

**En Bloc Amendments to  
H.R. 4310  
National Defense Authorization Act for Fiscal Year 2013  
Wednesday, May 9, 2012**

Full Committee

En Bloc # 2

Log #	Sponsor	Description
030r1	Rep. Rigell	This amendment would amend 10 USC 2330a regarding the inventory of contracted services to require that special management attention is being given to functions identified in the inventory as being closely associated to inherently governmental functions.
045	Rep. Turner	This amendment would strike section (d)(2) of Section 3155, which authorized DOE to participate in the management and operations of the company that receives the funding authorized by this section.
048r2	Rep. Roby	This amendment would require the Secretary of Air Force report no later than submission of the President's fiscal year 2014 budget request to Congress how the Secretary will determine which C-130 aircraft will be retired or relocated.
051	Rep. Larsen	This amendment would restore 1 percent funding for administrative expenses of the commercialization readiness program of DOD.
060	Rep. Tsongas	This amendment would require the Air Force to retain core functions of the Electronic Systems Center at Hanscom AFB until a future round of BRAC or implementation of subsequent law providing for closure or realignment of military installations.
061	Rep. Brooks	This amendment would clarify the meaning of "produced" for the purposes of limitations on the procurement of specialty metals by the DOD.
108r1	Rep. Courtney	This language would direct GAO to conduct a study of the planning underway for the role of the U.S. military and the DOD in Afghanistan after 2014.
129r1	Rep. Andrews	This amendment would review the methodology of DOD relating to costs of performance by civilian employees, military personnel, and contractors.
184	Rep. Hunter	This amendment would require Secretary of Defense to provide a report to the appropriate congressional committees on various manning and organizational status of Office of Security Cooperation-Iraq personnel.
190r2	Rep. Andrews	This amendment would require a written notice be submitted to Congress prior to changing DOD policy requiring financial disclosure for senior mentors.
191	Rep. Johnson	This amendment would provide the Secretary of Defense authority to transfer surplus MRAPs to non-profit US humanitarian demining organizations.
196	Rep. Johnson	This amendment would require Secretary of Defense to notify, via letter, when a report required by law will be late.
213	Rep. Sutton	This amendment would amend the Strategic and Critical Materials Stock Piling Act (50 U.S.C 98a) to expand the purpose statement to address not only foreign sources of supply, but also single points of failure.
217r1	Rep. Turner	This amendment would require the Secretary of the Air Force to retain the core functions of Air Force Material Command that exist at Wright-Patterson Air Force Base, Ohio.

Log 430r1

**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. RIGELL OF VIRGINIA**

At the appropriate place in title IX, insert the following new section:

1 **SEC. 9xx. SPECIAL MANAGEMENT ATTENTION REQUIRED**  
2 **FOR CERTAIN FUNCTIONS IDENTIFIED IN IN-**  
3 **VENTORY OF CONTRACTS FOR SERVICES.**

4 Subparagraph (C) of section 2330a(e)(2) of title 10,  
5 United States Code, is amended to read as follows:

6 “(C) special management attention is  
7 being given to functions identified in the inven-  
8 tory as being closely associated with inherently  
9 governmental functions; and”.



**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. TURNER OF OHIO**

In section 3155(d)—

- (1) strike “(1) SURRENDER.—”; and
- (2) strike paragraph (2).



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**AMENDMENT TO H.R. 4310**

**OFFERED BY MRS. ROBY OF ALABAMA**

**(For Herself, Mr. Conaway of Texas, and Mr. Palazzo of Mississippi)**

At the appropriate place in subtitle D of title I, insert the following:

**1 SEC. 1\_\_ . REVIEW OF C-130 FORCE STRUCTURE.**

2 (a) REVIEW.—The Secretary of the Air Force shall  
3 conduct a review of the C-130 force structure.

4 (b) REPORT.—Not later than the date on which the  
5 budget of the President is submitted to Congress under  
6 section 1105(a) of title 31, United States Code, for fiscal  
7 year 2014, the Secretary of the Air Force shall submit  
8 to the congressional defense committees a report of the  
9 review under subsection (a), including—

10 (1) how the Secretary will determine which C-  
11 130 aircraft will be retired or relocated during fiscal  
12 years 2014 through 2018;

13 (2) a description of the methodologies under-  
14 lying such determinations, including the factors and  
15 assumptions that shaped the specific determinations;

16 (3) the rationale for selecting C-130 aircraft to  
17 be retired or relocated with respect to such aircraft

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1 of the regular components and such aircraft of the  
2 reserve components; and

3 (4) details of the costs incurred, avoided, or  
4 saved with respect to retiring or relocating C-130  
5 aircraft.

