

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 10163
OFFERED BY M ._____

Strike all after the enacting clause and insert the following:

1 **SEC. 1. SHORT TITLE.**

2 This Act may be cited as the “American Quantum
3 Competitiveness Act”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5, United States Code.

9 (2) COVERED NATION.—The term “covered na-
10 tion” has the meaning given that term in section
11 4872(f) of title 10, United States Code.

12 (3) CRITICAL COMPONENT.—

(A) IN GENERAL.—The term “critical component” means any commodity, material, product, hardware, software, or input in foreign or interstate commerce specialized for, or the availability of which materially affects, the com-

1 mercial manufacturing, deployment, or use of
2 quantum technology.

3 (B) LIMITATION.—The term does not in-
4 clude a commodity or general-purpose item that
5 is not specialized for quantum technologies, un-
6 less the availability of such commodity or item
7 materially affects the commercial manufac-
8 turing, deployment, or use of quantum tech-
9 nology.

10 (4) QUANTUM INFORMATION SCIENCE.—The
11 term “quantum information science” has the mean-
12 ing given the term in section 2 of the National
13 Quantum Initiative Act (15 U.S.C. 8801).

14 (5) QUANTUM TECHNOLOGY.—The term “quan-
15 tum technology” means the application of quantum
16 information science in interstate or foreign com-
17 merce.

18 (6) SECRETARY.—The term “Secretary” means
19 the Secretary of Commerce.

20 (7) TRUSTED FOREIGN PARTNER.—The term
21 “trusted foreign partner” means—

22 (A) the European Union; or

23 (B) a foreign country that—

24 (i) is not a covered nation; and

25 (ii) is a member of—

1 (I) the North Atlantic Treaty Or-
2 ganization;

3 (II) the European Union; or

4 (III) the Organisation for Eco-
5 nomic Co-operation and Development.

6 (8) TRUSTED QUANTUM SUPPLY CHAIN.—The
7 term “trusted quantum supply chain”, with respect
8 to quantum technology, means the sourcing of any
9 critical component from the United States or a
10 trusted supplier, whether in interstate or foreign
11 commerce.

12 (9) TRUSTED SUPPLIER.—The term “trusted
13 supplier” means an entity that—

14 (A) is domiciled in the United States or in
15 a trusted foreign partner;

16 (B) is headquartered in the United States
17 or in a trusted foreign partner;

18 (C) has the principal place of business of
19 the entity in the United States or in a trusted
20 foreign partner; and

21 (D) is organized under the laws of the
22 United States or in a trusted foreign partner.

1 **SEC. 3. PROMOTING COMMERCIAL LEADERSHIP ON QUAN-**
2 **TUM TECHNOLOGY AND TRUSTED QUANTUM**
3 **SUPPLY CHAINS.**

4 The Secretary shall carry out the following:

5 (1) Serve as the principal advisor to the Presi-
6 dent for policy related to the following:

7 (A) The commercial manufacturing, de-
8 ployment, or use of quantum technology.

9 (B) The supply of any critical component,
10 including with respect to the availability of any
11 such component.

12 (C) The establishment, maintenance, and
13 resiliency of any trusted quantum supply chain.

14 (2) Enter into an agreement with any of the
15 following to support the commercial leadership of
16 the United States with respect to quantum tech-
17 nology and any critical component:

18 (A) A trusted foreign partner.

19 (B) An agency.

20 (C) A State, or agency thereof.

21 (3) Consult with stakeholders as the Secretary
22 determines appropriate, including with individuals,
23 institutions of higher education, and private sector
24 entities, or a consortia thereof, with expertise in the
25 commercial manufacturing, deployment, or use of

1 quantum technology, and develop policy rec-
2 ommendations to—

3 (A) support such commercial manufac-
4 turing, deployment, or use; and

5 (B) promote investment by private sector
6 entities in such manufacturing, deployment, or
7 use in the United States.

8 **SEC. 4. ADDITIONAL REQUIREMENTS RELATING TO ESTAB-**
9 **LISHMENT, MAINTENANCE, AND RESILIENCY**
10 **OF ANY TRUSTED QUANTUM SUPPLY CHAIN.**

11 (a) IN GENERAL.—In carrying out section 3(1)(C),
12 the Secretary shall carry out the following:

13 (1) Identify barriers to the establishment, main-
14 tenance, and resiliency of a trusted quantum supply
15 chain.

16 (2) Establish a method and means for the Sec-
17 retary to—

18 (A) identify critical components;

19 (B) assess the availability of such critical
20 components, including the extent to which such
21 critical components are imported from and
22 manufactured in covered nations or are manu-
23 factured by trusted suppliers;

1 (C) assess any risk related to the acquisi-
2 tion of critical components provided or supplied
3 by covered nations; and

4 (D) develop policy recommendations to
5 manage and reduce such risks in coordination
6 with—

7 (i) any relevant trusted foreign part-
8 ner;

9 (ii) any relevant trusted supplier; and

10 (iii) any relevant agency.

11 (b) NATIONAL STRATEGY.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of the enactment of this Act, and every 3
14 years thereafter, the Secretary shall establish and
15 publish on a publicly available website a report that
16 includes the following:

17 (A) A description of the following:

18 (i) Any action carried out by the Sec-
19 retary pursuant to subsection (a) and
20 paragraphs (2) and (3) of section 3.

21 (ii) Any emerging risk or long-term
22 trend related to the economic competitive-
23 ness of the United States with respect to
24 the following:

25 (I) Quantum technology.

1 (II) Any critical component.

2 (III) Any trusted quantum sup-
3 ply chain.

4 (B) A comprehensive strategy, developed in
5 consultation with the heads of relevant agen-
6 cies, to advance—

7 (i) the commercial leadership of the
8 United States in quantum technology and
9 any critical component; and

10 (ii) the establishment, maintenance,
11 and resiliency of a trusted quantum supply
12 chain.

13 (C) Any recommendation by the Secretary
14 for additional legislation (including an Act of
15 Congress), other action by the Federal Govern-
16 ment or any State government, or activity by
17 the private sector to strengthen the economic
18 competitiveness of the United States with re-
19 spect to quantum technology and a trusted
20 quantum supply chain.

21 (2) PUBLIC CONSULTATION.—In establishing
22 and publishing a report pursuant to paragraph (1),
23 the Secretary shall consult with stakeholders as the
24 Secretary determines appropriate, including with in-
25 dividuals, institutions of higher education, and pri-

1 vate sector entities, or a consortia thereof, with ex-
2 pertise in the commercial manufacturing, deploy-
3 ment, or use of quantum technology or in the estab-
4 lishment, maintenance, and resiliency of a trusted
5 quantum supply chain.

6 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion may be construed to require—

8 (1) a private sector entity to—

9 (A) share information with the Secretary;

10 or

11 (B) implement any measure or rec-
12 ommendation established by the Secretary; or

13 (2) the Secretary to disclose confidential busi-
14 ness information, trade secrets, or information the
15 disclosure of which would reasonably be expected to
16 harm the national security of the United States.

