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S. 257

To improve the resilience of critical supply chains, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2025

Ms. CANTWELL (for herself, Mrs. BLACKBURN, and Ms. BLUNT ROCHESTER)
introduced the following bill; which was read twice and referred to the
Committee on Commerce, Science, and Transportation

A BILL

To improve the resilience of critical supply chains, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Promoting Resilient Supply Chains Act of 2025”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Additional responsibilities of Assistant Secretary of Commerce for In-
dustry and Analysis.

Sec. 3. Critical supply chain resilience and crisis response working group.

Sec. 4. Department of Commerce capability assessment.

Sec. 5. No additional funds.

Sec. 6. Sunset.
Sec. 7. Definitions.

1 **SEC. 2. ADDITIONAL RESPONSIBILITIES OF ASSISTANT SEC-**
2 **RETARY OF COMMERCE FOR INDUSTRY AND**
3 **ANALYSIS.**

4 In addition to the responsibilities of the Assistant
5 Secretary on the day before the date of the enactment of
6 this Act, the Assistant Secretary shall have the following
7 responsibilities:

8 (1) Promote the stability and resilience of crit-
9 ical supply chains and critical and emerging tech-
10 nologies that strengthen the national security of the
11 United States.

12 (2) Lead the Working Group established pursu-
13 ant to section 3 and consult covered nongovern-
14 mental representatives, industry, institutions of
15 higher education, and State and local governments
16 in order to—

17 (A) promote resilient critical supply chains;

18 and

19 (B) identify, prepare for, and respond to
20 supply chain shocks to—

21 (i) critical industries;

22 (ii) critical supply chains; and

23 (iii) critical and emerging tech-
24 nologies.

1 (3) Encourage the growth and competitiveness
2 of United States production and manufacturing in
3 the United States of emerging technologies.

4 (4) Assess the resilience, diversity, and strength
5 of critical supply chains and critical and emerging
6 technologies.

7 (5) In consultation with the Secretary of State
8 and the United States Trade Representative, sup-
9 port the availability of critical goods from domestic
10 manufacturers, domestic enterprises, and manufac-
11 turing operations in countries that are allies or key
12 international partner nations.

13 (6) Assist the Federal Government in preparing
14 for and responding to supply chain shocks to critical
15 supply chains, including by improving flexible manu-
16 facturing capacities and capabilities in the United
17 States.

18 (7) Consistent with United States obligations
19 under international agreements, encourage and
20 incentivize the reduced reliance of domestic enter-
21 prises and domestic manufacturers on critical goods
22 from countries that are described in section 7(2)(B).

23 (8) Encourage the relocation of manufacturing
24 facilities that manufacture critical goods from coun-
25 tries that are described in section 7(2)(B) to the

1 United States and countries that are allies or key
2 international partner nations to strengthen the resil-
3 ience, diversity, and strength of critical supply
4 chains.

5 **SEC. 3. CRITICAL SUPPLY CHAIN RESILIENCE AND CRISIS**
6 **RESPONSE WORKING GROUP.**

7 (a) ESTABLISHMENT.—Not later than 120 days after
8 the date of the enactment of this Act, the Assistant Sec-
9 retary shall establish a working group to be known as the
10 “Supply Chain Resilience Working Group” (in this Act re-
11 ferred to as the “Working Group”) composed of the Fed-
12 eral agencies that rely upon the Industry and Analysis
13 Business unit analysis, including agencies enumerated in
14 subsection (c).

