## En Bloc Amendments to H.R. 2500

### Full Committee En Bloc #2

<table>
<thead>
<tr>
<th>Log #</th>
<th>Sponsor</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>278</td>
<td>Waltz</td>
<td>GAO report of military free fall parachute procurement practices.</td>
</tr>
<tr>
<td>307r1</td>
<td>Gallego</td>
<td>Directs a briefing on National Guard readiness with respect to WMD threats and disaster preparedness.</td>
</tr>
<tr>
<td>331</td>
<td>Khanna</td>
<td>GAO report on the efforts of the Secretary of Defense to secure data relating to the price reasonableness of offers from offerors.</td>
</tr>
<tr>
<td>343r1</td>
<td>Keating</td>
<td>Directs the Secretary to assign gender advisors to each of the geographic and functional combatant commands, the Office of the Secretary of Defense, the Defense Security Cooperation Agency, and the Joint Staff.</td>
</tr>
<tr>
<td>352</td>
<td>Gabbard</td>
<td>Modifies Sec. 811 benefits for all Native communities, including Tribes in the lower 48, Native Hawaiian Organizations, and Alaska Native Corporations. Increases the Sec. 811 threshold to $100 million for sole source DOD contracts.</td>
</tr>
<tr>
<td>442r3</td>
<td>Gallagher</td>
<td>Requires report on DOD operational concepts and plans to implement the National Defense Strategy, as well as an annual update from the National Defense Strategy Commission assessing DoD's progress towards NDS implementation.</td>
</tr>
<tr>
<td>443</td>
<td>Gallagher</td>
<td>Eliminates federal market share determination requirement for the purchase of products from Federal Prison Industries</td>
</tr>
<tr>
<td>476</td>
<td>Lamborn</td>
<td>Requires the Under Secretary of Defense for A&amp;S to provide a report to Congress on how IBAS and ManTech Program can be leveraged to strengthen the military radar industry base.</td>
</tr>
<tr>
<td>045</td>
<td>Cook</td>
<td>Adds tantalum to the list of covered materials prohibited from acquiring from non-allied foreign nations under section 2533c of title 10 USC.</td>
</tr>
</tbody>
</table>
Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020

Offered by:
Michael Waltz (Florida)

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Report on the procurement of military free fall parachutes

The committee is concerned that the Army and Marine Corps have converted firm fixed price contracts for procurement of military free fall parachutes into technology development contracts. The committee notes that the advantages of procuring a parachute system, such as the Army’s Advanced Ram-Air Parachute System (RA-1) and the Marine Corps’ Enhanced Multi-Mission Parachute System (E-MMPS) as a commercial item or at a firm fixed price may be undermined if the selected parachutes undergo significant redesign and technological changes, possibly incurring additional cost, post contract award.

The committee directs the Comptroller General of the United States to provide a report, no later than February 1, 2020, examining the Army and Marine Corps’ parachute research, development, and acquisition strategies. The report shall include observations and assessments on:

(1) The development and execution of current parachute acquisition strategies including, but not limited to:
   a) performance and adequacy related to production and fielding schedules;
   b) cost growth on a per unit or contract basis and explanation for such growth;
   c) costs associated with the design and testing of parachute systems;
   d) funding obligated or budgeted for development or product improvements to the systems, as well as the source of the funds used for such development or improvements; and
   e) a review of the plans and results of tests and evaluations associated with such systems.

(2) Whether contracts are being executed consistent with the report provided by the Secretary of the Navy pursuant to Section of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1313);

(3) Whether the Army and Marine Corps parachute acquisition strategies support a competitive parachute manufacturer industrial base;

(4) Whether the Army and Marine Corps have considered interoperability with joint, allied, and coalition forces in the parachute requirements development process to include addressing the glide ratios of the various fielded systems;
(5) Whether there are any intellectual property or technology risks associated with such parachute procurements;

(6) An assessment of the service life of such parachute systems; and

(7) Any other items or issues the Comptroller General determines are relevant or useful to this report.
Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020

Offered by: Mr. Gallego

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Briefing on National Guard Readiness and Ability to Meet Modern Threats from Area Disasters and Weapons of Mass Destruction

The Committee is aware that since the 1998 report on the National Guard's ability to respond to threats from Weapons of Mass Destruction (WMDs) there has been a significant evolution of threats emanating from technological revolutions, asymmetric threats, new chemical and biological threats, cyber threats, electromagnetic pulse (EMP) threats, UAV and drone technology, and security at the border and at ports of entry.

Further, as the Committee observed in response to Hurricanes Maria, Harvey, and Michael, the recent California wildfires, and other wide-area natural disasters, synchronizing the flow of forces and resources in disaster response and recovery operations requires seamless planning and operations on behalf of U.S. Northern Command (NORTHCOM) and the National Guard, including all six phases of shaping, anticipating, responding, operating, stabilizing, and transitioning afflicted areas and populations.