6 (c) COMPTROLLER GENERAL REVIEW.—Not later  
7 than 60 days after the date on which the report is sub-  
8 mitted under subsection (b), the Comptroller General of  
9 the United States shall submit to the congressional de-  
10 fense committees a review of such report, including the  
11 costs and benefits of the planned retirements and reloca-  
12 tions described in such report.

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**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. LARSEN OF WASHINGTON**

At the appropriate place in title XVI, add the following new section:

1 **SEC. 16\_\_\_ . RESTORATION OF 1 PERCENT FUNDING FOR**  
2 **ADMINISTRATIVE EXPENSES OF COMMER-**  
3 **CIALIZATION READINESS PROGRAM OF DE-**  
4 **PARTMENT OF DEFENSE.**

5 (a) RESTORATION.—Section 9(y) of the Small Busi-  
6 ness Act (15 U.S.C. 638(y)), as amended by section  
7 5141(b)(1)(B) of the National Defense Authorization Act  
8 for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
9 1853) is amended—

10 (1) by redesignating paragraphs (4) and (5) as  
11 paragraphs (5) and (6), respectively; and

12 (2) by inserting after paragraph (3) the fol-  
13 lowing new paragraph (4):

14 “(4) FUNDING.—For payment of expenses in-  
15 curred to administer the Commercialization Readiness  
16 Program under this subsection, the Secretary  
17 of Defense and each Secretary of a military depart-  
18 ment is authorized to use not more than an amount  
19 equal to 1 percent of the funds available to the De-

1       partment of Defense or the military department pur-  
2       suant to the Small Business Innovation Research  
3       Program. Such funds shall not be used to make  
4       Phase III awards.”.

5       (b)       TECHNICAL       AMENDMENT.—Section  
6       5141(b)(3)(B) of the National Defense Authorization Act  
7       for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
8       1854) is amended—

9               (1) by striking “subsection (y)—” and all that  
10       follows through “the following:” and inserting “sub-  
11       section (y), by amending paragraph (4) to read as  
12       follows:”

13       (c) EFFECTIVE DATE.—The amendments made by  
14       this section shall take effect as of January 1, 2012.



**AMENDMENT TO H.R. 4310****OFFERED BY MS. TSONGAS OF MASSACHUSETTS**

At the end of subtitle D of title III, add the following new section:

1 **SEC. 3\_\_\_ . RETENTION OF CORE FUNCTIONS OF THE ELEC-**  
2 **TRONIC SYSTEMS CENTER AT HANSCOM AIR**  
3 **FORCE BASE, MASSACHUSETTS.**

4 The Secretary of the Air Force shall retain the core  
5 functions of the Electronic Systems Center at Hanscom  
6 Air Force Base, Massachusetts, with the same integrated  
7 mission elements, responsibilities, and capabilities as ex-  
8 isted as of November 1, 2011, until such time as such  
9 integrated mission elements, responsibilities, and capabili-  
10 ties are modified pursuant to section 2687 of title 10,  
11 United States Code, or a subsequent law providing for the  
12 closure or realignment of military installations in the  
13 United States.



**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. BROOKS OF ALABAMA**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8xx. ADDITIONAL DEFINITION RELATING TO PRODUC-**  
2 **TION OF SPECIALTY METALS WITHIN THE**  
3 **UNITED STATES.**

4 Section 2533b(m) of title 10, United States Code, is  
5 amended by adding at the end the following new para-  
6 graph:

7 “(11) The term ‘produced’, as used in sub-  
8 sections (a) and (b), means melted, or processed in  
9 a manner that results in physical or chemical prop-  
10 erty changes that are the equivalent of melting. The  
11 term does not include finishing processes such as  
12 rolling, heat treatment, quenching, tempering, grind-  
13 ing, or shaving.”.



## Amendment Offered by Mr. Courtney of Connecticut

H.R. 4310—National Defense Authorization Act for Fiscal Year 2013

To be inserted in the appropriate place the report:

### GAO Study of Post Combat Role of US Forces in Afghanistan

The committee notes that the United States military mission in the Islamic Republic of Afghanistan will evolve over the next several years as the Afghan National Security Forces (ANSF) increasingly take responsibility for providing security in Afghanistan. Over that time, United States forces will draw down significantly, eventually end their direct combat role, and, as currently conceived by the Administration, limit their role to training and equipping the ANSF and counterterrorist missions after 2014. This transition could face substantial challenges and will likely require intense planning to succeed. The committee is aware that the Comptroller General has undertaken several studies on aspects of this transition, including the planning for the drawdown of U.S. forces and the planning for the future of the ANSF, but believes that an additional study of the planning for the post-2014 role of the Department of Defense and U.S. military forces in Afghanistan is appropriate.

