

SECTION B

DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM

QUESTIONS AND ANSWERS

As an aid to understanding the DPAS regulation, this section presents questions with answers about its major provisions and special features. Although most questions are asked from the point of view of a contractor or supplier and address private sector concerns, many of the questions are applicable to Government agency users, and some questions directly address public sector concerns. For ease of reference, the questions and answers are grouped under ten categories. If you need further information, please contact the DPAS Program Manager at the Office of Strategic Industries and Economic Security (SIES), U.S. Department of Commerce, at tel.: (202) 482-3634, or FAX: (202) 482-5650.

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A. RATED ORDERS

Legal Authority

Question: What is the legal authority for using priority ratings on contracts and purchase orders?

Answer: The primary authority is found in Title I of the Defense Production Act of 1950, as Amended (50 U.S.C. App. 2061 et seq.). Additional authority is found in Section 18 of the Selective Service Act of 1948 (50 U.S.C. App 468) and several other related authorities (10 U.S.C. 2538, and 50 U.S.C. 82); and in Section 602 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (44 U.S.C. 5121, et seq. [See Section C of this booklet for reprints of the relevant priorities and allocations provisions of the these statutes.] This authority, for industrial resources, is delegated to the Department of Commerce and is administered within the Department by SIES under the Defense Priorities and Allocations System (DPAS) regulation (15 CFR 700).

Rated and Unrated Orders

Question: What is a rated order?

Answer: A rated order is a prime contract, subcontract, or purchase order issued in support of an approved national defense or energy program, and which requires preferential treatment in accordance with the provisions of the DPAS. An unrated order is synonymous with commercial order.

A rated order must contain (1) a priority rating, (2) a required delivery date or dates, (3) the signature (manually placed order) or the name (electronically placed order) of a person authorized to sign the order, and (4) a statement that reads in substance:

This is a rated order certified for national defense use, and you are required to follow all the provisions of the Defense Priorities and Allocations System regulation (15 CFR 700).

The elements of a rated order are discussed in section 700.12 of the DPAS.

Question: How does a rated order differ from an unrated order?

Answer: Under the DPAS, rated orders must be accepted by persons capable of their performance. Rated orders must also be given precedence over unrated orders as necessary to meet required delivery dates.

Authority to Use Priority Ratings

Question: Who is authorized to include priority ratings on contracts and purchase orders?

Answer: Certain U.S. government agencies (Delegate Agencies) and the Canadian Government are authorized by the Department of Commerce to include priority ratings on contracts and orders placed with U.S. contractors and suppliers in support of approved national defense or energy programs. DPAS Schedule 1 lists the currently approved programs and the agency responsible for each program.

U.S. private sector contractors may be specially authorized on a case-by case basis to use priority ratings to support the purchase of production or construction equipment; to expand, rebuild, or replace plant facilities; or to obtain items not automatically ratable under the DPAS. Similarly, foreign entities and certain other U.S. government agencies may also be specially authorized on a case-by-case basis to use priority ratings on their contracts or orders placed with U.S. suppliers when their procurement requirements are in the U.S. national defense interest.

Instructions on how to request priority rating authority are found in Section 700.51 of the DPAS. Foreign entities, including Canadian contractors, should also see section 700.55 of the DPAS.

B. PRIORITY OF RATED ORDERS

Levels of Priority

Question: Do some rated orders take preference over other rated orders?

Answer: Yes. There are two levels of priority ratings identified by the rating symbols "DO" and "DX". All DO rated orders have equal priority status with each other and take preference over unrated orders. All DX rated orders have equal priority status with each other and take preference over DO rated orders and unrated orders.

The levels of priority are discussed in section 700.11(a) of the DPAS.

Question: What are "BRICKBAT" and "CUECAP" ratings and what is their relationship to the "DX" and "DO" rating symbols?

Answer: "BRICKBAT" and "CUECAP" is Department of Defense (DOD) terminology. "BRICKBAT" is used to refer to those DOD programs designated by the President as being of the highest national priority. The "DX" rating symbol under DPAS is used on contracts and orders placed in support of these programs. "CUECAP" is used to refer to those DOD programs designated by the Secretary of Defense as being of the highest defense interest. The "DO" rating symbol under DPAS is used on contracts and orders placed in support of these programs. BRICKBAT and CUECAP programs are listed in a classified DOD document called the Master Urgency List (MUL).

