

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. KRISHNAMOORTHY) 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”.

6 **SEC. 2. CHANGES WITH RESPECT TO THE FEDERAL ACQUI-**
7 **SITION SECURITY COUNCIL.**

8 (a) DEFINITION OF SOURCE OF CONCERN, COVERED
9 SOURCE OF CONCERN, RECOMMENDED ORDER, AND

1 DESIGNATED ORDER.—Section 1321 of title 41, United
2 States Code, is amended—

3 (1) by redesignating paragraphs (5) through
4 (8) as paragraphs (7) through (10);

5 (2) by inserting after paragraph (4) the fol-
6 lowing:

7 “(5) COVERED SOURCE OF CONCERN.—The
8 term ‘covered source of concern’ means a source of
9 concern that is specifically designated as a ‘covered
10 source of concern’ by a statute that states that such
11 designation is for the purposes of this subchapter.

12 “(6) DESIGNATED ORDER.—The term ‘des-
13 ignated order’ means an order described under sec-
14 tion 1323(c)(3).”; and

15 (3) by adding at the end the following:

16 “(11) RECOMMENDED ORDER.—The term ‘rec-
17 ommended order’ means an order recommended
18 under section 1323(c)(2).

19 “(12) SOURCE OF CONCERN.—

20 “(A) IN GENERAL.—The term ‘source of
21 concern’ means a source—

22 “(i) subject to the jurisdiction, direc-
23 tion, or control of the government of a for-
24 eign adversary, or operates on behalf of
25 the government of a foreign adversary; or

1 “(ii) that poses a risk to the national
2 security of the United States based on col-
3 laboration with, whole or partial ownership
4 or control by, or being affiliated with a
5 military, internal security force, or intel-
6 ligence agency of a foreign adversary.

7 “(B) FOREIGN ADVERSARY DEFINED.—In
8 this paragraph, the term ‘foreign adversary’ has
9 the meaning given the term ‘covered nation’ in
10 section 4872(d) of title 10.”.

11 (b) ESTABLISHMENT AND MEMBERS OF COUNCIL.—
12 Section 1322 of title 41, United States Code, is amend-
13 ed—

14 (1) in subsection (a), by striking “executive
15 branch” and inserting “Executive Office of the
16 President”;

17 (2) in subsection (b)—

18 (A) by amending paragraph (1) to read as
19 follows:

20 “(1) IN GENERAL.—The members of the Coun-
21 cil shall be as follows:

22 “(A) The Administrator for Federal Pro-
23 curement Policy.

24 “(B) The Deputy Director for Manage-
25 ment of the Office of Management and Budget.

1 “(C) The following officials, each of whom
2 shall occupy a position at the level of Assistant
3 Secretary or Deputy Assistant Secretary (or
4 equivalent):

5 “(i) Two officials from the Office of
6 the Director of National Intelligence, one
7 of which shall be from the National Coun-
8 terintelligence and Security Center.

9 “(ii) Two officials from the Depart-
10 ment of Defense, one of which shall be one
11 from the National Security Agency.

12 “(iii) Two officials from the Depart-
13 ment of Homeland Security, one of which
14 shall be one from the Cybersecurity and
15 Infrastructure Security Agency.

16 “(iv) An official from the General
17 Services Administration.

18 “(v) An official from the Office of the
19 National Cyber Director.

20 “(vi) Two officials from the Depart-
21 ment of Justice, one of which shall be one
22 from the Federal Bureau of Investigation.

23 “(vii) One official from the National
24 Institute of Standards and Technology and

1 one official from the Bureau of Industry
2 and Security.

3 “(viii) An official from any executive
4 agency not listed under clauses (i) through
5 (vii) whose temporary or permanent par-
6 ticipation is determined by the Chairperson
7 of the Council to be necessary to carry out
8 the functions of the Council.”; and

9 (B) in paragraph (2)—

10 (i) in the heading, by striking “LEAD
11 REPRESENTATIVES” and inserting “MEM-
12 BERS”;

13 (ii) by amending subparagraph (A)(i)
14 to read as follows:

15 “(i) IN GENERAL.—The head of each
16 executive agency listed under paragraph
17 (1)(C) shall designate the official or offi-
18 cials from that agency who shall serve on
19 the Council in accordance with such para-
20 graph.”;

21 (iii) by amending subparagraph
22 (A)(ii) to read as follows:

