

[DISCUSSION DRAFT]

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Defense Production Act of 1950 to require certain agencies to prepare an industrial base strategy report, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____, _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Defense Production Act of 1950 to require certain agencies to prepare an industrial base strategy report, 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. DPA INDUSTRIAL BASE STRATEGY.**

4 Section 305 of the Defense Production Act of 1950
5 (50 U.S.C. 4535) is amended—

6 (1) in the heading, by striking “**REPORTS ON**

7 **EXERCISE OF AUTHORITIES**” and inserting “**DPA**

8 **INDUSTRIAL BASE STRATEGY**”;

1 (2) by striking subsections (a) and (b) and in-
2 serting 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 Chair-
8 person of the Defense Production Act Committee and the
9 Fund manager of the Defense Production Act Fund.

10 “(b) DPA INDUSTRIAL BASE STRATEGY.—A report
11 described under this 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 coordination 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) a comprehensive list of actions (including
24 all priority ratings, the exercise or non-exercise of
25 such ratings and any allocations or financing) taken

1 by the agency pursuant to the authorities since the
2 previous report, and an explanation of how the ac-
3 tions support the strategy described under para-
4 graph (2);

5 “(4) any use of authorities under section 308 or
6 section 310 in support of the strategy described
7 under paragraph (2); and

8 “(5) in the case of an action taken pursuant to
9 title I or this title involving a business concern in
10 Canada, the United Kingdom, or Australia, a jus-
11 tification of the necessity of the use of authorities
12 under the applicable title.”; and

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

14 “(d) STRATEGY ON SECURING SUPPLY CHAINS FOR
15 MEDICAL MATERIALS ESSENTIAL TO NATIONAL DE-
16 FENSE.—The head of an agency submitting a report
17 under subsection (a) shall, in the first such report sub-
18 mitted after the date of enactment of this subsection, in-
19 clude in such report the following:

20 “(1) A detailed plan to ensure the supply of
21 medical materials (including drugs, devices, and bio-
22 logical products (as that term is defined in section
23 351 of the Public Health Service Act (42 U.S.C.
24 262)) to diagnose, cure, mitigate, treat, or prevent
25 disease) essential to national defense.

1 “(2) An analysis of vulnerabilities to existing
2 supply chains for such medical materials, and rec-
3 ommendations to address the vulnerabilities.

4 “(3) Measures to be undertaken by the agency
5 to diversify such supply chains, as appropriate and
6 as required for national defense, to ensure that es-
7 sential components of the supply chain for medical
8 materials are not under the control of any foreign
9 adversary.”.