Program Identification Symbols

Question: What is the significance of the letter and number which follow a rating symbol?

Answer: These symbols simply indicate which approved program is being supported by the rated order. They do not connote any priority. DPAS Schedule 1 lists the program identification symbols which identify currently approved programs.

Program identification symbols are discussed in section 700.11(b) of the DPAS.

Impact on Production Schedules

Question: Must I reschedule or delay production of unrated orders to fill a rated order?

Answer: Yes, but ONLY as necessary to meet the required delivery date or dates on the rated order. Normally, rated orders should be placed by your customers with adequate lead time to permit you to schedule their completion with no disruption. However, if such scheduling is not possible, you must displace unrated or lower rated orders, as necessary, to satisfy the required delivery date or dates

Preferential scheduling of rated orders is discussed in section 700.14 of the DPAS.

Directives

Question: What is the effect of a Directive issued by SIES?

Answer: A Directive takes preference, as necessary, over all DX or DO rated orders and unrated orders you have received, except as otherwise stated in the Directive. For example, Directives can be used to reschedule production or delivery of particular items to meet a changing defense program urgency or conflicting defense program requirements. You must comply with the provisions of a Directive.

Directives are discussed in section 700.62 of the DPAS.

C. RECEIVING, ACCEPTING, AND PLACING RATED ORDERS

Receiving Rated Orders

Question: What are my obligations upon receipt of a rated order?

Answer: The receipt of a rated order triggers your obligations under the DPAS and requires that you be thoroughly familiar with, and comply with, the regulation.

The DPAS has three basic elements:

- (1) **Mandatory Acceptance.** You must accept and fill all rated orders you receive with certain exceptions as set forth in section 700.13(b) and (c) of the DPAS.
- (2) **Priority Scheduling.** You must schedule production, including the acquisition of all needed production items, to satisfy the delivery requirements of each rated order you receive.
- (3) **Mandatory Extension.** You must place rated orders with your suppliers to obtain items needed to fill a rated order.

Accepting and scheduling rated orders, and placing rated orders with suppliers, are discussed in sections 700.13-15 of the DPAS.

Rated Orders From Foreign Entities

Question: May foreign entities (government agencies or contractors) place rated orders with U.S. suppliers?

Answer: Yes. Foreign entities (other than the Canadian Government and authorized Canadian contractors) may place rated orders with U.S. suppliers only with the express written authorization of SIES on a case-by-case basis where the procurement is deemed by the U.S. Department of Defense to be in the U.S. national defense interest. Special rules apply to the use of rated orders in the U.S. by the Canadian Government and authorized Canadian contractors. [See Appendix IV to the DPAS for further information on this special U.S.-Canadian arrangement.] Rated orders received from Canadian or other foreign entities have equal priority status with rated orders received from U.S. Government agencies or contractors. Priorities assistance programs with Canada and other nations are discussed in section 700.55 of the DPAS.

Accepting and Rejecting Rated Orders

Question: Must I accept a rated contract or order from a customer with whom I have never done business?

Answer: Yes. Except as provided in the DPAS, you must accept and fill all rated orders you receive. The fact that you have had no previous business relationship with the customer, or do not wish to do business with the customer, is not a valid reason to reject the order.

Provisions related to acceptance and rejection of rated orders are found in section 700.13 of the DPAS.

Question: May I accept a rated order contingent upon obtaining necessary production materials or equipment?

Answer: No. Rated contracts and orders may not be accepted on a contingent basis. If you cannot meet the required delivery date, you must inform your customer of the earliest date on which delivery can be made, and offer to accept the order on the basis of that date.

Question: Must I accept a rated order for an item that I do not produce, or that I produce only for use in my production process (captive production)?

Answer: No. You may reject the rated order if you are not capable of producing or supplying the item, or if you have not sold the item for at least two years prior to the date of receipt of the order. See section 700.13(c) of the DPAS for information about optional rejection of a rated order. Also see section 700.13(d) for customer notification requirements.

Protection Against Claims

Question: If by accepting a rated order I must delay delivery against unrated orders, am I protected against claims from my customers for damages caused by this delay?

Answer: Yes. Such protection is provided under Section 707 of the Defense Production Act of 1950. See section 700.90 of the DPAS. You may not be held liable for damages or penalties for any act or failure to act resulting directly or indirectly from compliance with any provision of the statute, the DPAS, or a Directive issued by SIES.