23 “(ii) REQUIREMENTS.—To the extent
24 feasible, any official designated under
25 clause (i) shall have expertise in supply

1 chain risk management, acquisitions, law,
2 or information and communications tech-
3 nology.”;

4 (iv) by amending subparagraph (B) to
5 read as follows:

6 “(B) FUNCTIONS.—A member of the
7 Council shall—

8 “(i) regularly participate in the activi-
9 ties of the Council;

10 “(ii) ensure that any information re-
11 quested by the Council from the agency
12 represented by the member is provided to
13 the Council; and

14 “(iii) ensure that the head of the
15 agency represented by the member and
16 other appropriate personnel of the agency
17 are aware of the activities of the Council.”;

18 (3) in subsection (c)—

19 (A) by amending paragraph (1) to read as
20 follows:

21 “(1) IN GENERAL.—The Chairperson of the
22 Council shall be—

23 “(A) the National Cyber Director; or

24 “(B) another member of the Council des-
25 ignated by the National Cyber Director.”; and

1 (B) in paragraph (2)—

2 (i) in subparagraph (B), by striking
3 “(b)(1)(H)” and inserting “(b)(1)(F)(vii)”;
4 and

5 (ii) in subparagraph (C), by striking
6 “lead representative of each agency rep-
7 resented on the Council” and inserting
8 “members of the Council”; and

9 (4) in subsection (d)—

10 (A) by striking “The Council” and insert-
11 ing the following:

12 “(1) COUNCIL MEETINGS.—The Council”; and

13 (B) by adding at the end the following:

14 “(2) OTHER MEETINGS.—The Chairperson of
15 the Council shall meet, not less frequently than
16 semiannually, with—

17 “(A) the Secretary of Homeland Security,
18 Secretary of Defense, and Director of National
19 Intelligence; or

20 “(B) in the case that any of the officials
21 under subparagraph (A) delegated authority to
22 an official under section 1323(c)(6)(C), with
23 the delegated official.”.

24 (c) FUNCTIONS AND AUTHORITIES.—Section 1323 of
25 title 41, United States Code is amended—

1 (1) in subsection (a)—

2 (A) by striking “supply chain” each place
3 it appears and inserting “acquisition security
4 and supply chain”;

5 (B) in paragraph (1), as amended by sub-
6 paragraph (A), by striking “, particularly” and
7 inserting “that arise”;

8 (C) in paragraph (2), as amended by sub-
9 paragraph (A), by inserting “associated with
10 the acquisition and use of covered articles”
11 after “risk”;

12 (D) in paragraph (6), as amended by sub-
13 paragraph (A)—

14 (i) by striking “posed by” and insert-
15 ing “associated with”; and

16 (ii) by inserting “and use” before “of
17 covered articles”;

18 (E) in paragraph (7), by striking “posed
19 by acquisitions” and inserting “associated with
20 the acquisition”;

21 (F) by redesignating paragraph (7) as
22 paragraph (11); and

23 (G) by inserting after paragraph (6) the
24 following:

1 “(7) Implementing a prioritization scheme for
2 evaluating the security risks associated with the ac-
3 quisition and use of covered articles provided or pro-
4 duced by a covered source of concern.

5 “(8) Evaluating each covered source of concern
6 to determine whether to issue a designated order
7 with respect to the covered source of concern or a
8 covered article produced or provided by the covered
9 source of concern.

10 “(9) Evaluating sources of concern to determine
11 whether to issue a recommended order with respect
12 to the source of concern, or any covered article pro-
13 duced or provided by the source of concern.

14 “(10) Monitoring and evaluating compliance by
15 the Secretary of Homeland Security, Secretary of
16 Defense, and Director of National Intelligence with
17 the requirement to issue designated orders under
18 subsection (c)(6)(B).

19 “(11) Reporting to Congress annually on the
20 security risks associated with the acquisition and use
21 of covered articles produced or provided by sources
22 of concern.”;

23 (2) in subsection (b)—

24 (A) by striking “The Council” and insert-
25 ing the following:

1 “(1) IN GENERAL.—The Council”; and

2 (B) in paragraph (1), as so redesignated,
3 by striking “a program office and”; and

4 (C) by adding at the end the following:

5 “(2) FEDERAL ACQUISITION SECURITY COUNCIL
6 PROGRAM OFFICE.—

7 “(A) ESTABLISHMENT.—The Council shall
8 establish a Federal Acquisition Security Council
9 Program Office (referred to in this paragraph
10 as the ‘Program Office’) within the Office of
11 the National Cyber Director to carry out the
12 functions of the Council duties described under
13 subparagraph (B).

