Suspend the Rules and Pass the Bill, H.R. 9597, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS 2D SESSION H. R. 9597

To amend title 41, United States Code, to make changes with respect to the Federal Acquisition Security Council, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 16, 2024

Mr. Comer (for himself, Mr. Raskin, Mr. Moolenaar, and Mr. Krishnamoorthi) introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 41, United States Code, to make changes with respect to the Federal Acquisition Security Council, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Federal Acquisition
- 5 Security Council Improvement Act of 2024".

1	SEC. 2. CHANGES WITH RESPECT TO THE FEDERAL ACQUI-
2	SITION SECURITY COUNCIL.
3	(a) Definition of Source of Concern, Covered
4	Source of Concern, Recommended Order, and Des-
5	IGNATED ORDER.—Section 1321 of title 41, United States
6	Code, is amended—
7	(1) by redesignating paragraphs (5) through
8	(8) as paragraphs (7) through (10);
9	(2) by inserting after paragraph (4) the fol-
10	lowing:
11	"(5) COVERED SOURCE OF CONCERN.—The
12	term 'covered source of concern' means a source of
13	concern that is specifically designated as a 'covered
14	source of concern' by a statute that states that such
15	designation is for the purposes of this subchapter.
16	"(6) Designated order.—The term 'des-
17	ignated order' means an order described under sec-
18	tion 1323(e)(3)."; and
19	(3) by adding at the end the following:
20	"(11) RECOMMENDED ORDER.—The term 'rec-
21	ommended order' means an order recommended
22	under section $1323(e)(2)$.
23	"(12) Source of Concern.—
24	"(A) IN GENERAL.—The term 'source of
25	concern' means a source—

1	"(i) subject to the jurisdiction, direc-
2	tion, or control of the government of a for-
3	eign adversary, or operates on behalf of
4	the government of a foreign adversary; or
5	"(ii) that poses a risk to the national
6	security of the United States based on col-
7	laboration with, whole or partial ownership
8	or control by, or being affiliated with a
9	military, internal security force, or intel-
10	ligence agency of a foreign adversary.
11	"(B) Foreign adversary defined.—In
12	this paragraph, the term 'foreign adversary' has
13	the meaning given the term 'covered nation' in
14	section 4872(d) of title 10.".
15	(b) Establishment and Members of Council.—
16	Section 1322 of title 41, United States Code, is amend-
17	ed—
18	(1) in subsection (a), by striking "executive
19	branch" and inserting "Executive Office of the
20	President";
21	(2) in subsection (b)—
22	(A) by amending paragraph (1) to read as
23	follows:
24	"(1) In general.—The members of the Coun-
25	cil shall be as follows:

1	"(A) The Administrator for Federal Pro-
2	curement Policy.
3	"(B) The Deputy Director for Manage-
4	ment of the Office of Management and Budget.
5	"(C) The following officials, each of whom
6	shall occupy a position at the level of Assistant
7	Secretary or Deputy Assistant Secretary (or
8	equivalent):
9	"(i) Two officials from the Office of
10	the Director of National Intelligence, one
11	of which shall be from the National Coun-
12	terintelligence and Security Center.
13	"(ii) Two officials from the Depart-
14	ment of Defense, one of which shall be one
15	from the National Security Agency.
16	"(iii) Two officials from the Depart-
17	ment of Homeland Security, one of which
18	shall be one from the Cybersecurity and
19	Infrastructure Security Agency.
20	"(iv) An official from the General
21	Services Administration.
22	"(v) An official from the Office of the
23	National Cyber Director.

1	"(vi) Two officials from the Depart-
2	ment of Justice, one of which shall be one
3	from the Federal Bureau of Investigation.
4	"(vii) Two officials from the Depart-
5	ment of Commerce, one of which shall be
6	from the National Institute of Standards
7	and Technology and one of which shall be
8	from the Bureau of Industry and Security
9	
10	"(viii) An official from any executive
11	agency not listed under clauses (i) through
12	(vii) whose temporary or permanent par-
13	ticipation is determined by the Chairperson
14	of the Council to be necessary to carry out
15	the functions of the Council while main-
16	taining the intended balance in subject
17	matter expertise."; and
18	(B) in paragraph (2)—
19	(i) in the heading, by striking "LEAD
20	REPRESENTATIVES" and inserting "MEM-
21	BERS";
22	(ii) by amending subparagraph (A)(i)
23	to read as follows:
24	"(i) IN GENERAL.—The head of each
25	executive agency listed under paragraph

