

**En Bloc Amendments to H.R. 1960**  
**National Defense Authorization Act for Fiscal Year 2014**  
 Wednesday, June 5, 2013

Full Committee

En Bloc # 1

Log #	Sponsor	Description
<b>002r1</b>	Bridenstine	Expands conditions under which covered contractors can qualify for exemption from strict financial liability associated with rework and corrective action of counterfeit or suspected counterfeit electronic parts including identified obsolete parts in certain circumstances. The amendment clarifies that regulations promulgated by Section 818 of the FY12 NDAA do not apply to procurement of commercial items.
<b>012</b>	Larsen	Amendments relating to procurement technical assistance cooperative agreement programs.
<b>037r1</b>	Davis	Promoting the recruitment and retention of women in the ANSF
<b>056r1</b>	Sanchez	Increase Global Threat Reduction Initiative by \$23.0 million and reduce International Material Protection and Cooperation by \$23.0 million
<b>119r1</b>	Speier	Requires the SecDef to make suspension and debarment waiver decisions available on a public website.
<b>140</b>	Veasey	Requires a report on the capabilities and policy issues associated with the counter-drug mission of the National Guard on the Southwest border of the United States
<b>168</b>	Jones	Determination and disclosure of transportation costs incurred by Secretary of Defense for Congressional trips outside the U.S.
<b>178</b>	Conaway	Expresses the sense of Congress that the national Guard counter-narcotic program should received continued funding.
<b>185r1</b>	Shea-Porter	Direct SecDef to report to congressional defense committees on progress made toward adopting an acquisition strategy for Defense Base Act insurance that minimizes the cost of such insurance to the DOD and its contractors, as required by section 843 of FY2009 NDAA (PL 110-417)
<b>189r1</b>	Andrews	Requires that cost be given at least equal importance to technical and other criteria in source selection for defense contracts.
<b>197</b>	Hunter	Requires a technical evaluation of the DCGS-A program by the Director, Operational Test and Evaluation
<b>221</b>	Garamendi	Affirms that nothing in the bill constitutes an authorization for the use of force in Syria

**AMENDMENT TO H.R. 1960**  
**OFFERED BY MR. BRIDENSTINE OF OKLAHOMA**

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

1 **SEC. 8\_\_\_. AMENDMENTS RELATING TO DETECTION AND**  
2 **AVOIDANCE OF COUNTERFEIT ELECTRONIC**  
3 **PARTS.**

4       Section 818(c)(2) of the National Defense Authoriza-  
5 tion Act for Fiscal Year 2012 (Public Law 112–81; 10  
6 U.S.C. 2302 note) is amended—

7           (1) in subparagraph (A), by striking “and” at  
8 the end;

9           (2) in subparagraph (B), at the end of clause  
10 (iii), by striking the period and inserting “; and”;  
11 and

12          (3) by adding at the end the following new sub-  
13 paragraph:

14           “(C) the cost of counterfeit electronic parts  
15 and suspect counterfeit electronic parts and the  
16 cost of rework or corrective action that may be  
17 required to remedy the use or inclusion of obso-  
18 lete parts are not allowable costs under Depart-  
19 ment contracts, unless—

1                   “(i) the offeror’s proposal in response  
2                   to a Department of Defense solicitation for  
3                   maintenance, refurbishment, or remanufac-  
4                   ture work identifies obsolete electronic  
5                   parts and includes a plan to ensure trusted  
6                   sources of supply for obsolete electronic  
7                   parts, or to implement design modifica-  
8                   tions to eliminate obsolete electronic parts;

9                   “(ii) the Department elects not to  
10                  fund design modifications to eliminate ob-  
11                  solete electronic parts; and

12                  “(iii) the contractor applies inspec-  
13                  tions and tests intended to detect counter-  
14                  feit electronic parts and suspect counterfeit  
15                  electronic parts when purchasing electronic  
16                  parts from other than the original manu-  
17                  facturers or their authorized dealers, pur-  
18                  suant to paragraph (3).”.



