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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. 5505

To establish a National Resilience Center of Excellence in the Department of Commerce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WILD (for herself, Mr. KINZINGER, and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on

A BILL

To establish a National Resilience Center of Excellence in the Department of Commerce, 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.**

4 This Act may be cited as the “Supply Chain Security
5 and Resilience Act”.

6 **SEC. 2. NATIONAL RESILIENCE CENTER OF EXCELLENCE.**

7 (a) ESTABLISHMENT.—There is established in the
8 Office of the Secretary of Commerce a Supply Chain Resil-

1 iency and Crisis Response Office to carry out the activities
2 described in subsection (d).

3 (b) MISSION.—The mission of the Office shall be the
4 following:

5 (1) Help to promote the leadership of the
6 United States with respect to critical industries and
7 supply chains that—

8 (A) strengthen the national security of the
9 United States; and

10 (B) have a significant effect on the eco-
11 nomic security of the United States.

12 (2) Encourage partnerships and collaboration
13 with the Federal Government and the private sector,
14 labor organizations, the governments of countries
15 that are allies or key international partners of the
16 United States, State governments and political sub-
17 divisions of a State, and Tribal governments in order
18 to—

19 (A) promote the resilience of supply
20 chains; and

21 (B) respond to supply chain shocks to—

22 (i) critical industries; and

23 (ii) supply chains.

1 (3) Monitor the resilience, diversity, security,
2 and strength of supply chains and critical industries,
3 including by—

4 (A) monitoring the financial and oper-
5 ational conditions of domestic manufacturers
6 and domestic enterprises;

7 (B) performing stress tests for critical in-
8 dustries, supply chains, domestic enterprises,
9 and domestic manufacturers; and

10 (C) monitoring the demand and supply of
11 critical goods and services, industrial equip-
12 ment, and manufacturing technology.

13 (4) Support the development, maintenance, im-
14 provement, competitiveness, restoration, and expan-
15 sion of the productive capacities, efficiency, and
16 workforce of critical industries and domestic manu-
17 facturers of critical goods and services, industrial
18 equipment, and manufacturing technology.

19 (5) Prepare for and take appropriate steps to
20 minimize the effects of supply chain shocks on crit-
21 ical industries and supply chains.

22 (6) Support the creation of jobs with competi-
23 tive wages in the manufacturing sector.

1 (7) Encourage manufacturing growth and op-
2 portunities in economically distressed areas and
3 communities of color.

4 (8) Promote the health of the economy of the
5 United States and the competitiveness of manufac-
6 turing in the United States.

7 (9) Coordinate executive branch actions nec-
8 essary to carry out the functions described in para-
9 graphs (1) through (8).

10 (c) UNDER SECRETARY OF THE OFFICE.—

11 (1) APPOINTMENT AND TERM.—The head of
12 the Office shall be the Under Secretary of the Office
13 of Supply Chain Resiliency and Crisis Response, ap-
14 pointed by the President, by and with the advice and
15 consent of the Senate, for a term of not more than
16 5 years.

17 (2) PAY.—The Under Secretary shall be com-
18 pensated at the rate in effect for level II of the Ex-
19 ecutive Schedule under section 5313 of title 5,
20 United States Code.

21 (3) ADMINISTRATIVE AUTHORITIES.—The
22 Under Secretary may appoint officers and employees
23 in accordance with chapter 51 and subchapter III of
24 chapter 53 of title 5, United States Code.

1 (d) IN GENERAL.—The Under Secretary, in consulta-
2 tion with the Director of the National Institute of Stand-
3 ards and Technology, shall, on an ongoing basis, facilitate
4 and support the development of a voluntary set of stand-
5 ards, guidelines, best practices, management strategies,
6 methodologies, procedures, and processes for domestic
7 manufacturers and entities manufacturing, purchasing, or
8 using a critical good or service to—

9 (1) measure the resilience, diversity, security,
10 and strength of supply chains;

11 (2) evaluate the value of the resilience, diver-
12 sity, security, and strength of supply chains; and

13 (3) design organizational processes and incen-
14 tives to reduce the risks of disruption, strain, com-
15 promise, or elimination of a supply chain.

