

**ADDITIONAL AMENDMENTS RELATING TO TOTAL FORCE MANAGEMENT**  
**(SEC. 933)**

The House bill contained a provision (sec. 933) that would make conforming amendments to a series of statutes to ensure that the total force management policy established in accordance with section 129a of title 10, United States Code, as amended, is considered in key workforce decisions of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

**SEC. 933. ADDITIONAL AMENDMENTS RELATING TO TOTAL FORCE**  
**MANAGEMENT**

- (a) AMENDMENTS TO SECRETARY OF DEFENSE REPORT.—Section 113(l) of title 10, United States Code, is amended to read as follows:
- “(l)(1) The Secretary shall include in the annual report to Congress under subsection (c) the following:
- (A) A comparison of the amounts provided in the defense budget for support and for mission activities for each of the preceding five fiscal years.
  - (B) A comparison of the following for each of the preceding five fiscal years:
    - (i) The number of military personnel, shown by major occupational category, assigned to support positions or to mission positions.
    - (ii) The number of civilian personnel, shown by major occupational category, assigned to support positions or to mission positions.
    - (iii) The number of contractor personnel performing support functions.
  - (C) An accounting for each of the preceding five fiscal years of the following:
    - (i) The number of military and civilian personnel, shown by armed force and by major occupational category, assigned to support positions.
    - (ii) The number of contractor personnel performing support functions.
  - (D) An identification, for each of the three workforce sectors (military, civilian, and contractor) of the percentage of the total number of personnel in that workforce sector that is providing support to headquarters and headquarters support activities for each of the preceding five fiscal years.
- (2) Contractor personnel shall be determined for purposes of paragraph (1) by using contractor full-time equivalents, based on the inventory required under section 2330a of this title.”.
- (b) AMENDMENTS RELATING TO CERTAIN GUIDELINES.—Section 1597(b) of title 10, United States Code, is amended by inserting after the first sentence the following: “In establishing the guidelines, the Secretary shall ensure that nothing in the guidelines conflicts with the requirements of section 129 of this title or the policies and procedures established under section 129a of this title.”.

(c) AMENDMENT TO REQUIREMENTS FOR ACQUISITION OF SERVICES.—Section 863 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4293; 10 U.S.C. 2330 note) is amended by adding at the end of subsection (d) the following new paragraph:

“(9) Considerations relating to total force management policies and procedures established under section 129a of this title.”.

**TITLE 10 - ARMED FORCES**  
**SUBTITLE A - GENERAL MILITARY LAW**  
**PART I - ORGANIZATION AND GENERAL MILITARY POWERS**  
**CHAPTER 2 - DEPARTMENT OF DEFENSE**

**§ 113. Secretary of Defense**

- (a) There is a Secretary of Defense, who is the head of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Secretary of Defense within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.
- (b) The Secretary is the principal assistant to the President in all matters relating to the Department of Defense. Subject to the direction of the President and to this title and section 2 of the National Security Act of 1947 (50 U.S.C. 401), he has authority, direction, and control over the Department of Defense.
- (c) (1) The Secretary shall report annually in writing to the President and the Congress on the expenditures, work, and accomplishments of the Department of Defense during the period covered by the report, together with—
- (A) a report from each military department on the expenditures, work, and accomplishments of that department;
  - (B) itemized statements showing the savings of public funds, and the eliminations of unnecessary duplications, made under sections 125 and 191 of this title; and
  - (C) such recommendations as he considers appropriate.
- (2) At the same time that the Secretary submits the annual report under paragraph (1), the Secretary shall transmit to the President and Congress a separate report from the Reserve Forces Policy Board on the reserve programs of the Department of Defense and on any other matters that the Reserve Forces Policy Board considers appropriate to include in the report.
- (d) Unless specifically prohibited by law, the Secretary may, without being relieved of his responsibility, perform any of his functions or duties, or exercise any of his powers through, or with the aid of, such persons in, or organizations of, the Department of Defense as he may designate.
- (e) (1) The Secretary shall include in his annual report to Congress under subsection (c)—
- (A) a description of the major military missions and of the military force structure of the United States for the next fiscal year;
  - (B) an explanation of the relationship of those military missions to that force structure; and
  - (C) the justification for those military missions and that force structure.

