

“(b) REPORT BY THE SECRETARY.—Before the end of the 6-month period beginning on the date of the enactment of this Act [Dec. 19, 2003], the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing—

“(1) the current state of the domestic industrial base for radiation-hardened electronics;

“(2) the projected requirements of the Department of Defense for radiation-hardened electronics;

“(3) the intentions of the Department of Defense for the industrial base for radiation-hardened electronics; and

“(4) the plans of the Department of Defense for use of providers of radiation-hardened electronics beyond the providers with which the Department had entered into contractual arrangements under the authority of the Defense Production Act of 1950 [sections 2061 to 2072 of this Appendix], as of the date of the enactment of this Act.”

Pub. L. 107-314, div. A, title VIII, § 829, Dec. 2, 2002, 116 Stat. 2618, provided that: “Notwithstanding the limitation in section 303(a)(6)(C) of the Defense Production Act of 1950 ([former] 50 U.S.C. App. 2093(a)(6)(C)), action or actions may be taken under section 303 of that Act to correct the industrial resource shortfall for radiation-hardened electronics, if such actions do not cause the aggregate outstanding amount of all such actions to exceed \$106,000,000.”

CLARIFICATION OF STOCKPILE STATUS OF CERTAIN MATERIALS

For provisions that all materials purchased under former section 2093 of this Appendix and held in the Defense Production Act inventory as of June 30, 1992, are transferred to the National Defense Stockpile, see section 3315 of Pub. L. 102-484, as amended, set out as a note under section 98c of Title 50, War and National Defense.

EXECUTIVE ORDER NO. 10219

Ex. Ord. No. 10219, Feb. 28, 1951, 16 F.R. 983, as amended by Ex. Ord. No. 10461, June 17, 1953, 18 F.R. 3513; Ex. Ord. No. 10537, June 22, 1954, 19 F.R. 3807; Ex. Ord. No. 10773, July 1, 1958, 23 F.R. 5061; Ex. Ord. No. 10782, Sept. 6, 1958, 23 F.R. 6971, which related to the responsibilities of Federal agencies with respect to transportation and storage, was superseded by Ex. Ord. No. 11051, Sept. 27, 1962, 27 F.R. 9683, formerly set out as a note under section 2271 of this Appendix.

§ 2094. Defense Production Act Fund

(a) Establishment of Fund

There is established in the Treasury of the United States a separate fund to be known as the “Defense Production Act Fund” (in this section referred to as the “Fund”).

(b) Moneys in Fund

There shall be credited to the Fund—

(1) all moneys appropriated for the Fund, as authorized by section 711 [section 2161 of this Appendix]; and

(2) all moneys received by the Fund on transactions entered into pursuant to section 303 [section 2093 of this Appendix].

(c) Use of Fund

The Fund shall be available to carry out the provisions and purposes of this title [sections 2091 to 2094 of this Appendix], subject to the limitations set forth in this Act [sections 2061 to 2170, 2171, and 2172 of this Appendix] and in appropriations Acts.

(d) Duration of Fund

Moneys in the Fund shall remain available until expended.

(e) Fund balance

The Fund balance at the close of each fiscal year shall not exceed \$750,000,000, excluding any moneys appropriated to the Fund during that fiscal year or obligated funds. If, at the close of any fiscal year, the Fund balance exceeds \$750,000,000, the amount in excess of \$750,000,000 shall be paid into the general fund of the Treasury.

(f) Fund manager

The President shall designate a Fund manager. The duties of the Fund manager shall include—

(1) determining the liability of the Fund in accordance with subsection (g);

(2) ensuring the visibility and accountability of transactions engaged in through the Fund; and

(3) reporting to the Congress each year regarding activities of the Fund during the previous fiscal year.

(g) Liabilities against Fund

When any agreement entered into pursuant to this title [sections 2091 to 2094 of this Appendix] after December 31, 1991, imposes any contingent liability upon the United States, such liability shall be considered an obligation against the Fund.

(Sept. 8, 1950, ch. 932, title III, § 304, as added Pub. L. 111-67, § 7, Sept. 30, 2009, 123 Stat. 2017.)

PRIOR PROVISIONS

Prior sections 2094 to 2096 were omitted in the general amendment of title III of this Act by Pub. L. 111-67.

Section 2094, Sept. 8, 1950, ch. 932, title III, § 304, 64 Stat. 802; June 2, 1951, ch. 121, Ch. XI, 65 Stat. 61; July 31, 1951, ch. 275, title I, § 103(b), (c), 65 Stat. 134; Pub. L. 86-560, § 2, June 30, 1960, 74 Stat. 282; Pub. L. 88-343, § 3, June 30, 1964, 78 Stat. 235; Pub. L. 93-426, § 2, Sept. 30, 1974, 88 Stat. 1166; Pub. L. 102-558, title I, § 122, Oct. 28, 1992, 106 Stat. 4206; Pub. L. 107-47, § 4(4), Oct. 5, 2001, 115 Stat. 260, related to Defense Production Act Fund.