Placing Rated Orders

Question: When must I place rated orders with my suppliers?

Answer: Under the rule of Mandatory Extension, you must use rated orders to purchase such items as (1) production or construction materials, (2) component parts, (3) services, (4) containers or other packaging materials needed to make delivery, or (5) maintenance repair, and operating supplies that you need to produce finished items to fill a rated order.

The DPAS also provides for several optional uses of rated orders such as replacing inventoried items used to fill rated orders.

Extension of priority ratings is discussed in section 700.15 of the DPAS. Details on how to use rated orders are found in section 700.17 of the DPAS.

D. USING RATED ORDERS

Rated Order Format (Written or Electronic)

Question: Must a rated order be in writing or may I give it verbally to my supplier over the telephone? May it be placed electronically?

Answer: Rated orders may be placed with suppliers either in writing or by electronic data transmission. Regardless of common industry practice, if the order is given verbally, it must be followed-up immediately either in writing or by an electronic data transmission. The order is not deemed rated under the DPAS until the supplier receives the written order or the electronic data transmission. Acceptance or rejection of the order by the supplier must also be in writing or by electronic data transmission. However, reasons for rejection of an order must be provide in writing (NOT electronically).

The elements of a rated order are discussed in section 700.12 of the DPAS. Customer notification requirements are found in section 700.13(d) of the DPAS.

Minimum Rated Order Dollar Amount

Question: Must I use a priority rating on purchase orders for small dollar value procurement?

Answer: If the dollar value of the order is for less than one half of the Federal Acquisition Regulation (FAR) Simplified Acquisition Threshold [currently \$50,000] (see FAR section 2.101), use of a priority rating is optional, PROVIDED that delivery of the needed items can be obtained in a timely fashion without the use of a priority rating.

Conflicting Rated Orders

Question: If I encounter production or shipment conflicts following acceptance of several rated orders of equal priority status that will result in delayed delivery or performance against one or more of these orders, which of the conflicting orders should be given delivery or performance preference?

Answer: You should give preference to the order or orders in the sequence in which delivery or performance is required. For conflicting rated orders received on the same day, you should give preference to the order or orders with the earliest receipt date. If you can not otherwise

resolve the delivery or performance conflict, or if your customer objects to the rescheduling of the delayed order, you should promptly request special priorities assistance (SPA).

For any rated order that will be delayed, you must notify your customer as provided in section 700.13(d)(2) of the DPAS. Conflicting rated orders are discussed in section 700.14(c) of the DPAS, and information about SPA is found in sections 700.50-54 of the DPAS.

Discrimination Against Rated Orders

Question: Can my supplier charge a higher price to produce, deliver, or perform against my rated order?

Answer: No. Your supplier may not discriminate against your rated order in any manner. Nor may the supplier impose any different terms or conditions than for comparable unrated orders. Of course, you must be willing and able to meet your supplier's regularly established terms of sale.

Acceptance and rejection of rated orders are discussed in section 700.13 of the DPAS.

Replacing Inventory

Question: If I use inventoried items to fill a rated order, may I replace those items by using a rated order?

Answer: Yes. You may use a rated order to replace inventoried items if you place the order with your supplier within 90 days of the date of use of the items. However, you may only use the DO rating symbol on the order, even if the customer's order was rated DX.

Using rated orders to replace inventory is discussed in section 700.17(b) of the DPAS.

Combining Rated and Unrated Orders

Question: I buy large quantities of a component item from one supplier to be used in the production of finished items for both defense (rated) and commercial (unrated) contracts. May I combine my rated and unrated requirements in one purchase order to obtain larger quantity discount pricing, to reduce my administrative expenses, and/or to improve the efficiency of my procurement system?

Answer: Yes, you may combine rated and unrated order requirements on one purchase order provided that you follow the provisions of section 700.17(d) of the DPAS. The rated quantities must be identified clearly and separately (e.g., by line item) on the purchase order; and the priority rating, the delivery date or dates, and the signature or name of an individual authorized to sign rated orders must also be included. The purchase order must also contain a statement similar to the one set forth in section 700.17(d)(1)(ii) of the DPAS.

Purchasing Minimum (Commercially Procurable) Quantities

Question: To fill a rated order, I need to purchase a quantity of items that is less than my supplier's minimum (commercially procurable) quantity. Is my supplier obligated to accept and fill a rated order for such a quantity?