1	(1)(C) shall designate the official or offi-
2	cials from that agency who shall serve on
3	the Council in accordance with such para-
4	graph.";
5	(iii) by amending subparagraph
6	(A)(ii) to read as follows:
7	"(ii) REQUIREMENTS.—To the extent
8	feasible, any official designated under
9	clause (i) shall have expertise in supply
10	chain risk management, acquisitions, law,
11	or information and communications tech-
12	nology.";
13	(iv) by amending subparagraph (B) to
14	read as follows:
15	"(B) Functions.—A member of the
16	Council shall—
17	"(i) regularly participate in the activi-
18	ties of the Council;
19	"(ii) ensure that any information re-
20	quested by the Council from the agency
21	represented by the member is provided to
22	the Council; and
23	"(iii) ensure that the head of the
24	agency represented by the member and

1	other appropriate personnel of the agency
2	are aware of the activities of the Council.";
3	(3) in subsection (c)—
4	(A) by amending paragraph (1) to read as
5	follows:
6	"(1) In General.—The Chairperson of the
7	Council shall be—
8	"(A) the National Cyber Director; or
9	"(B) another member of the Council des-
10	ignated by the National Cyber Director."; and
11	(B) in paragraph (2)—
12	(i) in subparagraph (B), by striking
13	"(b)(1)(H)" and inserting "(b)(1)(F)(vii)";
14	and
15	(ii) in subparagraph (C), by striking
16	"lead representative of each agency rep-
17	resented on the Council" and inserting
18	"members of the Council"; and
19	(4) in subsection (d)—
20	(A) by striking "The Council" and insert-
21	ing the following:
22	"(1) Council meetings.—The Council"; and
23	(B) by adding at the end the following:

1	"(2) OTHER MEETINGS.—The Chairperson of
2	the Council shall meet, not less frequently than
3	semiannually, with—
4	"(A) the Secretary of Homeland Security,
5	Secretary of Defense, and Director of National
6	Intelligence; or
7	"(B) in the case that any of the officials
8	under subparagraph (A) delegated authority to
9	an official under section 1323(c)(6)(C), with
10	the delegated official.".
11	(c) Functions and Authorities.—Section 1323 of
12	title 41, United States Code is amended—
13	(1) in subsection (a)—
14	(A) by striking "supply chain" each place
15	it appears and inserting "acquisition security
16	and supply chain";
17	(B) in paragraph (1), as amended by sub-
18	paragraph (A), by striking ", particularly" and
19	inserting "that arise";
20	(C) in paragraph (2), as amended by sub-
21	paragraph (A), by inserting "associated with
22	the acquisition and use of covered articles"
23	after "risk";
24	(D) in paragraph (6), as amended by sub-
25	paragraph (A)—

1	(i) by striking "posed by" and insert-
2	ing "associated with"; and
3	(ii) by inserting "and use" before "of
4	covered articles";
5	(E) in paragraph (7), by striking "posed
6	by acquisitions" and inserting "associated with
7	the acquisition";
8	(F) by redesignating paragraph (7) as
9	paragraph (12); and
10	(G) by inserting after paragraph (6) the
11	following:
12	"(7) Implementing a prioritization scheme for
13	evaluating the security risks associated with the ac-
14	quisition and use of covered articles provided or pro-
15	duced by a covered source of concern.
16	"(8) Evaluating each covered source of concern
17	to determine whether to issue a designated order
18	with respect to the covered source of concern or a
19	covered article produced or provided by the covered
20	source of concern.
21	"(9) Evaluating sources of concern to determine
22	whether to issue a recommended order with respect
23	to the source of concern, or any covered article pro-
24	duced or provided by the source of concern.

