

Congress of the United States

Washington, DC 20515

September 27, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

We write to you as the bipartisan and bicameral supporters of the National Critical Capabilities Defense Act (S. 1854 and H.R. 6323). We championed this legislation to enhance visibility on supply chain vulnerabilities and to prevent the offshoring of critical production capacity and intellectual property to our foreign adversaries, including the People's Republic of China (PRC) and the Russian Federation, that threatens American workers and our national security. Through input and support received from stakeholders and your Administration, the sponsors are revising this bill to help the U.S. government strengthen national security and ensure the resilience of our critical supply chains through increased transparency and oversight over outbound investments.

We appreciate your Administration's support for our efforts. While we believe that this revised legislation provides the U.S. with the strongest foundation to compete in a global economy, American workers, businesses and our national security cannot afford to wait. As deliberations continue in Congress, we urge your Administration to move forward with executive action—which can then be bolstered by statutory provisions—to safeguard our national security and supply chain resiliency on outbound investments to foreign adversaries. This is how the oversight of inbound foreign investment was initially established—Executive Order.

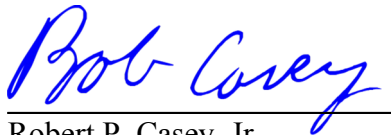
This is an effort we have long supported and advocated for as lawmakers. Such action should include robust stakeholder engagement and congressional input and oversight from the committees of jurisdiction to provide certainty and clarity for all involved.

The pandemic shined a spotlight on just how exposed U.S. supply chains are and the severe cost of relying on foreign adversaries for our Nation's critical capabilities. The PRC, for example, has an egregious track record of promoting intellectual property theft and forced technology transfer. While this unsettling trend is not new, we know action is needed to address vulnerabilities for many sectors of our economy so that we can advance U.S. national and economic security interests.

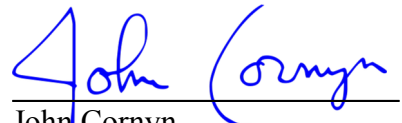
When we cede our manufacturing power and technological know-how to foreign adversaries, we are hurting our economy, our global competitiveness, American workers, industry and national security. Government action on this front is long overdue to address the scope and magnitude of these serious risks we face as a country.

Thank you for your consideration. We look forward to working with the Administration to safeguard our Nation's critical capabilities. We hope that you will keep us updated about the Administration's proposals on this important effort as they are being developed.

Sincerely,



Robert P. Casey, Jr.
United States Senator



John Cornyn
United States Senator



Charles E. Schumer
United States Senator



Nancy Pelosi
Speaker of the House



Rosa L. DeLauro
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Brian Fitzpatrick
Member of Congress



Victoria Spartz
Member of Congress

CC: The Honorable Jake Sullivan, National Security Advisor of the United States; The Honorable Gina Raimondo, Secretary of Commerce; The Honorable Janet Yellen, Secretary of the Treasury; The Honorable Katherine Tai, United States Trade Representative