6 ment Accountability Office to combat fraud in trans-
7 actions undertaken under this Act;

8 “(2) train personnel about the standards and
9 practices established and implemented under para-
10 graph (1); and

11 “(3) designate a point of contact within the De-
12 fense Production Act Committee to be responsible
13 for managing issues relating to fraud, including co-
14 ordinating with agencies to review fraud-related
15 issues.

16 “(j) TESTIMONY.—The following persons, or their
17 designees, shall provide testimony to the Committee on Fi-
18 nancial Services of the House of Representatives and the
19 Committee on Banking, Housing, and Urban Affairs of
20 the Senate not later than 90 days following submission
21 of the report described under subsection (d):

22 “(1) The Executive Director.

23 “(2) Upon request of either such committee,
24 the head of any Federal agency to which the Presi-
25 dent has delegated authority under this Act.”.

1 **SEC. 6. PROHIBITION AND NOTIFICATION ON INVEST-**
2 **MENTS RELATING TO COVERED NATIONAL**
3 **SECURITY TRANSACTION.**

4 The Defense Production Act of 1950 (50 U.S.C.
5 4501 et seq.) is amended—

6 (1) by redesignating title VIII as title IV;

7 (2) by redesignating sections 801 through 809
8 as sections 401 through 409, respectively;

9 (3) in subsection (e)(1) of section 401, as so re-
10 designated, by striking “section 709” and inserting
11 “section 309”;

12 (4) in section 402, as so redesignated—

13 (A) in subsection (a), by striking “section
14 801(a)” and inserting “section 401(a)”;

15 (B) in subsection (b)(1), by striking “sec-
16 tion 709” and inserting “section 309”; and

17 (C) in subsection (c), by striking “section
18 801” and inserting “section 401”;

19 (5) in subsection (a) of section 403, as so re-
20 designated—

21 (A) in paragraph (1), by striking “section
22 801(e) and 802(b)” and inserting “section
23 401(e) or 402(b)”;

24 (B) in paragraph (2)—

1 (i) by striking “section 801(e) or
2 802(b)” and inserting “section 401(e) or
3 402(b)”; and

4 (ii) by striking “section 801(e)” each
5 place such term appears and inserting
6 “section 401(e)”; and

7 (C) in paragraph (3), by striking “section
8 802” and inserting “section 402”;
9 (6) in section 407, as so redesignated—

10 (A) in subsection (a), by striking “section
11 801 or 802” and inserting “section 401 or
12 402”; and

13 (B) in subsection (b)—

14 (i) in paragraph (3), by striking “sec-
15 tion 801(a)” and inserting “section
16 401(a)”; and

17 (ii) in paragraph (4), by striking
18 “subsection 801(a)” and inserting “section
19 401(a)”;

20 (7) in subsection (b)(4) of section 408, as so re-
21 designating, by striking “section 805” and inserting
22 “section 405”; and

23 (8) in section 409, as so redesignating—

24 (A) in paragraph (1), by striking “section
25 804(d)” and inserting “section 404(d)”;

1 (B) in paragraph (4)(A)(viii), by striking
2 “section 709” and inserting “section 309”;

3 (C) in paragraph (7)—

4 (i) in subparagraph (A), by striking
5 “section 801” and inserting “section 401”;
6 and

7 (ii) in subparagraph (B), by striking
8 “section 709” and inserting “section 309”;
9 and

10 (D) in paragraph (10)(B), by striking
11 “section 709” and inserting “section 309”.

12 **SEC. 7. STUDIES AND REPORTS.**

13 (a) GAO STUDY ON STOCKPILING AND LONG-LEAD
14 ITEMS.—

15 (1) IN GENERAL.—The Comptroller General of
16 the United States shall, not later than 1 year after
17 the date of the enactment of this Act, begin a study
18 on the efficacy of the current methods used by DPA
19 agencies to address DPA-related long-lead items and
20 related stockpiling challenges.

21 (2) REQUIREMENTS.—When conducting the
22 study required under paragraph (1), the Comptroller
23 General shall—

1 (A) examine how DPA-related long-lead
2 items are currently procured and stockpiled by
3 DPA agencies;

4 (B) identify ways in which Federal agen-
5 cies can work together to better address pro-
6 curement and stockpiling of DPA-related long-
7 lead items; and

8 (C) provide legislative recommendations,
9 including amendments to the DPA, to address
10 procurement of DPA-related long-lead items
11 and the stockpiling of such items.

12 (3) DEFINITIONS.—In this subsection:

13 (A) DPA.—The term “DPA” means the
14 Defense Production Act of 1950.

15 (B) DPA AGENCY.—The term “DPA agen-
16 cy” means a Federal agency to which the Presi-
17 dent has delegated authority under the DPA.

18 (C) LONG-LEAD ITEM.—The term “long-
19 lead item” means components of a system or
20 piece of equipment for which the times to de-
21 sign and fabricate are the longest, and there-
22 fore, to which an early commitment of funds
23 may be desirable to complete the system by the
24 earliest possible.

