

118TH CONGRESS
2D SESSION

H. R. 9664

To require the Secretary of Defense to include maximum production rates for procurement of goods in budget materials, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2024

Ms. PORTER introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To require the Secretary of Defense to include maximum production rates for procurement of goods in budget materials, 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 “Accurate Industrial
5 Policy Budgeting Act of 2024”.

6 **SEC. 2. INCLUSION OF MAXIMUM PRODUCTION RATES FOR**
7 **GOODS IN BUDGET MATERIALS.**

8 (a) IN GENERAL.—The Secretary of Defense, in con-
9 sultation with the relevant service acquisition executive (as
10 defined in section 101 of title 10, United States Code),

1 shall include in the budget materials submitted to Con-
2 gress in support of the annual budget request of the Presi-
3 dent (submitted to Congress pursuant to section 1105 of
4 title 31, United States Code) for each fiscal year, or in
5 any similar budget materials made available to the public,
6 the maximum production rate for any contract for the pro-
7 curement of goods of the Department that is achievable
8 at a per-unit cost not to exceed the per-unit cost for such
9 good in the budget request of the President, along with
10 an attestation to the accuracy with respect to each such
11 contract.

12 (b) DEADLINES.—The information described in sub-
13 section (a) shall be included in the budget materials as
14 follows:

15 (1) For covered programs, in the budget re-
16 quest of the President for fiscal year 2025.

17 (2) For programs other than covered programs,
18 in the budget request of the President for fiscal year
19 2026.

20 (c) WAIVER.—Upon request by a service acquisition
21 executive of a military department, the Secretary of De-
22 fense may exclude information required under subsection
23 (a) from the budget materials if the service acquisition ex-
24 ecutive submits a written statement that such information

1 is classified to the Secretary of Defense and the Under
2 Secretary of Defense for Acquisition and Sustainment.

3 (d) COVERED PROGRAM DEFINED.—In this section,
4 the term “covered program” means—

5 (1) a major defense acquisition program (as de-
6 fined in section 4201 of title 10, United States
7 Code); or

8 (2) a program with an expected total expendi-
9 ture—

10 (A) for research, development, technology,
11 and engineering, greater than \$200,000,000; or

12 (B) for procurement, greater than
13 \$920,000,000.

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