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A Rare Bipartisan Fix. At Risk of Being Left Behind

Defense Production Act modernization: Current state of play as of Nov. 13, 2026

The story

Congress has a rare bipartisan national security fix in hand: written, passed out of committee 41 to 0, and explicitly requested by the White House. With the Defense Production Act's (DPA) core authorities expiring December 11, 2026, the most likely outcome is a clean extension of the law without reforms, leaving necessary reforms on the shelf for years to come.

Everything is in place

- The DPA lets the government prioritize contracts, expand production of critical goods and materials, and work with industry in a crisis. Presidents of both parties have used it since 1950, and its renewal is must-pass.
- A modernization package, H.R. 7688, the DPA Modernization Act of 2026, passed the House Financial Services Committee 41 to 0 in March 2026.
- The White House has asked for reform in writing. In its July 21, 2026 Statement of Administration Policy on the FY27 National Defense Authorization Act (H.R. 8800), the administration welcomed "a multi-year extension" and urged that it include "substantial modernization reforms" to make the authorities "faster, nimbler, and better-resourced."
- There is bipartisan legislation ready to go. The FORCE Act (H.R. 3561), from Republican Zach Nunn and Democrat Jim Himes, is one example of a reform with support on both sides.

Why now?

The DPA is in constant use. Recent administrations have reached for it to respond to growing supply chain threats arising from our competition with China, and its authorities remain the backbone of any catastrophic response plan from the Pentagon or the Department of Homeland Security. The tool is working hard, which is exactly why the authorities that govern how the government plans and partners with industry should not be left to run on outdated rules for another several years. The window to fix them is in this NDAA, and that window is rapidly closing. The NDAA must pass both chambers before the current Congress ends on January 3, or the bill dies and the process starts over.

Why it may not happen anyway

The extension seems to be on track, likely for multiple years. Modernization, however, is not. The reforms that cleared committee have not been merged into the FY 2027 National Defense Authorization Act (NDAA), the vehicle carrying the extension. A simple date change is easy to drop into a must-pass bill; a modernization package takes negotiation and political capital in a crowded, contested NDAA. The path of least resistance is a clean extension that keeps the law alive and

leaves the fixes for "later." The risk, however, is that "later" means the next reauthorization, years from now, with the same outdated authorities still in place, and likely even greater political challenges in a new Congress with new majorities and committee leadership.

What a modernization package could include

There are a number of updates to the DPA that could win bipartisan support. Several are uncontroversial improvements to how the government works with private industry, including:

- **Streamlining voluntary agreements (Section 708).** This authority lets the government coordinate with companies on shared national security problems with protection from antitrust liability. It works, but the process for setting one up is slow. During COVID-19, standing up the pandemic voluntary agreement took about four months. Streamlining it would let the government partner with industry faster in a crisis.
- **Reviving the National Defense Executive Reserve (Section 710).** This was a standing pool of private-sector experts the government could call on in an emergency. Active during the Cold War, it has since been disbanded. Reviving it would require Congress to authorize the legal protections, which H.R. 7688 and the FORCE Act would provide, and funding to stand it back up.

These are just examples, not the whole list. The broader package in H.R. 7688 goes further, reshaping DPA's industrial financing rules, overhauling the interagency committee that oversees the law, and raising the fund that pays for it. Those pieces are more complex and will therefore draw more debate. What the straightforward improvements have in common is that they are achievable right now. The reserve fix passed committee unanimously, the voluntary agreement fix has bipartisan sponsors in the FORCE Act, and the White House supports modernization. That is what makes this moment particularly unusual, and what makes letting this slip a missed opportunity.

About Global Shield

Global Shield is an international advocacy organization that helps governments prepare for catastrophic risks from all hazards. In the United States, we work on extending and modernizing the Defense Production Act. We can offer reporters background, analysis, and expert comment on where this stands and exactly what is at stake.

- **Jared Brown**, our Executive Director, covered the Defense Production Act for the Congressional Research Service. He testified on DPA modernization before the Senate Committee on Banking, Housing, and Urban Affairs in 2025.

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