

approval of the Congress, a program for the rationing of gasoline among classes of end-users.

(Sept. 8, 1950, ch. 932, title I, §105, as added Pub. L. 96-294, title I, §103, June 30, 1980, 94 Stat. 617.)

#### TERMINATION OF SECTION

*For termination of section, see section 4564(a) of this title.*

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act Sept. 8, 1950, ch. 932, 64 Stat. 798, known as the Defense Production Act of 1950, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4501 of this title and Tables.

##### CODIFICATION

Section was formerly classified to section 2075 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective June 30, 1980, see section 107 of Pub. L. 96-294, set out as an Effective Date of 1980 Amendment note under section 4502 of this title.

#### § 4516. Designation of energy as a strategic and critical material

For purposes of this chapter, “energy” shall be designated as a “strategic and critical material” after June 30, 1980: *Provided*, That no provision of this chapter shall, by virtue of such designation<sup>1</sup> grant any new direct or indirect authority to the President for the mandatory allocation or pricing of any fuel or feedstock (including, but not limited to, crude oil, residual fuel oil, any refined petroleum product, natural gas, or coal) or electricity or any other form of energy.

(Sept. 8, 1950, ch. 932, title I, §106, as added Pub. L. 96-294, title I, §103, June 30, 1980, 94 Stat. 617; amended Pub. L. 111-67, §5, Sept. 30, 2009, 123 Stat. 2009.)

#### TERMINATION OF SECTION

*For termination of section, see section 4564(a) of this title.*

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act Sept. 8, 1950, ch. 932, 64 Stat. 798, known as the Defense Production Act of 1950, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4501 of this title and Tables.

##### CODIFICATION

Section was formerly classified to section 2076 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2009—Pub. L. 111-67 substituted “such designation” for “such designation—” and “energy.” for “energy;”

<sup>1</sup> So in original. Probably should be followed by a comma.

or”, struck out par. (1) designation before “grant any new direct or indirect authority to the President for”, and struck out par. (2) which read as follows: “grant any new direct or indirect authority to the President to engage in the production of energy in any manner whatsoever (such as oil and gas exploration and development, or any energy facility construction), except as expressly provided in sections 305 and 306 [of act Sept. 8, 1950, ch. 932] for synthetic fuel production.”

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective June 30, 1980, see section 107 of Pub. L. 96-294, set out as an Effective Date of 1980 Amendment note under section 4502 of this title.

#### § 4517. Strengthening domestic capability

##### (a) In general

Utilizing the authority of subchapter II of this chapter or any other provision of law, the President may provide appropriate incentives to develop, maintain, modernize, restore, and expand the productive capacities of domestic sources for critical components, critical technology items, materials, and industrial resources essential for the execution of the national security strategy of the United States.

##### (b) Critical components and critical technology items

###### (1) Maintenance of reliable sources of supply

The President shall take appropriate actions to assure that critical components, critical technology items, essential materials, and industrial resources are available from reliable sources when needed to meet defense requirements during peacetime, graduated mobilization, and national emergency.

###### (2) Appropriate action

For purposes of this subsection, appropriate action may include—

- (A) restricting contract solicitations to reliable sources;
- (B) restricting contract solicitations to domestic sources pursuant to—
  - (i) section 3203(a)(1)(B) or 3204(a)(3) of title 10;
  - (ii) section 3303(a)(1)(B) or 3304(a)(3) of title 41; or
  - (iii) other statutory authority;
- (C) stockpiling critical components; and
- (D) developing substitutes for a critical component or a critical technology item.

(Sept. 8, 1950, ch. 932, title I, §107, as added Pub. L. 102-558, title I, §111, Oct. 28, 1992, 106 Stat. 4201; amended Pub. L. 111-67, §6, Sept. 30, 2009, 123 Stat. 2009; Pub. L. 117-81, div. A, title XVII, §1702(k)(4), Dec. 27, 2021, 135 Stat. 2160.)

#### TERMINATION OF SECTION

*For termination of section, see section 4564(a) of this title.*

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 2077 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

In subsec. (b)(2)(B)(ii), “section 3303(a)(1)(B) of title 41 or section 3304(a)(3) of title 41” substituted for “section