Section 2095, Sept. 8, 1950, ch. 932, title III, § 305, as added Pub. L. 96-294, title I, § 104(e), June 30, 1980, 94 Stat. 619; amended Pub. L. 107-314, div. A, title X, § 1062(o)(3), Dec. 2, 2002, 116 Stat. 2653, related to synthetic fuel production.

Section 2096, Sept. 8, 1950, ch. 932, title III, § 306, as added Pub. L. 96-294, title I, § 104(e), June 30, 1980, 94 Stat. 623; amended Pub. L. 107-314, div. A, title X, § 1062(o)(3), Dec. 2, 2002, 116 Stat. 2653, related to synthetic fuel production subsequent to determinations respecting a national energy supply shortage of defense fuels.

Prior section 2096a, Pub. L. 96-294, title I, § 106, June 30, 1980, 94 Stat. 633, which required annual reports on synthetic fuel production under former sections 2095 and 2096 of this Appendix was omitted as obsolete in view of the omission of those sections in the general amendment of title III of this Act by Pub. L. 111-67.

Prior sections 2097 to 2099a were omitted in the general amendment of title III of this Act by Pub. L. 111-67.

Section 2097, Sept. 8, 1950, ch. 932, title III, § 307, as added Pub. L. 96-294, title I, § 104(e), June 30, 1980, 94 Stat. 628; amended Pub. L. 102-558, title I, § 151, Oct. 28, 1992, 106 Stat. 4218, related to synthetic fuel action.

Section 2098, Sept. 8, 1950, ch. 932, title III, § 308, as added Pub. L. 96-294, title I, § 104(e), June 30, 1980, 94 Stat. 631, related to definitions of “Government synthetic fuel project”, “synthetic fuel”, “synthetic fuel project”, and “United States”.

Section 2099, Sept. 8, 1950, ch. 932, title III, § 309, as added Pub. L. 98-265, § 6, Apr. 17, 1984, 98 Stat. 152;

amended Pub. L. 99-441, §4, Oct. 3, 1986, 100 Stat. 1117; Pub. L. 102-558, title I, §124, Oct. 28, 1992, 106 Stat. 4207; Pub. L. 107-47, §4(5), Oct. 5, 2001, 115 Stat. 260, related to annual report on impact of offsets. See section 2172 of this Appendix.

Section 2099a, Sept. 8, 1950, ch. 932, title III, §310, as added Pub. L. 102-558, title I, §125, Oct. 28, 1992, 106 Stat. 4208, related to civil-military integration.

TERMINATION DATE

Termination of section, see section 2166(a) of this Appendix.

DEFENSE PRODUCTION ACT FUND MANAGER

Secretary of Defense designated Defense Production Act Fund Manager in accordance with subsec. (f) of this section, see section 309 of Ex. Ord. No. 13603, Mar. 16, 2012, 77 F.R. 16655, set out as a note under section 2153 of this Appendix.

EXECUTIVE ORDER NO. 12346

Ex. Ord. No. 12346, Feb. 8, 1982, 47 F.R. 5993, related to the transition of synthetic fuel responsibilities from the Department of Energy to the United States Synthetic Fuels Corporation, revoked Ex. Ord. No. 12242, and provided that the provisions of Ex. Ord. No. 12242 would continue in full force and effect with respect to any loan guarantee issued under its provisions.

TITLE IV—PRICE AND WAGE STABILIZATION

§§ 2101, 2102. Repealed. Pub. L. 111-67, §2(a)(2), Sept. 30, 2009, 123 Stat. 2007

Section 2101, act Sept. 8, 1950, ch. 932, title IV, §401, 64 Stat. 803, related to purposes of price and wage stabilization and cooperation by government agencies.

Section 2102, acts Sept. 8, 1950, ch. 932, title IV, §402, 64 Stat. 803; July 31, 1951, ch. 275, title I, §104(a) to (h), 65 Stat. 134; June 30, 1952, ch. 530, title I, §§105-111, 66 Stat. 298, related to price and wage controls.

TERMINATION OF SECTIONS

Prior to repeal, sections 2101 and 2102 were omitted as terminated at close of June 30, 1953, by former section 2166(a) of this Appendix.

EXECUTIVE ORDER NO. 10160

Ex. Ord. No. 10160, Sept. 9, 1950, 15 F.R. 6103, which related to preservation of records for certain purposes, was revoked by Ex. Ord. No. 10662, Mar. 13, 1956, 21 F.R. 1673.

