

138. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Bright OF Alabama,
OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES.

**AMENDMENT TO H.R. 2647, AS REPORTED
OFFERED BY MR. BRIGHT OF ALABAMA**

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

1 **SEC. 8xx. FOLLOW-ON CONTRACTS FOR CERTAIN ITEMS AC-**
2 **QUIRED FOR SPECIAL OPERATIONS FORCES.**

3 (a) **AUTHORITY FOR AWARD OF FOLLOW-ON CON-**
4 **TRACTS.**—The commander of the special operations com-
5 mand, acting under authority provided by section
6 167(e)(4) of title 10, United States Code, may award a
7 follow-on contract for the acquisition of an item to a con-
8 tractor who previously provided such item if—

9 (1) the item is an item of special operations-pe-
10 culiar equipment and not anticipated to be made
11 service common within 24 months of the initial con-
12 tract;

13 (2) the item was previously acquired in the
14 make, model, and type—

15 (A) using competitive procedures;

16 (B) under the authority of other statutory
17 authority permitting noncompetitive or limited
18 competition procurement actions (such as sec-
19 tion 8(a) of the Small Business Act (15 U.S.C.

1 637(a)), section 31 of such Act (15 U.S.C.
2 657a, relating to the HUBZone program), and
3 section 36 of such Act (15 U.S.C. 657f, relating
4 to procurement program for small business con-
5 cerns owned and controlled by service-disabled
6 veterans)); or

7 (C) as a result of a competition among a
8 limited number of sources on the basis that the
9 disclosure of the need for the item would com-
10 promise national security ; and

11 (3) the acquisition of the item by means other
12 than a follow-on contract with the contractor would
13 unduly delay the fielding of such item to forces pre-
14 paring for or participating in overseas contingency
15 operations or for other deployments undertaken in
16 response to a request from a combatant commander.

17 (b) LIMITATIONS.—A contract awarded using the au-
18 thority in subsection (a)—

19 (1) may have a period of performance of not
20 longer than one year;

21 (2) may be used only to acquire one or more
22 items having an individual unit price under
23 \$100,000; and

24 (3) may have a total value not exceeding
25 \$25,000,000.

1 (c) NOTIFICATION.—Not later than 45 days after the
2 use of the authority in subsection (a), the commander of
3 the special operations command shall submit to the con-
4 gressional defense committees a notification of the use of
5 such authority.

6 (d) TERMINATION OF AUTHORITY.—The commander
7 of the special operations command may not use the au-
8 thority in subsection (a) on and after October 1, 2013.