Answer: No. However, as provided in section 700.17(e) of the DPAS and if reasonable to do so, you may place a rated order for the minimum commercially procurable quantity. If possible, you must combine rated orders to the supplier as provided in section 700.17(c) and (d).

Purchasing Production or Construction Equipment

Question: May I use a rated order to purchase machine tools or other production equipment needed to produce items to fill a rated order; or construction equipment needed to support the construction of a defense facility under a rated order?

Answer: Yes. However, you must obtain specific priority rating authorization. See section 700.51 of the DPAS for information on obtaining this authorization. Special rules pertaining to machine tools (metalworking machines) are found in section 700.32 of DPAS.

E. LIMITATIONS ON USING RATED ORDERS

General Limitations

Question: Are there limitations on the use of rated orders?

Answer: Yes. Basically, you may not place a rated order unless you have received a rated order or have been given explicit authority to place a rated order by a Delegate Agency or SIES. Rated orders may not be used to obtain:

- (1) Delivery on a date earlier than needed to fill a rated order;
- (2) A quantity of material greater than needed to fill a rated order, except to obtain a minimum commercially procurable quantity;
- (3) Items in anticipation of the receipt of a rated order, unless specifically authorized by SIES;
- (4) Items for plant improvement, expansion, or construction, unless the items will be physically incorporated into a construction project to fill a rated order.
- (5) Production or construction equipment, unless specifically authorized by a Delegate Agency or SIES; or
- (6) Items excluded from the automatic rating provisions of the DPAS or outside of the jurisdiction of the Department of Commerce.

As a general rule, rated orders may be used only to support the procurement of items needed to meet the tactical, logistical, or operation requirements of approved programs. They may not be used to support the procurement of any items that will be used primarily for administrative purposes. For further information about this limitation and how it may apply to specific situations, please contact DPAS staff at SIES (tel.: (202) 482-3634, or FAX: (202) 482-5650).

Limitations on the use of rated orders are discussed in section 700.18 of the DPAS.

Purchasing Transportation Services or Fuels

Question: May I use a rated order to purchase --

- transportation services?
- fuel, especially if I am having difficulty getting the natural gas, electricity, or fuel oil I need to keep my operations going to fill rated orders?

Answer: No. Neither transportation services nor fuels fall under the jurisdiction of the Department of Commerce, and, therefore, priority ratings under the DPAS may not be used to obtain these items. However, you should promptly contact DPAS staff at SIES at tel. (202) 482-3634 or FAX (202) 482-5650 for assistance.

For a complete list of items not under the jurisdiction of the Department of Commerce, see section 700.18(b) of the DPAS.

Purchasing From Foreign Suppliers

Question: May I use a rated order to purchase finished items, components, or production materials from a foreign supplier?

Answer: No. The DPAS, and therefore priority ratings, has no legal standing outside of the United States. However, if you need assistance to obtain items from a supplier in a foreign country, you should request Special Priorities Assistance (SPA), as DPAS staff at SIES may be able to help you. For information on requesting SPA, see sections 700.50-54 of the DPAS. If the supplier is a Canadian company, and based on special arrangements with Canada, SIES can request informal assistance from the Canadian Government to help you secure timely delivery of the needed items. Section 700.55(b) and Appendix IV of the DPAS contains information about this special U.S.-Canadian arrangement.

If you are working on a rated contract from your customer and are supported by a foreign (other than Canada) supplier who in turn, needs to acquire items from a lower-tier vendor in the U.S., the foreign supplier may be authorized by DPAS staff at SIES to place a rated order with the U.S. vendor. See section 700.55(c) of the DPAS for information about granting priority rating authority to foreign contractors and suppliers. Special rules applicable to Canadian suppliers who need to place rated orders with U.S. vendors are found in section 700.55(b).

F. SPECIAL PRIORITIES ASSISTANCE AND PRIORITY RATING AUTHORITY:

Special Priorities Assistance

Question: If I cannot obtain timely delivery of an item needed to fill a rated order, my supplier refuses to accept a rated order, or I cannot locate a supplier, what should I do?

Answer: You should apply promptly for special priorities assistance on Form BXA-999. You may obtain this form either from the involved Government agency contract administration, procurement, or field office, or from SIES (tel.: (202) 482-3634, or FAX: (202) 482-5650). The form is available in hard copy by mail, by FAX, or by electronic data transmission.