EXECUTIVE ORDER NO. 10434

Ex. Ord. No. 10434, Feb. 6, 1953, 18 F.R. 809, suspended all regulations and orders issued pursuant to the Defense Production Act of 1950 that stabilized wages, salaries, and other compensation.

EXECUTIVE ORDER NO. 10494

Ex. Ord. No. 10494, Oct. 14, 1953, 18 F.R. 6585, as amended by Ex. Ord. No. 10773, July 1, 1958, 23 F.R. 5061; Ex. Ord. No. 10782, Sept. 6, 1958, 23 F.R. 6971, which related to the disposition of remaining functions, was revoked by section 5-103 of Ex. Ord. No. 12148, July 20, 1979, 44 F.R. 43243, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

§ 2103. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 656

Section, acts Sept. 8, 1950, ch. 932, title IV, §403, 64 Stat. 807; July 31, 1951, ch. 275, title I, §105(a), 65 Stat. 137; June 30, 1952, ch. 530, title I, §112, 66 Stat. 300, authorized an independent agency to administer price and wage controls and rationing, created a Wage Stabilization Board in the Economic Stabilization Agency and

prescribed its duties and functions, and prescribed the jurisdiction of the Salary Stabilization Board and the Office of Salary Stabilization within the Economic Stabilization Agency.

TERMINATION OF SECTION

Prior to repeal, section 2103 was omitted as terminated at close of June 30, 1953, by former section 2166(a) of this Appendix.

§§ 2104 to 2112. Repealed. Pub. L. 111-67, §2(a)(2), Sept. 30, 2009, 123 Stat. 2007

Section 2104, act Sept. 8, 1950, ch. 932, title IV, §404, 64 Stat. 807, authorized consultation by the President with representatives of persons affected by regulations or orders relating to price and wage controls.

Section 2105, acts Sept. 8, 1950, ch. 932, title IV, 405, 64 Stat. 807; July 31, 1951, ch. 275, title I, §104(i), 65 Stat. 136, related to unlawfulness for violating sections 2101 to 2112 of this Appendix or any regulations, orders or requirements issued thereunder.

Section 2106, act Sept. 8, 1950, ch. 932, title IV, §406, 64 Stat. 807, prohibited any construction of sections 2101 to 2112 of this Appendix as requiring any person to sell any material or service, or to perform personal services.

Section 2107, acts Sept. 8, 1950, ch. 932, title IV, §407, 64 Stat. 807; June 30, 1952, ch. 530, title I, §113(a), 66 Stat. 301, related to objections to price and rent control regulations, filing, hearing and determination of protests, procedure, and review.

Section 2108, acts Sept. 8, 1950, ch. 932, title IV, §408, 64 Stat. 808; June 30, 1952, ch. 530, title I, §113(b), 66 Stat. 302, related to determination, by the Emergency Court of Appeals, of validity of price, wage and rent control regulations, procedure, review by the Supreme Court, and stay of civil and criminal proceedings in other courts for determination of such validity.

Section 2109, acts Sept. 8, 1950, ch. 932, title IV, §409, 64 Stat. 811; July 31, 1951, ch. 275, title I, §104(j)-(l), 65 Stat. 136, in connection with actions for violations of section 2105 of this Appendix, and regulations or orders, related to injunctions, criminal penalties, recovery of overcharges, and disallowance of fines, penalties, and compromise sums for tax or other purposes.

Section 2110, act Sept. 8, 1950, ch. 932, title IV, §410, 64 Stat. 812, required certain price representations and agreements to be contained in contracts providing for the purchase of processed chickens and turkeys by government agencies.

Section 2111, act Sept. 8, 1950, ch. 932, title IV, §411, as added June 30, 1952, ch. 530, title I, §114, 66 Stat. 304, made it unnecessary to furnish reports on sales or services below ceiling prices if such sales at such prices had been certified to the President.

Section 2112, act Sept. 8, 1950, ch. 932, title IV, §412, as added June 30, 1952, ch. 530, title I, §114, 66 Stat. 304, permitted suspension or termination of price and wage controls over any materials or services, from time to time as economic factors might warrant, and their restoration if deemed necessary.

TERMINATION OF SECTIONS

Prior to repeal, sections 2104 to 2112 were omitted as terminated at close of June 30, 1953, by former section 2166(a) of this Appendix.

TITLE V—SETTLEMENT OF LABOR DISPUTES

§§ 2121 to 2123. Repealed. Pub. L. 111-67, §2(a)(2), Sept. 30, 2009, 123 Stat. 2007

Section 2121, act Sept. 8, 1950, ch. 932, title V, §501, 64 Stat. 812, stated intent of Congress in providing for settlement of labor disputes affecting national defense.

Section 2122, acts Sept. 8, 1950, ch. 932, title V, §502, 64 Stat. 812; July 31, 1951, ch. 275, title I, §105(b), 65 Stat.