**AMENDMENT TO H.R. 1960****OFFERED BY MR. LARSEN OF WASHINGTON**

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

1 **SEC. 8\_\_\_ . AMENDMENTS RELATING TO PROCUREMENT**  
2 **TECHNICAL ASSISTANCE COOPERATIVE**  
3 **AGREEMENT PROGRAM.**

4 (a) INCREASE IN GOVERNMENT SHARE.—Section  
5 2413(b) of title 10, United States Code, is amended—

6 (1) by striking “one-half” both places it ap-  
7 pears and inserting “65 percent”; and

8 (2) by striking “three-fourths” and inserting  
9 “75 percent”.

10 (b) INCREASE IN LIMITATIONS ON VALUE OF ASSIST-  
11 ANCE.—Section 2414(a) of such title is amended—

12 (1) in paragraphs (1) and (4), by striking  
13 “\$600,000” and inserting “\$750,000”;

14 (2) in paragraph (2), by striking “\$300,000”  
15 and inserting “\$450,000”; and

16 (3) in paragraph (3), by striking “\$150,000”  
17 and inserting “\$300,000”.



**AMENDMENT TO H.R. 1960**

**OFFERED BY MRS. DAVIS OF CALIFORNIA**

**(Offered on behalf of herself and Mrs. Roby of Alabama)**

At the end of section 1531, relating to the Afghanistan Security Forces Fund, add the following new subsection:

1 (c) PROMOTION OF RECRUITMENT AND RETENTION  
2 OF WOMEN.—Of the funds available to the Department  
3 of Defense for the Afghanistan Security Forces Fund for  
4 fiscal year 2014, no less than \$47,300,000 shall be used  
5 for the recruitment and retention of women in the Afghan-  
6 istan National Security Forces. This requirement does not  
7 modify the distribution of funds for programs and activi-  
8 ties supported using the Afghanistan Security Forces  
9 Fund, but will ensure attention to recruitment and reten-  
10 tion of women within each program and activity.

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*I waive sequential referral*  
*Ed Royce*  
*CA - 39*

0905671  
(revision)

AMENDMENT TO H.R. 1960

OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

(on behalf of herself, Mr. Langevin, Mr. Larsen, and Mr. Garamendi)

In section 4701 of division D, relating to Defense Nuclear Nonproliferation activities, increase the amount for Global Threat Reduction Initiative by \$23,000,000.

In section 4701 of division D, relating to Defense Nuclear Nonproliferation activities, reduce the amount for International Material Protection and Cooperation by \$23,000,000.

**AMENDMENT TO H.R. 1960**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

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

1 **SEC. 8\_\_\_.** **AMENDMENT RELATING TO COMPELLING REA-**  
2 **SONS FOR WAIVING SUSPENSION OR DEBAR-**  
3 **MENT.**

4       Section 2393 (b) of title 10, United States Code, is  
5 amended by inserting after the first sentence the fol-  
6 lowing: “The Secretary of Defense shall also make the de-  
7 termination described in subsection (a)(2) available on a  
8 publicly accessible website.”

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**AMENDMENT TO H.R. 1960**  
**OFFERED BY MR. VEASEY OF TEXAS**

In the directive report language with respect to title X, on page 402, at the end of the item relating to National Guard Bureau Counter-drug Mission, insert the following: "The committee also directs the Secretary of Defense to submit to the committee, by not later than 120 days after the date of the enactment of this Act, a report on the capabilities and policy issues associated with the counter-drug mission of the National Guard on the southwestern border of the United States."