Special priorities assistance can be provided for any reason in support of the DPAS. However, you should have an urgent need for the item, you should exercise a reasonable effort to resolve the problem before seeking assistance, and your request for assistance should be timely.

For further information on requesting special priorities assistance, see sections 700.50-55 of the DPAS. A sample copy of Form BXA-999 with instructions on how to complete the form and file it is found in Appendix I to the DPAS.

Priority Rating Authority

Question: To fill a rated order, I require an item not normally ratable under the DPAS. Without the rated order, I cannot get timely delivery of the item. What should I do?

Answer: You may request a priority rating authorization by following the instructions given in section 700.51 of the DPAS. This section includes information on how to obtain a priority rating authorization to support the purchase of items such as production or construction equipment or items needed to expand, rebuild, or replace plant facilities in order to meet rated order requirements.

Advanced Priority Rating Authority

Question: I've been producing a certain defense item for several years, and I anticipate receiving a follow-on contract. May I use a rated order to purchase long lead time production materials in advance of the receipt of a rated order from my customer?

Answer: Yes, but only if you are specifically authorized to do so by SIES as provided in section 700.51(c) of the DPAS.

Priority Rating Authority for Foreign Governments

Question: I am a foreign government (other than Canada) [e.g., NATO] and I need to use a priority rating on a contract with a U.S. supplier in order to obtain timely delivery of defense items. How do I obtain priority rating authorization to support my requirement?

Answer: You may request priority rating authorization as provided in section 700.55(a) and (c) of the DPAS. We request that you complete Form BXA-999 (a sample copy with instructions is found in Appendix I to the DPAS and you may obtain this form either from SIES (tel.: (202) 482-3634, or FAX: (202) 482-5650) and file it with the U.S. Department of Defense (DOD) so that it may be sponsored for action to the U.S. Department of Commerce. DOD must determine that granting you such priority rating authority would be in the U.S. national defense interest.

Priority Rating Authority for Foreign Contractors

Question: I am a foreign (other than Canada) contractor who has received a contract to supply an item for an approved U.S. Government national defense program and I need to obtain timely delivery of production materials or components from a U.S. supplier. May I use a priority rating on my contract or purchase order to support this procurement?

Answer: No, unless you are specifically authorized to do so by SIES as provided in section 700.55(c) of the DPAS. Canadian contractors should follow the instructions provided in section 700.55(b).

Confirmation of a Rated Order or Directive

Question: My supplier tells me that delivery of my order will be delayed because of receipt of a rated order that will take priority. Another supplier tells me that there will be a delay in delivery of my order because of the terms of a Directive issued by SIES. May I request confirmation of the priority of the rated order and the Directive?

Answer: Yes. You should contact SIES for confirmation (tel.: (202) 482-3634; FAX: (202) 482-5650). Your suppliers are not obligated to give you copies of the Directive or any information about the rated order.

Adjustments, Exceptions, and Appeals

Question: If a provision of the DPAS or a Directive issued by SIES causes me undue or exceptional hardship, what recourse do I have?

Answer: You may submit a request for relief to SIES by following the procedures found in section 700.80 of the DPAS.

If SIES does not provide the relief you seek or denies your request, you may appeal to the Assistant Secretary for Export Administration, Department of Commerce, as provided in section 700.81 of the DPAS.

G. RATED ORDERS FOR ENERGY PROJECTS

Priority Rating Authorizations

Question: How do I obtain authorization to use a priority rating to ensure timely delivery of items in support of a domestic energy project?

Answer: You must submit a request for such authorization to the Department of Energy (DOE). If DOE determines that the project maximizes domestic energy supplies and that the materials, equipment, and/or services involved are critical and essential to the project, DOE will refer the request to SIES. SIES must then find that the items are scarce and that there is a need to use the priorities authorities. If SIES makes these findings, it will authorize the use of a priority rating.

For a complete discussion of priority ratings and rated orders in support of energy projects, see sections 700.20-21 the DPAS.

Examples of Energy Projects

Question: In general, what types of domestic energy projects will be considered by DOE for priority rating authority?

Answer: Projects which maximize domestic energy supplies include domestic energy exploration, production, refining, transportation, conservation, and the construction or maintenance of energy facilities. The criteria used by DOE to make its project determinations are published in 10 CFR Part 216.

H. RATED ORDERS FOR CIVIL EMERGENCY PREPAREDNESS

Priority Rating Authorizations

Question: DPAS has only been used to support approved national defense and energy programs. How can it be used to support civil emergency preparedness activities and programs?

