

**AMENDMENT TO H.R. 1540, AS REPORTED
OFFERED BY MR. FRANKS OF ARIZONA**

Page 30, after line 18, insert the following:

1 **SEC. 114. LIMITATION ON PROCUREMENT OF CERTAIN TAC-**
2 **TICAL RADIOS.**

3 (a) **LIMITATION.**—Except as provided by subsection
4 (b), of the funds authorized to be appropriated by this Act
5 or otherwise made available for fiscal year 2012 for Other
6 Procurement, Army, the Secretary of the Army may not
7 procure tactical radio systems that depend on proprietary
8 waveforms and have not been or are not procured through
9 full and open competition.

10 (b) **WAIVER.**—The Secretary of the Army may waive
11 the limitation under subsection (a) if the Secretary sub-
12 mits to the congressional defense committees written cer-
13 tification that procurement of certain tactical radios is re-
14 quired to meet urgent operational needs as documented
15 by the Joint Urgent Operational Needs process.