15 (b) ACTIVITIES.—Not later than 1 year after the date
16 of the enactment of this Act, the Assistant Secretary shall
17 carry out the following activities—

18 (1) in consultation with the Working Group—

19 (A) assessing, mapping, and modeling crit-
20 ical supply chains, including for critical and
21 emerging technologies, which may include—

22 (i) modeling the impact of supply
23 chain shocks on critical industries (includ-
24 ing for critical and emerging technologies),
25 and critical supply chains;

- 1 (ii) assessing the demand for and sup-
2 ply of critical goods, production equipment,
3 and manufacturing technology needed for
4 critical supply chains, including critical
5 goods, production equipment, and manu-
6 facturing technology obtained by or pur-
7 chased from a person outside of the United
8 States or imported into the United States;
9 and
- 10 (iii) assessing manufacturing,
11 warehousing, transportation, and distribu-
12 tion related to critical supply chains;
- 13 (B) identifying high priority gaps and
14 vulnerabilities in critical supply chains and crit-
15 ical industries (including critical industries for
16 critical and emerging technologies) that—
- 17 (i) exist as of the date of the enact-
18 ment of this Act; or
- 19 (ii) are anticipated to occur after the
20 date of the enactment of this Act;
- 21 (C) identifying potential supply chain
22 shocks to a critical supply chain that may dis-
23 rupt, strain, or eliminate the critical supply
24 chain;

1 (D) evaluating the capability and capacity
2 of domestic manufacturers or manufacturers lo-
3 cated in countries that are allies or key inter-
4 national partner nations to serve as sources for
5 critical goods, production equipment, or manu-
6 facturing technology needed in critical supply
7 chains;

8 (E) evaluating the effect on market sta-
9 bility that may result from the disruption,
10 strain, or elimination of a critical supply chain;

11 (F) evaluating the state of the manufac-
12 turing workforce, including by—

13 (i) identifying the needs of domestic
14 manufacturers; and

15 (ii) identifying opportunities to create
16 high-quality manufacturing jobs; and

17 (G) identifying and describing necessary
18 tools, including commercially available risk as-
19 sessment tools, that leverage data and industry
20 expertise to provide insights into critical supply
21 chain vulnerabilities, including how such tools
22 fulfill the requirements described in subpara-
23 graphs (A) through (E); and

24 (2) in consultation with State and local govern-
25 ments, the Working Group, and (as appropriate)

1 countries that are allies or key international partner
2 nations—

3 (A) identifying opportunities to reduce
4 gaps and vulnerabilities in critical supply chains
5 and critical industries;

6 (B) encouraging consultation between the
7 Federal Government, industry, covered non-
8 governmental representatives, institutions of
9 higher education, and State and local govern-
10 ments to—

11 (i) better respond to supply chain
12 shocks to critical supply chains and critical
13 industries (including critical industries for
14 emerging technologies); and

15 (ii) coordinate response efforts to sup-
16 ply chain shocks;

17 (C) encouraging consultation between the
18 Federal Government and the governments of
19 countries that are allies or key international
20 partner nations;

21 (D) identifying opportunities to build the
22 capacity of the United States in critical supply
23 chains, critical industries, and emerging tech-
24 nologies;

1 (E) identifying opportunities to build the
2 capacity of countries that are allies or key
3 international partner nations in critical indus-
4 tries (including critical industries for emerging
5 technologies) and critical supply chains; and

6 (F) developing and assessing contingency
7 plans and coordination mechanisms to improve
8 the response of critical supply chains and crit-
9 ical industries to supply chain shocks.

10 (c) WORKING GROUP MEMBERSHIP.—The Working
11 Group shall include a representative from each Federal
12 agency that relies on the analysis of the Industry and
13 Analysis business unit, including—

14 (1) the Department of State;

15 (2) the Department of Defense;

16 (3) the Department of Homeland Security;

17 (4) the Department of Transportation;

18 (5) the Department of Energy;

19 (6) the Department of Agriculture;

20 (7) the Department of the Interior;

21 (8) the Department of Health and Human
22 Services;

23 (9) the Office of the Director of National Intel-
24 ligence; and

25 (10) the Small Business Administration.

