

109TH CONGRESS  
1ST SESSION

# H. R. 1239

To require notice of exceptions applied by the Department of Defense to certain requirements to procure items made in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. HAYES introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To require notice of exceptions applied by the Department of Defense to certain requirements to procure items made in the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Berry Amendment No-  
5       tification Act”.

6       **SEC. 2. AMENDMENTS TO DOMESTIC SOURCE REQUIRE-**  
7       **MENTS.**

8       (a) NOTICE.—Section 2533a of title 10, United  
9       States Code, is amended by adding at the end the fol-  
10      lowing new subsection:

1       “(k) NOTIFICATION REQUIRED WITHIN 7 DAYS  
2 AFTER CONTRACT AWARD IF CERTAIN EXCEPTIONS AP-  
3 PLIED.—In the case of any contract for the procurement  
4 of an item described in subparagraph (B), (C), (D), or  
5 (E) of subsection (b)(1), if the Secretary of Defense or  
6 of the military department concerned applies an exception  
7 set forth in subsection (c) or (e) with respect to that con-  
8 tract, the Secretary shall, not later than 7 days after the  
9 award of the contract, post a notification that the excep-  
10 tion has been applied on the Internet site maintained by  
11 the General Services Administration known as  
12 FedBizOps.gov (or any successor site).”.

13       (b) CLOTHING MATERIALS AND COMPONENTS COV-  
14 ERED.—Subsection (b) of section 2533a of title 10, United  
15 States Code, is amended in paragraph (1)(B) by inserting  
16 before the semicolon the following: “and the materials and  
17 components thereof, other than sensors, electronics, or  
18 other items added to, and not normally associated with,  
19 clothing (and the materials and components thereof)”.

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