*Rep. Conway is cosponsor*



**AMENDMENT TO H.R. 1960**  
**OFFERED BY MR. JONES OF NORTH CAROLINA**

Add at the end of title X the following new section:

1 **SEC. \_\_\_\_ . DETERMINATION AND DISCLOSURE OF TRANS-**  
2 **PORTATION COSTS INCURRED BY SEC-**  
3 **RETARY OF DEFENSE FOR CONGRESSIONAL**  
4 **TRIPS OUTSIDE THE UNITED STATES.**

5 (a) DETERMINATION AND DISCLOSURE OF COSTS BY  
6 SECRETARY.—In the case of a trip taken by a Member,  
7 officer, or employee of the House of Representatives or  
8 Senate in carrying out official duties outside the United  
9 States for which the Department of Defense provides  
10 transportation, the Secretary of Defense shall—

11 (1) determine the cost of the transportation  
12 provided with respect to the Member, officer, or em-  
13 ployee;

14 (2) not later than 10 days after completion of  
15 the trip involved, provide a written statement of the  
16 cost—

17 (A) to the Member, officer, or employee in-  
18 volved, and

19 (B) to the Committee on Armed Services  
20 of the House of Representatives (in the case of

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1 a trip taken by a Member, officer, or employee  
2 of the House) or the Committee on Armed  
3 Services of the Senate (in the case of a trip  
4 taken by a Member, officer, or employee of the  
5 Senate); and

6 (3) upon providing a written statement under  
7 paragraph (2), make the statement available for  
8 viewing on the Secretary's official public website  
9 until the expiration of the 4-year period which be-  
10 gins on the final day of the trip involved.

11 (b) EXCEPTIONS.—

12 (1) EXCEPTIONS DESCRIBED.—This section  
13 does not apply with respect to any trip for which any  
14 of the following applies:

15 (A) The purpose of the trip is to visit one  
16 or more United States military installations or  
17 to visit United States military personnel in a  
18 war zone (or both).

19 (B) The use of transportation provided by  
20 the Department of Defense is necessary to pro-  
21 tect the safety and security of the individuals  
22 taking the trip.

23 (2) CONSULTATION.—In determining whether  
24 or not a trip is described in paragraph (1), the Sec-  
25 retary of Defense shall consult with the Speaker of

1 the House of Representatives (in the case of a trip  
2 taken by a Member, officer, or employee of the  
3 House) or the Majority Leader of the Senate (in the  
4 case of a trip taken by a Member, officer, or em-  
5 ployee of the Senate).

6 (c) DEFINITIONS.—In this section:

7 (1) MEMBER.—The term “Member”, with re-  
8 spect to the House of Representatives, includes a  
9 Delegate or Resident Commissioner to the Congress.

10 (2) UNITED STATES.—The term “United  
11 States” means the several States, the District of Co-  
12 lumbia, the Commonwealth of Puerto Rico, the Com-  
13 monwealth of the Northern Mariana Islands, the  
14 Virgin Islands, Guam, American Samoa, and any  
15 other territory or possession of the United States.

16 (d) EFFECTIVE DATE.—This section shall apply with  
17 respect to trips taken on or after the date of the enact-  
18 ment of this Act, except that this section does not apply  
19 with respect to any trip which began prior to such date.



**AMENDMENT TO H.R. 1960****OFFERED BY MR. CONAWAY OF TEXAS** *and Mr. Veasey of TX*

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

1 **SEC. 10\_\_.** **SENSE OF CONGRESS REGARDING THE NA-**  
2 **TIONAL GUARD COUNTER-NARCOTIC PRO-**  
3 **GRAM.**

4 It is the sense of Congress that—

5 (1) the National Guard Counter-Narcotic Pro-  
6 gram is a valuable tool to counter-drug operations  
7 across the United States, especially on the southwest  
8 border;

9 (2) the National Guard has an important role  
10 in combating drug trafficking into the United  
11 States; and

12 (3) the program should received continued  
13 funding.



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## Amendment Offered by Rep. Carol Shea-Porter

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

### Report on Implementation of Acquisition Strategy to Minimize Costs for Defense Base Act Insurance

Section 843 of the National Defense Authorization Act for Fiscal Year 2009 (PL 110-417) required that the Secretary of Defense adopt an acquisition strategy for Defense Base Act (DBA) insurance that minimizes the cost of such insurance for both the Department and its contractors. It also required the Department to submit a report to Congress, within 270 days of the law's enactment, on the acquisition strategy adopted. The Committee is aware that the Department, after having submitted in September 2009 the report required by Section 843, has been working through the steps to implement its acquisition strategy. The Committee notes that several years have now passed since 2009, and therefore directs the Secretary of Defense to report to the congressional defense committees not later than Feb. 1, 2015 on its progress towards implementing the lower-cost acquisition strategy required by Section 843.

