

# Union Calendar No. 35

108TH CONGRESS  
1ST SESSION

# H. R. 1280

**[Report No. 108-56]**

To reauthorize the Defense Production Act of 1950, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2003

Mr. KING of New York (for himself, Mr. OXLEY, and Mrs. MALONEY) introduced the following bill; which was referred to the Committee on Financial Services

APRIL 2, 2003

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To reauthorize the Defense Production Act of 1950, 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. SHORT TITLE.**

4 This Act may be cited as the “Defense Production  
5 Act Reauthorization of 2003”.

1 **SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT**  
2 **OF 1950.**

3 (a) IN GENERAL.—The 1st sentence of section  
4 717(a) of the Defense Production Act of 1950 (50 U.S.C.  
5 App. 2166(a)) is amended—

6 (1) by striking “sections 708” and inserting  
7 “sections 707, 708,”; and

8 (2) by striking “September 30, 2003” and in-  
9 serting “September 30, 2008”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 711(b) of the Defense Production Act of 1950 (50 U.S.C.  
12 App. 2161(b)) is amended by striking “1996 through  
13 2003” and inserting “2004 through 2008”.

14 **SEC. 3. RESOURCE SHORTFALL FOR RADIATION-HARD-**  
15 **ENED ELECTRONICS.**

16 Notwithstanding the limitation contained in section  
17 303(a)(6)(C) of the Defense Production Act of 1950 (50  
18 U.S.C. App. 2093(a)(6)(C)), the President is authorized  
19 to take actions under section 303 of the Defense Produc-  
20 tion Act of 1950 to correct the industrial resource shortfall  
21 for radiation-hardened electronics, to the extent that such  
22 Presidential actions do not cause the aggregate out-  
23 standing amount of all such actions to exceed  
24 \$200,000,000.

1 **SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.**

2 Subsection (a) of section 705 of the Defense Produc-  
 3 tion Act of 1950 (50 U.S.C. App. 2155(a)) is amended  
 4 by inserting after the end of the 1st sentence the following  
 5 new sentence: “The authority of the President under this  
 6 section includes the authority to obtain information in  
 7 order to perform industry studies assessing the capabili-  
 8 ties of the United States industrial base to support the  
 9 national defense.”.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Defense Production Act*  
 12 *Reauthorization of 2003”.*

13 **SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT**  
 14 **OF 1950.**

15 (a) *IN GENERAL.*—*The 1st sentence of section 717(a)*  
 16 *of the Defense Production Act of 1950 (50 U.S.C. App.*  
 17 *2166(a)) is amended—*

18 (1) *by striking “sections 708” and inserting*  
 19 *“sections 707, 708,”; and*

20 (2) *by striking “September 30, 2003” and insert-*  
 21 *ing “September 30, 2007”.*

22 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*Section*  
 23 *711(b) of the Defense Production Act of 1950 (50 U.S.C.*  
 24 *App. 2161(b)) is amended by striking “1996 through 2003”*  
 25 *and inserting “2004 through 2007”.*

1 **SEC. 3. RESOURCE SHORTFALL FOR RADIATION-HARDENED**  
 2 **ELECTRONICS.**

3 *Notwithstanding the limitation contained in section*  
 4 *303(a)(6)(C) of the Defense Production Act of 1950 (50*  
 5 *U.S.C. App. 2093(a)(6)(C)), the President is authorized to*  
 6 *take actions under section 303 of the Defense Production*  
 7 *Act of 1950 to correct the industrial resource shortfall for*  
 8 *radiation-hardened electronics, to the extent that such Pres-*  
 9 *idential actions do not cause the aggregate outstanding*  
 10 *amount of all such actions to exceed \$200,000,000.*

11 **SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.**

12 *Subsection (a) of section 705 of the Defense Production*  
 13 *Act of 1950 (50 U.S.C. App. 2155(a)) is amended by insert-*  
 14 *ing after the end of the 1st sentence the following new sen-*  
 15 *tence: “The authority of the President under this section*  
 16 *includes the authority to obtain information in order to*  
 17 *perform industry studies assessing the capabilities of the*  
 18 *United States industrial base to support the national de-*  
 19 *fense.”.*

20 **SEC. 5. REPORT ON CONTRACTING WITH MINORITY- AND**  
 21 **WOMEN-OWNED BUSINESSES.**

22 *(a) REPORT REQUIRED.—Before the end of the 1-year*  
 23 *period beginning on the date of the enactment of this Act,*  
 24 *the Secretary of Defense shall submit a report to the Com-*  
 25 *mittee on Financial Services of the House of Representa-*  
 26 *tives on the extent to which contracts entered into during*

1 *the fiscal year ending before the end of such 1-year period*  
2 *under the Defense Production Act of 1950 have been con-*  
3 *tracts with minority- and women-owned businesses.*

4 (b) *CONTENTS OF REPORTS.*—*The report submitted*  
5 *under subsection (a) shall include the following:*

6 (1) *The types of goods and services obtained*  
7 *under contracts with minority- and women-owned*  
8 *businesses under the Defense Production Act of 1950*  
9 *in the fiscal year covered in the report.*

10 (2) *The dollar amounts of such contracts.*

11 (3) *The ethnicity of the majority owners of such*  
12 *minority- and women-owned businesses.*

13 (4) *A description of the types of barriers in the*  
14 *contracting process, such as requirements for security*  
15 *clearances, that limit contracting opportunities for*  
16 *minority- and women-owned businesses, together with*  
17 *such recommendations for legislative or administra-*  
18 *tive action as the Secretary of Defense may determine*  
19 *to be appropriate for increasing opportunities for*  
20 *contracting with minority- and women-owned busi-*  
21 *nesses and removing barriers to such increased par-*  
22 *ticipation.*

23 (c) *DEFINITIONS.*—*For purposes of this section, the*  
24 *terms “women-owned business” and “minority-owned busi-*  
25 *ness” have the meanings given such terms in section 21A(r)*

1 *of the Federal Home Loan Bank Act, and the term “minor-*  
2 *ity” has the meaning given such term in section 1204(c)(3)*  
3 *of the Financial Institutions Reform, Recovery, and En-*  
4 *forcement Act of 1989.*



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