1	"(10) Monitoring and evaluating compliance by
2	the Secretary of Homeland Security, Secretary of
3	Defense, and Director of National Intelligence with
4	the requirement to issue designated orders under
5	subsection $(e)(6)(B)$.
6	"(11) Reporting to Congress annually on the
7	security risks associated with the acquisition and use
8	of covered articles produced or provided by sources
9	of concern.";
10	(2) in subsection (b)—
11	(A) by striking "The Council" and insert-
12	ing the following:
13	"(1) In general.—The Council"; and
14	(B) in paragraph (1), as so redesignated,
15	by striking "a program office and"; and
16	(C) by adding at the end the following:
17	"(2) Federal acquisition security council
18	PROGRAM OFFICE.—
19	"(A) ESTABLISHMENT.—The Council shall
20	establish a Federal Acquisition Security Council
21	Program Office (referred to in this paragraph
22	as the 'Program Office') within the Office of
23	the National Cyber Director to carry out the
24	functions of the Council duties described under
25	subparagraph (B).

1	"(B) Duties.—The Program Office shall
2	provide to the Council, including any commit-
3	tees, working groups, or other constituent bod-
4	ies established by the Council under paragraph
5	(1)—
6	"(i) administrative, legal, and policy
7	support; and
8	"(ii) analysis and subject matter ex-
9	pertise on information communications
10	technology, acquisition security, and supply
11	chain risk.
12	"(C) STRUCTURE.—The head of the Pro-
13	gram Office shall be a senior official from the
14	Office of the National Cyber Director that occu-
15	pies a position at the level of Assistant Sec-
16	retary or Deputy Assistant Secretary (or equiv-
17	alent).
18	"(D) Prohibition.—The Program Office
19	may not provide administrative support to the
20	Council for any activities of the Council carried
21	out pursuant to a provision of law other than
22	a provision of law under this subchapter.
23	"(E) Funding and resources.—The
24	Program Office may use the staff and resources
25	of the Office of the National Cyber Director or

1	maintain dedicated staff and resources, as ap-
2	propriate, in the performance of the duties of
3	the Office.
4	"(F) Shared staffing authority.—
5	"(i) In General.—The Program Of-
6	fice may accept officers or employees of
7	the United States or members of the
8	Armed Forces on a detail from an element
9	of the intelligence community (as such
10	term is defined in section 3 of the National
11	Security Act of 1947 (50 U.S.C. 3003)) or
12	from another element of the Federal Gov-
13	ernment on a nonreimbursable basis, as
14	jointly agreed to by the heads of the receiv-
15	ing and detailing elements, for a period not
16	to exceed three years.
17	"(ii) Rule of construction.—
18	Nothing in this subparagraph may be con-
19	strued as imposing any limitation on any
20	other authority for reimbursable or nonre-
21	imbursable details.
22	"(iii) Nonreimbursable detail.—A
23	nonreimbursable detail made under this
24	subparagraph shall not be considered an
25	augmentation of the appropriations of the

1	receiving element of the Program Office or
2	the Office of the National Cyber Director.
3	"(G) Sunset.—The Program Office shall
4	terminate on the date described under section
5	1328.";
6	(3) in subsection (c)—
7	(A) in paragraph (1)—
8	(i) in the matter preceding subpara-
9	graph (A), by striking "supply chain risk"
10	and inserting "acquisition security and
11	supply chain risk associated with the ac-
12	quisition of covered articles";
13	(ii) in subparagraph (A), by inserting
14	"recommended" before "exclusion orders";
15	(iii) in subparagraph (B), by inserting
16	"recommended" before "removal orders";
17	(iv) in subparagraph (C), by striking
18	"; and" and inserting a semicolon;
19	(v) in subparagraph (D), by striking
20	the period at the end and inserting ";
21	and"; and
22	(vi) by adding at the end the fol-
23	lowing:
24	"(E) issuing designated orders.";
25	(B) in paragraph (2)—