Answer: The definition of "national defense" in the Defense Production Act has been amended to include "emergency preparedness activities" conducted pursuant to Section 602 of the Stafford Act (see Section C of this booklet for a reprint of the relevant priorities and allocations provisions of the DPA and the emergency preparedness provisions of Section 602 of the Stafford Act). However, the Federal Emergency Management Agency (FEMA) must approve the activity or program for priorities support. Such approval will not be given unless the civil emergency preparedness disaster situation is serious enough to require Federal intervention and assistance, and timely delivery of urgently required industrial products, materials, and/or services cannot otherwise be obtained. Upon FEMA approval and SIES determination that there is a need to use the DPAS authority, DPAS staff issue a priority rating authorization.

For further information about Stafford Act emergency preparedness activities and programs, contact FEMA. For further information about DPAS support for these activities and programs, contact DPAS staff at SIES (tel: (202) 482-3634; FAX: (202) 482-5650).

I. COMPLIANCE

Refusal to Accept or Comply with a Rated Order

Question: If my supplier refuses to accept or comply with a rated order, what should I do?

Answer: You should attempt to obtain the reason for refusal in writing. If the reason conforms to any of the provisions in section 700.13(b) or (c) of the DPAS, you should first seek an alternative source of supply. If there is no alternative source that can meet your requirements, you should promptly file Form BXA-999 with the involved Government agency procurement, contract administration, or field activity office, or contact SIES (tel. (202) 482-3634; FAX (202) 482-5650). If the supplier refuses to give a reason or the reason does not conform to the provisions of section 700.13, you should promptly contact SIES.

Instructions on how to obtain special priorities assistance are found in sections 700.50-55 of the DPAS.

Penalties

Question: What are the consequences if I refuse to accept a rated order, to schedule production to fill a rated order by the required delivery date, to provide requested information to the involved Government agency or to SIES, or to follow any other applicable provision of the DPAS.

Answer: The Defense Production Act of 1950 (DPA) provides for criminal penalties of up to a \$10,000 fine, one year in prison, or both, upon conviction of a willful violation. The Selective Service Act of 1948, and the other related priorities authorities (10 U.S.C. 2538, and 50 U.S.C. 82), provide for criminal penalties of up to a \$50,000 fine, three years in prison, or both.

The DPA also provides for a civil proceeding to enjoin a person from taking or not taking any action that would violate a provision of the DPA and/or the DPAS.

Compliance and criminal penalty provisions are set forth in sections 700.70-75 of the DPAS.

J. DPAS TRAINING AND APPENDIX DOCUMENTS

Availability of Training and Briefing Materials

Question: How may I obtain further information about the DPAS. Also, how may I obtain training and briefing materials so that I can inform the people in my organization about its requirements and benefits?

Answer: Any questions or requests for further information about the DPAS should be directed to DPAS staff at SIES at tel.: (202) 482-3634; FAX (202) 482-3634; address: SIES, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230, Attn.: DPAS.

Training and briefing materials are available in several different formats to best meet your needs. These materials include copies of this booklet, view charts, and a 20 minute video and they may be obtained from SIES in hard copy or electronically. Because there is no copyright restriction, you may copy and use these materials in any way you wish.

In addition, DPAS staff is available to give on-site training and briefing presentations upon request. Please contact DPAS staff for further information.

DPAS Appendix Documents

Question: How may I obtain copies of the DPAS Appendix documents (i.e., Appendix I: Form BXA-999 to Request for Special Priorities Assistance; Appendix II: DPAS Delegations of Authority to the Departments of Defense and Energy, the General Services Administration, and the Federal Emergency Management Agency; Appendix III: Interagency Memoranda of Understanding Between the Department of Commerce and the Departments of Agriculture, Energy, and the Interior/U.S. Geological Survey; Appendix IV: U.S.-Canadian Memorandum of Understanding; and Appendix V: DPAS Emergency Delegation 1)?

Answer: Form BXA-999 is available by mail, FAX, or electronically from any Department of Defense contract administration, procurement, or field office, or from SIES (tel.: (202) 482-3634; FAX (202) 482-3634), or through the Department of Commerce/Bureau of Export Administration Internet web site at: <http://www.bxa.doc.gov>. The other Appendix documents are available only from SIES and can be mailed, FAXed, or electronically transmitted.