1 (b) GAO REPORT ON THE DEFENSE PRODUCTION
2 ACT COMMITTEE.—Not later than 2 years after the date
3 of the enactment of this Act, the Comptroller General of
4 the United States shall issue a report to the Committee
5 on Financial Services of the House of Representatives and
6 the Committee on Banking, Housing and Urban Affairs
7 of the Senate that includes—

8 (1) an assessment of the quality of coordination
9 and planning for the effective use of the authorities
10 provided under section 317 of the Defense Produc-
11 tion Act of 1950;

12 (2) an identification of authorities and require-
13 ments provided for under Section 317 the Defense
14 Production Act of 1950 that may call for greater use
15 or compliance by the Defense Production Act Com-
16 mittee; and

17 (3) any other recommendations relating to how
18 the Defense Production Act Committee could im-
19 prove the Committee’s coordination and planning.

20 (c) SUBCOMMITTEE ON EMERGING TECHNOLOGY RE-
21 PORT ON POTENTIAL STRATEGIC RESERVE OF BIOLOGI-
22 CAL INPUTS.—The Subcommittee on Emerging Tech-
23 nology of the Defense Production Act Committee shall, not
24 later than 18 months after the date of the enactment of
25 this Act, submit to Congress an evaluation of the potential

1 benefits and drawbacks, and any resources required, in es-
2 tablishing a strategic reserve of critical biomanufacturing
3 essential to national defense activities under the Defense
4 Production Act of 1950

5 **SEC. 8. CONFORMING AMENDMENTS.**

6 (a) **ADVANCE ACT OF 2024.**—Section 301(d) of di-
7 vision B of the **ADVANCE Act of 2024** (42 U.S.C. 2133
8 note) is amended by striking “section 712” and inserting
9 “section 316”.

10 (b) **AMERICAN HOMEOWNERSHIP AND ECONOMIC**
11 **OPPORTUNITY ACT OF 2000.**—Section 1102 of the Amer-
12 ican Homeownership and Economic Opportunity Act of
13 2000 (Public Law 106-569) is amended by striking para-
14 graph (2).

15 (c) **ENERGY POLICY AND CONSERVATION ACT.**—Sec-
16 tion 252(h) of the Energy Policy and Conservation Act
17 (42 U.S.C. 6272(h)) is amended by striking “Section
18 708” and inserting “Section 308”.

19 (d) **FURTHER CONSOLIDATED APPROPRIATIONS ACT,**
20 **2020.**—Section 402(e) of the Further Consolidated Ap-
21 propriations Act, 2020 (12 U.S.C. 635 note) is amended
22 by striking “section 721(a)(6)(A)” and inserting “section
23 316(a)(6)(A)”.

24 (e) **JOHN S. MCCAIN NATIONAL DEFENSE AUTHOR-**
25 **IZATION ACT FOR FISCAL YEAR 2019.**—Section 1792 of

1 the John S. McCain National Defense Authorization Act
2 for Fiscal Year 2019 (50 U.S.C. 4531 note) is hereby re-
3 pealed.

4 (f) NATIONAL DEFENSE AUTHORIZATION ACT FOR
5 FISCAL YEARS 1988 AND 1989.—Section 272 of the Na-
6 tional Defense Authorization Act for Fiscal Years 1988
7 and 1989 (15 U.S.C. 4602(c)) is amended by striking
8 “section 719 of the Defense Production Act of 1950 (50
9 U.S.C. App. 2168),”.

10 (g) NATIONAL DEFENSE AUTHORIZATION ACT FOR
11 FISCAL YEAR 2018.—Section 226 of the National Defense
12 Authorization Act for Fiscal Year 2018 (50 U.S.C. 4531
13 note) is amended—

14 (1) by striking subsection (e); and

15 (2) by redesignating subsection (f) as sub-
16 section (e).

17 (h) NATIONAL DEFENSE AUTHORIZATION ACT FOR
18 FISCAL YEAR 2020.—Section 847(e) of the National De-
19 fense Authorization Act for Fiscal Year 2020 is amended
20 by striking “section 721” and inserting “section 316”.

21 (i) NATIONAL DEFENSE AUTHORIZATION ACT FOR
22 FISCAL YEAR 2022.—Effective on the date of enactment
23 of the National Defense Authorization Act for Fiscal Year
24 2022, section 1702(k)(4) of such Act is amended by strik-

1 ing “Defense Production Act” and inserting “Defense
2 Production Act of 1950”.

3 (j) TITLE 10, UNITED STATES CODE.—Section
4 4891(a) of title 10, United States Code, is amended by
5 striking “section 721(a)” and inserting “section 316(a)”.

6 (k) WILLIAM M. (MAC) THORNBERRY NATIONAL DE-
7 FENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021.—
8 Section 848(b)(2)(C) of the William M. (Mac) Thornberry
9 National Defense Authorization Act for Fiscal Year 2021
10 (10 U.S.C. 4811 note) is amended by striking “title III”
11 and inserting “title II”.

