

**H.R. 8791, “DEPARTMENT OF HOMELAND SECURITY REFORM ACT OF 2020”  
OR “DHS REFORM ACT OF 2020” (THOMPSON)**

**SECTION BY SECTION**

**Sec. 1. Short Title; Table of Contents** “Department of Homeland Security Reform Act of 2020” or “DHS Reform Act of 2020”.

**Title I - Headquarters Reforms**

*Subtitle A--Leadership Reforms*

**Sec. 101. Departmental Leadership**

- (a) Creates an Associate Secretary of Homeland Security within the Office of the Secretary to direct the management of DHS law enforcement functions and components (U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, United States Secret Service, and Federal Protective Services) and succeed the Secretary, in the event there is no Deputy Secretary.
- (b) Authorizes the Under Secretary for Management position as a five-year term.
- (c) Codifies which leadership positions are subject to Presidential appointments and which are subject to Secretarial appointments.

**Sec. 102. Succession Reforms**

- (a) Requires that those who are in the order of succession to serve as Acting Secretary (after the Deputy Secretary and the Associate Secretary) have served within DHS for at least 90 days prior to such designation in either the position that is the head of a component or in another position by and with the advice and consent of the Senate, or in the event that an official meeting this criteria is not available, such official is required to have served for at least 90 days prior to such designation in the Senior Executive Service within the Department.
- (b) Establishes that in the event of a component head vacancy, other Departmental officials may only serve in an acting position if they have served for at least 90 days prior to such designation in the Senior Executive Service.

**Sec. 103. Resolution of Intra-Departmental Disputes**

- (a) Grants the Deputy Secretary the authority to resolve any intra-Departmental disputes between components where one component is under the purview of the Associate Secretary. The Associate Secretary may appeal a resolution issued by the Deputy Secretary to the Secretary.

**Sec. 104. Office of Strategy, Policy, and Plans**

- (a) Authorizes the Office of Strategy, Policy, and Plans, which shall include an Assistant Secretary for International Affairs with responsibilities that include coordination of international activities within the Department as well as issuing guidance for selecting,

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assigning, training, and monitoring overseas deployment of Department personnel. Additionally, it authorizes at least five assistant secretaries with divided responsibility for the following areas: strategy; threat prevention, including targeted violence; integration; border; immigration, including immigration statistics; cybersecurity and infrastructure security; screening and vetting, including biometrics; law enforcement; and foreign investment and trade.

- (b) Requires the development of a conflict of interest policy for members of the Homeland Security Advisory Council. Also requires that the Council include at least two representatives with expertise or experience protecting privacy and civil rights and civil liberties.
- (c) Requires the Office to update or replace the Department's strategic framework and associated implementation plans to counter terrorism to address the current threat environment for domestic terrorism, international terrorism, targeted violence, and emerging threats, including violent white supremacist extremism.
- (d) Requires the inclusion of feedback from children's organizations into Departmental policies and submission of a report to Congress detailing the efforts the Department has undertaken to integrate children's needs into the Department's policies, programs, and activities.

#### **Sec. 105. Office of Inspector General**

- (a) Requires the Office of Inspector General to publish reports, reviews, inspections and audits, including those involving whistleblower retaliation, or misconduct by a member of the Senior Executive Service or politically appointed official.
- (b) Directs the heads of DHS offices and components to promptly notify the Inspector General of all allegations of misconduct.

#### **Sec. 106. Office of Public Affairs**

- (a) Directs the Office to issue a code of conduct for all personnel involved in the Department's public affairs operations that requires certification of receipt within 30 days.
- (b) Requires the Office to disseminate a Department-wide directive for reviewing all public-facing materials to maximize the quality, objectivity, utility, and integrity.

#### **Sec. 107. Office of Legislative Affairs**

- (a) Limits the number of Deputy Assistant Secretary for Legislative Affairs positions to two, one for each chamber of Congress.
- (b) Requires the transmission of reports submitted to appropriations committees to Department of Homeland Security authorizing committees.

