

AMENDMENT TO RULES COMMITTEE PRINT 119–**8****OFFERED BY MR. CUELLAR OF TEXAS**

At the appropriate place in subtitle F of title X, insert the following:

1 SEC. 10____. PILOT PROGRAM TO RAPIDLY PROTOTYPE, AC-
2 QUIRE, TEST, AND FIELD COVERED ITEMS ON
3 THE SOUTHWEST BORDER.

4 (a) PILOT PROGRAM ESTABLISHED.—The Secretary
5 of Defense, in coordination with the Secretary of Home-
6 land Security, may carry out a pilot program to rapidly
7 prototype, acquire, test, and field covered items on the
8 southwest border between the United States and Mexico.

9 (b) JOINT PROTOTYPING AND INTEROPERABILITY
10 TESTING.—Under the pilot program established by this
11 section, the Secretary of Defense may—

12 (1) use agile pathways to procure commercial
13 off-the-shelf-items (as defined in section 104 of title
14 41, United States Code), Government off-the-shelf
15 items, and nondevelopmental items (as defined in
16 section 3011 of title 10, United States Code); and

1 (2) enter interagency agreements with the Sec-
2 retary of Homeland Security for joint prototyping
3 and interoperability testing of covered items.

4 (c) TASK FORCE.—The Secretary of Defense shall es-
5 tablish a task force to be known as the “Interagency Ac-
6 quisition Task Force” for the following purposes:

7 (1) Identify offices or elements of the Depart-
8 ment of Defense and the Department of Homeland
9 Security and authorized State partners to carry out
10 the pilot program established by this section.

11 (2) Oversee selection of contractors and covered
12 items for the pilot program.

13 (3) Evaluate performance of such covered items
14 against pre-defined metrics and recommend whether
15 to continue, modify, or terminate activities under the
16 pilot program.

17 (4) Coordinate funding and procurement activi-
18 ties, including identification of accounts of the De-
19 partment of Defense, ways to cost-share with the
20 Department of Homeland Security, and the use of
21 interagency agreements necessary for acquisition,
22 sustainment, and transfer of covered items selected
23 for the pilot program.

24 (d) PARTNERSHIP.—The Interagency Acquisition
25 Task Force is encouraged to partner with State and local

1 government agencies, institutions of higher education (as
2 defined in section 101 of the Higher Education Act of
3 1965 (20 U.S.C. 1001)), federally funded research and de-
4 velopment centers, and regional border-serving organiza-
5 tions to design the pilot program established under this
6 section, to provide independent evaluation, training, tech-
7 nical assistance, and operational support, and to access
8 regional expertise and enhance interoperability with State
9 and local partners.

10 (e) VALIDATION AND TRANSFER.—

11 (1) VALIDATION.—Not later than 12 months
12 after selection of a covered item for the pilot pro-
13 gram, the Secretary of Defense shall ensure that
14 such covered item meets validation standards.

15 (2) TRANSFER.—Upon determining that a cov-
16 ered item meets validation standards, the Secretary
17 of Defense may transfer to the Secretary of Home-
18 land Security or authorized State partners covered
19 items described in subsection (a) pursuant to the ex-
20 cess personal property program under section 2576a
21 of title 10, United States Code.

22 (f) TERMINATION.—

23 (1) PILOT PROGRAM.—The authority to conduct
24 a pilot program under this section shall terminate

1 not later than 24 months after the date of the enact-
2 ment of this Act.

3 (2) TASK FORCE.—The Interagency Acquisition
4 Task Force under this section shall terminate not
5 later than 180 days after the date described in para-
6 graph (1).

7 (g) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, and annually for three years
9 thereafter, the Secretary of Defense, in coordination with
10 the Secretary of Homeland Security, shall submit to the
11 congressional defense committees a report on—

12 (1) covered items acquired;

13 (2) outcomes and key metrics of the pilot pro-
14 gram established under this section;

15 (3) timelines for acquisition and fielding of cov-
16 ered items selected for the pilot program;

17 (4) sustainment schedules;

18 (5) planned transfer timetables

19 (6) interoperability issues; and

20 (7) recommendations for—

21 (A) fielding such covered items, including
22 interoperability, sustainment, and training
23 measures required for fielding; and

24 (B) funding or other authorities needed to
25 expand production of such covered items.

1 (h) DEFINITIONS.—In this section:

2 (1) The term “agile pathway” means a procure-
3 ment conducted pursuant to the following authori-
4 ties:

5 (A) Section 4021 or 4022 of title 10,
6 United States Code.

7 (B) Section 3602 of title 10, United States
8 Code.

9 (C) As determined by the Interagency Ac-
10 quisition Task Force established by this section.

11 (2) The term “authorized State partner” means
12 a State or local government entity that has a written
13 authorization from, or has entered into memo-
14 randum of understanding with, the Secretary of De-
15 fense in coordination with the Secretary of Home-
16 land Security.

17 (3) The term “covered item” means an un-
18 manned aircraft system, a counter-UAS technology,
19 and a border-optimized sensor (including mobile
20 radar, multispectral/thermal imaging, RF direction-
21 finding, and unattended ground sensors).

22 (4) The term “validation standard” means a
23 certification by the Interagency Acquisition Task
24 Force established by this section or an independent

- 1 evaluator that a covered item meets operational per-
- 2 formance thresholds.