The committee directs the Comptroller General of the United States to undertake a study of the nature and extent of planning underway by the Department of Defense for the role of the U.S. military and the Department in Afghanistan post 2014. progress in 1) developing a framework for making key decisions, such as assigning organizational responsibilities and structures within the Department and 2) establishing a planning approach, including identifying a) key assumptions about the environment in Afghanistan and roles of the Department, the U.S. military, and contractors, b) how the Department will collaborate with other agencies and c) issues to be resolved, such as the level of support to be provided by the Department to other agencies, and disposition of U.S. equipment and assets, 3) key decision points and related milestones for taking actions to implement decisions, and 4) potential risks and mitigation plans. The Comptroller General should periodically brief the committee on the status of its work and provide a final report no later than April 1

**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. ANDREWS**

At the appropriate place in title IX, add the following new section:

1 **SEC. 9** \_\_\_\_. **GAO REPORT REVIEWING METHODOLOGY OF**  
2 **DEPARTMENT OF DEFENSE RELATING TO**  
3 **COSTS OF PERFORMANCE BY CIVILIAN EM-**  
4 **PLOYEES, MILITARY PERSONNEL, AND CON-**  
5 **TRACTORS.**

6 (a) **REVIEW REQUIREMENT.**—The Comptroller Gen-  
7 eral of the United States shall conduct a review of Depart-  
8 ment of Defense Directive-Type Memorandum 09-007 en-  
9 titled “Estimating and Comparing the Full Costs of Civil-  
10 ian and Military Manpower and Contractor Support” to  
11 determine whether the methodology used in the memo-  
12 randum reflects the actual, relevant, and quantifiable  
13 costs to taxpayers of performance by Federal civilian em-  
14 ployees, military personnel, and contractors.

15 (b) **CONSULTATION.**—In conducting the review re-  
16 quired by subsection (a), the Comptroller General shall  
17 consult with the Under Secretary of Defense for Personnel  
18 and Readiness, the Director of Cost Assessment and Pro-

1 gram Evaluation, the Director of the Office of Manage-  
2 ment and Budget, and private sector stakeholders.

3 (c) REPORT.—Not later than 180 days after the date  
4 of the enactment of this Act, the Comptroller General shall  
5 submit a report on the review required by subsection (a)  
6 to the Committees on Armed Services of the Senate and  
7 the House of Representatives. The report shall contain the  
8 results of the review and make recommendations for any  
9 statutory changes that the Comptroller General deter-  
10 mines are necessary to ensure that the memorandum re-  
11 viewed includes the actual, relevant, and quantifiable costs  
12 to taxpayers for Federal civilian employees, military per-  
13 sonnel, and contractors.



**AMENDMENT TO H.R. 4310****OFFERED BY MR. HUNTER OF CALIFORNIA**

At the end of section 1212 (relating to authority to support operations and activities of the Office of Security Cooperation in Iraq), add the following:

1 (d) REPORT.—

2 (1) IN GENERAL.—Not later than 180 days  
3 after the date of the enactment of this Act, the Sec-  
4 retary of Defense, in consultation with the Secretary  
5 of State, shall submit to the appropriate congres-  
6 sional committees a report on the Office of Security  
7 Cooperation in Iraq.

8 (2) MATTERS TO BE INCLUDED.—The report  
9 shall include the following:

10 (A) The plan to consolidate Office sites.

11 (B) The status of any pending requests for  
12 additional United States military forces for the  
13 Office.

14 (C) The legal status and legal protections  
15 provided to Office personnel, the operational  
16 impact of such status and protections, and the  
17 associated constraints on the operational capac-

1           ity of such personnel by reason of their legal  
2           status.

3           (D) The operational and functional limita-  
4           tions and authorities of Office personnel.

5           (E) A description of potential direct  
6           threats to Office personnel and their capacity to  
7           provide adequate force protection to thwart  
8           those threats.

9           (3) FORM.—The report shall be submitted in  
10          unclassified form, but may contain a classified annex  
11          if necessary.

12          (4) DEFINITION.—In this section, the term  
13          “appropriate congressional committees” means—

14                 (A) the congressional defense committees;  
15                 and

16                 (B) the Committee on Foreign Relations of  
17                 the Senate and the Committee on Foreign Af-  
18                 fairs of the House of Representatives.