#### **Sec. 108. Office of Partnership and Engagement**

- (a) Establishes the Office of Partnership and Engagement and transfers to this Office the assets, personnel, and function previously authorized to be performed by the Office for State and Local Government Coordination.
- (b) Requires annual reporting to Congress on the activities of the Office; the efforts to coordinate and share information with local law enforcement agencies; and the trainings,

publications, programs and services the Department has provided to local law enforcement agencies.

#### **Sec. 109. Chief Privacy Officer**

- (a) Modifies existing statutory responsibilities for the Chief Privacy Officer to include: (1) assisting components with developing privacy policies and practices; (2) establishing a mechanism to ensure components are in compliance with Federal, regulatory, statutory, and Department privacy requirements, mandates, directives, and policies, including by providing component heads input on the management of component FOIA offices; (3) working with Chief Information Officer on records management policies; (4) working with components to ensure information sharing activities incorporate privacy protection; and (5) serving as the Chief FOIA Officer of the Department.
- (b) Establishes a Privacy Working Group of personnel from across the Department who are involved in executing disclosure policies and processes to advise the Chief Privacy Officer.

#### **Sec. 110. Chief Financial Officer**

- (a) Establishes the responsibilities of the Chief Financial Officer to include: overseeing the Department's budget formulation; developing financial management policy and overseeing the implementation of such policy; implementing a common accounting structure across the Department by fiscal year 2022, and guiding the financial system modernization efforts.

#### **Sec. 111. Chief Information Officer**

- (a) Establishes the responsibilities of the Chief Information Officer to include: serving as the lead technical authority for information technology programs across the Department; developing a strategic plan to inform information technology funding every five years; and conducting regular, Department-wide inventories of software licenses.

#### **Sec. 112. Chief Procurement Officer**

- (a) Establishes the responsibilities of the Chief Procurement Officer to include: issuing procurement policies and ensuring compliance with such policies; establishing policies to effectively monitor and manage vulnerabilities in the supply chain for Departmental purchases; ensuring a fair proportion of the value of DHS contracts are awarded to small businesses; and serving as the senior business advisor to agency officials on procurement-related matters.

#### **Sec. 113. Chief Security Officer**

- (a) Establishes the responsibilities of the Chief Security Officer to include: developing and implementing the security policies, programs, and standards of the Department; identifying training opportunities for security-related matters; and providing support to components on security-related matters.

#### **Sec. 114. Chief Data Officer**

- (a) Authorizes the position of Chief Data Officer to ensure that the Department conforms with data management best practices recognized across industry and the Federal Government. Among the Chief Data Officer's responsibilities are the issuance of guidelines ensuring and maximizing the quality, objectivity, utility and integrity of information; promotion of modern data systems, and coordination of the storage of records with the National Archives and Records Administration.
- (b) Directs each component head to designate a component chief data officer to coordinate operations with the Department's Chief Data Officer

#### **Sec. 115. Officer for Civil Rights and Civil Liberties**

- (a) Clarifies that the Office for Civil Rights and Civil Liberties (CRCL) is charged with integrating civil rights and civil liberties into all Department programs and activities by conducting civil rights and civil liberties impact assessments, conducting periodic reviews of Departmental policies, and providing recommendations and other technical assistance to the Secretary and component heads.
- (b) Authorizes the CRCL Officer to (1) access all Departmental records and documents necessary to carry out CRCL reviews, assessments, and investigations; and (2) with the approval of the DHS Secretary, issue subpoenas as necessary to require the production of information, documents, reports, and other data or documentary evidence necessary to carry out its responsibilities.
- (c) Requires DHS component heads to designate a career appointee as the Officer for Civil Rights and Civil Liberties of that component.
- (d) Increases transparency by directing the Officer to make publicly available investigation findings and recommendations, and in the case of a complaint made concerning allegations of abuses of civil rights and civil liberties, inform the complainant of action taken.