In light of these evolving threats, it is appropriate to re-examine the National Guard Homeland Defense and Security enterprise. The Committee believes it is important that each State and Territory be given the opportunity to develop detailed plans relating to their own special circumstances, under the guidance of the National Guard Bureau.

The Committee directs the Chief of the National Guard Bureau, and the Commander of NORTHCOM, to provide a briefing to the House Committee on Armed Services, no later than April 15, 2020, detailing the following:

(1) a clarification of the roles and missions, structure, capabilities, and training of the National Guard and NORTHCOM and identification of emerging gaps and shortfalls in light of current homeland security threats to our country;
(2) an overview of the resources that each State and Territory National Guard has at its disposal that are available to respond to a homeland defense or security incident;

(3) the readiness and resourcing status of the resources listed in (2);

(4) the current strengths and areas of improvement in working with State and Federal interagency partners;

(5) the current assessments in place that address Guard readiness and resourcing of NORTHCOM Title 10 forces postured to respond to homeland defense and security incidents, and;

(6) a Roadmap that addresses readiness across the spectrum of long-range emerging threats facing the United States.
AMENDMENT TO H.R. 2500
OFFERED BY MR. KHANNA OF CALIFORNIA

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

SEC. 8. COMPTROLLER GENERAL REPORT ON PRICE REASONABLENESS.

Not later than March 31, 2021, the Comptroller General of the United States shall submit to the congressional defense committees, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the efforts of the Secretary of Defense to secure data relating to the price reasonableness of offers from offerors. The report shall include a review of—

(1) the number of, and justification for, any waiver of requirements for submission of certified cost or pricing data for sole source contracts for spare parts issued during fiscal years 2015 through 2019 pursuant to section 2306a(b)(1)(C) of title 10, United States Code;

(2) the number of, and justification for, any exception to the requirements for submission of certified cost or pricing data for sole source contracts...
for spare parts provided during fiscal years 2015 through 2019 pursuant to section 2306a(b)(1)(B) of title 10, United States Code;

(3) the number of contracts awarded for which a request for cost or pricing data, including data other than certified cost or pricing data, to determine price reasonableness was denied by an offeror at the time of award;

(4) actions taken by the Secretary if an offeror refused to provide request data described in paragraph (2), including—

(A) whether the contracting officer included a notation in the system used by the Federal Government to monitor or record contractor past performance regarding the refusal of an offeror to provide such data;

(B) any strategies developed by the Secretary to acquire the good that was the subject of a contract for which the offeror refused to provide such data in the future without the need for such a waiver.
Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020
Offered by Mr. Keating of Massachusetts

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Designation of Gender Advisors

"The committee notes the importance of gender perspectives and meaningful participation by women in peace and security processes. The committee directs the Secretary of Defense to designate a gender advisor for each of the geographic and functional combatant commands, the Office of the Secretary of Defense, the Defense Security Cooperation Agency, and the Joint Staff."
AMENDMENT TO H.R. 2500
OFFERED BY MS. GABBARD OF HAWAII

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

SEC. 8. MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT FOR CERTAIN DEPARTMENT OF DEFENSE CONTRACTS.

(a) MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT.—Notwithstanding section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2405)—

(1) no justification and approval is required under such section for a sole-source contract awarded by the Department of Defense in a covered procurement for an amount not exceeding $100,000,000; and

(2) for purposes of subsections (a)(2) and (c)(3)(A) of such section, the appropriate official designated to approve the justification for a sole-source contract awarded by the Department of Defense in a covered procurement exceeding $100,000,000 is the official designated in section 2304(f)(1)(B)(ii) of title 10, United States Code.
(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement the authority under subsection (a).

(c) COMPTROLLER GENERAL REVIEW.—

(1) DATA TRACKING AND COLLECTION.—The Department of Defense shall track the use of the authority provided pursuant to subsection (a) and make the data available to the Comptroller General for purposes of the report required under paragraph (2).

(2) REPORT.—Not later than February 1, 2022, the Comptroller General of the United States shall submit a report to the congressional defense committees on the use of the authority provided pursuant to subsection (a) through the end of fiscal year 2021.
AMENDMENT TO H.R. 2500
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of title X, add the following new subtitle:

Subtitle ___—National Defense Strategy Implementation

SEC. 10. SHORT TITLE.
This subtitle may be cited as the “National Defense Strategy Implementation Act”.

SEC. 10. REPORT ON OPERATIONAL CONCEPTS AND PLANS REGARDING STRATEGIC COMPETITORS.
Not later than February 1, 2020, and then biannually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Department of Defense’s operational concepts and plans regarding strategic competitors, including on strategically significant matters identified in the National Defense Strategy, that also addresses each of the following:

(1) Ways of employing the force in peace time to effectively deter strategic competitors below the threshold of war while ensuring readiness for potential conflict.
(2) Ways of adapting innovative, operational concepts needed for strategically significant and plausible scenarios related to strategic competitors.