1 (d) DESIGNATIONS.—The Assistant Secretary shall—

2 (1) not later than 120 days after the date of
3 the enactment of this Act, designate—

4 (A) critical industries;

5 (B) critical supply chains; and

6 (C) critical goods;

7 (2) provide for a period of public comment and
8 review in carrying out paragraph (1); and

9 (3) update the designations made pursuant to
10 paragraph (1) not less frequently than once every 4
11 years, including designations for technologies that
12 are not described in section 7(12)(B) that the As-
13 sistant Secretary considers necessary.

14 (e) IMPLEMENTATION REPORT.—Not later than 1
15 year after the date of the enactment of this Act, the As-
16 sistant Secretary shall submit to the appropriate commit-
17 tees of Congress a report that—

18 (1) details supply chain activities, including ap-
19 plicable activities described in subsection (b) and re-
20 sponsibilities described in section 2, that the Assist-
21 ant Secretary has conducted over the past year;

22 (2) describes supply chain data collected, re-
23 tained, and analyzed by the Assistant Secretary over
24 the past year;

1 (3) identifies and describes necessary tools, in-
2 cluding commercially available risk assessment tools,
3 that leverage data and industry expertise to provide
4 insights into critical supply chain vulnerabilities, in-
5 cluding how such tools fulfill each responsibility de-
6 scribed in subsection (b);

7 (4) identifies and describes all Federal agencies
8 with authorities or responsibilities described in sub-
9 section (b); and

10 (5) identifies Federal agencies, programs, and
11 bureaus with duplicative purposes to fulfill any of
12 the authorities or responsibilities described in sub-
13 section (b).

14 (f) NATIONAL STRATEGY AND REVIEW ON CRITICAL
15 SUPPLY CHAIN RESILIENCY AND MANUFACTURING IN
16 THE UNITED STATES.—

17 (1) IN GENERAL.—Not later than 18 months
18 after the date of the enactment of this Act, and an-
19 nually thereafter, the Assistant Secretary, in con-
20 sultation with the Working Group, covered non-
21 governmental representatives, industries, institutions
22 of higher education, and State and local govern-
23 ments, shall submit to the relevant committees of
24 Congress a report that—

25 (A) identifies—

- 1 (i) critical infrastructure that may as-
2 sist in fulfilling the responsibilities de-
3 scribed in section 2;
- 4 (ii) critical and emerging technologies
5 that may assist in fulfilling the responsibil-
6 ities described in section 2, including such
7 technologies that may be critical to ad-
8 dressing preparedness, weaknesses, and
9 vulnerabilities relating to critical supply
10 chains;
- 11 (iii) critical industries, critical supply
12 chains, and critical goods designated pur-
13 suant to subsection (d);
- 14 (iv) other supplies and services that
15 are critical to the crisis preparedness of
16 the United States;
- 17 (v) substitutes for critical goods, pro-
18 duction equipment, and manufacturing
19 technology;
- 20 (vi) methods and technologies, includ-
21 ing blockchain technology, distributed ledg-
22 er technology, and other critical and
23 emerging technologies, as appropriate, for
24 the authentication and traceability of crit-
25 ical goods; and

1 (vii) countries that are allies or key
2 international partner nations;

3 (B) describes the matters identified and
4 evaluated under subsection (b)(1), including—

5 (i) the manufacturing base, critical
6 supply chains, and emerging technologies
7 in the United States, including the manu-
8 facturing base and critical supply chains
9 for—

10 (I) critical goods;

11 (II) production equipment; and

12 (III) manufacturing technology;

13 and

14 (ii) the ability of the United States
15 to—

16 (I) maintain readiness with re-
17 spect to preparing for and responding
18 to supply chain shocks; and

19 (II) in response to a supply chain
20 shock—

21 (aa) surge production in
22 critical industries;

23 (bb) surge production of
24 critical goods and production
25 equipment; and

1 (cc) maintain access to crit-
2 ical goods, production equipment,
3 and manufacturing technology;

4 (C) assesses and describes—

5 (i) the demand and supply of critical
6 goods, production equipment, and manu-
7 facturing technology;

8 (ii) the production of critical goods,
9 production equipment, and manufacturing
10 technology by domestic manufacturers;

