

## **Trump Administration Exercises Further Direction Under Defense Production Act to Increase Domestic Energy Production**

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On April 20, 2026, President Trump issued a [Presidential Determination](#) under the Defense Production Act (“DPA”) to increase domestic energy production in an effort to address shortages related to the ongoing conflict in the Middle East. This follows the administration’s [invocation of the DPA](#) in March, which directed a California operator to restore operations of an offshore unit and pipeline system.

Section 303 of the DPA authorizes the President to restore or expand domestic industrial capabilities, which are essential for the national defense. Such measures may include purchasing resources for government use or resale, funding exploration and production activities, and sponsoring commercial research and development.

The DPA also includes specific limits on federal commercial activity by prohibiting the purchase of materials below the current domestic market price and limiting the timeline on which those materials may be developed and delivered. However, the President may waive those limitations should he determine it is necessary to avert an industrial resource shortfall that would severely impair national defense capability. President Trump’s Determination explicitly waived those statutory limitations in order to advance large-scale energy infrastructure.

It is unlikely that yesterday’s Directive will have an immediate effect on consumer prices. Since taking office, the Trump administration has pushed for increased domestic energy production to counter shortfalls caused in part by regulatory and market constraints. These forecasted shortfalls have been exacerbated by overseas events, and the administration’s response is in keeping with its support for energy development across the board. But it remains unclear which specific mechanisms, such as purchasing commitments or infrastructure funding, the government will use under the DPA.

Presidential authority under the DPA is broad, but temporary, and subject to statutory controls and legal challenges. Operators and consumers should therefore continue to monitor future executive action to determine new opportunities for enhanced growth spurred by reduced regulatory controls.

Scott Kiplinger is an attorney at GableGotwals. This Alert was prepared in collaboration with the Firm's [Energy Practice Group](#) in a continuing effort to keep our clients informed of the transitions of law within the areas they operate. For questions regarding this development, or any other energy questions, please contact Scott or a member of [our team](#).



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