14 “(B) DUTIES.—The Program Office shall
15 provide to the Council, including any commit-
16 tees, working groups, or other constituent bod-
17 ies established by the Council under paragraph
18 (1)—

19 “(i) administrative, legal, and policy
20 support; and

21 “(ii) analysis and subject matter ex-
22 pertise on information communications
23 technology acquisition security and supply
24 chain risk.

1 “(C) STRUCTURE.—The head of the Pro-
2 gram Office shall be a senior official from the
3 Office of the National Cyber Director that occu-
4 pies a position at the level of Assistant Sec-
5 retary or Deputy Assistant Secretary (or equiv-
6 alent).

7 “(D) PROHIBITION.—The Program Office
8 may not provide administrative support to the
9 Council for any activities of the Council carried
10 out pursuant to a provision of law other than
11 a provision of law under this subchapter.

12 “(E) FUNDING AND RESOURCES.—The
13 Program Office may use the staff and resources
14 of the Office of the National Cyber Director or
15 maintain dedicated staff and resources, as ap-
16 propriate, in the performance of the duties of
17 the Office.

18 “(F) SHARED STAFFING AUTHORITY.—

19 “(i) IN GENERAL.—The Program Of-
20 fice may accept officers or employees of
21 the United States or members of the
22 Armed Forces on a detail from an element
23 of the intelligence community (as such
24 term is defined in section 3 of the National
25 Security Act of 1947 (50 U.S.C. 3003)) or

1 from another element of the Federal Gov-
2 ernment on a nonreimbursable basis, as
3 jointly agreed to by the heads of the receiv-
4 ing and detailing elements, for a period not
5 to exceed three years.

6 “(ii) RULE OF CONSTRUCTION.—
7 Nothing in this subparagraph may be con-
8 strued as imposing any limitation on any
9 other authority for reimbursable or nonre-
10 imburseable details.

11 “(iii) NONREIMBURSABLE DETAIL.—A
12 nonreimbursable detail made under this
13 subparagraph shall not be considered an
14 augmentation of the appropriations of the
15 receiving element of the Program Office or
16 the Office of the National Cyber Director.

17 “(G) SUNSET.—The Program Office shall
18 terminate on the date described under section
19 1328.”;

20 (3) in subsection (c)—

21 (A) in paragraph (1)—

22 (i) in the matter preceding subpara-
23 graph (A), by striking “supply chain risk”
24 and inserting “acquisition security and

supply chain risk associated with the acquisition of covered articles”;

(ii) in subparagraph (A), by inserting “recommended” before “exclusion orders”;

(iii) in subparagraph (B), by inserting “recommended” before “removal orders”;

(iv) in subparagraph (C), by striking “; and” and inserting a semicolon;

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

(vi) by adding at the end the following:

“(E) issuing designated orders.”;

(B) in paragraph (2)—

(i) in the heading, by striking “RECOMMENDATIONS” and inserting “RECOMMENDED ORDERS”;

(ii) by striking “use” and inserting “, using”;

(iii) by striking “subsection (a)(3)” and inserting “subsection (a)(4)”;

(iv) by striking “to issue recommendations” and inserting “, recommend orders”;

(v) by striking “Such recommendations” and inserting “Any such order recommended”;

(vi) by inserting “to the officials described under clause (iii) of paragraph (6)(A) for issuance under such paragraph” after “thereof,”;

(vii) in subparagraph (D), by striking “supply chain risk” and inserting “acquisition security and supply chain risk associated with the acquisition of covered articles”; and

(viii) in subparagraph (E), by striking “exclusion or removal”;

(C) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8);

(D) by inserting after paragraph (2) the following:

“(3) DESIGNATED ORDERS.—

“(A) EXCLUSION OR REMOVAL OF COVERED SOURCES OF CONCERN.—

“(i) IN GENERAL.—Not later than 270 days after a source of concern is designated as a covered source of concern, the Council—

1 “(I) shall provide to the officials
2 described under clause (iii) of para-
3 graph (6)(B) for issuance under such
4 paragraph orders requiring—

5 “(aa) the exclusion of the
6 covered source of concern from
7 any executive agency procure-
8 ment action, including source se-
9 lection and consent for a con-
10 tractor; or

11 “(bb) the removal of covered
12 articles produced or provided by
13 the covered source of concern
14 from the information system of
15 executive agencies; or

16 “(II) report to Congress why the
17 Council has determined to not issue
18 an order described under subclause (I)
19 with respect to the covered source of
20 concern or covered articles produced
21 or provided by the covered source of
22 concern.