11 (iii) the capability and capacity of do-
12 mestic manufacturers and manufacturers
13 in countries that are allies or key inter-
14 national partner nations to manufacture
15 critical goods, production equipment, and
16 manufacturing technology; and

17 (iv) how supply chain shocks could af-
18 fect rural, Tribal, and underserved commu-
19 nities;

20 (D) identifies threats and supply chain
21 shocks that may disrupt, strain, or eliminate
22 critical supply chains, critical goods, and critical
23 industries (including critical industries for
24 emerging technologies);

1 (E) with regard to any threat identified
2 under subparagraph (D), lists any threat or
3 supply chain shock that may originate from a
4 country, or a company or individual from a
5 country, that is described in section 7(2)(B);

6 (F) assesses—

7 (i) the resilience and capacity of the
8 manufacturing base, critical supply chains,
9 and workforce of the United States and
10 countries that are allies or key inter-
11 national partner nations that can sustain
12 critical industries (including critical indus-
13 tries for emerging technologies) through a
14 supply chain shock; and

15 (ii) the effect innovation has on do-
16 mestic manufacturers;

17 (G) assesses the flexible manufacturing ca-
18 pacity and capability available in the United
19 States in the case of a supply chain shock; and

20 (H) develops a strategy for the Depart-
21 ment of Commerce to support the resilience, di-
22 versity, and strength of critical supply chains
23 and critical and emerging technologies to—

24 (i) support sufficient access to critical
25 goods by mitigating vulnerabilities in crit-

1 ical supply chains, including critical supply
2 chains concentrated in countries that are
3 described in section 7(2)(B);

4 (ii) consult with other relevant agen-
5 cies to assist countries that are allies or
6 key international partner nations in build-
7 ing capacity for manufacturing critical
8 goods;

9 (iii) recover from supply chain shocks;

10 (iv) identify, in consultation with the
11 Working Group and other relevant agen-
12 cies, actions relating to critical supply
13 chains or emerging technologies that the
14 United States may take to improve re-
15 sponses to supply chain shocks;

16 (v) protect against supply chain
17 shocks relating to critical supply chains
18 from countries that are described in sec-
19 tion 7(2)(B); and

20 (vi) make specific recommendations to
21 implement the strategy under this section
22 and improve the security and resiliency of
23 manufacturing capacity and supply chains
24 for critical industries (including critical in-
25 dustries for emerging technologies) by—

- 1 (I) developing long-term strate-
2 gies;
- 3 (II) increasing visibility into the
4 networks and capabilities of domestic
5 manufacturers and suppliers of do-
6 mestic manufacturers;
- 7 (III) identifying and mitigating
8 risks, including—
- 9 (aa) significant
10 vulnerabilities to supply chain
11 shocks; and
- 12 (bb) exposure to gaps and
13 vulnerabilities in domestic capac-
14 ity or capabilities and sources of
15 imports needed to sustain critical
16 industries (including critical in-
17 dustries for emerging tech-
18 nologies) or critical supply
19 chains;
- 20 (IV) identifying opportunities to
21 reuse and recycle critical goods, in-
22 cluding raw materials, to increase re-
23 silient critical supply chains;

1 (V) consulting with countries
2 that are allies or key international
3 partner nations on—

4 (aa) sourcing critical goods,
5 production equipment, and man-
6 ufacturing technology; and

7 (bb) developing, sustaining,
8 and expanding production and
9 availability of critical goods, pro-
10 duction equipment, and manufac-
11 turing technology during a supply
12 chain shock; and

13 (VI) providing guidance to other
14 relevant agencies with respect to crit-
15 ical goods, supply chains, and critical
16 industries (including critical industries
17 for emerging technologies) that should
18 be prioritized to support United
19 States leadership in the deployment of
20 such technologies.