1	(i) in the heading, by striking "Rec-
2	OMMENDATIONS" and inserting "REC-
3	OMMENDED ORDERS";
4	(ii) by striking "use" and inserting ",
5	using";
6	(iii) by striking "subsection (a)(3)"
7	and inserting "subsection (a)(4)";
8	(iv) by striking "to issue recommenda-
9	tions" and inserting ", recommend or-
10	ders";
11	(v) by striking "Such recommenda-
12	tions" and inserting "Any such order rec-
13	ommended";
14	(vi) by inserting "to the officials de-
15	scribed under clause (iii) of paragraph
16	(6)(A) for issuance under such paragraph"
17	after "thereof,";
18	(vii) in subparagraph (D), by striking
19	"supply chain risk" and inserting "acquisi-
20	tion security and supply chain risk associ-
21	ated with the acquisition of covered arti-
22	cles''; and
23	(viii) in subparagraph (E), by striking
24	"exclusion or removal";

1	(C) by redesignating paragraphs (3)
2	through (7) as paragraphs (4) through (8);
3	(D) by inserting after paragraph (2) the
4	following:
5	"(3) Designated orders.—
6	"(A) Exclusion or removal of cov-
7	ERED SOURCES OF CONCERN.—
8	"(i) In general.—Not later than
9	270 days after a source of concern is des-
10	ignated as a covered source of concern, the
11	Council—
12	"(I) shall provide to the officials
13	described under clause (iii) of para-
14	graph (6)(B) for issuance under such
15	paragraph orders requiring—
16	"(aa) the exclusion of the
17	covered source of concern from
18	any executive agency procure-
19	ment action, including source se-
20	lection and consent for a con-
21	tractor; or
22	"(bb) the removal of covered
23	articles produced or provided by
24	the covered source of concern

1	from the information system of
2	executive agencies; or
3	"(II) report to Congress why the
4	Council has determined to not issue
5	an order described under subclause (I)
6	with respect to the covered source of
7	concern or covered articles produced
8	or provided by the covered source of
9	concern.
10	"(ii) Contents of order.—Any
11	order provided under clause (i) shall in-
12	clude—
13	"(I) information regarding the
14	scope and applicability of the order,
15	including any information necessary
16	to positively identify the covered
17	source of concern or covered articles
18	produced or provided by the covered
19	source of concern required to be ex-
20	cluded or removed under the order;
21	"(II) a summary of any risk as-
22	sessment reviewed or conducted in
23	support of the order;
24	"(III) a summary of the basis for
25	the order, including a discussion of

1	less intrusive measures that were con-
2	sidered and why such measures were
3	not reasonably available to reduce se-
4	curity risk;
5	"(IV) a description of the actions
6	necessary to implement the order; and
7	"(V) where practicable, in the
8	Council's sole and unreviewable dis-
9	cretion, a description of mitigation
10	steps that could be taken by the cov-
11	ered source of concern that may result
12	in the Council rescinding the order.
13	"(B) Exclusion or removal of second
14	ORDER SOURCES OR COVERED ARTICLES.—
15	"(i) Issuance.—In the case that the
16	Council provides an order under subpara-
17	graph (A), the Council may also provide an
18	order to the officials described under para-
19	graph (6)(A)(iii) requiring the exclusion of
20	sources or covered articles from executive
21	agency procurement actions or removal of
22	covered articles from executive agency in-
23	formation systems if—
24	"(I) such covered articles or such
25	sources use a covered source of con-

1	cern in the performance of a contract
2	with the executive agency; or
3	"(II) such sources enter into a
4	contract, the performance of which
5	such source knows or has reason to
6	believe will require, in the perform-
7	ance of a contract with the executive
8	agency, the use of a covered source of
9	concern or the use of a covered article
10	produced or provided by a covered
11	source of concern.
12	"(ii) Effective date consider-
13	ATIONS.—Any effective date prescribed by
14	the Council for an order issued pursuant
15	to clause (i) shall take into account—
16	"(I) the risk posed by the covered
17	source of concern or the covered arti-
18	cle produced or provided by the cov-
19	ered source of concern to the national
20	security of the United States;
21	"(II) the likelihood of the covered
22	source of concern or the covered arti-
23	cle produced or provided by the cov-
24	ered source of concern causing immi-

