

118TH CONGRESS
1ST SESSION

H. R. 826

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Ms. WILD (for herself, Ms. BLUNT ROCHESTER, Mrs. DINGELL, and Ms. KELLY of Illinois) introduced the following bill; which was referred to the Committee on Energy and Commerce

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-
9 iency and Crisis Response Office to carry out the activities
10 described in subsection (d).

1 (b) MISSION.—The mission of the Office shall be the
2 following:

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

6 (A) strengthen the national security of the
7 United States; and

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

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

17 (A) promote the resilience of supply
18 chains; and

19 (B) respond to supply chain shocks to—

20 (i) critical industries; and

21 (ii) supply chains.

22 (3) Monitor the resilience, diversity, security,
23 and strength of supply chains and critical industries,
24 including by—

1 (A) monitoring the financial and oper-
2 ational conditions of domestic manufacturers
3 and domestic enterprises;

4 (B) performing stress tests for critical in-
5 dustries, supply chains, domestic enterprises,
6 and domestic manufacturers; and

7 (C) monitoring the demand and supply of
8 critical goods and services, industrial equip-
9 ment, and manufacturing technology.

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

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

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

21 (7) Encourage manufacturing growth and op-
22 portunities in economically distressed areas and
23 communities of color.

1 (8) Promote the health of the economy of the
2 United States and the competitiveness of manufac-
3 turing in the United States.

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

7 (c) UNDER SECRETARY OF THE OFFICE.—

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

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

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

22 (d) IN GENERAL.—The Under Secretary, in consulta-
23 tion with the Director of the National Institute of Stand-
24 ards and Technology, shall, on an ongoing basis, facilitate
25 and support the development of a voluntary set of stand-

1 ards, guidelines, best practices, management strategies,
2 methodologies, procedures, and processes for domestic
3 manufacturers and entities manufacturing, purchasing, or
4 using a critical good or service to—

5 (1) measure the resilience, diversity, security,
6 and strength of supply chains;

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

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

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

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

23 (2) Consult with the head of any relevant Fed-
24 eral agency, including those with jurisdiction over
25 supply chains, State and local governments, Tribal

1 governments, the governments of other nations, and
2 international organizations, as necessary.

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

8 (A) identify, assess, and manage risks to
9 supply chains; and

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

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

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

18 (6) Disseminate research and information to as-
19 sist domestic manufacturers redesign products, ex-
20 pand manufacturing capacity, and improve capabili-
21 ties to meet domestic needs for critical goods and
22 services and supply chains.

23 (7) Incorporate relevant voluntary standards
24 and industry best practices.

25 (8) Consider small business concerns.

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

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the Office \$500,000,000
5 for fiscal years 2024 through 2028, to remain available
6 until expended, for the Under Secretary to carry out this
7 section, of which not more than 2 percent per fiscal year
8 may be used for administrative costs.

9 (g) DEFINITIONS.—In this section:

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

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

18 (B) critical infrastructure.

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

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

1 (A) conducts in the United States the re-
2 search and development, engineering, or pro-
3 duction activities necessary or incidental to
4 manufacturing; or

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

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

13 (5) OFFICE.—The term “Office” means the
14 Supply Chain Resiliency and Crisis Response Office
15 established under subsection (a).

16 (6) SMALL BUSINESS CONCERN.—The term
17 “small business concern” has the meaning given
18 that term in section 3(a) of the Small Business Act
19 (15 U.S.C. 632(a)).

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

22 (8) UNDER SECRETARY.—The term “Under
23 Secretary” means the Under Secretary of the Office

1 of Supply Chain Resiliency and Crisis Response ap-
2 pointed pursuant to subsection (c).

○