

117TH CONGRESS
2D SESSION

S. 4368

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

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2022

Mr. BENNET (for himself, Mr. SASSE, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish the 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:

8 (1) EXECUTIVE AGENCY.—The term “Executive
9 agency” has the meaning given such term in section
10 105 of title 5, United States Code.

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

4 (b) ESTABLISHMENT.—

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

7 (2) PURPOSES.—The purposes of the Office are
 8 as follows:

9 (A) To carry out a program of analysis on
 10 United States leadership in technology and in-
 11 novation sectors critical to national security and
 12 economic prosperity relative to other countries,
 13 particularly those countries that are strategic
 14 competitors of the United States.

15 (B) To support policy development and de-
 16 cisionmaking to ensure United States leadership
 17 in technology and innovation sectors critical to
 18 national security and economic prosperity.

19 (3) DESIGNATION.—The Office shall be known
 20 as the “Office of Global Competition Analysis”.

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

23 (1) acquire and prepare data relating to the
 24 purposes of the Office under subsection (b), includ-
 25 ing data relating to critical technologies, innovation,

1 and production capacity in the United States and
2 other countries, consistent with applicable provisions
3 of law;

4 (2) conduct long- and short-term analysis re-
5 garding—

6 (A) United States policies that enable tech-
7 nological competitiveness relative to those of
8 other countries, particularly with respect to
9 countries that are strategic competitors of the
10 United States;

11 (B) United States science and technology
12 ecosystem elements relative to those of other
13 countries, particularly with respect to countries
14 that are strategic competitors of the United
15 States;

16 (C) United States competitiveness in tech-
17 nology and innovation sectors critical to na-
18 tional security and economic prosperity relative
19 to other countries, including the availability of
20 United States technology in such sectors
21 abroad, particularly with respect to countries
22 that are strategic competitors of the United
23 States;

24 (D) trends and trajectories, including rate
25 of change in technologies, related to technology

1 and innovation sectors critical to national secu-
2 rity and economic prosperity;

3 (E) threats to United States national secu-
4 rity interests as a result of any foreign coun-
5 try's dependence on technologies of strategic
6 competitors of the United States; and

7 (F) threats to United States interests
8 based on dependencies on foreign technologies
9 critical to national security and economic pros-
10 perity; and

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

13 (d) DETERMINATION OF PRIORITIES.—On a periodic
14 basis, the Director of the Office of Science and Technology
15 Policy, the National Economic Council, and the National
16 Security Council, in coordination with such heads of such
17 Executive agencies as the Director and the Councils jointly
18 consider appropriate, shall jointly determine the priorities
19 of the Office with respect to subsection (b)(2)(A).

20 (e) ADMINISTRATION.—To carry out the purposes set
21 forth under subsection (b)(2), the Office shall enter into
22 an agreement with a public-private or a federally funded
23 research and development center, a university affiliated re-
24 search center, or consortium of federally funded research

1 and development centers, and university affiliated research
2 centers.

3 (f) ACCESS TO, USE, AND HANDLING OF INFORMA-
4 TION.—

5 (1) FEDERAL INFORMATION.—In carrying out
6 the activities under subsection (c), the Office shall
7 have access to all information, data, or reports of
8 any Executive agency that the Office determines
9 necessary to carry out this section—

10 (A) upon written request;

11 (B) subject to limitations under applicable
12 provisions of law; and

13 (C) consistent with the protection of
14 sources and methods, law enforcement stric-
15 tures, protection of proprietary information of
16 businesses, and protection of personally identifi-
17 able information.

18 (2) COMMERCIAL INFORMATION.—The Office
19 may obtain commercially available information that
20 may not be publicly available.

21 (3) USE OF INFORMATION.—The Office may
22 use information obtained under this subsection for
23 purposes set forth under subsection (b)(2).

24 (4) HANDLING OF INFORMATION.—The Office
25 shall handle information obtained under this sub-

1 section subject to all restrictions required by the
2 source of the information.

3 (g) ADDITIONAL SUPPORT.—A head of an Executive
4 agency may provide to the Office such support, in the form
5 of financial assistance and personnel, as the head con-
6 siders appropriate to assist the Office in carrying out any
7 activity under subsection (c), consistent with the priorities
8 determined under subsection (d).

9 (h) ANNUAL REPORT.—Not less frequently than once
10 each year, the Office shall submit to Congress a report
11 on the activities of the Office under this section.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$20,000,000 for fiscal year 2023.

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