21 (2) PROHIBITION.—The report submitted pur-
22 suant to paragraph (1) may not include—

23 (A) critical supply chain information that
24 is not aggregated;

1 (B) confidential business information of a
2 private sector entity; or

3 (C) classified information.

4 (3) FORM.—The report submitted pursuant to
5 paragraph (1), and any update submitted thereafter,
6 shall be submitted to the relevant committees of
7 Congress in unclassified form and may include a
8 classified annex.

9 (4) PUBLIC COMMENT.—The Assistant Sec-
10 retary shall provide for a period of public comment
11 and review in developing the report submitted pursu-
12 ant to paragraph (1).

13 (g) CONSULTATION.—Not later than 1 year after the
14 date of the enactment of this Act, the Assistant Secretary
15 shall enter into an agreement with the head of any rel-
16 evant agency to obtain any information, data, or assist-
17 ance that the Assistant Secretary determines necessary to
18 conduct the activities described in subsection (b).

19 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
20 tion may be construed to require any private entity—

21 (1) to share information with the Secretary or
22 Assistant Secretary;

23 (2) to request assistance from the Secretary or
24 Assistant Secretary; or

1 (3) to implement any measure or recommenda-
2 tion suggested by the Secretary or Assistant Sec-
3 retary in response to a request by the private entity.

4 (i) PROTECTION OF VOLUNTARILY SHARED CRIT-
5 ICAL SUPPLY CHAIN INFORMATION.—

6 (1) PROTECTION.—

7 (A) IN GENERAL.—Notwithstanding any
8 other provision of law, critical supply chain in-
9 formation (including the identity of the submit-
10 ting person or entity) that is voluntarily sub-
11 mitted under this section to the Department of
12 Commerce for use by the Department for pur-
13 poses of this section, when accompanied by an
14 express statement described in subparagraph

15 (B)—

16 (i) shall be exempt from disclosure
17 under section 552(b)(3) of title 5, United
18 States Code (commonly referred to as the
19 “Freedom of Information Act”);

20 (ii) is not subject to any agency rules
21 or judicial doctrine regarding ex parte
22 communications with a decision-making of-
23 ficial;

24 (iii) may not, without the written con-
25 sent of the person or entity submitting

1 such information, be used directly by the
2 Department of Commerce, any other Fed-
3 eral, State, or local authority, or any third
4 party, in any civil action arising under
5 Federal or State law if such information is
6 submitted in good faith;

7 (iv) may not, without the written con-
8 sent of the person or entity submitting
9 such information, be used or disclosed by
10 any officer or employee of the United
11 States for purposes other than the pur-
12 poses of this section, except—

13 (I) in furtherance of an investiga-
14 tion or the prosecution of a criminal
15 act; or

16 (II) when disclosure of the infor-
17 mation would be—

18 (aa) to either House of Con-
19 gress, or to the extent of matter
20 within its jurisdiction, any com-
21 mittee or subcommittee thereof,
22 any joint committee thereof, or
23 any subcommittee of any such
24 joint committee; or

1 (bb) to the Comptroller Gen-
2 eral of the United States, or any
3 authorized representative of the
4 Comptroller General, in the
5 course of the performance of the
6 duties of the Government Ac-
7 countability Office;

8 (v) may not, if provided to a State or
9 local government or government agency—

10 (I) be made available pursuant to
11 any State or local law requiring dis-
12 closure of information or records;

13 (II) otherwise be disclosed or dis-
14 tributed to any party by such State or
15 local government or government agen-
16 cy without the written consent of the
17 person or entity submitting such in-
18 formation; or

19 (III) be used other than for the
20 purpose of carrying out this section,
21 or in furtherance of an investigation
22 or the prosecution of a criminal act;
23 and

24 (vi) does not constitute a waiver of
25 any applicable privilege or protection pro-

1 vided under law, such as trade secret pro-
2 tection.

