

**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,  
16 129a, and 129b 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; or  
4        (4) critical to public health, welfare and safety.

