

through VII. Titles II, IV, V, and VI of the Act were repealed by Pub. L. 111-67, §2(a)(2), Sept. 30, 2009, 123 Stat. 2007. Titles I, III, and VII of the Act have been codified in this chapter to appear as subchapters I to III, respectively. For complete classification of this Act to the Code, see Tables.

§ 4501. Short title

This chapter, divided into subchapters, may be cited as “the Defense Production Act of 1950”.

(Sept. 8, 1950, ch. 932, §1, 64 Stat. 798.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act Sept. 8, 1950, ch. 932, 64 Stat. 798, known as the Defense Production Act of 1950, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 2061 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-232, div. A, title XVII, §1701, Aug. 13, 2018, 132 Stat. 2174, provided that: “This subtitle [subtitle A (§§1701-1728) of title XVII of div. A of Pub. L. 115-232, amending section 4565 of this title and enacting provisions set out as notes under section 4565 of this title] may be cited as the ‘Foreign Investment Risk Review Modernization Act of 2018’.”

SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111-67, §1(a), Sept. 30, 2009, 123 Stat. 2006, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Reauthorization of 2009’.”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-367, §1, Oct. 8, 2008, 122 Stat. 4026, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Extension and Reauthorization of 2008’.”

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-49, §1(a), July 26, 2007, 121 Stat. 246, provided that: “This Act [see Tables for classification] may be cited as the ‘Foreign Investment and National Security Act of 2007’.”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-195, §1, Dec. 19, 2003, 117 Stat. 2892, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Reauthorization of 2003’.”

SHORT TITLE OF 2001 AMENDMENT

Pub. L. 107-47, §1, Oct. 5, 2001, 115 Stat. 260, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 2001’.”

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-64, §1, Dec. 18, 1995, 109 Stat. 689, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1995’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-558, §1(a), Oct. 28, 1992, 106 Stat. 4198, provided that: “This Act [see Tables for classification]

may be cited as the ‘Defense Production Act Amendments of 1992’.”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-99, §1, Aug. 17, 1991, 105 Stat. 487, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Extension and Amendments of 1991’.”

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-441, §1, Oct. 3, 1986, 100 Stat. 1117, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1986’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-265, §1, Apr. 17, 1984, 98 Stat. 149, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1984’.”

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-294, title I, part A (§§101-107), §101, June 30, 1980, 94 Stat. 617, provided that: “This part [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1980’.”

SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95-37, §1, June 1, 1977, 91 Stat. 178, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Extension Amendments of 1977’.”

SHORT TITLE OF 1975 AMENDMENT

Pub. L. 94-152, §1, Dec. 16, 1975, 89 Stat. 810, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1975’.”

SHORT TITLE OF 1974 AMENDMENT

Pub. L. 93-426, §1, Sept. 30, 1974, 88 Stat. 1166, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1974’.”

SHORT TITLE OF 1955 AMENDMENT

Act Aug. 9, 1955, ch. 655, §1, 69 Stat. 580, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1955’.”

SHORT TITLE OF 1953 AMENDMENT

Act June 30, 1953, ch. 171, §1, 67 Stat. 129, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1953’.”

SHORT TITLE OF 1952 AMENDMENT

Act June 30, 1952, ch. 530, §1, 66 Stat. 296, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1952’.”

SHORT TITLE OF 1951 AMENDMENT

Act July 31, 1951, ch. 275, §1, 65 Stat. 131, provided: “That this Act [see Tables for classification] may be cited as the ‘Defense Production Act Amendments of 1951’.”

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under this chapter relating to production, conservation, use, control, distribution, and allocation of energy, delegated to Secretary of Energy, see section 4 of Ex. Ord. No. 11790, eff. June 25, 1974, 39 F.R. 23185, set out as a note under section 761 of Title 15, Commerce and Trade.

For delegation of certain authority of President under this chapter relating to national defense resource preparedness and statement of related policy, see Ex. Ord. No. 13603, Mar. 16, 2012, 77 F.R. 16651, set out as a note under section 4553 of this title.