- (2) In preparing the matter referred to in paragraph (1), the Secretary shall take into consideration the content of the annual national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) for the fiscal year concerned.
- (f) When a vacancy occurs in an office within the Department of Defense and the office is to be filled by a person appointed from civilian life by the President, by and with the advice and consent of the Senate, the Secretary of Defense shall inform the President of the qualifications needed by a person serving in that office to carry out effectively the duties and responsibilities of that office.
- (g) (1) The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide annually to the heads of Department of Defense components written policy guidance for the preparation and review of the program recommendations and budget proposals of their respective components. Such guidance shall include guidance on—
- (A) national security objectives and policies;
  - (B) the priorities of military missions; and
  - (C) the resource levels projected to be available for the period of time for which such recommendations and proposals are to be effective.
- (2) The Secretary of Defense, with the approval of the President and after consultation with the Chairman of the Joint Chiefs of Staff, shall provide to the Chairman written policy guidance for the preparation and review of contingency plans, including plans for providing support to civil authorities in an incident of national significance or a catastrophic incident, for homeland defense, and for military support to civil authorities. Such guidance shall be provided every two years or more frequently as needed and shall include guidance on the specific force levels and specific supporting resource levels projected to be available for the period of time for which such plans are to be effective.
- (h) The Secretary of Defense shall keep the Secretaries of the military departments informed with respect to military operations and activities of the Department of Defense that directly affect their respective responsibilities.
- (i) (1) The Secretary of Defense shall transmit to Congress each year a report that contains a comprehensive net assessment of the defense capabilities and programs of the armed forces of the United States and its allies as compared with those of their potential adversaries.
- (2) Each such report shall—
- (A) include a comparison of the defense capabilities and programs of the armed forces of the United States and its allies with the armed forces of potential adversaries of the United States and allies of the United States;
  - (B) include an examination of the trends experienced in those capabilities and programs during the five years immediately preceding the year in which the report is transmitted and an examination of the expected trends in those capabilities and programs during the period covered by the future-years defense program submitted to Congress during that year pursuant to section 221 of this title;
  - (C) include a description of the means by which the Department of Defense will maintain the capability to reconstitute or expand the defense capabilities and

- programs of the armed forces of the United States on short notice to meet a resurgent or increased threat to the national security of the United States;
- (D) reflect, in the overall assessment and in the strategic and regional assessments, the defense capabilities and programs of the armed forces of the United States specified in the budget submitted to Congress under section 1105 of title 31 in the year in which the report is submitted and in the five-year defense program submitted in such year; and
  - (E) identify the deficiencies in the defense capabilities of the armed forces of the United States in such budget and such five-year defense program.
- (3) The Secretary shall transmit to Congress the report required for each year under paragraph (1) at the same time that the President submits the budget to Congress under section 1105 of title 31 in that year. Such report shall be transmitted in both classified and unclassified form.
- (j) (1) Not later than April 8 of each year, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives a report on the cost of stationing United States forces outside of the United States. Each such report shall include a detailed statement of the following:
- (A) Costs incurred in the United States and costs incurred outside the United States in connection with the stationing of United States forces outside the United States.
  - (B) The costs incurred outside the United States in connection with operating, maintaining, and supporting United States forces outside the United States, including all direct and indirect expenditures of United States funds in connection with such stationing.
  - (C) The effect of such expenditures outside the United States on the balance of payments of the United States.
- (2) Each report under this subsection shall be prepared in consultation with the Secretary of Commerce.
- (3) In this subsection, the term “United States”, when used in a geographic sense, includes the territories and possessions of the United States.
- (k) The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall provide annually to the Secretaries of the military departments and to the commanders of the combatant commands written guidelines to direct the effective detection and monitoring of all potential aerial and maritime threats to the national security of the United States. Those guidelines shall include guidance on the specific force levels and specific supporting resources to be made available for the period of time for which the guidelines are to be in effect.
- (l) (1) The Secretary shall include in the annual report to Congress under subsection (c) the following:
- (A) A comparison of the amounts provided in the defense budget for support and for mission activities for each of the preceding five fiscal years.
  - (B) A comparison of the following for each of the preceding five fiscal years:
    - (i) The number of military personnel, shown by major occupational category, assigned to support positions or to mission positions.

- (ii) The number of civilian personnel, shown by major occupational category, assigned to support positions or to mission positions.
- (iii) The number of contractor personnel performing support functions.
- (C) An accounting for each of the preceding five fiscal years of the following:
  - (i) The number of military and civilian personnel, shown by armed force and by major occupational category, assigned to support positions.
  - (ii) The number of contractor personnel performing support functions.
- (D) An identification, for each of the three workforce sectors (military, civilian, and contractor) of the percentage of the total number of personnel in that workforce sector that is providing support to headquarters and headquarters support activities for each of the preceding five fiscal years.
- (2) Contractor personnel shall be determined for purposes of paragraph (1) by using contractor full-time equivalents, based on the inventory required under section 2330a of this title.
- ~~(1) A comparison of the amounts provided in the defense budget for support and for mission activities for each of the preceding five fiscal years.~~
- ~~(2) A comparison of the number of military and civilian personnel, shown by major occupational category, assigned to support positions and to mission positions for each of the preceding five fiscal years.~~
- ~~(3) An accounting, shown by service and by major occupational category, of the number of military and civilian personnel assigned to support positions during each of the preceding five fiscal years.~~
- ~~(4) A listing of the number of military and civilian personnel assigned to management headquarters and headquarters support activities as a percentage of military end strength for each of the preceding five fiscal years.~~
- (m) Information To Accompany Funding Request for Contingency Operation.— Whenever the President submits to Congress a request for appropriations for costs associated with a contingency operation that involves, or likely will involve, the deployment of more than 500 members of the armed forces, the Secretary of Defense shall submit to Congress a report on the objectives of the operation. The report shall include a discussion of the following:
  - (1) What clear and distinct objectives guide the activities of United States forces in the operation.
  - (2) What the President has identified on the basis of those objectives as the date, or the set of conditions, that defines the endpoint of the operation.