16 (e) REQUIREMENTS.—In carrying out subsection (d),
17 the Under Secretary shall do the following:

18 (1) Coordinate closely and regularly with rel-
19 evant private sector personnel and entities, manufac-
20 turing extension centers established as part of the
21 Hollings Manufacturing Extension Partnership,
22 Manufacturing USA institutes as described in sec-
23 tion 34(d) of the National Institute of Standards
24 and Technology Act (15 U.S.C. 278s(d)), and other

1 relevant stakeholders and incorporate industry ex-
2 pertise.

3 (2) Consult with the head of any relevant Fed-
4 eral agency, including those with jurisdiction over
5 supply chains, State and local governments, Tribal
6 governments, the governments of other nations, and
7 international organizations, as necessary.

8 (3) Identify a prioritized, flexible, repeatable,
9 performance-based, and cost-effective approach that
10 may be voluntarily adopted by domestic manufactur-
11 ers and entities purchasing or using a critical good
12 or service to help them—

13 (A) identify, assess, and manage risks to
14 supply chains; and

15 (B) value the resilience, diversity, security,
16 and strength of their supply chain.

17 (4) Design voluntary processes for selecting
18 suppliers that support the resilience, diversity, secu-
19 rity, and strength of supply chains.

20 (5) Include methodologies to identify and miti-
21 gate the effects of a disruption, strain, compromise,
22 or elimination of a supply chain.

23 (6) Disseminate research and information to as-
24 sist domestic manufacturers redesign products, ex-
25 pand manufacturing capacity, and improve capabili-

1 ties to meet domestic needs for critical goods and
2 services and supply chains.

3 (7) Incorporate relevant voluntary standards
4 and industry best practices.

5 (8) Consider small business concerns.

6 (9) Any other elements the Under Secretary de-
7 termines to be necessary.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Office \$500,000,000
10 for fiscal years 2022 through 2027, to remain available
11 until expended, for the Under Secretary to carry out this
12 section, of which not more than 2 percent per fiscal year
13 may be used for administrative costs.

14 (g) DEFINITIONS.—In this section:

15 (1) CRITICAL GOOD OR SERVICE.—The term
16 “critical good or service” means any raw, in process,
17 or manufactured material (including any mineral,
18 metal, or advanced processed material), article, com-
19 modity, supply, product, or item of supply the ab-
20 sence of which would have a significant effect on—

21 (A) the national security or economic secu-
22 rity of the United States; and

23 (B) critical infrastructure.

24 (2) DOMESTIC ENTERPRISE.—The term “do-
25 mestic enterprise” means an enterprise that con-

1 ducts business in the United States and procures a
2 critical good or service.

3 (3) DOMESTIC MANUFACTURER.—The term
4 “domestic manufacturer” means a business that—

5 (A) conducts in the United States the re-
6 search and development, engineering, or pro-
7 duction activities necessary or incidental to
8 manufacturing; or

9 (B) if provided financial assistance by the
10 Federal Government, will conduct in the United
11 States the research and development, engineer-
12 ing, or production activities necessary or inci-
13 dental to manufacturing.

14 (4) FEDERAL AGENCY.—The term “Federal
15 agency” has the meaning given the term “agency”
16 in section 551 of title 5, United States Code.

17 (5) OFFICE.—The term “Office” means the
18 Supply Chain Resiliency and Crisis Response Office
19 established under subsection (a).

20 (6) SMALL BUSINESS CONCERN.—The term
21 “small business concern” has the meaning given
22 that term in section 3(a) of the Small Business Act
23 (15 U.S.C. 632(a)).

24 (7) SUPPLY CHAIN.—The term “supply chain”
25 means a supply chain for a critical good or service.

1 (8) UNDER SECRETARY.—The term “Under
2 Secretary” means the Under Secretary of the Office
3 of Supply Chain Resiliency and Crisis Response ap-
4 pointed pursuant to subsection (c).