1	nent threat to public health and safe-
2	ty;
3	"(III) the availability of an alter-
4	native source or covered article pro-
5	duced or provided by an alternative
6	source; and
7	"(IV) an assessment of the po-
8	tential direct or quantifiable costs
9	that may be incurred by the Federal
10	Government, a State, local, or Tribal
11	government, or by the private sector,
12	as a result of compliance by the head
13	of an executive agency with such an
14	exclusion or removal order.";
15	(E) in paragraph (4), as so redesignated—
16	(i) in the heading, by striking "OF
17	RECOMMENDATION AND REVIEW" and in-
18	serting "AND REVIEW OF RECOMMENDED
19	AND DESIGNATED ORDERS";
20	(ii) by striking "the recommenda-
21	tion" each place the term appears, and in-
22	serting "the order";
23	(iii) in the matter preceding subpara-
24	graph (A), by striking "A notice of the
25	Council's recommendation under para-

1	graph (2)" and inserting "Before the
2	Council recommends an order under para-
3	graph (2) or issues an order under para-
4	graph (3), a notice";
5	(iv) in subparagraph (A), by striking
6	"a recommendation has been made" and
7	inserting "the order will be recommended
8	or issued";
9	(v) in subparagraph (D), by striking
10	"paragraph (5)" and inserting "paragraph
11	(6)"; and
12	(vi) by inserting a new subparagraph
13	to read as follows:
14	"(F) Until an order is issued pursuant to
15	paragraph (6), information collected under this
16	paragraph shall be exempt from public disclo-
17	sure and shall be exempt from disclosure under
18	section 552(b)(3)(B) of title 5, United States
19	Code (commonly referred to as the 'Freedom of
20	Information Act').";
21	(F) in paragraph (5), as so redesignated—
22	(i) by striking "paragraph (3)" and
23	inserting "paragraph (4)";

1	(ii) in subparagraph (A), by striking
2	"paragraph (5)" and inserting "paragraph
3	(6)"; and
4	(iii) in subparagraph (B), by striking
5	"paragraph (6)" and inserting "paragraph
6	(7)";
7	(G) in paragraph (6), as so redesignated—
8	(i) by amending subparagraph (A) to
9	read as follows:
10	"(A) Issuance of Recommended or-
11	DERS.—
12	"(i) Modifications to order.—
13	After considering any response properly
14	submitted by a source under paragraph (4)
15	related to an order to be recommended
16	under paragraph (2), the Council shall—
17	"(I) make such modifications to
18	the order as the Council considers ap-
19	propriate; and
20	"(II) provide the order (together
21	with any information submitted by a
22	source under paragraph (4) related to
23	such order) to the officials described
24	under clause (iii).

1	"(ii) Order.—Not later than 90 days
2	after receiving a recommended order, the
3	officials described under clause (iii) shall—
4	"(I) issue the order to the heads
5	of the applicable agencies; or
6	"(II) submit a notification to the
7	Council that the order will not be
8	issued, that includes in the notifica-
9	tion to the Council, all the reasons for
10	why the order will not be issued.
11	"(iii) Officials.—The officials de-
12	scribed in this clause are as follows:
13	"(I) The Secretary of Homeland
14	Security, for exclusion and removal
15	orders applicable to civilian agencies,
16	to the extent not covered by subclause
17	(II) or (III).
18	"(II) The Secretary of Defense,
19	for exclusion and removal orders ap-
20	plicable to the Department of Defense
21	and national security systems other
22	than sensitive compartmented infor-
23	mation systems.
24	"(III) The Director of National
25	Intelligence, for exclusion and removal

1	orders applicable to the intelligence
2	community and sensitive compart-
3	mented information systems, to the
4	extent not covered by subclause (II).";
5	(ii) by redesignating subparagraphs
6	(B) through (E) as subparagraphs (C)
7	through (F), respectively;
8	(iii) by inserting after subparagraph
9	(A) the following:
10	"(B) Issuance of designated order.—
11	"(i) Modifications.—After consid-
12	ering any response properly submitted by a
13	source under paragraph (4) related to a
14	designated order, the Council shall—
15	"(I)(aa) make any such modifica-
16	tions to the order as the Council con-
17	siders appropriate; or
18	"(bb) if the Council deter-
19	mines that the issuance of a des-
20	ignated order is not warranted,
21	rescind the designated order and
22	notify the source of the rescis-
23	sion; and
24	"(II) except in the case that the
25	Council rescinds the designated order