#### **Sec. 116. The Countering Weapons of Mass Destruction Office**

- (a) Establishes qualifications for the Assistant Secretary for Countering Weapons of Mass Destruction to include experience and expertise in chemical, biological, radiological, or nuclear materials, devices or agents and experience with successfully leading a workforce that includes scientists.
- (b) Requires the Assistant Secretary to develop a plan for the Department to address morale and employee retention challenges within the Office.

#### **Sec. 117. Coordinator for Unmanned Aircraft Systems Countermeasures**

- (a) Requires the Secretary to designate an official as the Countering Unmanned Aircraft Systems Coordinator to coordinate with the Department, other Federal agencies, and the private sector on the development of policies and plans to counter threats associated with unmanned aircraft systems.

## **Sec. 118. Department of Homeland Security Counterterrorism Advisory Board**

- (a) Establishes a board of cross-Departmental representatives, headed by the Associate Secretary, to coordinate and integrate intelligence, activities, and policy related to the Department's counterterrorism mission and functions, including counter-targeted violence.
- (b) Requires the board to submit a report to Congress on current efforts and future plans to combat violence in the United States and against United States persons and interests abroad associated with foreign white supremacist extremist organizations.

## **Sec. 119. Department of Homeland Security Leadership Council**

- (a) Authorizes the Secretary to establish a Department leadership council to ensure coordination and improve programs and activities of the Department.
- (b) Establishes a Joint Requirements Council (JRC) to assess and validate proposed capability gaps and requirements for acquisition programs that components may want to pursue. Recommendations of the JRC are to inform annual budget priorities regarding new and existing requirements as well as the Future Years Homeland Security Program.

## **Sec. 120. School Security Coordinating Council**

- (a) Establishes a council made up of DHS officials to coordinate Departmental activities, plans, and policies to enhance the security of schools against an act of terrorism and requires annual reporting to Congress on the activities of the council.

### ***Subtitle B--Workforce Reforms***

## **Sec. 131. Chief Human Capital Officer**

- (a) Modifies the Chief Human Capital Officer's responsibilities to include leadership development and employee engagement.
- (b) Requires the Chief Human Capital Officer to maintain a catalogue of available internship and development opportunities for employees in supervisory and non-supervisory roles; analyze workplace satisfaction or morale surveys and submit to the Secretary any recommendations to improve workforce satisfaction; and oversee the consolidation, integration, and modernization of the Department's human capital information technology infrastructure.
- (c) Authorizes the Chief Human Capital Officer to designate a Chief Learning and Engagement Officer.

## **Sec. 132. Employee Engagement Steering Committee and Action Plan**

- (a) Requires the Secretary to establish an employee engagement steering committee comprised of representatives from components, headquarters, and labor organizations that represent Department employees to (1) identify factors that negatively impact engagement, morale, and communications within the Department; (2) develop initiatives and best practices to improve engagement, morale and communications within the Department; and (3) monitor progress within each component on efforts to improve engagement, morale, and communications within that component.

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- (b) Directs the Secretary to establish a Department-wide employee engagement action plan that reflects input from the employee engagement steering committee and requires each component head to develop and implement a component-specific plan to advance the Department's action plan.

### **Sec. 133. Annual Employee Award Program**

- (a) Authorizes the Secretary to develop an annual award program to recognize Department employees for significant contributions to the achievement of DHS' goals and missions.

### **Sec. 134. Department of Homeland Security Rotation Program**

- (a) Modifies the Department's rotation program to foster greater departmental integration and unity of effort, improve morale and retention, and help enhance the knowledge, skills, and abilities of participating personnel with respect to the programs, policies, and activities of the Department.
- (b) Requires the Secretary to establish an Intelligence Rotational Assignment Program for employees serving in existing analyst positions within the Department's intelligence enterprise.