**AMENDMENT TO H.R. 1960**  
**OFFERED BY MR. ANDREWS OF NEW JERSEY**

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

1 **SEC. 8\_\_ . REQUIREMENT THAT COST OR PRICE TO THE**  
2 **FEDERAL GOVERNMENT BE GIVEN AT LEAST**  
3 **EQUAL IMPORTANCE AS TECHNICAL OR**  
4 **OTHER CRITERIA IN EVALUATING COMPETI-**  
5 **TIVE PROPOSALS FOR DEFENSE CONTRACTS.**

6 (a) **REQUIREMENT.**—Subparagraph (A) of section  
7 2305(a)(3) of title 10, United States Code, is amended  
8 by striking “proposals; and” at the end of clause (ii) and  
9 all that follows through the end of the subparagraph and  
10 inserting the following: “proposals and that must be as-  
11 signed importance at least equal to all evaluation factors  
12 other than cost or price when combined.”.

13 (b) **WAIVER.**—Section 2305(a)(3) of such title is fur-  
14 ther amended by striking subparagraph (B) and inserting  
15 the following:

16 “(B) The requirement of subparagraph  
17 (A)(ii) relating to assigning at least equal im-  
18 portance to evaluation factors of cost or price  
19 may be waived by the head of the agency.”.

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1 (c) REPORT.—Section 2305(a)(3) of such title is fur-  
2 ther amended by adding at the end the following new sub-  
3 paragraph:

4 (C) Not later than 180 days after the end  
5 of each fiscal year, the Secretary of Defense  
6 shall submit to Congress, and post on a publicly  
7 available website of the Department of Defense,  
8 a report containing a list of each waiver issued  
9 by the head of an agency under subparagraph  
10 (B) during the preceding fiscal year.”.



## Amendment Offered by Rep. Duncan Hunter

### H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

#### Assessment of the Army Distributed Common Ground System

The committee shares numerous concerns related to the performance and program management of the Distributed Common Ground System-Army (DCGS-A) program. The committee has endeavored to better understand those concerns and find ways integrated lessons learned to improve the DCGS-A program as it moves forward. The committee awaits the report required by section 923 of the National Defense Authorization Act of Fiscal Year 2013 (Public Law 112-239), as well as a review by the General Accountability Office. Elsewhere in this bill, the committee directs further actions to improve visibility into the DCGS enterprise, and updates in key areas of performance. The committee strives to continue improving its understanding and assessment of key attributes of DCGS-A, and therefore directs the Director of Test and Evaluation (DOT&E) to review the DCGS-A program and submit a report to the congressional defense committees by September 27, 2013. That report shall include the following: (1) An assessment of the ability of the system to synchronize data across separate locations around the world in disconnected, interrupted or low-bandwidth data environments, including use of cloud edge nodes, and to manage and enrich data collaboratively across the enterprise into a fused common operational picture; (2) An analysis of how the Tactical Entity Databases (TED) are synchronized, (3) An assessment of the system to meet the data interoperability standards set by the intelligence community. Furthermore, the committee directs the Under Secretary of Defense for Intelligence, in coordination with Performance Assessment and Root Cause Analysis office, to provide a briefing by October 18, 2013 providing an additional assessment of the DOT&E report. This report shall include an assessment of the results of the DOT&E report, including comments on any recommendations made; and an analysis of how the lessons learned from Iraq and Afghanistan were incorporated into DCGS-A, including the ability of the system to respond to joint urgent operational needs.



**AMENDMENT TO H.R. 1960**

**OFFERED BY MR. GARAMENDI OF CALIFORNIA** *and Mr. Gibson of New York*

At the end of subtitle E of title XII, add the following new section:

- 1 **SEC. 12\_. RULE OF CONSTRUCTION.**
- 2       Nothing in this Act shall be construed as authorizing
- 3 the use of force against Syria.

