

AMENDMENT TO THE RULES COMMITTEE PRINT

119-8

OFFERED BY MR. DAVIDSON OF OHIO

At the end of title XVII, add the following new section:

1 SEC. 17____. IMPROVEMENTS TO THE DEFENSE PRODUCTION ACT OF 1950.

2 The Defense Production Act of 1950 (50 U.S.C.
3 4501 et seq.) is amended—

4 (1) in section 304(f)—

5 (A) by striking “President shall designate
6 a” and inserting “Secretary of the Treasury
7 shall serve as”;

8 (B) in paragraph (2), by striking “and” at
9 the end; and
10

11 (C) by striking paragraph (3) and inserting
12 the following:

13 “(3) reporting to the Congress and the Defense
14 Production Act Committee each year regarding activities of the Fund during the previous fiscal year;
15

16 “(4) designating financial institutions as financial
17 agents of the Federal Government, as appropriate, for the purposes of this title;
18

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

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

6 (2) in section 305—

7 (A) by redesignating subsection (c) as sub-
8 section (d); and

9 (B) by striking subsections (a) and (b) and
10 insert the following:

11 “(a) IN GENERAL.—Not later than 180 days after
12 the effective date of this subsection, and annually there-
13 after, the head of each agency to which the President has
14 delegated authorities under title I or this title shall submit
15 the report described under subsection (b) to the Chair-
16 person of the Defense Production Act Committee and the
17 Fund manager of the Defense Production Act Fund.

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

20 “(1) an assessment, in consultation with the
21 Defense Production Act Committee and the private
22 sector, of industrial base needs required by the head
23 of the agency to meet the highest priorities arising
24 from national defense requirements, as determined
25 by the President;

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

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

13 “(4) any use of authorities under section 708 or
14 section 710 in support of the strategy described
15 under paragraph (2);

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

21 “(c) STRATEGY ON SECURING SUPPLY CHAINS ES-
22 SENTIAL TO NATIONAL DEFENSE.—The head of any rel-
23 evant agency, as determined by the President, shall, in the
24 first report submitted under subsection (a) after the date

1 of enactment of this subsection, include in such report the
2 following:

3 “(1) A detailed plan to ensure the supply of the
4 following, to the extent necessary for national de-
5 fense:

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

11 “(B) Critical minerals.

12 “(C) Naval shipbuilding capacity, mate-
13 rials, and components.

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

17 “(3) Any authorities provided by this Act to be
18 used by the agency to ensure that essential compo-
19 nents of such supply chains are not under the con-
20 trol of a foreign adversary.”;

21 (3) in section 717(a), by striking “2025” and
22 inserting “2026”; and

23 (4) in section 722—

24 (A) in subsection (b)—

25 (i) in paragraph (1)—

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

3 (II) in subparagraph (B), by
4 striking the period at the end and in-
5 serting a semicolon; and

6 (III) by adding at the end the
7 following:

8 “(C) the Fund Manager described in sec-
9 tion 304(f); and

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

12 (ii) in paragraph (2), by striking
13 “head of the agency to which the President
14 has delegated primary responsibility for
15 government-wide coordination of the au-
16 thorities in this Act” and inserting “Direc-
17 tor of the Office of Management and
18 Budget”;

19 (B) in subsection (c)—

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

22 (ii) by striking “such person” and in-
23 serting “each such person”;

24 (C) in subsection (d)—

1 (i) by striking “The Committee” and
2 inserting “The Chairperson of the Com-
3 mittee”; and

4 (ii) by striking paragraphs (1)
5 through (6) and inserting the following:

6 “(1) the most recent reports submitted pursu-
7 ant to section 305;

8 “(2) recommendations for legislative actions, as
9 appropriate, to support the effective use of the prior-
10 ities and allocations authorities in this Act;

11 “(3) actions taken to improve information shar-
12 ing between departments, agencies, and independent
13 establishments of the Federal Government relating
14 to the use of the priorities and allocations authori-
15 ties in this Act;

16 “(4) an evaluation of the effectiveness of each
17 relevant Federal agency in deploying the authorities
18 under title I and title III to address the needs de-
19 scribed under section 305(b)(1); and

20 “(5) short attestations signed by any member
21 of the Committee stating the member’s concurrence
22 in the report.”.

23 (D) by redesignating subsection (e) as sub-
24 section (f); and

1 (E) by inserting before subsection (f), as
2 so redesignated, the following:

3 “(e) DEFENSE PRODUCTION ACT DASHBOARD.—The
4 Chairperson of the Defense Production Act Committee
5 shall maintain a database that—

6 “(1) compiles and categorizes the actions re-
7 ported under section 305(b)(3);

8 “(2) is available to all members of the Defense
9 Production Act Committee, for the purpose of more
10 effective coordination of actions authorized this Act;

11 “(3) collects real-time updates by the members
12 of the Committee; and

13 “(4) is subject to appropriate information secu-
14 rity, confidentiality, and classification require-
15 ments.”.

