

TO: Senator Rick Scott

FROM: Thomas R. Cuba, Ph.D.

SUBJECT: Misapplication of the National Defense Production Act.

DATE: 2022 0617

Sir,

Recent news reports are that the current Administration has used the subject D.P.A. to produce baby formula, and more recently, alternative energy products such as heat pumps and solar panels.

My concern is that these two actions, gone unchallenged, set a precedent that can be cited for future executive actions. One example that comes to mind is the production of gasoline. A few days ago, the President is reported to have sent a letter to the four largest producers of gasoline, in which he urged them to step up production. Combining these two observations, the stage is now set for the nationalization of the petroleum industry. Under the precedent set by the baby formula and green energy products, all the President would need to do is to declare that the lowered level of production of gasoline represented a threat to national security, and then invoke the D.P.A.

I, therefore, urge you and your colleagues to take appropriate action to challenge the current abuses and define the extent to which the D.P.A. may be applied in the future, perhaps limiting its use to wartime settings.

Very respectfully,

Thomas R. Cuba, Ph.D.

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