23 “(ii) CONTENTS OF ORDER.—Any
24 order provided under clause (i) shall in-
25 clude—

1 “(I) information regarding the
2 scope and applicability of the order,
3 including any information necessary
4 to positively identify the covered
5 source of concern or covered articles
6 produced or provided by the covered
7 source of concern required to be ex-
8 cluded or removed under the order;

9 “(II) a summary of any risk as-
10 sessment reviewed or conducted in
11 support of the order;

12 “(III) a summary of the basis for
13 the order, including a discussion of
14 less intrusive measures that were con-
15 sidered and why such measures were
16 not reasonably available to reduce se-
17 curity risk;

18 “(IV) a description of the actions
19 necessary to implement the order; and

20 “(V) where practicable, in the
21 Council’s sole and unreviewable dis-
22 cretion, a description of mitigation
23 steps that could be taken by the cov-
24 ered source of concern that may result
25 in the Council rescinding the order.

1 “(B) EXCLUSION OR REMOVAL OF SECOND
2 ORDER SOURCES OR COVERED ARTICLES.—

3 “(i) ISSUANCE.—In the case that the
4 Council provides an order under subpara-
5 graph (A), the Council may also provide an
6 order to the officials described under para-
7 graph (6)(A)(iii) requiring the exclusion of
8 sources or covered articles from executive
9 agency procurement actions or removal of
10 covered articles from executive agency in-
11 formation systems if—

12 “(I) such covered articles or such
13 sources use a covered source of con-
14 cern in the performance of a contract
15 with the executive agency; or

16 “(II) such sources enter into a
17 contract, the performance of which
18 such source knows or has reason to
19 believe will require, in the perform-
20 ance of a contract with the executive
21 agency, the use of a covered source of
22 concern or the use of a covered article
23 produced or provided by a covered
24 source of concern.

1 “(ii) EFFECTIVE DATE CONSIDER-
2 ATIONS.—Any effective date prescribed by
3 the Council for an order issued pursuant
4 to clause (i) shall take into account—

5 “(I) the risk posed by the covered
6 source of concern or the covered arti-
7 cle produced or provided by the cov-
8 ered source of concern to the national
9 security of the United States;

10 “(II) the likelihood of the covered
11 source of concern or the covered arti-
12 cle produced or provided by the cov-
13 ered source of concern causing im-
14 minent threat to public health and
15 safety; and

16 “(III) an assessment of the po-
17 tential direct or quantifiable costs
18 that may be incurred by the Federal
19 Government, a State, local, or Tribal
20 government, or by the private sector,
21 as a result of compliance by the head
22 of an executive agency with such an
23 exclusion or removal order.”;

24 (E) in paragraph (4), as so redesignated—

1 (i) in the heading, by striking “OF
2 RECOMMENDATION AND REVIEW” and in-
3 serting “AND REVIEW OF RECOMMENDED
4 AND DESIGNATED ORDERS”;

5 (ii) by striking “ the recommenda-
6 tion” each place the term appears, and in-
7 serting “ the order”;

8 (iii) in the matter preceding subpara-
9 graph (A), by striking “A notice of the
10 Council’s recommendation under para-
11 graph (2)” and inserting “Before the
12 Council recommends an order under para-
13 graph (2) or issues an order under para-
14 graph (3), a notice”;

15 (iv) in subparagraph (A), by striking
16 “recommendation has been made” and in-
17 serting “the order will be recommended or
18 issued”; and

19 (v) in subparagraph (D), by striking
20 “paragraph (5)” and inserting “paragraph
21 (6)”;

22 (F) in paragraph (5), as so redesignated—

23 (i) by striking “paragraph (3)” and
24 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 and the source named in the
8 order that the order will not be
9 issued, that includes in the notifica-
10 tion to the Council, all the reasons for
11 why the order will not be issued.