### **Sec. 135. Homeland Security Rotational Cybersecurity Research Program at the Coast Guard Academy**

- (a) Authorizes the Secretary to establish a rotational research, development, and training program between the Coast Guard Academy and the Cybersecurity and Infrastructure Security Agency (CISA) in which individuals with cybersecurity expertise at CISA, the Department's Science and Technology Directorate, or a Center of Excellence for Cyber Defense, as designated by DHS, are detailed to the Coast Guard Academy and Coast Guard Academy graduates and faculty are detailed to CISA.

### **Sec. 136. Department of Homeland Security Intelligence and Cybersecurity Diversity Fellowship Program**

- (a) Directs the Secretary to establish an intelligence and cybersecurity diversity fellowship program to provide eligible participants from historically Black colleges and universities and minority-serving institutions paid internship opportunities and an offer of employment upon successful completion of the program.

### **Sec. 137. Cyber Talent Management System Reporting**

- (a) Requires that additional information be provided in annual reporting to Congress including measuring program performance against the prior year and the target number of cybersecurity positions to be filled through special hiring authority.

### **Sec. 138. Acquisition Workforce**

- (a) Requires the Under Secretary for Management to establish policies and procedures for the effective management of the Department's acquisition workforce. The Under Secretary is required to designate acquisition career fields and establish qualifications and the necessary certifications for those fields. This section also requires the Under Secretary for Management to develop a workforce plan to address staffing gaps within the acquisition workforce.

### **Sec. 139. Acquisition Professional Career Program**

- (a) Establishes an acquisition professional career program to recruit individuals from outside the government and within DHS to receive acquisition training, on-the-job experience, Department-wide rotations, and mentorship with an eye to hiring them into the Department's acquisition workforce.

### **Sec. 140. Security Clearance Management and Administration**

- (a) Requires the Secretary to regularly review all sensitivity level designations of national security positions; and annually report to Congress on the number of denials, suspensions, revocations, and appeals of the eligibility for access to classified information.
- (b) Requires the development of a plan to achieve greater uniformity within the Department on the adjudication of eligibility for access to classified information.

### **Sec. 141. Fitness Information Transparency**

- (a) Requires the Secretary, acting through the Chief Security Officer, to issue a uniform set of DHS-wide fitness standards for Federal contractors to reflect public trust concerns which correspond to each position risk level and that allow for limited deviations on a position-by-position basis.
- (b) Requires the Chief Security Officer to ensure uniform reciprocity regarding fitness determinations across the Department.

### **Sec. 142. Independent Investigations of Disciplinary Outcomes**

- (a) Requires the Comptroller General of the United States to investigate whether Departmental discipline and adverse actions are administered in an equitable and consistent manner that results in the same or substantially similar disciplinary outcomes across the department and regardless of whether the employee was in a non-supervisory or supervisory position.
- (b) Requires the Under Secretary for Management to review the findings of the Comptroller General's investigation and implement a plan to correct any deficiencies.

### **Sec. 143. Rights for Transportation Security Officers**

- (a) Directs the Secretary, not later than 180 days after enactment of this Act, to convert Transportation Security Officers out of the TSA personnel management systems to the management system under chapter 97 of title 5, United States Code.
- (b) Directs the Secretary to carry out the conversion in consultation with the workforce's labor representative and in a manner that preserves the benefits, pay, and rights of impacted workers.

