

(B) shall immediately notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives of the known or suspected imminent threat.

(Pub. L. 107–296, title XVI, §1612, as added Pub. L. 113–245, §3(a), Dec. 18, 2014, 128 Stat. 2873.)

§ 563b. Acquisition baseline establishment and reports

(a) Baseline requirements

(1) In general

Before the Administration implements any security-related technology acquisition, the appropriate acquisition official of the Department shall establish and document a set of formal baseline requirements.

(2) Contents

The baseline requirements under paragraph (1) shall—

(A) include the estimated costs (including lifecycle costs), schedule, and performance milestones for the planned duration of the acquisition;

(B) identify the acquisition risks and a plan for mitigating those risks; and

(C) assess the personnel necessary to manage the acquisition process, manage the ongoing program, and support training and other operations as necessary.

(3) Feasibility

In establishing the performance milestones under paragraph (2)(A), the appropriate acquisition official of the Department, to the extent possible and in consultation with the Under Secretary for Science and Technology, shall ensure that achieving those milestones is technologically feasible.

(4) Test and evaluation plan

The Administrator, in consultation with the Under Secretary for Science and Technology, shall develop a test and evaluation plan that describes—

(A) the activities that are expected to be required to assess acquired technologies against the performance milestones established under paragraph (2)(A);

(B) the necessary and cost-effective combination of laboratory testing, field testing, modeling, simulation, and supporting analysis to ensure that such technologies meet the Administration's mission needs;

(C) an efficient planning schedule to ensure that test and evaluation activities are completed without undue delay; and

(D) if commercial aviation passengers are expected to interact with the security-related technology, methods that could be used to measure passenger acceptance of and familiarization with the security-related technology.

(5) Verification and validation

The appropriate acquisition official of the Department—

(A) subject to subparagraph (B), shall utilize independent reviewers to verify and vali-

date the performance milestones and cost estimates developed under paragraph (2) for a security-related technology that pursuant to section 563(d)(2) of this title has been identified as a high priority need in the most recent Plan; and

(B) shall ensure that the use of independent reviewers does not unduly delay the schedule of any acquisition.

(6) Streamlining access for interested vendors

The Administrator shall establish a streamlined process for an interested vendor of a security-related technology to request and receive appropriate access to the baseline requirements and test and evaluation plans that are necessary for the vendor to participate in the acquisitions process for that technology.

(b) Review of baseline requirements and deviation; report to Congress

(1) Review

(A) In general

The appropriate acquisition official of the Department shall review and assess each implemented acquisition to determine if the acquisition is meeting the baseline requirements established under subsection (a).

(B) Test and evaluation assessment

The review shall include an assessment of whether—

(i) the planned testing and evaluation activities have been completed; and

(ii) the results of that testing and evaluation demonstrate that the performance milestones are technologically feasible.

(2) Report

Not later than 30 days after making a finding described in clause (i), (ii), or (iii) of subparagraph (A), the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

(A) the results of any assessment that finds that—

(i) the actual or planned costs exceed the baseline costs by more than 10 percent;

(ii) the actual or planned schedule for delivery has been delayed by more than 180 days; or

(iii) there is a failure to meet any performance milestone that directly impacts security effectiveness;

(B) the cause for such excessive costs, delay, or failure; and

(C) a plan for corrective action.

(Pub. L. 107–296, title XVI, §1613, as added Pub. L. 113–245, §3(a), Dec. 18, 2014, 128 Stat. 2874.)

§ 563c. Inventory utilization

(a) In general

Before the procurement of additional quantities of equipment to fulfill a mission need, the Administrator, to the extent practicable, shall utilize any existing units in the Administration's inventory to meet that need.

(b) Tracking of inventory**(1) In general**

The Administrator shall establish a process for tracking—

(A) the location of security-related equipment in the inventory under subsection (a);

(B) the utilization status of security-related technology in the inventory under subsection (a); and

(C) the quantity of security-related equipment in the inventory under subsection (a).