3 (B) EXPRESS STATEMENT.—The express
4 statement described in this subparagraph, with
5 respect to information or records, is—

6 (i) in the case of written information
7 or records, a written marking on the infor-
8 mation or records substantially similar to
9 the following: “This information is volun-
10 tarily submitted to the Federal Govern-
11 ment in expectation of protection from dis-
12 closure as provided by the provisions of the
13 Promoting Resilient Supply Chains Act of
14 2024.”; or

15 (ii) in the case of oral information, a
16 written statement similar to the statement
17 described in clause (i) submitted within a
18 reasonable period following the oral com-
19 munication.

20 (2) LIMITATION.—No communication of critical
21 supply chain information to the Department of Com-
22 merce made pursuant to this section may be consid-
23 ered to be an action subject to the requirements of
24 chapter 10 of title 5, United States Code.

1 (3) INDEPENDENTLY OBTAINED INFORMA-
2 TION.—Nothing in this subsection may be construed
3 to limit or otherwise affect the ability of a State,
4 local, or Federal Government entity, agency, or au-
5 thority, or any third party, under applicable law to
6 obtain critical supply chain information in a manner
7 not covered by paragraph (1), including any infor-
8 mation lawfully and properly disclosed generally or
9 broadly to the public and to use such information in
10 any manner permitted by law. For purposes of this
11 subsection, a permissible use of independently ob-
12 tained information includes the disclosure of such in-
13 formation under section 2302(b)(8) of title 5,
14 United States Code.

15 (4) TREATMENT OF VOLUNTARY SUBMITTAL OF
16 INFORMATION.—The voluntary submittal to the De-
17 partment of Commerce of information or records
18 that are protected from disclosure by this section
19 may not be construed to constitute compliance with
20 any requirement to submit such information to an
21 agency under any other provision of law.

22 (5) INAPPLICABILITY TO SEMICONDUCTOR IN-
23 CENTIVE PROGRAM.—This subsection does not apply
24 to the voluntary submission of critical supply chain
25 information in an application for Federal financial

1 assistance under section 9902 of the William M.
2 (Mac) Thornberry National Defense Authorization
3 Act for Fiscal Year 2021 (Public Law 116–283).

4 **SEC. 4. DEPARTMENT OF COMMERCE CAPABILITY ASSESS-**
5 **MENT.**

6 (a) **REPORT REQUIRED.**—The Secretary shall
7 produce a report—

8 (1) identifying the duties, responsibilities, re-
9 sources, programs, and expertise within the offices
10 and bureaus of the Department of Commerce rel-
11 evant to critical supply chain resilience and manu-
12 facturing innovation;

13 (2) identifying and assessing the purpose, legal
14 authority, effectiveness, efficiency, and limitations of
15 each office or bureau identified under paragraph (1);
16 and

17 (3) providing recommendations to enhance the
18 activities related to critical supply chain resilience
19 and manufacturing innovation of the Department of
20 Commerce, including—

21 (A) improving the effectiveness, efficiency,
22 and impact of the offices and bureaus identified
23 under paragraph (1);

24 (B) coordinating across offices and bu-
25 reaus identified under paragraph (1); and

1 (C) consulting with agencies implementing
2 similar activities related to critical supply chain
3 resilience and manufacturing innovation.

4 (b) SUBMISSION OF REPORT.—Not later than 2 years
5 after the date of the enactment of this Act, the Secretary
6 shall submit to the relevant committees of Congress the
7 report required by subsection (a), along with a strategy
8 to implement, as appropriate and as determined by the
9 Secretary, the recommendations contained in the report.

10 **SEC. 5. NO ADDITIONAL FUNDS.**

11 No additional funds are authorized to be appro-
12 priated to carry out this Act.

13 **SEC. 6. SUNSET.**

14 This Act and all requirements, responsibilities, and
15 obligations under this Act shall terminate on the date that
16 is 10 years after the date of the enactment of this Act.

