

117TH CONGRESS
2D SESSION

H. R. 8104

To assess the semiconductor requirements of the Department of Defense
in a conflict scenario, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2022

Mr. GALLAGHER (for himself, Ms. HOULAHAN, Ms. STEFANIK, and Ms. SLOTKIN) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To assess the semiconductor requirements of the Department
of Defense in a conflict scenario, 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 “Defense Semiconductor
5 Stockpile Act”.

6 **SEC. 2. STUDY AND PILOT PROGRAM ON SEMICONDUCTORS**
7 **AND THE NATIONAL DEFENSE STOCKPILE.**

8 (a) STUDY REQUIRED.—

9 (1) IN GENERAL.—The Secretary of Defense
10 shall—

1 (A) conduct a study on the strategic mate-
2 rials required by the Department of Defense to
3 execute the operational plans of the Depart-
4 ment in a conflict with a strategic competitor
5 lasting not less than six months; and

6 (B) submit to the congressional defense
7 committees a report on such study.

8 (2) ELEMENTS.—The report required under
9 paragraph (1) shall include the following:

10 (A) A description of the specific number
11 and type of semiconductors for key systems and
12 munitions, delineated by technical specifica-
13 tions, performance requirements, and end-use
14 applications, that the Department of Defense
15 requires to execute and sustain the operational
16 plans of the Department during a conflict with
17 a strategic competitor in the Indo-Pacific for
18 not less than six months.

19 (B) A description of any supply chain
20 vulnerabilities or choke points, including from
21 sole sources of supply or geographic proximity
22 to strategic competitors, involving the critical
23 minerals and strategic raw materials (including
24 chemicals) required to produce the semiconduc-
25 tors described in subparagraph (A).

1 (C) A description of any supply chain
2 vulnerabilities or choke points, including from
3 sole sources, geographic proximity to strategic
4 competitors, or legacy technology, involving the
5 manufacturing equipment required for each
6 step in the manufacturing process from the raw
7 materials described in subparagraph (B) to the
8 finished and operational semiconductor chip de-
9 scribed in subparagraph (A), and an identifica-
10 tion of potential secure sources of supply or
11 manufacturing involving the United States, al-
12 lied, or partner nations.

13 (D) An analysis of the ability of the De-
14 partment of Defense and private industry, as
15 appropriate, to procure the semiconductors de-
16 scribed in subparagraph (A) and mitigate the
17 vulnerabilities identified in subparagraphs (B)
18 and (C), during a conflict with a strategic com-
19 petitor in the Indo-Pacific lasting not less than
20 six months, along with associated recommenda-
21 tions, any additional necessary authorities to
22 carry out such recommendations, and the cost
23 of each recommendation.

24 (E) A feasibility assessment and rec-
25 ommendations for acquiring for the National

1 Defense Stockpile the semiconductors described
2 in subparagraph (A), including the expected
3 cost.

4 (F) A description of options to finance the
5 cost of the recommendations described in sub-
6 paragraph (D).

7 (3) DEFINITIONS.—In this subsection:

8 (A) STRATEGIC COMPETITOR.—The term
9 “strategic competitor” means a country labeled
10 as a strategic competitor in the document enti-
11 tled “Summary of the 2018 National Defense
12 Strategy of the United States of America:
13 Sharpening the American Military’s Competi-
14 tive Edge”, issued by the Department of De-
15 fense pursuant to section 113 of title 10,
16 United States Code.

17 (B) STRATEGIC MATERIALS.—The term
18 “strategic materials” means—

19 (i) semiconductors described in para-
20 graph (2)(A);

21 (ii) critical minerals and strategic raw
22 materials described in paragraph (2)(B);
23 and

24 (iii) manufacturing equipment de-
25 scribed in paragraph (2)(C).

1 (b) PILOT PROGRAM.—

2 (1) ESTABLISHMENT.—Upon the submission of
3 the report under subsection (a), the Secretary of De-
4 fense shall carry out a pilot program under which
5 the Secretary shall acquire for the National Defense
6 Stockpile the highest priority minerals, materials, or
7 equipment identified in such report.

8 (2) REPORT.—Not later than 1 year after the
9 establishment of the pilot program described in this
10 subsection, and annually thereafter until the date
11 described in paragraph (3), the Secretary of Defense
12 shall submit to the congressional defense committees
13 a report on the status and effects of the pilot pro-
14 gram.

15 (3) TERMINATION.—The pilot program estab-
16 lished under this subsection shall terminate on Sep-
17 tember 30, 2028.

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