**TITLE 10 - ARMED FORCES  
SUBTITLE A - GENERAL MILITARY LAW  
PART II - PERSONNEL  
CHAPTER 81 - CIVILIAN EMPLOYEES**

**§ 1597. Civilian positions: guidelines for reductions**

- (a) Requirement of Guidelines for Reductions in Civilian Positions.— Reductions in the number of civilian positions of the Department of Defense during a fiscal year, if any, shall be carried out in accordance with the guidelines established pursuant to subsection (b).
- (b) Guidelines.— The Secretary of Defense shall establish guidelines for the manner in which reductions in the number of civilian positions of the Department of Defense are made. In establishing the guidelines, the Secretary shall ensure that nothing in the guidelines conflicts with the requirements of section 129 of this title or the policies and procedures established

under section 129a of this title. The guidelines shall include procedures for reviewing civilian positions for reductions according to the following order:

- (1) Positions filled by foreign national employees overseas.
- (2) All other positions filled by civilian employees overseas.
- (3) Overhead, indirect, and administrative positions in headquarters or field operating agencies in the United States.
- (4) Direct operating or production positions in the United States.

(c) Master Plan.—

- (1) The Secretary of Defense shall include in the materials submitted to Congress in support of the budget request for the Department of Defense for each fiscal year a civilian positions master plan described in paragraph (2) for the Department of Defense as a whole and for each military department, Defense Agency, and other principal component of the Department of Defense.
- (2) The master plan referred to in paragraph (1) shall include the information described in paragraph (3). Such information shall include information for each of the two fiscal years immediately preceding such fiscal year and projected information for such fiscal year and each of the two fiscal years immediately following such fiscal year.
- (3) The information referred to in paragraph (2) is the following:
  - (A) A profile of the levels of civilian positions sufficient to establish and maintain a baseline for tracking annual accessions and losses of civilian positions and to provide for the analysis of trends in the levels of civilian positions within the Department of Defense as a whole and for each military department, major subordinate command of each military department, Defense Agency, and other principal component of the Department of Defense. The profile shall include information on the following
    - (i) The total number of civilian employees.
    - (ii) Of the total number of civilian employees, the number of civilian employees in the United States, the number of civilian employees overseas, and the number of foreign national employees overseas.
    - (iii) Of the total number of civilian employees at the end of each fiscal year covered by the master plan, the number of full-time employees, the number of part-time employees, and the number of temporary and on-call employees.
    - (iv) Accessions and losses of civilian positions, shown in the aggregate and by the number of full-time employees, the number of part-time employees, and the number of temporary and on-call employees.
    - (v) The number of losses of civilian positions, by appropriation account, due to reductions in force, furloughs, or functional transfers or other significant transfers of work away from the military
    - (vi) The extent to which accessions and losses of civilian positions are due to functional transfers or competitive actions that are related to the Department of Defense management review initiatives of the Secretary of Defense.
    - (vii) The total number of individuals employed by contractors and subcontractors of the Department of Defense under a contract or subcontract entered into pursuant to Office of Management and

Budget Circular A-76 to perform commercial activities for the Department of Defense, a military department, a defense agency, or other component.

