

## **Defense Production Act (DPA) Title I – Defense Priority and Allocation System (DPAS)**

### **Defense Priority and Allocation System (DPAS) Overview**

Title I of the 1950 Defense Production Act (DPA) is the statutory basis for the DPAS. The 1950 DPA confers upon the President a broad set of authorities to influence domestic industry in the interest of national defense. The authorities can be used across the federal government to shape the domestic industrial base so that, when called upon, it is capable of providing the essential materials and goods needed for the national defense. DPAS, a regulation administered by the Department of Commerce (DOC), implements the priorities and allocations authority contained in DPA Title I. The primary purpose of the DPAS regulation (15 CFR Part 700) is to ensure the timely availability of industrial resources to meet national defense and emergency preparedness requirements.

The DPAS allows the President to require persons (including businesses and corporations) to prioritize and accept contracts for materials and services as necessary to promote the national defense. DPAS use is indispensable in times of conflict to quickly surge. It provides the ability and flexibility to address the critical procurement needs for national defense. DPAS was instrumental in speeding the deployment of new and increased quantities of personal Body Armor, Counter- Improvised Explosive Device (C-IED) systems, Mine Resistant Ambush Protected Vehicles (MRAPs), and Intelligence, Surveillance, and Reconnaissance (ISR) platforms, and many more items needed to support national defense.

### **DoD DPAS Rating Authority**

DOC has delegated DoD the authority under the DPAS to place priority ratings on DoD contracts for ‘Industrial Resources’. Other federal agencies also have authorities under DPAS. For example, Health and Human Services (HHS) has been delegated the authority over all ‘health resources’, such as ventilators and respirators cleared or approved for medical use, by the President (Executive Order 13603 (National Defense Resources Preparedness; Part II Priorities and Allocation; Sec. 201.)).

A priority rating gives orders priority in scheduling over commercial (unrated) orders. DoD uses two types of ratings: “DO” and “DX.” If necessary to meet required delivery dates, industry must give DO rated orders production scheduling priority over unrated orders, and DX rated orders must be given preference over DO rated orders and unrated orders. DO ratings are placed on the vast majority of DoD contracts. There are very few DoD programs that receive a DX rating designation from the Secretary of Defense.

The DoD’s Office of Industrial Policy is the lead for DoD DPAS policy and oversight. Ratings, as required, are placed on contracts and orders by the acquiring agency as part of DoD’s acquisition process.

### **Resources**

Defense Contract Management Agency:

<https://www.dema.mil/DPAS/>

Department of Commerce Website:

<https://www.bis.doc.gov/index.php/other-areas/strategic-industries-and-economic-security-sies/defense-priorities-a-allocations-system-program-dpas>