

Suspend the Rules and Pass the Bill, H.R. 4809, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

113TH CONGRESS
2^D 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—

6 (1) by striking “2014” and inserting “2019”;

7 and

1 (2) by striking “on or after the date of enact-
2 ment of the Defense Production Act Reauthorization
3 of 2009”.

4 **SEC. 2. DEFENSE PRODUCTION ACT COMMITTEE IMPROVE-**
5 **MENTS.**

6 Section 722 of the Defense Production Act of 1950
7 (50 U.S.C. App. 2171) is amended—

8 (1) in subsection (a)—

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

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

13 (2) in subsection (b), by amending paragraph
14 (2) to read as follows:

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

19 (3) by amending subsection (c) to read as fol-
20 lows:

21 “(c) COORDINATION OF COMMITTEE ACTIVITIES.—

22 The Chairperson shall appoint one person to coordinate
23 all of the activities of the Committee, and such person
24 shall—

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

3 “(2) report to the Chairperson; and

4 “(3) carry out such activities relating to the
5 Committee as the Chairperson may determine appro-
6 priate.”; and

7 (4) in subsection (d)—

8 (A) by striking “Not later than” and all
9 that follows through “Committee shall submit”
10 and inserting the following: “The Committee
11 shall issue a report each year by March 31”;

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

14 (C) in paragraph (1)—

15 (i) by striking “a review of the au-
16 thority under this Act of” and inserting “a
17 description of the contingency planning
18 by”; and

19 (ii) by inserting before the semicolon
20 the following: “for events that might re-
21 quire the use of the priorities and alloca-
22 tions authorities”;

23 (D) in paragraph (2), by striking “author-
24 ity described in paragraph (1)” and inserting

1 “priorities and allocations authorities in this
2 Act”;

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

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

8 (F) in paragraph (4), by striking “all as-
9 pects of” and all that follows through the end
10 of the paragraph and inserting “the use of the
11 priorities and allocations authorities in this
12 Act;”; and

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

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

16 “(6) short attestations signed by each member
17 of the Committee stating their concurrence in the re-
18 port.”.

19 **SEC. 3. UPDATED RULEMAKING.**

20 Section 101(d)(1) of the Defense Production Act of
21 1950 (50 U.S.C. App. 2071(d)(1)) is amended by striking
22 “not later than” and all that follows through “rules” and
23 inserting the following: “issue, and annually review and
24 update whenever appropriate, final rules”.

1 **SEC. 4. PRESIDENTIAL DETERMINATION.**

2 (a) IN GENERAL.—Section 303(a) of the Defense
3 Production Act of 1950 (50 U.S.C. App. 2093(a)) is
4 amended—

5 (1) in paragraph (5)—

6 (A) by striking “determines” and inserting
7 the following: “, on a non-delegable basis, deter-
8 mines, with appropriate explanatory material
9 and in writing,”;

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

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

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

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

19 (2) in paragraph (6), by adding at the end the
20 following:

21 “(C) LIMITATION.—If the taking of any
22 action or actions under this section to correct
23 an industrial resource shortfall would cause the
24 aggregate outstanding amount of all such ac-
25 tions for such industrial resource shortfall to
26 exceed \$50,000,000, no such action or actions

1 may be taken, unless such action or actions are
2 authorized to exceed such amount by an Act of
3 Congress.”.

4 (b) EXCEPTION.—Section 303(a)(6)(C) of the De-
5 fense Production Act of 1950, as added by subsection
6 (a)(2), shall not apply to a project undertaken pursuant
7 to a determination made before the date of the enactment
8 of this Act.

9 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

10 Section 711 of the Defense Production Act of 1950
11 (50 U.S.C. App. 2161) is amended—

12 (1) by striking “are hereby authorized to be ap-
13 propriated such sums as may be necessary and ap-
14 propriate” and inserting “ is authorized to be appro-
15 priated \$133,000,000 for fiscal year 2015 and each
16 fiscal year thereafter”; and

17 (2) by striking the second and third sentences.