(3) Ways of addressing operational challenges related to achieving the strategic advantage against strategic competitors related to nuclear, space, cyber, conventional, and unconventional means in warfighting doctrine.

(4) The technologies, force developments, posture and capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to enable these operational concepts and its implementation listed in paragraphs (1) through (3).

(5) The ability of the National Security Innovation Base to support the operational concepts listed in paragraphs (1) through (3).

(6) The resources and defense investments necessary to support the operational concepts and its implementation, including budget recommendations.

(7) The risks associated with the operational concepts, including the relationship and tradeoffs between missions, risks, and resources.

(8) Measures and metrics to track the effectiveness of the operational concepts and plans.
SEC. 10. ACTIONS TO INCREASE ANALYTIC SUPPORT.

(a) IN GENERAL.—The Secretary of Defense shall direct the Under Secretary of Defense for Policy, the Director of the Joint Staff, and the Director of Cost Assessment and Program Evaluation, in consultation with the head of each military service, to jointly develop and implement a plan to strengthen the analytic capabilities, expertise, and processes necessary to meet the National Defense Strategy.

(b) ELEMENTS.—The plan under subsection (a) shall include—

(1) an assessment of the decision support capability of the Department of Defense, specifically the analytic expertise the Department is using to link National Defense Strategy objectives to innovative approaches for meeting future challenges, including winning in conflict and competing effectively against strategic competitors;

(2) an approach for comparing competing analyses and conducting joint analyses for force structure to support senior leaders in implementing the National Defense Strategy;

(3) a determination of the analytic products and support required to implement the National Defense Strategy, including the ability to update these.
products to reflect current strategy and future
threats; and

(4) such other matters as the Secretary of De-
defense determines to be appropriate.

(c) BRIEFING REQUIRED.—Not later than March 1,
2020, the Secretary of Defense shall provide to the con-
gressional defense committees a briefing on the plan under
subsection (a).

SEC. 10. DEFINITIONS.

In this subtitle:

(1) The term “operational challenges” means
the principal operational challenges to meeting the
defense objectives described in the most recent Na-
tional Defense Strategy, as such challenges are de-

dined by the Secretary of Defense in guidance issued
to the Department of Defense. The guidance issued
by the Secretary of under the preceding sentence
shall—

(A) specifically identify operational chal-

lenges to the Department’s principal strategic
priorities of competing effectively with strategic
competitors; and

(B) be made available in unclassified and

publicly accessible form.
(2) The term "strategic competitors" means a country labeled as a strategic competitor in the "Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military's Competitive Edge" issued by the Department of Defense pursuant to section 113 of title 10, United States Code.
AMENDMENT TO H.R. 2500
OFFERED BY MR. GALLAGHER OF WISCONSIN

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

SEC. 8. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.

(a) COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—Subsections (a) and (b) of section 2410n of title 10, United States Code, are amended to read as follows:

"(a) MARKET RESEARCH.—Before purchasing a product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

"(1) is comparable to products available from the private sector; and

"(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

"(b) COMPETITION REQUIREMENT.—If the Secretary determines that a Federal Prison Industries product is not comparable to products available from the private sector
and does not best meet the needs of the Department of Defense in terms of price, quality, or time of delivery, the Secretary shall use competitive procedures or make an individual purchase under a multiple award contract for the procurement of the product. In conducting such a competition or making such a purchase, the Secretary shall consider a timely offer from Federal Prison Industries.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.
Amendment to H.R. 2500
National Defense Authorization Act for Fiscal Year 2020

Offered by: Mr. Lamborn of Colorado

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

Report on Plan to Expand and Strengthen the Military Radar Industrial Base

The Committee recognizes the critical defense need for competitive radar development and production in an open and modular architecture to meet current and future military requirements and to increase the capability of the defense industrial base to support a low cost and modular radar components and prototype. This is best accomplished by expansion of traditional and nontraditional U.S. based suppliers via open competition at the module level. With this in mind, the committee directs the Under Secretary of Defense for Acquisition & Sustainment to provide a report to the Committees on Armed Services of the Senate and the House of Representatives within 120 of the days on a plan to strengthen the defense radar industrial base leveraging authorities already granted in the Industrial Base Analysis and Sustainment program and the Manufacturing Technology Program.
AMENDMENT TO H.R. 2500
OFFERED BY MR. COOK OF CALIFORNIA

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

SEC. 8__. PROHIBITION ON ACQUISITION OF TANTALUM FROM NON-ALLIED FOREIGN NATIONS.

Subsection (d)(1) of section 2533c of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(E) tantalum.”.