

**AMENDMENT TO RULES COMMITTEE PRINT FOR
H.R. 4435
OFFERED BY MR. GOSAR OF ARIZONA**

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

1 **SEC. 827. INCREASED RELIANCE ON PRIVATE-SECTOR**
2 **SOURCES FOR COMMERCIAL PRODUCTS AND**
3 **SERVICES.**

4 (a) **IN GENERAL.**—The Secretary of Defense shall
5 endeavor to carry out through a private-sector source any
6 activity to provide a commercial product or service for the
7 Department of Defense if—

8 (1) the product or service can be provided ade-
9 quately through such a source; and

10 (2) an adequate competitive environment exists
11 to provide for economical performance of the activity
12 by such a source.

13 (b) **APPLICABILITY.**—(1) Subsection (a) shall not
14 apply to any commercial product or service with respect
15 to which the Secretary determines that production, manu-
16 facture, or provision of that product or service by the Gov-
17 ernment is necessary for reasons of national security.

1 (2) A determination under paragraph (1) shall be
2 made in accordance with regulations prescribed under sub-
3 section (c).

4 (c) REGULATIONS.—The Secretary shall prescribe
5 regulations to carry out this section. Such regulations
6 shall be prescribed in consultation with the Director of the
7 Office of Management and Budget.

8 (d) REPORT.—(1) The Secretary shall identify activi-
9 ties of the Department (other than activities specified by
10 the Secretary pursuant to subsection (b)) that are carried
11 out by employees of the Department to provide commer-
12 cial-type products or services for the Department.

13 (2) Not later than April 15, 2015, the Secretary shall
14 transmit to the congressional defense committees a report
15 on opportunities for increased use of private-sector sources
16 to provide commercial products and services for the De-
17 partment.

18 (3) The report required by paragraph (2) shall in-
19 clude the following:

20 (A) A list of activities identified under para-
21 graph (1) indicating, for each activity, whether the
22 Secretary proposes to convert the performance of
23 that activity to performance by private-sector
24 sources and, if not, the reasons why.

1 (B) An assessment of the advantages and dis-
2 advantages of using private-sector sources, rather
3 than employees of the Department, to provide com-
4 mercial products and services for the Department
5 that are not essential to the warfighting mission of
6 the Armed Forces.

7 (C) A specification of all legislative and regu-
8 latory impediments to converting the performance of
9 activities identified under paragraph (1) to perform-
10 ance by private-sector sources.

11 (D) The views of the Secretary on the desir-
12 ability of terminating the moratorium on Office of
13 Management and Budget Circular A-76 pursuant to
14 Public Law 110-181, Public Law 111-8, and Public
15 Law 112-74.

16 (4) The Secretary shall carry out paragraph (1) in
17 consultation with the Director of the Office of Manage-
18 ment and Budget and the Comptroller General of the
19 United States. In carrying out that paragraph, the Sec-
20 retary shall consult with, and seek the views of, represent-
21 atives of the private sector, including organizations rep-
22 resenting small businesses.

