

117TH CONGRESS
2D SESSION

H. R. 9129

To establish an Office of Global Competition Analysis, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2022

Mr. CROW (for himself and Mr. STEWART) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, Science, Space, and Technology, Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an Office of Global Competition Analysis, 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 “American Technology
5 Leadership Act of 2022”.

6 **SEC. 2. OFFICE OF GLOBAL COMPETITION ANALYSIS.**

7 (a) DEFINITIONS.—In this section:

1 (1) EXECUTIVE AGENCY.—The term “Executive
2 agency” has the meaning given such term in section
3 105 of title 5, United States Code.

4 (2) OFFICE.—The term “Office” means the Of-
5 fice of Global Competition Analysis established
6 under subsection (b).

7 (b) ESTABLISHMENT.—

8 (1) IN GENERAL.—The President shall establish
9 an office on analysis of global competition.

10 (2) DIRECTOR.—The office shall be headed by
11 a Director of Global Competition Analysis who shall
12 be appointed by the President.

13 (3) PURPOSES.—The purposes of the Office are
14 as follows:

15 (A) To carry out a program of analysis on
16 United States leadership in technology and in-
17 novation sectors critical to national security and
18 economic prosperity relative to other countries,
19 particularly those countries that are strategic
20 competitors of the United States.

21 (B) To support policy development and de-
22 cision making to ensure United States leader-
23 ship in technology and innovation sectors crit-
24 ical to national security and economic pros-
25 perity.

1 (4) DESIGNATION.—The Office shall be known
2 as the “Office of Global Competition Analysis”.

3 (5) AUTHORITY TO ACCEPT DETAILS ON A NON-
4 REIMBURSABLE BASIS.—The Director may accept
5 officers or employees of the United States or mem-
6 bers of the Armed Forces on a detail from an ele-
7 ment of the intelligence community (as such term is
8 defined in section 3(4) of the National Security Act
9 of 1947 (50 U.S.C. 3003(4))) or from another ele-
10 ment of the Federal Government on a non-reimburs-
11 able basis, as jointly agreed to by the heads of the
12 receiving and detailing elements, for a period not to
13 exceed three years.

14 (c) ACTIVITIES.—In accordance with the priorities
15 determined under subsection (d), the Office shall—

16 (1) acquire and prepare data relating to the
17 purposes of the Office under subsection (b), includ-
18 ing data relating to critical technologies, innovation,
19 and production capacity in the United States and
20 other countries, consistent with applicable provisions
21 of law;

22 (2) conduct long- and short-term analysis re-
23 garding—

24 (A) United States policies that enable tech-
25 nological competitiveness relative to those of

1 other countries, particularly with respect to
2 countries that are strategic competitors of the
3 United States;

4 (B) United States science and technology
5 ecosystem elements relative to those of other
6 countries, particularly with respect to countries
7 that are strategic competitors of the United
8 States;

9 (C) United States competitiveness in tech-
10 nology and innovation sectors critical to na-
11 tional security and economic prosperity relative
12 to other countries, including the availability of
13 United States technology in such sectors
14 abroad, particularly with respect to countries
15 that are strategic competitors of the United
16 States;

17 (D) trends and trajectories, including rate
18 of change in technologies, related to technology
19 and innovation sectors critical to national secu-
20 rity and economic prosperity;

21 (E) threats to United States national secu-
22 rity interests as a result of any foreign coun-
23 try's dependence on technologies of strategic
24 competitors of the United States; and

1 (F) threats to United States interests
2 based on dependencies on foreign technologies
3 critical to national security and economic pros-
4 perity; and

5 (3) engage with private sector entities on mat-
6 ters relating to analysis under paragraph (2).

7 (d) DETERMINATION OF PRIORITIES.—On a periodic
8 basis, the Director of the Office of Science and Technology
9 Policy, the National Economic Council, and the National
10 Security Council, in coordination with such heads of such
11 Executive agencies as the Director and the Councils jointly
12 consider appropriate, shall jointly determine the priorities
13 of the Office with respect to subsection (b)(2)(A).

14 (e) ADMINISTRATION.—To carry out the purposes set
15 forth under subsection (b)(2), the Office may enter into
16 an agreement with a public-private or a federally funded
17 research and development center, a university affiliated re-
18 search center, or consortium of federally funded research
19 and development centers, and university affiliated research
20 centers.

21 (f) ACCESS TO, USE, AND HANDLING OF INFORMA-
22 TION.—

23 (1) FEDERAL INFORMATION.—In carrying out
24 the activities under subsection (c), the Office shall
25 have access to all information, data, or reports of

1 any Executive agency that the Office determines
2 necessary to carry out this section—

3 (A) upon written request;

4 (B) subject to limitations under applicable
5 provisions of law; and

6 (C) consistent with the protection of
7 sources and methods, law enforcement struc-
8 tures, protection of proprietary information of
9 businesses, and protection of personally identifi-
10 able information.

11 (2) COMMERCIAL INFORMATION.—The Office
12 may obtain commercially available information that
13 may not be publicly available.

14 (3) USE OF INFORMATION.—The Office may
15 use information obtained under this subsection for
16 purposes set forth under subsection (b)(2).

17 (4) HANDLING OF INFORMATION.—The Office
18 shall handle information obtained under this sub-
19 section subject to all restrictions required by the
20 source of the information.

21 (g) ADDITIONAL SUPPORT.—A head of an Executive
22 agency may provide to the Office such support, in the form
23 of office space, furniture, financial assistance and per-
24 sonnel, as the head considers appropriate to assist the Of-

1 fice in carrying out any activity under subsection (c), con-
2 sistent with the priorities determined under subsection (d).

3 (h) ANNUAL REPORT.—Not less frequently than once
4 each year, the Office shall submit to Congress a report
5 on the activities of the Office under this section. Reports
6 and briefings produced by Office personnel shall be trans-
7 mitted to Congress as these publications are released dur-
8 ing each fiscal year.

9 (i) INITIAL REPORT.—Within 90 days of establish-
10 ment, Office personnel shall brief Congress on the Office’s
11 organizational structure, including key personnel roles and
12 responsibilities, along with the initial Office plan of activi-
13 ties for fiscal year 2023 and the five years following estab-
14 lishment of the Office.

15 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this section
17 \$20,000,000 for fiscal year 2023.

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