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

Page 364, after line 2, insert the following:

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

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

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

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

(b) ANNUAL REVIEW OF CERTAIN CONTRACTS.—

(1) REVIEW REQUIRED.—For each year the Lo-
gistics Civil Augmentation Program contract, or
other similar omnibus contract awarded by the Sec-
retary of Defense for the procurement of property or
services to be used outside the United States in support of a contingency operation, is in force, the Secretary shall require a competition advocate of the Department of Defense to conduct an annual review of each such contract.

(2) COMPETITIVE AWARDS.—Based on the findings of a review conducted under paragraph (1), the Secretary shall identify subcontracts that may reasonably be treated as prime contract for purpose of a competition and take such steps as may be necessary to establish a competitive award basis for such a contract in a timely manner.

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

(1) by redesignating subparagraphs (F) through (H) as subparagraphs (H) through (J), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraphs:

“(F) Percentage of contracts awarded on a competitive basis as compared to established goals for competition in contingency contracting actions.
“(G) Justification for any non-competitively awarded contingency contracts that are not otherwise deemed to be not suitable for competition”.