SEC. ___. EXTENSION OF SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

Section 1903(a) of title 41, United States Code, is amended—

(1) by striking "or" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2); and

(3) by adding at the end the following new paragraphs:

"(3) in support of requests from the United States Agency for International Development to facilitate the provision of international disaster assistance pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

"(4) in support of an emergency or major disaster (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).".

Section-by-Section Analysis

This proposal would amend section 1903(a) of title 41, United States Code, to expand the permissible uses of the special emergency procurement authorities under section 1903 to include: 1) support of international disaster response, and 2) support of a national emergency or natural disaster relief efforts in the United States as defined by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122). Expansion of this authority is necessary to enhance DoD and other agencies' flexibility to effectively support emergencies both inside and outside the United States.

Section 1903 provides for increased micro-purchase and simplified acquisition thresholds in certain cases. Under current law, these procurement flexibilities are limited to contingency operations and activities related to the defense against or recovery from nuclear, biological, chemical or radiological attack. This proposal would amend section 1903 to extend the availability of special emergency procurement authorities – such as increased micro-purchase and simplified acquisition thresholds, as those terms are defined in the Stafford Act. when carrying out international disaster response and when supporting national emergencies or major disaster relief efforts inside the United States.

Having the ability to use the increased micro-purchase and simplified acquisition thresholds under section 1903 is critical for DoD and other agencies to support international disaster response or specified national emergencies or natural disaster relief efforts inside the United States.

This proposal would provide DoD and other agencies with alternative ways of procuring items needed to support international disaster response, national emergencies, or natural disaster. This proposal would not, however, change how or when humanitarian assistance is provided or how or when national emergencies or natural disaster efforts are carried out.

Budget Implications: This proposal would amend the applicability of special emergency procurement authorities and there would be no additional budget implications.

Changes to Existing Law: This proposal would make the following changes to section 1903(a) of title 41, United States Code:

§ 1903. Special emergency procurement authority

(a) APPLICABILITY—The authorities provided in subsections (b) and (c) apply with respect to a procurement of property or services by or for an executive agency that the head of the executive agency determines are to be used—

(1) in support of a contingency operation (as defined in section 101 (a) of title 10)~~; or~~

(2) to facilitate the defense against or recovery from nuclear, biological, chemical, or radiological attack against the United States~~.~~ ;

(3) in support of requests from the United States Agency for International Development to facilitate the provision of international disaster assistance pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) ; or

(4) in support of an emergency or major disaster (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

(b) ***