

passage of another bill, introduced by Homeland Security Committee Ranking Member ROGERS, H.R. 480, the Homeland Threat Assessment Act.

Keeping transportation systems secure is part and parcel to protecting the American way of life and keeping America moving forward. I commend this legislation for raising the baseline on how the Department of Homeland Security supports the security of surface transportation systems, and I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I have no more speakers, and I am prepared to close after the gentleman from Texas closes.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2539 would be an important step toward securing some of our country's most important transportation systems.

DHS is faced with an enormous challenge of combating the constantly evolving threats facing our Nation's transportation systems. Timely information sharing about these systems is essential to counter any threat.

Last Congress, a similar measure passed the House with wide bipartisan support. I urge my colleagues to join me in supporting this important legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. BARRAGÁN. Mr. Speaker, terrorists continue to pose a significant threat to transportation systems.

Since 9/11, Congress has supported efforts to strengthen the security of our transportation systems.

Working with the private sector and state and local governments, we have invested substantial resources to prevent attacks and improve our intelligence around potential threats.

Still, terrorists continue to probe critical infrastructure—looking for “soft targets” to attack.

Worldwide, increasingly, terrorist have turned their attention to mass transit systems, bus stations, and freight and passenger rail systems.

In America, surface transportation systems transport millions of passengers and tons of freight every day.

In my district, my constituents rely on L.A. Metro rail and bus systems to get them to their offices, doctor's appointments, places of worship, and homes every day.

According to L.A. Metro Monthly Ridership stats, over 31 million riders travel by bus or rail each month.

Due to the high accessibility of transit systems, protecting passengers and personnel is difficult.

Law enforcement agencies rely on credible, timely intelligence to keep systems secure.

My bill seeks to enhance security in two key ways.

First, it requires DHS to prioritize the assignment of officers and intelligence analysts to

State, local, and regional fusion centers areas with a high-risk surface transportation asset.

Such deployments would help ensure that intelligence relating to threats is shared with appropriate stakeholders in a timely manner, improving the chances of preventing the next attack.

Second, my bill authorizes DHS to develop a training program to enhance the protection, preparedness, and response capabilities of law enforcement agencies that operate at surface transportation assets.

Surface transportation systems are unique in their layouts and use, and training tailored to the uniqueness of these systems would help improve law enforcement capabilities.

This transportation security bill is supported on a bipartisan basis and, when it was considered last month in the Committee on Homeland Security, was approved unanimously.

As such, I strongly urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Miss RICE) that the House suspend the rules and pass the bill, H.R. 2539.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Miss RICE of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### HOMELAND PROCUREMENT REFORM ACT

Mr. CORREA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2083) to amend the Homeland Security Act of 2002 regarding the procurement of certain items related to national security interests for Department of Homeland Security frontline operational components, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2083

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Homeland Procurement Reform Act” or the “HOPR Act”.

#### SEC. 2. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS ACCORDING TO CERTAIN CRITERIA.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

#### “SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

“(a) REQUIREMENT.—The Secretary shall ensure that any procurement of covered items for a frontline operational component meets the following criteria:

“(1) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items

that are manufactured in part or provided in the United States by entities that qualify as small business concerns (as such term is described under section 3 of the Small Business Act (15 U.S.C. 632)).

“(2) Each prime contractor, with respect to the procurement of such covered items, shall ensure, to the maximum extent practicable, the following:

“(A) Each first-tier subcontractor and end item manufacturer complies with the contractor code of business ethics and conduct under section 3509 of title 41, United States Code, and the Federal Acquisition Regulation.

“(B) Each first-tier subcontractor and end-item manufacturer is in compliance with a standard identified by the Secretary as appropriate for quality, such as ISO 9001:2015 of the International Organization for Standardization.

“(C) The ability of a first-tier subcontractor to fulfill the terms of the contract is verified.

“(3) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

“(A) store such covered item with such insignia or such insignia in a locked area;

“(B) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

“(C) destroy any defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

“(b) PRICING.—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

“(c) REPORT.—Not later than 180 days after the date of the enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a report on the following:

“(1) Instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

“(2) The status of efforts to carry out paragraph (1) of subsection (a).

“(3) A description of how the Department ensures the compliance of each prime contractor with the requirements of paragraph (2) of subsection (a) and any instances of non-compliance.

“(d) DEPARTMENT FRONTLINE OPERATIONAL COMPONENT DESCRIBED.—In this section, the term ‘Department frontline operational component’ refers to any of the following components of the Department:

“(1) U.S. Customs and Border Protection.

“(2) U.S. Immigration and Customs Enforcement.

“(3) The United States Secret Service.

“(4) The Transportation Security Administration.

“(5) The Cybersecurity and Infrastructure Security Agency.

“(6) The Federal Protective Service.

“(7) The Federal Emergency Management Agency.

“(8) The Federal Law Enforcement Training Centers.