**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. ANDREWS OF NEW JERSEY**

At the end of subtitle A of title XI, add the following:

1 **SEC. 11xx. POLICY ON SENIOR MENTORS.**

2 (a) **IN GENERAL.**—The Secretary of Defense shall  
3 provide written notice to the congressional defense com-  
4 mittees at least 60 days before implementing any change  
5 in the policy regarding senior mentors issued on or about  
6 April 1, 2010.

7 (b) **APPLICABILITY.**—Changes implemented before  
8 the date of the enactment of this Act shall not be affected  
9 by this section.



**AMENDMENT TO H.R. 4310****OFFERED BY MR. Johnson of Georgia**

At the appropriate place in title X, insert the following:

1 **SEC. 10xx. AUTHORITY TO TRANSFER SURPLUS MINE-RE-**  
2 **SISTANT AMBUSH-PROTECTED VEHICLES**  
3 **AND SPARE PARTS.**

4 (a) **AUTHORITY.**—The Secretary of Defense is au-  
5 thorized to transfer surplus Mine-Resistant Ambush-Pro-  
6 tected vehicles, including spare parts for such vehicles, to  
7 non-profit United States humanitarian demining organiza-  
8 tions for purposes of demining activities and training of  
9 such organizations.

10 (b) **TERMS AND CONDITIONS.**—Any transfer of vehi-  
11 cles or spare parts under subsection (a) shall be subject  
12 to the following terms and conditions:

13 (1) The transfer shall be made on a loan basis.

14 (2) The costs of operation and maintenance of  
15 the vehicles shall be borne by the recipient organiza-  
16 tion.

17 (3) Any other terms and conditions as the Sec-  
18 retary of Defense determines to be appropriate.

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1 (e) NOTIFICATION.—The Secretary of Defense shall  
2 notify the congressional defense committees in writing not  
3 less than 60 days before making any transfer of vehicles  
4 or spare parts under subsection (a). Such notification shall  
5 include the name of the organization, the number and  
6 model of the vehicle to be transferred, a listing of any  
7 spare parts to be transferred, and any other information  
8 the Secretary considers appropriate.

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**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. JOHNSON OF GEORGIA**

At the appropriate place in title X, insert the following:

1 **SEC. 10\_\_\_ . NOTIFICATION OF DELAYED REPORTS.**

2 (a) IN GENERAL.—Chapter 3 of title 10, United  
3 States Code, is amended by inserting after section 122a  
4 the following new section:

5 **“§ 122b. Notification of delayed reports**

6 “If the Secretary of Defense determines that a report  
7 required by law to be submitted by any official of the De-  
8 partment of Defense to Congress will not be submitted by  
9 the date required under law, the Secretary shall submit  
10 to the congressional defense committees a notification, by  
11 not later than such date, of the following:

12 “(1) An explanation of why such report will not  
13 be submitted by such date.

14 “(2) The date on which such report will be sub-  
15 mitted.

16 “(3) The status of such report as of the date  
17 of the notification.

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1           “(4) The office of the Department carrying out  
2           such report and the individual acting as the head of  
3           such office.”.

4           (b) CLERICAL AMENDMENT.—The table of sections  
5           at the beginning of such chapter is amended by inserting  
6           after the item relating to section 122a the following new  
7           item:

“122b. Notification of delayed reports.”.



**AMENDMENT TO H.R. 4310**  
**OFFERED BY Ms. SUTTON OF OHIO**

At the appropriate place in title XIV, insert the following:

1 **SEC. 14\_\_\_ . ADDITIONAL SECURITY OF STRATEGIC MATE-**  
2 **RIALS SUPPLY CHAINS.**

3 Section 2(b) of the Strategic and Critical Materials  
4 Stock Piling Act (50 U.S.C. 98a) is amended by inserting  
5 “or a single point of failure” after “foreign sources”.



**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. TURNER OF OHIO**

At the end of subtitle D of title III, add the following new section:

1 **SEC. 3\_\_ . RETENTION OF CORE FUNCTIONS OF THE AIR**  
2 **FORCE MATERIEL COMMAND, WRIGHT-PAT-**  
3 **TERSON AIR FORCE BASE, OHIO.**

4 The Secretary of the Air Force shall retain the core  
5 functions of the Air Force Materiel Command that exist  
6 at Wright-Patterson Air Force Base, Ohio, as of Novem-  
7 ber 1, 2011, until such time as such core functions are  
8 modified pursuant to section 2687 of title 10, United  
9 States Code, or a subsequent law providing for the closure  
10 or realignment of military installations in the United  
11 States.

