

134. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
RUNYAN OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR  
10 MINUTES

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

Page 364, after line 2, insert the following:

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

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

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

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

16 (b) **ANNUAL REVIEW OF CERTAIN CONTRACTS.**—

17 (1) **REVIEW REQUIRED.**—For each year the Lo-  
18 gistics Civil Augmentation Program contract, or  
19 other similar omnibus contract awarded by the Sec-  
20 retary of Defense for the procurement of property or

1 services to be used outside the United States in sup-  
2 port of a contingency operation, is in force, the Sec-  
3 retary shall require a competition advocate of the  
4 Department of Defense to conduct an annual review  
5 of each such contract.

6 (2) COMPETITIVE AWARDS.—Based on the find-  
7 ings of a review conducted under paragraph (1), the  
8 Secretary shall identify subcontracts that may rea-  
9 sonably be treated as prime contract for purpose of  
10 a competition and take such steps as may be nec-  
11 essary to establish a competitive award basis for  
12 such a contract in a timely manner.

13 (c) ANNUAL REPORT ON CONTRACTING IN IRAQ AND  
14 AFGHANISTAN.— Section 863(a)(2) of the National De-  
15 fense Authorization Act for Fiscal Year 2008 (110–181;  
16 10 U.S.C. 2302 note) is amended—

17 (1) by redesignating subparagraphs (F)  
18 through (H) as subparagraphs (H) through (J), re-  
19 spectively; and

20 (2) by inserting after subparagraph (E) the fol-  
21 lowing new subparagraphs:

22 “(F) Percentage of contracts awarded on a  
23 competitive basis as compared to established  
24 goals for competition in contingency contracting  
25 actions.

1           “(G) Justification for any non-competi-  
2           tively awarded contingency contracts that are  
3           not otherwise deemed to be not suitable for  
4           competition”.