§ 4502. Declaration of policy

(a) Findings

Congress finds that—

(1) the security of the United States is dependent on the ability of the domestic industrial base to supply materials and services for the national defense and to prepare for and respond to military conflicts, natural or man-caused disasters, or acts of terrorism within the United States;

(2) to ensure the vitality of the domestic industrial base, actions are needed—

(A) to promote industrial resources preparedness in the event of domestic or foreign threats to the security of the United States;

(B) to support continuing improvements in industrial efficiency and responsiveness;

(C) to provide for the protection and restoration of domestic critical infrastructure operations under emergency conditions; and

(D) to respond to actions taken outside of the United States that could result in reduced supplies of strategic and critical materials, including energy, necessary for national defense and the general economic well-being of the United States;

(3) in order to provide for the national security, the national defense preparedness effort of the United States Government requires—

(A) preparedness programs to respond to both domestic emergencies and international threats to national defense;

(B) measures to improve the domestic industrial base for national defense;

(C) the development of domestic productive capacity to meet—

(i) essential national defense needs that can result from emergency conditions; and

(ii) unique technological requirements; and

(D) the diversion of certain materials and facilities from ordinary use to national defense purposes, when national defense needs cannot otherwise be satisfied in a timely fashion;

(4) to meet the requirements referred to in this subsection, this chapter provides the President with an array of authorities to shape national defense preparedness programs and to take appropriate steps to maintain and enhance the domestic industrial base;

(5) in order to ensure national defense preparedness, it is necessary and appropriate to assure the availability of domestic energy supplies for national defense needs;

(6) to further assure the adequate maintenance of the domestic industrial base, to the maximum extent possible, domestic energy supplies should be augmented through reliance on renewable energy sources (including solar, geothermal, wind, and biomass sources), more efficient energy storage and distribution technologies, and energy conservation measures;

(7) much of the industrial capacity that is relied upon by the United States Government

for military production and other national defense purposes is deeply and directly influenced by—

(A) the overall competitiveness of the industrial economy of the United States; and

(B) the ability of industries in the United States, in general, to produce internationally competitive products and operate profitably while maintaining adequate research and development to preserve competitiveness with respect to military and civilian production; and

(8) the inability of industries in the United States, especially smaller subcontractors and suppliers, to provide vital parts and components and other materials would impair the ability to sustain the Armed Forces of the United States in combat for longer than a short period.

(b) Statement of policy

It is the policy of the United States that—

(1) to ensure the adequacy of productive capacity and supply, Federal departments and agencies that are responsible for national defense acquisition should continuously assess the capability of the domestic industrial base to satisfy production requirements under both peacetime and emergency conditions, specifically evaluating the availability of adequate production sources, including subcontractors and suppliers, materials, skilled labor, and professional and technical personnel;

(2) every effort should be made to foster cooperation between the defense and commercial sectors for research and development and for acquisition of materials, components, and equipment;

(3) plans and programs to carry out the purposes of this chapter should be undertaken with due consideration for promoting efficiency and competition;

(4) in providing United States Government financial assistance under this chapter to correct a domestic industrial base shortfall, the President should give consideration to the creation or maintenance of production sources that will remain economically viable after such assistance has ended;

(5) authorities under this chapter should be used to reduce the vulnerability of the United States to terrorist attacks, and to minimize the damage and assist in the recovery from terrorist attacks that occur in the United States;

(6) in order to ensure productive capacity in the event of an attack on the United States, the United States Government should encourage the geographic dispersal of industrial facilities in the United States to discourage the concentration of such productive facilities within limited geographic areas that are vulnerable to attack by an enemy of the United States;

(7) to ensure that essential national defense requirements are met, consideration should be given to stockpiling strategic materials, to the extent that such stockpiling is economical and feasible; and

(8) in the construction of any industrial facility owned by the United States Govern-