

118TH CONGRESS
2D SESSION

H. R. 5528

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2024

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To require the Director of the Office of Management and Budget conduct a review to determine the impact of the lowest price technically acceptable source selection process on national security, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe and Smart Fed-
3 eral Purchasing Act”.

4 **SEC. 2. REVIEW TO DETERMINE THE IMPACT OF THE LOW-
5 EST PRICE TECHNICALLY ACCEPTABLE
6 SOURCE SELECTION PROCESS ON NATIONAL
7 SECURITY.**

8 (a) REVIEW.—The Director shall review the procure-
9 ment management practices of Defense and Civilian agen-
10 cies to determine whether the provisions of section
11 15.101–2 of the Federal Acquisition Regulation have cre-
12 ated any national security risk.

13 (b) REPORT.—Not later than 180 days after the en-
14 actment of this Act, the Director shall submit a report
15 on the results of the review under subsection (a) to—

16 (1) the Committee on Oversight and Account-
17 ability of the House of Representatives; and

18 (2) the Committee on Homeland Security and
19 Governmental Affairs of the Senate.

20 (c) DEFINITIONS.—In this section:

21 (1) DEFENSE AND CIVILIAN AGENCY.—The
22 term “Defense and Civilian agency” has the mean-
23 ing given the term “agency” in section 133 of title
24 41, United States Code.