12 “(iii) OFFICIALS.—The officials de-
13 scribed in this clause are as follows:

14 “(I) The Secretary of Homeland
15 Security, for exclusion and removal
16 orders applicable to civilian agencies,
17 to the extent not covered by subclause
18 (II) or (III).

19 “(II) The Secretary of Defense,
20 for exclusion and removal orders ap-
21 plicable to the Department of Defense
22 and national security systems other
23 than sensitive compartmented infor-
24 mation systems.

1 “(III) The Director of National
2 Intelligence, for exclusion and removal
3 orders applicable to the intelligence
4 community and sensitive compart-
5 mented information systems, to the
6 extent not covered by subclause (II).”;

7 (ii) by redesignating subparagraphs
8 (B) through (E) as subparagraphs (C)
9 through (F), respectively;

10 (iii) by inserting after subparagraph
11 (A) the following:

12 “(B) ISSUANCE OF DESIGNATED ORDER.—

13 “(i) MODIFICATIONS.—After consid-
14 ering any response properly submitted by a
15 source under paragraph (4) related to a
16 designated order, the Council shall—

17 “(I)(aa) make any such modifica-
18 tions to the order as the Council con-
19 siders appropriate; or

20 “(bb) if the Council deter-
21 mines that the issuance of a des-
22 ignated order is not warranted,
23 rescind the designated order and
24 notify the source of the rescis-
25 sion; and

1 “(II) except in the case that the
2 Council rescinds the designated order
3 under subclause (I)(bb), provide the
4 designated order (including any modi-
5 fications made to such order by the
6 Council) to the officials described in
7 clause (iii).

8 “(ii) ISSUANCE.—The officials de-
9 scribed in clause (iii) shall, not later than
10 30 days after receiving a designated order,
11 issue the order to the heads of the applica-
12 ble agencies.

13 “(iii) OFFICIALS.—The officials de-
14 scribed in this clause are as follows:

15 “(I) The Secretary of Homeland
16 Security, for exclusion and removal
17 orders applicable to civilian agencies,
18 to the extent not covered by subclause
19 (II) or (III).

20 “(II) The Secretary of Defense,
21 for exclusion and removal orders ap-
22 plicable to the Department of Defense
23 and national security systems other
24 than sensitive compartmented infor-
25 mation systems.

1 “(III) The Director of National
2 Intelligence, for exclusion and removal
3 orders applicable to the intelligence
4 community and sensitive compart-
5 mented information systems, to the
6 extent not covered by subclause (II).

7 “(iv) WAIVER.—An official described
8 under clause (iii) may waive for a period of
9 not more than 365 days the application of
10 an order issued by such official under
11 clause (ii) with respect to a covered source
12 of concern or a covered article produced or
13 provided by a covered source of concern
14 if—

15 “(I) the Council approves the
16 waiver; and

17 “(II) the official submits, not
18 later than 30 days after making such
19 waiver, a written notification to the
20 appropriate congressional committees
21 and leadership that contains the jus-
22 tification for such waiver.

23 “(v) RENEWAL OF WAIVER.—An offi-
24 cial described under clause (iii) may renew

1 a waiver under clause (iv) for an additional
2 period of not more than 180 days if—

3 “(I) the Council approves the re-
4 newal of the waiver;

5 “(II) the renewal of the waiver is
6 in the national security interests of
7 the United States; and

8 “(III) the official submits, not
9 later than 30 days after renewing
10 such waiver, a written notification to
11 the appropriate congressional commit-
12 tees and leadership that includes the
13 justification for renewing the wavier.

14 “(vi) RESCISSION OF ORDER.—An ex-
15 clusion or removal order issued under this
16 subparagraph by an official may be re-
17 scinded only by the Council.”.

18 (iv) in subparagraph (C), as so redes-
19 ignated—

20 (I) by striking “subparagraph
21 (A)” and inserting “subparagraph
22 (A)(iii) or (B)(iii)”;

23 (II) by striking “this subpara-
24 graph” and inserting “subparagraph
25 (A)(iii) or (B)(iii)”;

1 (III) by striking “, except” and
2 all that follows before the period at
3 the end;

4 (v) in subparagraph (D), as so redes-
5 ignated—

6 (I) by striking “this paragraph”
7 and inserting “subparagraph (A)(iii)
8 or (B)(iii)”; and

9 (II) by striking “help”;

10 (vi) in subparagraph (E), as so redes-
11 ignated, by striking “this paragraph” and
12 inserting “subparagraph (A)”; and