## **Title II - Law Enforcement Accountability Reforms**

### ***Subtitle A--De-Escalation***

#### **Sec. 201. De-Escalation, Use of Force, and Body-Worn Camera Policy**

- (a) Requires the Under Secretary for Management to update the Department-wide policy on the use of force by law enforcement officers to require de-escalation training.
- (b) Requires the Associate Secretary to maintain an intra-Departmental council to share best practices regarding de-escalation and use of force policies and issue requirements for component heads to collect and maintain data on the use of force within each component.
- (c) Requires the Secretary, acting through the Under Secretary for Management to develop and disseminate a Department-wide directive to require, by December 31, 2022, the use of body-worn cameras by all uniformed law enforcement officers and dashboard cameras for all DHS marked vehicles with requirements that footage be retained for six months. It also requires reports to Congress every 180 days on the status of implementation efforts for this Department-wide directive until the Secretary can certify that the directive has been fully implemented.
- (d) Subjects any Departmental law enforcement officer who internationally use a chokehold or carotid hold to disciplinary review.

#### **Sec. 202. De-Escalation Training**

- (a) Requires the Associate Secretary to ensure that use of force training for the Department's law enforcement officers appropriately emphasizes de-escalation training. Also requires the Associate Secretary, to the greatest extent practicable, increase the availability of use of force training that includes de-escalation training in the curriculum available to State, local Tribal, and territorial law enforcement officers.

#### **Sec. 203. Less Lethal Tactics Assessment**

- (a) Requires the Associate Secretary to commission a non-profit research institution to assess written policies, training, and instances of the utilization of less lethal force tactics (e.g. oleoresin capsicum spray, fog irritants, electronic control weapons, airburst flash bang launchers, and controlled tire deflation devices) utilized by the Department within the past three years and, if appropriate, issue recommendations for changes.

#### **Sec. 204. Requests Relating to Department of Homeland Security Personnel or Equipment**

- (a) Requires the Secretary to notify the Committee on Homeland Security of the House and the Committee on Homeland Security and Governmental Affairs of the Senate when the Department accepts a request to augment local law enforcement capabilities with the deployment of Department personnel, including law enforcement personnel, unmanned aerial system operations, or other equipment within 24 hours of acceptance.

#### **Sec. 205. Best Practices to Reduce Incidents of Excessive or Unauthorized Force**



- (a) Requires the Associate Secretary to research and recommend the adoption of evidence-based practices that have the potential to reduce incidents of excessive or unauthorized force by Departmental law enforcement officers. The research shall take into account potential factors such as gaps in training or staffing, unconscious bias regarding race, gender, ethnicity, or national origin.

#### **Sec. 206. Department of Homeland Security Component Insignia Required**

- (a) Requires all uniformed law enforcement officers of the Department to display or wear the official insignia or uniform of the Department or component in a manner that is visible to others, including when deployed to augment State or local law enforcement capabilities.

#### **Sec. 207. FLETC Advisory Board**

- (a) Requires the Associate Secretary to establish an advisory committee to the Federal Law Enforcement Training Centers (FLETC) to advise and make recommendations on matters relating to the selection, development, content, and delivery of training by FLETC. The advisory board shall include representatives from policing groups associated with metropolitan police departments, rural police departments, African American police officers, Hispanic police officers, and Tribal police officers.

#### **Sec. 208. Department of Homeland Security Support for the National Network of Fusion Centers**

- (a) Requires the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department, to the extent practicable, to assign personnel to assist fusion centers with privacy, civil rights, and civil liberties efforts.
- (b) Requires the Secretary to disseminate to each fusion center receiving a grant from the Department guidance on conducting a self-assessment with respect to adherence to privacy, civil rights, and civil liberties protections and fusion centers are required to submit self-assessments annually.
- (c) Requires the Comptroller General of the United States to triennially submit to Congress a review of the use of emerging technologies, including facial recognition, artificial intelligence, and machine learning, by fusion centers.

#### ***Subtitle B--Securing of Firearms and other Sensitive Assets***

#### **Sec. 221. Definitions**

#### **Sec. 222. Inclusion of Securing Firearms and Other Sensitive Assets in Responsibilities of Under Secretary for Management**

- (a) Designates that firearms and other sensitive assets are included under “equipment” that is the responsibility of the Under Secretary for Management.