(2) Internal controls

The Administrator shall implement internal controls to ensure up-to-date accurate data on security-related technology owned, deployed, and in use.

(c) Logistics management**(1) In general**

The Administrator shall establish logistics principles for managing inventory in an effective and efficient manner.

(2) Limitation on just-in-time logistics

The Administrator may not use just-in-time logistics if doing so—

(A) would inhibit necessary planning for large-scale delivery of equipment to airports or other facilities; or

(B) would unduly diminish surge capacity for response to a terrorist threat.

(Pub. L. 107-296, title XVI, §1614, as added Pub. L. 113-245, §3(a), Dec. 18, 2014, 128 Stat. 2876.)

§ 563d. Small business contracting goals

Not later than 90 days after December 18, 2014, and annually thereafter, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

(1) the Administration's performance record with respect to meeting its published small-business contracting goals during the preceding fiscal year;

(2) if the goals described in paragraph (1) were not met or the Administration's performance was below the published small-business contracting goals of the Department—

(A) a list of challenges, including deviations from the Administration's subcontracting plans, and factors that contributed to the level of performance during the preceding fiscal year;

(B) an action plan, with benchmarks, for addressing each of the challenges identified in subparagraph (A) that—

(i) is prepared after consultation with the Secretary of Defense and the heads of Federal departments and agencies that achieved their published goals for prime contracting with small and minority-owned businesses, including small and disadvantaged businesses, in prior fiscal years; and

(ii) identifies policies and procedures that could be incorporated by the Administration in furtherance of achieving the Administration's published goal for such contracting; and

(3) a status report on the implementation of the action plan that was developed in the preceding fiscal year in accordance with paragraph (2)(B), if such a plan was required.

(Pub. L. 107-296, title XVI, §1615, as added Pub. L. 113-245, §3(a), Dec. 18, 2014, 128 Stat. 2876.)

§ 563e. Consistency with the Federal Acquisition Regulation and departmental policies and directives

The Administrator shall execute the responsibilities set forth in this part in a manner consistent with, and not duplicative of, the Federal Acquisition Regulation and the Department's policies and directives.

(Pub. L. 107-296, title XVI, §1616, as added Pub. L. 113-245, §3(a), Dec. 18, 2014, 128 Stat. 2877.)

SUBCHAPTER XIII—EMERGENCY COMMUNICATIONS**CODIFICATION**

This subchapter is comprised of title XVIII of Pub. L. 107-296, as added by Pub. L. 109-295, title VI, §671(b), Oct. 4, 2006, 120 Stat. 1433. Another title XVIII of Pub. L. 107-296 was renumbered title XIX and is classified to subchapter XIV (§591 et seq.) of this chapter.

§ 571. Office of Emergency Communications**(a) In general**

There is established in the Department an Office of Emergency Communications.

(b) Director

The head of the office shall be the Director for Emergency Communications. The Director shall report to the Assistant Secretary for Cybersecurity and Communications.

(c) Responsibilities

The Director for Emergency Communications shall—

(1) assist the Secretary in developing and implementing the program described in section 194(a)(1) of this title, except as provided in section 195 of this title;

(2) administer the Department's responsibilities and authorities relating to the SAFECOM Program, excluding elements related to research, development, testing, and evaluation and standards;

(3) administer the Department's responsibilities and authorities relating to the Integrated Wireless Network program;

(4) conduct extensive, nationwide outreach to support and promote the ability of emergency response providers and relevant government officials to continue to communicate in the event of natural disasters, acts of terrorism, and other man-made disasters;

(5) conduct extensive, nationwide outreach and foster the development of interoperable emergency communications capabilities by State, regional, local, and tribal governments and public safety agencies, and by regional consortia thereof;

(6) provide technical assistance to State, regional, local, and tribal government officials with respect to use of interoperable emergency communications capabilities;

(7) coordinate with the Regional Administrators regarding the activities of Regional