“(e) DETERMINATION.—If the Secretary determines that compliance with paragraph (1) of subsection (a) is impractical, the Secretary shall, not later than 15 days after making such determination, submit to the Committee on Homeland Security of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate an explanation relating to such determination and specifics regarding what percentage of covered items will be procured by small business concerns.

“(f) EXCEPTION.—This section shall not apply to the purchase of covered items by the Department to be used by the Department for training purposes.

“(g) COVERED ITEM DESCRIBED.—In this section, the term ‘covered item’ refers to any of the following with respect to a Department frontline operational component:

“(1) Body armor components intended to provide ballistic protection for an individual, consisting of one or more of the following:

“(A) Soft ballistic panels.

“(B) Hard ballistic plates.

“(C) Concealed armor carriers worn under a uniform.

“(D) External armor carriers worn over a uniform.

“(2) Helmets that provide ballistic protection and other head protection and components.

“(3) Protective eyewear.

“(4) Rain gear, cold weather gear, other environmental and flame-resistant clothing.

“(5) Footwear.

“(6) Uniforms.

“(7) Bags and packs.

“(8) Holsters and tactical pouches.

“(9) Patches, insignia, and embellishments.

“(10) Respiratory protective masks.

“(11) Chemical, biological, radiological, and nuclear protective gear.

“(12) Hearing protection equipment.

“(13) Any other critical safety item as determined appropriate by the Secretary.

“(h) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any of its frontline operational components on or after October 1, 2020.

“(i) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should endeavor to ensure that the majority of covered items for a frontline operational component procured by the Department are manufactured in the United States by entities that qualify as small business concerns.”.

(b) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a study of the adequacy of allowances provided to employees of Department of Homeland Security frontline operational components (as such term is described in section 836 of the Homeland Security Act of 2002, as added by subsection (a)). Such study shall be informed by a Department-wide survey of employees from across the Department who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention. Such study shall also consider increasing by 25 percent, at minimum, the uniform allowance for first year employees and by 50 percent, at minimum, the annual allowance for all other employees.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 835 the following new item:

“Sec. 836. Requirements to buy certain items related to national security interests.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CORREA) and the gentleman from Texas (Mr. CRENSHAW) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. CORREA. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1545

Mr. CORREA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2083, the Homeland Procurement Reform Act, or HOPR.

I am proud to have introduced this bipartisan legislation to reform the way the Department of Homeland Security procures uniforms and protective equipment for its personnel. The aim is to improve the quality of uniforms and equipment issued to Department frontline personnel by encouraging the procurement of domestically sourced uniform items.

Today, DHS has more than 60,000 uniformed men and women. Less than half of those uniforms are made here in the United States. Under this legislation, at least a third of DHS funds spent on uniforms are to be used to purchase goods manufactured by American small businesses.

Mr. Speaker, my bill is good for homeland security, and it is good for small American businesses.

Additionally, in response to concerns expressed by frontline personnel about how quickly they exhaust their annual uniform allowances, my bill directs the Secretary of Homeland Security to take a hard look at the adequacy of the allowances. In studying the issue, the Secretary is required to determine what improvements can be made to the current allowances and what impacts the current allowances have had on employee morale and retention.

H.R. 2083 is endorsed by the Warrior Protection and Readiness Coalition and the National Border Patrol Council, and it passed out of committee unanimously.

Mr. Speaker, I thank my colleagues on the Homeland Security Committee and Representative MAST from Florida for their contributions to and support of this legislation.

Mr. Speaker, I urge my House colleagues to support this legislation, and I reserve the balance of my time.

Mr. CRENSHAW. Mr. Speaker, I yield myself as much time as I may consume. Mr. Speaker, I rise today in support of H.R. 2083.

This bill will encourage the Department of Homeland Security to purchase uniforms and protective gear for its law enforcement officers from ethical manufacturers and sellers. To do business with DHS, contractors that supply frontline operational components must abide by the code of business ethics, the Federal Acquisition Regulation, and any quality control standards deemed appropriate by the Secretary. These conditions will ensure that we are purchasing the very best products for our men and women on the front lines.

The bill also protects the security of DHS law enforcement personnel by requiring that uniforms and equipment that bear a law enforcement insignia be properly stored and disposed of if they are unusable. This will help prevent law enforcement badges and patches from falling into the wrong hands or being used for nefarious purposes.

H.R. 2083 will also help to promote small businesses by encouraging the Secretary of DHS to utilize small businesses for at least one-third of DHS uniform needs. Small businesses are the backbone of America, and this bill will help to ensure that the Secretary considers them for the agency's needs whenever possible.

H.R. 2083 requires that the Secretary purchase uniforms at a fair and reasonable price.

Further, the bill requires a study on the adequacy of uniform allowances to ensure that DHS law enforcement personnel do not have to pay out of pocket for the basic items they need to carry out their duties.

Mr. Speaker, this bill goes a long way toward improving the process for procurement of uniforms for DHS personnel, and I urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. CORREA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in addition to the goal of ensuring that at least a third of all uniforms and protective equipment is provided by American small businesses, this bill also addresses concerns expressed by DHS frontline personnel.