1	under subclause (I)(bb), provide the
2	designated order (including any modi-
3	fications made to such order by the
4	Council) to the officials described in
5	clause (iii).
6	"(ii) Issuance.—The officials de-
7	scribed in clause (iii) shall, not later than
8	90 days after receiving a designated order,
9	issue the order to the heads of the applica-
10	ble agencies.
11	"(iii) Officials.—The officials de-
12	scribed in this clause are as follows:
13	"(I) The Secretary of Homeland
14	Security, for exclusion and removal
15	orders applicable to civilian agencies,
16	to the extent not covered by subclause
17	(Π) or $(\Pi\Pi)$.
18	"(II) The Secretary of Defense,
19	for exclusion and removal orders ap-
20	plicable to the Department of Defense
21	and national security systems other
22	than sensitive compartmented infor-
23	mation systems.
24	"(III) The Director of National
25	Intelligence, for exclusion and removal

1	orders applicable to the intelligence
2	community and sensitive compart-
3	mented information systems, to the
4	extent not covered by subclause (II).
5	"(iv) Waiver.—An official described
6	under clause (iii) may waive for a period of
7	not more than 365 days the application of
8	an order issued by such official under
9	clause (ii) with respect to a covered source
10	of concern or a covered article produced or
11	provided by a covered source of concern if
12	the official submits, not later than 30 days
13	after making such waiver, a written notifi-
14	cation to the Council, appropriate congres-
15	sional committees, and leadership that con-
16	tains the justification for such waiver.
17	"(v) Renewal of Waiver.—An offi-
18	cial described under clause (iii) may renew
19	a waiver under clause (iv) for an additional
20	period of not more than 180 days if—
21	"(I) the renewal of the waiver is
22	in the national security interests of
23	the United States; and
24	"(II) the official submits, not
25	later than 30 days after renewing

1	such waiver, a written notification to
2	the Council, appropriate congressional
3	committees, and leadership that in-
4	cludes the justification for renewing
5	the wavier.
6	"(vi) National Security Waiver.—
7	An official described under clause (iii) may
8	waive the application of an order issued by
9	such official under clause (ii) with respect
10	to a covered source of concern or a covered
11	article produced or provided by a covered
12	source of concern for any activity subject
13	to the reporting requirements under title V
14	of the National Security Act of 1947 (50
15	U.S.C. 3091 et seq.) or any authorized in-
16	telligence activities of the United States.
17	"(vii) Rescission of order.—An ex-
18	clusion or removal order issued under this
19	subparagraph by an official may be re-
20	scinded only by the Council.".
21	(iv) in subparagraph (C), as so redes-
22	ignated—
23	(I) by striking "subparagraph
24	(A)" and inserting "subparagraph
25	(A)(iii) or (B)(iii)";

1	(II) by striking "this subpara-
2	graph" and inserting "subparagraph
3	(A)(iii) or (B)(iii)"; and
4	(III) by striking ", except" and
5	all that follows before the period at
6	the end;
7	(v) in subparagraph (D), as so redes-
8	ignated—
9	(I) by striking "this paragraph"
10	and inserting "subparagraph (A)(iii)
11	or (B)(iii)"; and
12	(II) by striking "help";
13	(vi) in subparagraph (E), as so redes-
14	ignated, by striking "this paragraph" and
15	inserting "subparagraph (A)"; and
16	(vii) by adding after subparagraph
17	(F), as so redesignated, the following:
18	"(G) Effective date of orders.—The
19	effective date of an order issued under this
20	paragraph may not be more than 365 days
21	after the order is issued.";
22	(H) in paragraph (7), as so redesignated,
23	by striking "paragraph (5)(A)" and inserting
24	"subparagraph (A) or (B) of paragraph (6)";
25	and