13 (vii) by adding after subparagraph
14 (F), as so redesignated, the following:

15 “(G) EFFECTIVE DATE OF ORDERS.—The
16 effective date of an order issued under this
17 paragraph may not be more than 180 days
18 after the order is issued.”;

19 (H) in paragraph (7), as so redesignated,
20 by striking “paragraph (5)(A)” and inserting
21 “subparagraph (A) or (B) of paragraph (6)”;
22 and

23 (I) in paragraph (8), as so redesignated,
24 by striking “paragraph (5)” and inserting
25 “paragraph (6)”;

1 (4) by redesignating subsections (d) through (f)
2 as subsections (e) through (g), respectively;

3 (5) in subsection (f), as so redesignated, by in-
4 serting “the Chief Data Officers Council,” before
5 “the Chief Acquisition”; and

6 (6) in subsection (g)(2), as so redesignated, by
7 striking the period at the end and inserting “unless
8 such source is specifically designated by statute as
9 a covered source of concern for the purposes of this
10 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 “acqui-
21 sition 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.”;

9 (2) by striking “supply chain” each place such
 10 term appears and inserting “security and supply
 11 chain”; and

12 (3) in subsection (b)(6), by striking “supply
 13 chain” and inserting “security or supply chain”.

14 (f) JUDICIAL PROCEDURE.—Section 1327(b) of title
 15 41, United States Code, is amended—

16 (1) in paragraph (1), by striking “section
 17 1323(c)(6)” and inserting “section 1323(c)(7)”;

18 (2) in paragraph (3), by striking “sections
 19 1323(c)(5)” and inserting “sections 1323(c)(6)”;
 20 and

21 (3) in paragraph (4), by amending subpara-
 22 graph (B)(i) to read as follows:

23 “(i) FILING OF RECORD.—The United
 24 States shall file with the court an adminis-
 25 trative record, which shall consist of—

1 “(I) the information the Council
2 relied upon in issuing a designated
3 order under 1323(c)(6); and

4 “(II) the information that the ap-
5 propriate official relied upon in
6 issuing an exclusion or removal order
7 under section 1323(c)(6) or a covered
8 procurement action under section
9 4713.”.

10 (g) ADDITIONAL PROVISIONS.—Subchapter III of
11 chapter 13 of title 41, United States Code, is amended
12 by adding at the end the following:

13 **“§ 1329. Additional provisions**

14 “(a) COMPLIANCE WITH EXISTING PROHIBITIONS.—
15 In implementing this subchapter, the Council shall coordi-
16 nate, as applicable and practicable, with the head of an
17 agency to ensure compliance by the agency with—

18 “(1) section 889 of the John S. McCain Na-
19 tional Defense Authorization Act of 2019 (Public
20 Law 115–232; 41 U.S.C. 3901 note);

21 “(2) section 5949 of the James M. Inhofe Na-
22 tional Defense Authorization Act of 2023 (Public
23 Law 117–263; 41 U.S.C. 4713 note); and

1 “(3) sections 1821 through 1833 of the Amer-
2 ican Security Drone Act of 2023 (Public Law 118–
3 31).

4 “(b) UPDATE TO REGULATIONS.—The Federal Ac-
5 quisition Security Council shall update, within two years
6 after the date of the enactment of this section, any regula-
7 tions of the Council as necessary.”.

8 (h) TECHNICAL AND CONFORMING CHANGES.—Sub-
9 chapter III of chapter 13 of title 41, United States Code,
10 is amended—

11 (1) in the table of sections for the subchapter
12 by adding after the item related to section 1328 the
13 following:

“1329. Additional provisions.”;

14 (2) in section 1321(1)(B), by striking “Govern-
15 ment Reform” and inserting “Accountability”; and

16 (3) by striking “of this title” each place the
17 term appears.

18 **SEC. 3. REALLOCATING EXISTING RESOURCES.**

19 Section 5949(l) of the James M. Inhofe National De-
20 fense Authorization Act for Fiscal Year 2023 (Public Law
21 117–263) is amended—

22 (1) in paragraph (1), by striking “Office of
23 Management and Budget” and inserting “Office of
24 the National Cyber Director”; and

1 (2) in paragraph (2), by striking “Office of
2 Management and Budget” and inserting “Office of
3 the National Cyber Director”.

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