



July 22, 2019

Presidential Determination
No. 2019-16

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Presidential Determination Pursuant to
Section 303 of the Defense Production Act
of 1950, as amended

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the "Act") (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that the domestic production capability for separation and processing of Heavy Rare Earth Elements is essential to the national defense.

Without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the production capability for separation and processing of Heavy Rare Earth Elements adequately and in a timely manner. Further, purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical capability.

You are authorized and directed to publish this memorandum in the *Federal Register*.

[FR Doc. 2019-15995 Filed: 7/24/2019 11:15 am; Publication Date: 7/25/2019]