

**AMENDMENT TO THE RULES COMMITTEE PRINT
TO H.R. 4435
OFFERED BY MR. MCKINLEY OF WEST VIRGINIA**

At the end of title XI, add the following new section:

1 **SEC. 1107. REVIEW AND ANALYSIS REQUIRED BEFORE CON-**
2 **VERSION OF POSITIONS FROM CONTRACTOR**
3 **PERFORMANCE TO PERFORMANCE BY DE-**
4 **PARTMENT OF DEFENSE EMPLOYEES.**

5 Before converting a position to a full-time position
6 of employment with the Department of Defense any posi-
7 tion that was previously performed by an employee of a
8 defense contractor in the private sector, the Secretary of
9 Defense shall conduct a review and analysis to establish
10 that such an insourcing is—

11 (1) for a position that is inherently govern-
12 mental in nature, as such term is defined in section
13 5(2) of the Federal Activities Inventory Reform Act
14 of 1998 (Public Law 105 270; 31 U.S.C. 501 note);

15 (2) necessary to comply with sections 129 and
16 129a of title 10, United States Code;

17 (3) more cost effective than private sector em-
18 ployment considering a fully allocated cost of such
19 employment, including salary, overhead, taxes, pen-

1 sion, health care, and other employee benefits
2 throughout the full term of employment by the Gov-
3 ernment; and
4 (4) critical to public health, welfare and safety.

