

**AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MR. PRICE OF NORTH CAROLINA**

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

**1 SEC. 839. EXTENSION OF REGULATIONS ON CONTRACTORS
2 PERFORMING PRIVATE SECURITY FUNC-
3 TIONS.**

4 (a) EXTENSION OF REGULATIONS.—

5 (1) IN GENERAL.—The Secretary of Defense, in
6 coordination with the Secretary of State, shall issue
7 regulations to extend and apply the requirements of
8 section 862 of the National Defense Authorization
9 Act for Fiscal Year 2008 (Public Law 110-181; 10
10 U.S.C. 2302 note) to additional areas as designated
11 under paragraph (2) and as listed in paragraph (3).

12 (2) ADDITIONAL AREAS DESIGNATED.—The
13 Secretary of Defense shall designate as additional
14 areas for purposes of this section any area—

15 (A) that is an area within a foreign coun-
16 try or an area covering all or part of more than
17 one foreign country;

1 (B) that is not an area of combat oper-
2 ations as designated under subsection (c) of
3 section 862 of such Act; and

4 (C) in which significant military oper-
5 ations, as designated by the Secretary, are
6 being carried out by United States Armed
7 Forces.

8 (3) ADDITIONAL AREAS LISTED.—In addition
9 to any areas designated by the Secretary under
10 paragraph (2), the following areas shall be consid-
11 ered additional areas listed in this paragraph for
12 purposes of this section:

13 (A) The Horn of Africa region.

14 (B) Yemen.

15 (C) The Philippines.

16 (D) Haiti.

17 (b) EXTENSION TIMELINES.—The Secretary shall
18 prescribe regulations applicable to the additional areas—

19 (1) designated under subsection (a)(2), not
20 later than March 1, 2012; and

21 (2) listed in subsection (a)(3), not later than
22 March 1, 2011.

23 (c) REPORT ON IMPLEMENTATION.—Not later than
24 90 days after the dates specified in subsection (b), the
25 Secretary of Defense, in coordination with the Secretary

1 of State, shall submit to Congress a report on the imple-
2 mentation of the regulations prescribed under this section.

3 The report shall include—

4 (1) a complete list of additional areas des-
5 ignated by the Secretary under subsection (a)(2),
6 and a detailed description of the criteria used to
7 make the designation;

8 (2) the total number of contractors performing
9 private security functions in each additional area
10 designated under subsection (a)(2) or listed in sub-
11 jection (a)(3); and

12 (3) an assessment of the long-term options for
13 reducing the use of contractors for private security
14 functions, including the use of Government per-
15 sonnel to provide such functions.

16 (d) PRIVATE SECURITY FUNCTIONS.—[^]In this section,
17 the term “private security functions” means activities en-
18 gaged in by a contractor as follows:

19 (1) Guarding of personnel, facilities, or prop-
20 erty of a Federal agency.

21 (2) Any other activity for which personnel are
22 required to carry weapons in the performance of
23 their duties.

Notwithstanding Section 864 of the
National Defense Authorization
Act for FY2008
(P.L. 110-181),
as amended by
Section 813 of the
NDAA for FY2010
(P.L. 111-84),

Page 304, line 15, strike “and”.

Page 304, line 21, strike the period and insert “;
and”.

Page 304, after line 21, insert the following:

1 “(C) the desirability and feasibility of in-
2 cluding in the common databases identified
3 under section 861(b)(4) information about con-
4 tracts subject to the regulations required by
5 section 839 of the National Defense Authoriza-
6 tion Act for Fiscal Year 2011 (providing for ex-
7 tending and applying ~~the~~ the requirements of sec-
8 tion 862 to additional areas designated or listed
9 in that section 839).

