

113TH CONGRESS
2D SESSION

H. R. 4809

To reauthorize the Defense Production Act, to improve the Defense
Production Act Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2014

Mr. CAMPBELL introduced the following bill; which was referred to the
Committee on Financial Services

A BILL

To reauthorize the Defense Production Act, to improve the
Defense Production Act Committee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REAUTHORIZATION.**

4 Section 717(a) of the Defense Production Act of
5 1950 (50 U.S.C. App. 2166(a)) is amended by striking
6 “2014” and inserting “2019”.

7 **SEC. 2. DEFENSE PRODUCTION ACT COMMITTEE IMPROVE-**
8 **MENTS.**

9 Section 722 of the Defense Production Act of 1950
10 (50 U.S.C. App. 2171) is amended—

1 (1) in subsection (a)—

2 (A) by striking “advise the President” and
3 inserting “coordinate and plan for”; and

4 (B) by striking “the authority” and insert-
5 ing “the priorities and allocations authorities”;

6 (2) in subsection (b), by amending paragraph
7 (2) to read as follows:

8 “(2) The Chairperson of the Committee shall be
9 the head of the agency to which the President has
10 delegated primary responsibility for government-wide
11 coordination of the authorities in this Act.”;

12 (3) by amending subsection (c) to read as fol-
13 lows:

14 “(c) COORDINATION OF COMMITTEE ACTIVITIES.—
15 The Chairperson shall appoint one person to coordinate
16 all of the activities of the Committee, and such person
17 shall—

18 “(1) be a full-time employee of the Federal
19 Government;

20 “(2) report to the Chairperson; and

21 “(3) carry out such activities relating to the
22 Committee as the Chairperson may determine appro-
23 priate.”; and

24 (4) in subsection (d)—

1 (A) by striking “Not later than” and all
2 that follows through “Committee shall submit”
3 and inserting the following: “The Committee
4 shall issue a report each year by March 31”;

5 (B) by striking “each member of the Com-
6 mittee” and inserting “the Chairperson”;

7 (C) in paragraph (1)—

8 (i) by striking “a review of the au-
9 thority under this Act of” and inserting “a
10 description of the contingency planning
11 by”; and

12 (ii) by inserting before the semicolon
13 the following: “for events that might re-
14 quire the use of the priorities and alloca-
15 tions authorities”;

16 (D) in paragraph (2), by striking “author-
17 ity described in paragraph (1)” and inserting
18 “priorities and allocations authorities in this
19 Act”;

20 (E) by amending paragraph (3) to read as
21 follows:

22 “(3) recommendations for legislation actions, as
23 appropriate, to support the effective use of the prior-
24 ities and allocations authorities in this Act;”;

1 (F) in paragraph (4), by striking “all as-
 2 pects of” and all that follows through the end
 3 of the paragraph and inserting “the use of the
 4 priorities and allocations authorities in this
 5 Act;”; and

6 (G) by adding at the end the following:

7 “(5) up-to-date copies of the rules described
 8 under section 101(d)(1); and

9 “(6) short attestations signed by each member
 10 of the Committee stating their concurrence in the re-
 11 port.”.

12 **SEC. 3. UPDATED RULEMAKING.**

13 Section 101(d)(1) of the Defense Production Act of
 14 1950 (50 U.S.C. App. 2071(d)(1)) is amended by striking
 15 “not later than” and all that follows through “rules” and
 16 inserting the following: “issue, and annually review and
 17 update whenever appropriate, final rules”.

18 **SEC. 4. PRESIDENTIAL DETERMINATION.**

19 Section 303(a) of the Defense Production Act of
 20 1950 (50 U.S.C. App. 2093(a)) is amended—

21 (1) in paragraph (5)—

22 (A) by striking “determines” and inserting
 23 the following: “, on a non-delegable basis, deter-
 24 mines, with appropriate explanatory material
 25 and in writing,”;

1 (B) in subparagraph (A), by striking
2 “and” at the end;

3 (C) in subparagraph (B), by striking the
4 period and inserting “; and”; and

5 (D) by adding at the end the following:

6 “(C) purchases, purchase commitments, or
7 other action pursuant to this section are the
8 most cost effective, expedient, and practical al-
9 ternative method for meeting the need.”; and

10 (2) in paragraph (6), by adding at the end the
11 following:

12 “(C) LIMITATION.—If the taking of any
13 action or actions under this section to correct
14 an industrial resource shortfall would cause the
15 aggregate outstanding amount of all such ac-
16 tions for such industrial resource shortfall to
17 exceed \$50,000,000, no such action or actions
18 may be taken, unless such action or actions are
19 authorized to exceed such amount by an Act of
20 Congress.”.

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