#### **Sec. 223. Management Directive**

- (a) Directs the Under Secretary for Management to develop and distribute a Department-wide directive for achieving enhanced safeguards for Department-issued firearms and other sensitive assets to be reviewed and updated not later than one year after issuance.
- (b) Requires the Under Secretary for Management to disseminate a revised version of the Personal Property Asset Management Program Manual that includes procedures to safeguard firearms and other sensitive assets during on and off-duty time.

#### **Sec. 224. Component Responsibilities**

- (a) Directs Department component heads to comply with all Federal laws and regulations related to the securing of firearms and other sensitive assets and, within their organization, review the need for non-law enforcement badges, and require reporting of lost or stolen firearms or sensitive assets.

#### **Sec. 225. Personal Property Asset Management Inspector General Review**

- (a) Requires the Inspector General to review the implementation of the Department-wide directive and the level of compliance among the components to achieve adequate security of firearms and sensitive assets.

#### ***Subtitle C--Federal Law Enforcement Training Centers***

#### **Sec. 231. FLETC Research and Development**

- (a) Requires the Director of the Federal Law Enforcement Training Centers (FLETC) to research and develop a technology to enhance participation rates in training offered to State, local, and Tribal communities, with particular attention to rural or remote communities.

#### **Sec. 232. Reporting on Basic Training Programs of the Department of Homeland Security**

- (a) Requires the Secretary to annually report to Congress on the accreditation status for each DHS law enforcement basic training program and in the case of a program that is not currently accredited, the reasons for not obtaining or maintaining accreditation, the activities taken to achieve accreditation, and an anticipated timeline for accreditation. Also requires notice to Congress if a basic training program loses accreditation.

### **Title III - Acquisition Reforms**

#### ***Subtitle A--Authorities***

#### **Sec. 301. Definitions**

#### **Sec. 302. Acquisition Authorities for Office of Program Accountability and Risk Management**

- (a) Establishes the Program Accountability and Risk Management Office to provide consistent accountability, standardization, and transparency of acquisition programs across the Department.
- (b) Requires the Executive Director of the Program Accountability and Risk Management Office to regularly monitor the progress of major acquisition programs; conduct oversight of acquisition programs to implement program policy, procedures, and guidance; and assess the results of major acquisition programs.
- (c) Requires Component Acquisition Executives to oversee all acquisition related activities within the component.

### **Sec. 303. Acquisition Authorities for Technical Support Offices**

- (a) Establishes within the Department an Office of Test and Evaluation to provide test and evaluation of technologies throughout their development.
- (b) Requires the Director of the Office of Test and Evaluation to establish test and evaluation policies, procedures, and guidance for the Department; ensure complete reviews of operational requirements; and complete independent testing and evaluation of technologies throughout development.
- (c) Authorizes the establishment of a Department-wide Office of Systems Engineering and Standards to provide systems engineering, standards, and human systems integration support.

### **Sec. 304. Acquisition Authorities for Under Secretary for Management**

- (a) Designates the Under Secretary for Management as the Chief Acquisition Officer of the Department who shall lead the Department's Acquisition Review Board, advise the Secretary regarding acquisition management activities, and provide acquisition oversight. As the Chief Acquisition Officer, the Under Secretary for Management is required to ensure that each major acquisition program has a Department-approved acquisition program baseline with a traceable life-cycle cost estimate, integrated master schedule, and operational requirements.
- (b) Authorizes the Under Secretary for Management to delegate acquisition decision authority to the relevant Component Acquisition Executive under certain circumstances.

### **Sec. 305. Acquisition Authorities for Under Secretary of Strategy, Policy, and Plans**

- (a) Ensures that acquisition programs support the DHS Quadrennial Homeland Security Review, the DHS Strategic Plan, the DHS Strategic Priorities, and other appropriate successor documents.

