

## Lockington, Elliott (SPAC/PSPC)

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**From:** Harris, Emily (SPAC/PSPC)  
**Sent:** March 20, 2020 10:13 AM  
**To:** Tallerico, Joel (SPAC/PSPC)  
**Cc:** Church, Leslie (SPAC/PSPC); Murdock, Kelly (SPAC/PSPC); Laycock, Tristan (SPAC/PSPC)  
**Subject:** Re: American Defense Production Act

Thank you. Her line is going to be “the two acts are different” if she is pressed.

Sent from my iPhone

On Mar 20, 2020, at 10:10 AM, Tallerico, Joel (SPAC/PSPC) <[joel.tallerico@canada.ca](mailto:joel.tallerico@canada.ca)> wrote:

Hey folks,

I’ve asked the department for a line comparing the US and Canada Acts by 1030.

For reference here is the US act: <https://uscode.house.gov/statutes/pl/111/67.pdf>

For reference here is the Canadian Act: <https://laws-lois.justice.gc.ca/eng/acts/d-1/FullText.html>

I’m no legal expert (yet) but here is what I can tell:

- The definition on when this would apply is broader.
- The US act includes applies when: “the security of the United States is dependent on the ability of the domestic industrial base to supply materials and services for the national defense and to prepare for and respond to military conflicts, **natural or man-caused disasters**, or acts of terrorism within the United States.
- The US act also applies: “in order to provide for the national security, the national defense preparedness effort of the United States Government requires—
  - “(A) preparedness programs to respond to both domestic emergencies and international threats to national defense;
  - “(B) measures to improve the domestic industrial base for national defense;
  - “(C) the development of domestic productive capacity to meet—
    - “(i) essential national defense needs that can result from emergency conditions; and
    - “(ii) unique technological requirements; and
  - “(D) the diversion of certain materials and facilities from ordinary use to national defense purposes, when national defense needs cannot otherwise be satisfied in a timely fashion;
- Canada’s act is more limited:
- “**defence supplies** means (a) arms, ammunition, implements of war, vehicles, mechanical and other equipment, watercraft, amphibious craft, aircraft, animals, articles, materials, substances and things required or used for the purposes of the defence of Canada or for cooperative efforts for defence being carried on by Canada and an associated government,

- (b)** ships of all kinds, and
- (c)** articles, materials, substances and things of all kinds used for the production or supply of anything mentioned in paragraph (a) or (b) or for the construction of defence projects;

The department should be providing something more by 10:30

Thanks,

**Joel Tallerico**

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