Component personnel often deplete their annual uniform allowances before the conclusion of the year and have experienced delays in receiving basic uniform items, such as duty shirts, belts, and socks. H.R. 2083 would put DHS on a path to improving its processes and delivery of uniform items for its vital frontline personnel.

Mr. Speaker, I am proud of this bipartisan legislation that will ensure that the men and women protecting our Nation have the best equipment that they can.

Mr. Speaker, I thank my colleagues for their support of this process, and once again, I ask for their support.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2083, the "Homeland Procurement Reform Act."

H.R. 2083 would reform the way the Department of Homeland Security procures uniforms and items related to national security interests.

This bill seeks to encourage the procurement of domestically sourced uniform items to ensure higher-quality uniforms and equipment are issued to the Department.

Specifically, this bill would allocate that no less than one-third of the funds obligated for uniforms and protective equipment are used for items that are manufactured in part or provided in the United States by entities that qualify as a U.S. small business.

Additionally, H.R. 2083 will ensure that uniforms and protective equipment are purchased at fair and reasonable prices, and that uniform allowances provided to Department frontline personnel are adequate.

Last, the bill mandates that suppliers—store such covered item in a locked area; report any pilferage or theft of such covered item occurring at any stage before delivery of such covered item; and

destroy any defective or unusable covered item bearing official DHS insignia not manufactured in the US.

I stand to support this bill that will bring more opportunities for American small businesses.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 2083 to reform the way the Department of Homeland Security procures uniforms and items related to national security interests.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CORREA) that the House suspend the rules and pass the bill, H.R. 2083, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### DHS ACQUISITION REVIEW BOARD ACT OF 2019

Mr. CORREA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2609) to amend the Homeland Security Act of 2002 to establish the Acquisition Review Board in the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2609

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Acquisition Review Board Act of 2019".

#### SEC. 2. ACQUISITION REVIEW BOARD.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following new section:

##### "SEC. 836. ACQUISITION REVIEW BOARD.

"(a) IN GENERAL.—The Secretary shall establish an Acquisition Review Board (in this section referred to as the 'Board') to—

"(1) strengthen accountability and uniformity within the Department acquisition review process;

"(2) review major acquisition programs; and

"(3) review the use of best practices.

"(b) COMPOSITION.—

"(1) CHAIR.—The Under Secretary for Management shall serve as chair of the Board.

"(2) PARTICIPATION.—The Secretary shall ensure participation by other relevant Department officials with responsibilities related to acquisitions as permanent members of the Board.

"(3) OVERSIGHT.—The Under Secretary for Management shall designate a full time employee of the Department to oversee the operations of the Board.

"(c) MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness. The Board shall convene at the Secretary's discretion and at any time—

"(1) a major acquisition program—

"(A) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

"(B) is in breach of its approved requirements; or

"(C) requires additional review, as determined by the Under Secretary for Management; or

"(2) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

"(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

"(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

"(2) Oversee whether a proposed acquisition's business strategy, resources, management, and accountability is executable and is aligned to strategic initiatives.

"(3) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for such acquisition at key acquisition decision events.

"(4) Conduct systematic reviews of acquisitions to ensure that such acquisitions are progressing in compliance with the approved documents for their current acquisition phases.

"(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

"(6) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

"(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

"(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

"(e) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves such program to proceed into the planning phase before such program has a Department-approved ac-

quisition program baseline, the Under Secretary for Management shall create and approve an acquisition program baseline report regarding such approval, and the Secretary shall—

"(1) within 7 days after an acquisition decision memorandum is signed, notify in writing the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such decision; and

"(2) within 60 days after the acquisition decision memorandum is signed, submit to such committees a written explanation of the rationale for such decision and a plan of action to address acquisition program baseline requirements for such program.

"(f) REPORT.—The Under Secretary for Management shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on an annual basis through fiscal year 2024 on the activities of the Board for the prior fiscal year that includes information relating to the following:

"(1) For each meeting of the Board, any acquisition decision memoranda.

"(2) Results of the systematic reviews conducted pursuant to paragraph (4) of subsection (d).

"(3) Results of acquisition document reviews required pursuant to paragraph (5) of subsection (d).

"(4) Activities to ensure that practices are adopted and implemented throughout the Department pursuant to paragraph (6) of subsection (d).

"(g) DEFINITIONS.—In this section:

"(1) ACQUISITION.—The term 'acquisition' has the meaning given such term in section 131 of title 41, United States Code.

"(2) ACQUISITION DECISION AUTHORITY.—The term 'acquisition decision authority' means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

"(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

"(B) review (including approving, pausing, modifying, or cancelling) an acquisition program through the life cycle of such program;

"(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

"(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

"(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

"(3) ACQUISITION DECISION EVENT.—The term 'acquisition decision event', with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

"(4) ACQUISITION DECISION MEMORANDUM.—The term 'acquisition decision memorandum', with respect to an acquisition, means the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for such acquisition, as determined by the