### **Sec. 306. Acquisition Authorities for Chief Information Officer**

- (a) Designates the Chief Information Officer, in consultation with the Under Secretary for Management, as responsible for ensuring that information technology aspects of acquisition programs comply with information technology management requirements and security protocols.

### ***Subtitle B--Requirements and Oversight***

*As prepared by the Committee on Homeland Security Majority Staff*

### **Sec. 321. Acquisition Documentation**

- (a) Requires that for any major acquisition program, the head of a relevant component or office maintain acquisition documentation that is complete, accurate, timely, and valid; prepare cost estimates for each major acquisition program; and ensure revisions to acquisition documentation are reviewed and approved.

### **Sec. 322. Acquisition Review Board**

- (a) Requires the Secretary to establish an Acquisition Review Board to strengthen the accountability and uniformity in the Department's acquisition review process for new acquisition programs, major acquisition programs, and operationally critical non-major acquisition programs that warrant review and oversight.

### **Sec. 323. Suspension and Debarment Program**

- (a) Requires the Secretary to establish a suspension and debarment program to ensure that the Department complies with the laws, regulations, and guidance related to the suspension, debarment, and ineligibility of contractors.

### **Sec. 324. Requirements to Buy Certain Items Related to National Security Interests According to Certain Criteria**

- (a) Requires the Secretary to ensure, to the maximum extent possible, that no less than one-third of covered items (e.g., body armor, uniforms, bags and packs) for a frontline operational component procured by the Department are manufactured in the United States by entities that qualify as small business concerns.

### **Sec. 325. Prohibition on Operation or Procurement of Foreign-Made Unmanned Aircraft Systems**

- (a) Prohibits the Secretary from contracting for, providing financial assistance for, or operating an unmanned aircraft system that has been manufactured in a country or by a company in a country labeled as a strategic competitor in the "Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military's Competitive Edge."

### ***Subtitle C--Acquisition Program Management Accountability and Transparency***

### **Sec. 331. Congressional Notification for Major Acquisition Programs**

- (a) Requires notification to the Secretary and Congress if a breach occurs or is expected to occur in a major acquisition program resulting in a cost or schedule increase exceeding specified thresholds.
- (b) Establishes that if a breach occurs on a major acquisition program the program manager and Component Acquisition Executive shall develop a remediation plan and root cause analysis of the breach to be reviewed by the Under Secretary for Management.
- (c) Requires the Under Secretary for Management to, if a program is approved to continue, certify and submit to Congress a memorandum justifying the decision and the estimated impact on cost and schedule.

### **Sec. 332. Acquisition Reports**

- (a) Requires the Under Secretary for Management to submit to Congress and the Government Accountability Office an annual acquisition progress report, including a listing of programs that have been cancelled, paused, or are in breach.
- (b) Requires the Comptroller General of the United States to, not later than three months after each annual report is submitted, brief Congress on the report contents, including observations on the accuracy of the information presented and any other risks or challenges the Department faces in managing its acquisition portfolio.

## **Title IV - Other Reforms**

### **Sec. 401. Quadrennial Homeland Security Review**

- (a) Modifies requirements for future Quadrennial Homeland Security Reviews to require the retention of records regarding consultation with homeland security stakeholders, a risk assessment, and information on how the findings and recommendations developed in the Review were integrated into acquisition strategy and expenditure plans for the Department.

### **Sec. 402. Limitations Regarding Secretarial Authorities Associated with the Protection of Public Property**

- (a) Restricts the employees who can be deployed for the protection of Federal property.
- (b) Limits authority to arrest without a warrant to circumstances where the officer has probable cause that the person to be arrested has committed, is committing, or is about to commit a felony on or related to Federal property owned or occupied by the Federal Government and makes clear that the arrest must take place on Federal property or in an area in the immediate vicinity of the Federal property.
- (c) Clarifies that DHS must enter into agreements with Federal agencies and with State and local governments when expanding the authorities of Federal officers to enforce Federal, State, and local laws. These agreements must also include a requirement that the Federal officers wear body cameras while on duty.