- (B) For industrial-type and commercial-type activities funded through the Defense Business Operations Fund, the following information:
    - (i) Annual trends in the amount of funded workload for each activity, based upon the average number of months of accumulated, funded workload to be performed, or projected to be performed, by the activity.
    - (ii) The extent to which such workload is funded by funds that are appropriated from appropriation accounts and managed through the Defense Business Operations Fund.
  - (C) Information that indicates trends in the extent to which the military department, Defense Agency, or other component enters into contracts with persons outside of the Department of Defense, rather than uses civilian positions, to perform work for the military department, Defense Agency, or other component.
  - (D) Information that indicates the extent to which the Department of Defense management review initiatives of the Secretary of Defense and other productivity enhancement programs of the Department of Defense significantly affect the number of losses of civilian positions, particularly administrative and management positions.
- (4) The Secretary of Defense shall include in the materials referred to in paragraph (1) a report on the implementation of the master plan for the fiscal year immediately preceding the fiscal year for which such materials are submitted.
- (d) Exceptions.— The Secretary of Defense may permit a variation from the guidelines established under subsection (b) or a master plan prepared under subsection (c) if the Secretary determines that such variation is critical to the national security. The Secretary shall immediately notify the Congress of any such variation and the reasons for such variation.
  - (e) Involuntary Reductions of Civilian Positions.— The Secretary of Defense may not implement any involuntary reduction or furlough of civilian positions in a military department, Defense Agency, or other component of the Department of Defense until the expiration of the 45-day period beginning on the date on which the Secretary submits to Congress a report setting forth the reasons why such reductions or furloughs are required and a description of any change in workload or positions requirements that will result from such reductions or furloughs.

**P.L. 111-383 SEC. 863. REQUIREMENTS FOR THE ACQUISITION OF SERVICES  
IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT (NDAA), FY 2011**

- (a) ESTABLISHMENT OF REQUIREMENTS PROCESSES FOR THE ACQUISITION OF SERVICES.—The Secretary of Defense shall ensure that the military departments and Defense Agencies each establish a process for identifying, assessing, reviewing, and validating requirements for the acquisition of services.

- (b) **OPERATIONAL REQUIREMENTS.**—With regard to requirements for the acquisition of services in support of combatant commands and military operations, the Secretary shall ensure—
- (1) that the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air within the Armed Force concerned, the process established pursuant to subsection (a) for such Armed Force; and
  - (2) that commanders of unified combatant commands and other officers identified or designated as joint qualified officers have an opportunity to participate in the process of each military department to provide input on joint requirements for the acquisition of services.
- (c) **SUPPORTING REQUIREMENTS.**—With regard to requirements for the acquisition of services not covered by subsection (b), the Secretary shall ensure that the secretaries of the military departments and the heads of the Defense Agencies implement and bear chief responsibility for carrying out, within the military department or Defense Agency concerned, the process established pursuant to subsection (a) for such military department or Defense Agency.
- (d) **IMPLEMENTATION PLANS REQUIRED.**—The Secretary shall ensure that an implementation plan is developed for each process established pursuant to subsection (a) that addresses, at a minimum, the following:
- (1) The organization of such process.
  - (2) The level of command responsibility required for identifying, assessing, reviewing, and validating requirements for the acquisition of services in accordance with the requirements of this section and the categories established under section 2330(a)(1)(C) of title 10, United States Code.
  - (3) The composition of positions necessary to operate such process.
  - (4) The training required for personnel engaged in such process.
  - (5) The relationship between doctrine and such process.
  - (6) Methods of obtaining input on joint requirements for the acquisition of services.
  - (7) Procedures for coordinating with the acquisition process.
  - (8) Considerations relating to opportunities for strategic sourcing.
  - (9) Considerations relating to total force management policies and procedures established under section 129a of this title.
- (e) **MATTERS REQUIRED IN IMPLEMENTATION PLAN.**—Each plan required under subsection (d) shall provide for initial implementation of a process for identifying, assessing, reviewing, and validating requirements for the acquisition of services not later than one year after the date of the enactment of this Act and shall provide for full implementation of such process at the earliest date practicable.
- (f) **CONSISTENCY WITH JOINT GUIDANCE.**—Whenever, at any time, guidance is issued by the Chairman of the Joint Chiefs of Staff relating to requirements for the acquisition of services in support of combatant commands and military operations, each process established pursuant to subsection (a) shall be revised in accordance with such joint guidance.
- (g) **DEFINITION.**—The term “requirements for the acquisition of services” means objectives to be achieved through acquisitions primarily involving the procurement of services.
- (h) **REVIEW OF SUPPORTING REQUIREMENTS TO IDENTIFY SAVINGS.**—The secretaries of the military departments and the heads of the Defense Agencies shall review and validate each requirement described in subsection (c) with an anticipated cost in excess

of \$10,000,000 with the objective of identifying unneeded or low priority requirements that can be reduced or eliminated, with the savings transferred to higher priority objectives. Savings identified and transferred to higher priority objectives through review and revalidation under this subsection shall count toward the savings objectives established in the June 4, 2010, guidance of the Secretary of Defense on improved operational efficiencies and the annual reduction in funding for service support contractors required by the August 16, 2010, guidance of the Secretary of Defense on efficiency initiatives. As provided by the Secretary, cost avoidance shall not count toward these objectives.

- (i) **EXTENSION OF AUTHORITY.**—Subsection (e) of section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is amended by striking “September 30, 2010” and inserting “December 31, 2011”.