

**AMENDMENT TO H.R. 1540, AS REPORTED
OFFERED BY MR. RUNYAN OF NEW JERSEY**

Page 364, after line 2, insert the following:

1 **SEC. 825. COMPETITION AND REVIEW OF CONTRACTS FOR**
2 **PROPERTY OR SERVICES IN SUPPORT OF A**
3 **CONTINGENCY OPERATION.**

4 (a) **CONTRACTING GOALS.**—Not later than 90 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall—

7 (1) establish goals for competition in contracts
8 awarded by the Secretary of Defense for the pro-
9 curement of property or services to be used outside
10 the United States in support of a contingency oper-
11 ation; and

12 (2) shall develop processes by which to measure
13 and monitor such competition, including in task-
14 order categories for services, construction, and sup-
15 plies.

16 (b) **ANNUAL REVIEW OF CERTAIN CONTRACTS.**—

17 (1) **REVIEW REQUIRED.**—For each year the Lo-
18 gistics Civil Augmentation Program contract, or
19 other similar omnibus contract awarded by the Sec-
20 retary of Defense for the procurement of property or

1 services to be used outside the United States in sup-
2 port of a contingency operation, is in force, the Sec-
3 retary shall require a competition advocate of the
4 Department of Defense to conduct an annual review
5 of each such contract.

6 (2) COMPETITIVE AWARDS.—Based on the find-
7 ings of a review conducted under paragraph (1), the
8 Secretary shall identify subcontracts that may rea-
9 sonably be treated as prime contract for purpose of
10 a competition and take such steps as may be nec-
11 essary to establish a competitive award basis for
12 such a contract in a timely manner.

13 (c) ANNUAL REPORT ON CONTRACTING IN IRAQ AND
14 AFGHANISTAN.— Section 863(a)(2) of the National De-
15 fense Authorization Act for Fiscal Year 2008 (110–181;
16 10 U.S.C. 2302 note) is amended—

17 (1) by redesignating subparagraphs (F)
18 through (H) as subparagraphs (H) through (J), re-
19 spectively; and

20 (2) by inserting after subparagraph (E) the fol-
21 lowing new subparagraphs:

22 “(F) Percentage of contracts awarded on a
23 competitive basis as compared to established
24 goals for competition in contingency contracting
25 actions.

1 “(G) Justification for any non-competi-
2 tively awarded contingency contracts that are
3 not otherwise deemed to be not suitable for
4 competition”.