### **Sec. 403. Biometric Enterprise Management**

- (a) Requires the development of a Department-wide biometrics and identity management enterprise strategy; upon issuance of the strategy, no component may initiate or expand a program that includes biometrics or identity management without the Secretary determining that the program is consistent with the strategy.
- (b) Requires the Under Secretary for Management to issue determinations regarding compliance with the above strategy for each pilot or program of the Department that uses biometric technologies or information and, where necessary, a corresponding corrective action plan for the pilot or program to come into compliance with the strategy within a year.
- (c) Requires an inventory of all pilots and programs of the Department that use biometric technologies or information and assessment of such pilots and programs that involve facial recognition or iris scanning.
- (d) Limits the expansion of biometric air exit capabilities to additional airports, air terminals, or airlines, until U.S. Customs and Border Protection has demonstrated for at least three consecutive months that the program meets its validated user requirement.

#### **Sec. 404. Enhanced Departmental Oversight of Certain Intelligence Matters**

- (a) Requires that the sharing, retention, or dissemination of intelligence information or products be consistent with the protection of privacy rights, civil rights, and civil liberties as determined by the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties.

#### **Sec. 405. Privacy, Civil Rights, and Civil Liberties Coordination Required**

- (a) Prohibits the initiation, modification, or expansion of any program that substantially impacts privacy, civil rights, and civil liberties without coordination with the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties of the Department.

#### **Sec. 406. Department-wide Social Media Policy**

- (a) Requires the Secretary, acting through the Under Secretary for Management, to develop (1) a policy for the use of Departmental social media accounts that includes a discussion of applicable federal laws, regulations, and requirements that apply to social media use; and (2) training requirements to use Department accounts, including mass communications and ethics training.

#### **Sec. 407. Propaganda Prohibited**

- (a) Requires the Secretary to issue a directive and establish corresponding oversight mechanisms prohibiting the production and distribution of propaganda, both within the Department and with respect to public-facing materials.

#### **Sec. 408. Limits on Expenses for a Swearing-in Ceremony**

- (a) Prohibits the Secretary from using excessive Departmental funds for a swearing-in ceremony and requires annual Congressional notification on all funds expended for any swearing-in ceremonies of an official of the Department.

#### **Sec. 409. Conflict of Interest Awareness and Reporting**

- (a) Requires the Chief Procurement Officer to distribute all laws, regulations, and policies related to avoiding personal conflicts of interest and improper business practices to all Department contracting and grant officials who, in turn, are required to certify receipt of the information.

#### **Sec. 410. Mentor- Protégé Program**

- (a) Authorizes the Department's mentor-protégé program under which an established business in the Federal contracting marketplace, often a Prime contractor, agrees to enter into an agreement with a protégé firm for the purpose of assisting the less established firm to compete for prime contracts and subcontracts of the Department.

#### **Sec. 411. Historically Black Colleges and Universities (HBCUS) Homeland Security Partnerships**

- (a) Requires the Secretary to issue a Department-wide strategy to enhance partnerships with historically Black colleges and universities (HBCUs) and minority-serving institutions to improve recruitment and hiring, research and development, and acquisition opportunities at such institutions.
- (b) Directs the Secretary, acting through the Chief Procurement Officer, to identify how to increase participation of HBCUs and minority-serving institutions in acquisition programs within the Department.

#### **Sec. 412. Children's Technical Expert**

- (a) Authorizes the Children's Technical Expert position within the Federal Emergency Management Agency to ensure that children are adequately incorporated into the Agency's emergency preparedness, response, recovery, and mitigation activities.

#### **Sec. 413. Modification of Secretary's Reorganization Authority**

- (a) Strikes authority granted to the Secretary in the Homeland Security Act to reorganize the Department 60 days after providing notice to the appropriate Congressional Committees.

#### **Sec. 414. Definitions**