1	(I) in paragraph (8), as so redesignated,
2	by striking "paragraph (5)" and inserting
3	"paragraph (6)";
4	(4) in subsection (e), by inserting "the Chief
5	Data Officers Council," before "the Chief Acquisi-
6	tion"; and
7	(5) in subsection (f)(2), by striking the period
8	at the end and inserting "unless such source is spe-
9	cifically designated by statute as a covered source of
10	concern for the purposes of this subchapter.".
11	(d) Strategic Plan.—Section 1324(a) of title 41,
12	United States Code, is amended—
13	(1) by inserting ", and periodically thereafter"
14	after "2018";
15	(2) in the matter preceding paragraph (1), by
16	inserting "acquisition security and" before "supply
17	chain risks'';
18	(3) in paragraph (8), by inserting "acquisition
19	security and" before "supply chain risks"; and
20	(4) in paragraph (9)(A), by inserting "acquisi-
21	tion security and" before "supply chain risk".
22	(e) REQUIREMENTS FOR EXECUTIVE AGENCIES.—
23	Section 1326 of title 41, United States Code, is amend-
24	ed—
25	(1) in subsection (a)—

1	(A) in paragraph (1), by striking "; and"
2	and inserting a semicolon;
3	(B) in paragraph (2), by striking the pe-
4	riod at the end and inserting "; and"; and
5	(C) by adding at the end the following:
6	"(3) providing any information requested by the
7	Chairperson of the Council for the purpose of car-
8	rying out activities of this subchapter, subject to ap-
9	plicable law or policy on the control and handling of
10	classified, sensitive, or proprietary information.";
11	(2) by striking "supply chain" each place such
12	term appears and inserting "security and supply
13	chain'; and
14	(3) in subsection (b)(6), by striking "supply
15	chain" and inserting "security or supply chain".
16	(f) Judicial Procedure.—Section 1327(b) of title
17	41, United States Code, is amended—
18	(1) in paragraph (1), by striking "section
19	1323(c)(6)" and inserting "section 1323(c)(7)";
20	(2) in paragraph (3), by striking "section
21	1323(c)(5)" and inserting "sections $1323(c)(6)$ ";
22	and
23	(3) in paragraph (4), by amending subpara-
24	graph (B)(i) to read as follows:

1	"(i) FILING OF RECORD.—The United
2	States shall file with the court an adminis-
3	trative record, which shall consist of—
4	"(I) the information the Council
5	relied upon in issuing a designated
6	order under $1323(c)(6)$; and
7	"(II) the information that the ap-
8	propriate official relied upon in
9	issuing an exclusion or removal order
10	under section 1323(c)(6) or a covered
11	procurement action under section
12	4713.".
13	(g) Additional Provisions.—Subchapter III of
14	chapter 13 of title 41, United States Code, is amended
15	by adding at the end the following:
16	"§ 1329. Additional provisions
17	"(a) Compliance With Existing Prohibitions.—
18	In implementing this subchapter, the Council shall coordi-
19	nate, as applicable and practicable, with the head of an
20	agency to assist with compliance by the agency with—
21	"(1) section 889 of the John S. McCain Na-
22	tional Defense Authorization Act of 2019 (Public
23	Law 115–232; 41 U.S.C. 3901 note);

1	"(2) section 5949 of the James M. Inhofe Na-
2	tional Defense Authorization Act of 2023 (Public
3	Law 117–263; 41 U.S.C. 4713 note); and
4	"(3) sections 1821 through 1833 of the Amer-
5	ican Security Drone Act of 2023 (Public Law 118–
6	31).
7	"(b) UPDATE TO REGULATIONS.—The Federal Ac-
8	quisition Security Council shall update, within two years
9	after the date of the enactment of this section, any regula-
10	tions of the Council as necessary.".
11	(h) Technical and Conforming Changes.—Sub-
12	chapter III of chapter 13 of title 41, United States Code,
13	is amended—
14	(1) in the table of sections for the subchapter
15	by adding after the item related to section 1328 the
16	following:
	"1329. Additional provisions.";
17	(2) in section 1321(1)(B), by striking "Govern-
18	ment Reform" and inserting "Accountability"; and
19	(3) by striking "of this title" each place the
20	term appears.
21	SEC. 3. REALLOCATING EXISTING RESOURCES.
22	Section 5949(1) of the James M. Inhofe National De-
23	fense Authorization Act for Fiscal Year 2023 (Public Law
24	117–263) is amended—

1	(1) in paragraph (1), by striking "Office of
2	Management and Budget" and inserting "Office of
3	the National Cyber Director"; and
4	(2) in paragraph (2), by striking "Office of
5	Management and Budget" and inserting "Office of
6	the National Cyber Director".