17 **SEC. 7. DEFINITIONS.**

18 In this Act:

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

22 (2) ALLY OR KEY INTERNATIONAL PARTNER
23 NATION.—The term “ally or key international part-
24 ner nation”—

1 (A) means a country that is critical to ad-
2 dressing critical supply chain weaknesses and
3 vulnerabilities; and

4 (B) does not include—

5 (i) a country that poses a significant
6 risk to the national security or economic
7 security of the United States; or

8 (ii) a country that is described in sec-
9 tion 503(b) of the RANSOMWARE Act
10 (title V of division BB of the Consolidated
11 Appropriations Act, 2023; Public Law
12 117–328; 136 Stat. 5564).

13 (3) ASSISTANT SECRETARY.—The term “Assist-
14 ant Secretary” means the Assistant Secretary of
15 Commerce assigned by the Secretary to direct the
16 office of Industry and Analysis.

17 (4) COVERED NONGOVERNMENTAL REPRESENT-
18 ATIVE.—The term “covered nongovernmental rep-
19 resentative” means a representative as specified in
20 the second sentence of section 135(b)(1) of the
21 Trade Act of 1974 (19 U.S.C. 2155(b)(1)), except
22 that such term does not include a representative of
23 a non-Federal Government.

24 (5) CRITICAL GOOD.—The term “critical good”
25 means any raw, in process, or manufactured mate-

1 rial (including any mineral, metal, or advanced proc-
2 essed material), article, commodity, supply, product,
3 or item for which an absence of supply would have
4 a debilitating impact on—

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

7 (B) either—

8 (i) critical infrastructure; or

9 (ii) an emerging technology.

10 (6) CRITICAL INDUSTRY.—The term “critical
11 industry” means an industry that—

12 (A) is critical for the national security or
13 economic security of the United States; and

14 (B) produces or procures a critical good.

15 (7) CRITICAL INFRASTRUCTURE.—The term
16 “critical infrastructure” has the meaning given that
17 term in section 1016 of the Critical Infrastructures
18 Protection Act of 2001 (42 U.S.C. 5195e).

19 (8) CRITICAL SUPPLY CHAIN.—The term “crit-
20 ical supply chain” means a supply chain for a crit-
21 ical good.

22 (9) CRITICAL SUPPLY CHAIN INFORMATION.—
23 The term “critical supply chain information” means
24 information that is not customarily in the public do-
25 main and relates to—

1 (A) sustaining and adapting a critical sup-
2 ply chain during a supply chain shock;

3 (B) critical supply chain risk mitigation
4 and recovery planning with respect to a supply
5 chain shock, including any planned or past as-
6 sessment, projection, or estimate of a vulner-
7 ability within the critical supply chain, includ-
8 ing testing, supplier network assessments, pro-
9 duction flexibility, supply chain risk evaluations,
10 supply chain risk management planning, or risk
11 audits; or

12 (C) operational best practices, planning,
13 and supplier partnerships that enable enhanced
14 resilience of a critical supply chain during a
15 supply chain shock, including response, repair,
16 recovery, reconstruction, insurance, or con-
17 tinuity.

18 (10) DOMESTIC ENTERPRISE.—The term “do-
19 mestic enterprise” means an enterprise that con-
20 ducts business in the United States and procures a
21 critical good.

22 (11) DOMESTIC MANUFACTURER.—The term
23 “domestic manufacturer” means a business that
24 conducts in the United States the research and de-

1 velopment, engineering, or production activities nec-
2 essary for manufacturing a critical good.

3 (12) EMERGING TECHNOLOGY.—The term
4 “emerging technology” means a technology that is
5 critical for the national security or economic security
6 of the United States, including the following:

7 (A) Technologies included in the American
8 COMPETE Act (title XV of division FF of the
9 Consolidated Appropriations Act, 2021; Public
10 Law 116–260; 134 Stat. 3276).

11 (B) The following technologies:

12 (i) Artificial intelligence.

13 (ii) Automated vehicles and unmanned
14 delivery systems.

15 (iii) Blockchain and other distributed
16 ledger, data storage, data management,
17 and cybersecurity technologies.

18 (iv) Quantum computing and quan-
19 tum sensing.

20 (v) Additive manufacturing.

21 (vi) Advanced manufacturing and the
22 Internet of Things.

23 (vii) Nano technology.

24 (viii) Robotics.

1 (ix) Microelectronics, optical fiber ray,
2 and high performance and advanced com-
3 puter hardware and software.

4 (x) Semiconductors.

5 (xi) Advanced materials science, in-
6 cluding composition 2D, other next genera-
7 tion materials, and related manufacturing
8 technologies.

9 (13) INSTITUTION OF HIGHER EDUCATION.—

10 The term “institution of higher education” has the
11 meaning given that term in section 101 of the High-
12 er Education Act of 1965 (20 U.S.C. 1001).

13 (14) MANUFACTURE.—The term “manufac-
14 ture”—

15 (A) means any activity that is necessary
16 for the development, production, processing,
17 distribution, or delivery of any raw, in process,
18 or manufactured material (including any min-
19 eral, metal, and advanced processed material),
20 article, commodity, supply, product, critical
21 good, or item of supply; and

22 (B) does not include software unrelated to
23 the manufacturing process.

24 (15) MANUFACTURING TECHNOLOGY.—The
25 term “manufacturing technology” means a tech-

1 nology that is necessary for the manufacturing of a
2 critical good.

3 (16) PRODUCTION EQUIPMENT.—The term
4 “production equipment” means any component, sub-
5 system, system, equipment, tooling, accessory, part,
6 or assembly necessary for the manufacturing of a
7 critical good.

8 (17) PROGRAM.—The term “program” means
9 the critical supply chain resiliency and crisis re-
10 sponse program established pursuant to section
11 103(a).

12 (18) RELEVANT COMMITTEES OF CONGRESS.—
13 The term “relevant committees of Congress” means
14 the following:

15 (A) The Committee on Commerce, Science,
16 and Transportation of the Senate.

17 (B) The Committee on Energy and Com-
18 merce of the House of Representatives.

19 (19) RESILIENT CRITICAL SUPPLY CHAIN.—The
20 term “resilient critical supply chain” means a crit-
21 ical supply chain that—

22 (A) ensures that the United States can
23 sustain critical industry, including emerging
24 technologies, production, critical supply chains,
25 services, and access to critical goods, production

1 equipment, and manufacturing technology dur-
2 ing a supply chain shock; and

3 (B) has key components of resilience that
4 include—

5 (i) effective private sector risk man-
6 agement and mitigation planning to sus-
7 tain critical supply chains and supplier
8 networks during a supply chain shock; and

9 (ii) minimized or managed exposure to
10 a supply chain shock.

11 (20) SECRETARY.—The term “Secretary”
12 means the Secretary of Commerce.

13 (21) STATE.—The term “State” means each of
14 the several States, the District of Columbia, each
15 commonwealth, territory, or possession of the United
16 States, and each federally recognized Indian Tribe.

17 (22) SUPPLY CHAIN SHOCK.—The term “supply
18 chain shock”—

19 (A) means an event causing severe or seri-
20 ous disruption to normal operations or capacity
21 in a supply chain; and

22 (B) includes—

23 (i) a natural disaster;

24 (ii) a pandemic;

25 (iii) a biological threat;

- 1 (iv) a cyber attack;
- 2 (v) a geopolitical conflict;
- 3 (vi) a terrorist or geopolitical attack;
- 4 (vii) a trade disruption caused by—
- 5 (I) a country described in para-
- 6 graph (2)(B); or
- 7 (II) an entity or an individual
- 8 subject to the jurisdiction of such a
- 9 country; and
- 10 (viii) an event for which the President
- 11 declares a major disaster or an emergency
- 12 under section 401 or 501, respectively, of
- 13 the Robert T. Stafford Disaster Relief and
- 14 Emergency Assistance Act (42 U.S.C.
- 15 5170; 42 U.S.C. 5191).

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