

Union Calendar No.

114TH CONGRESS
2^D SESSION

H. R. 4398

[Report No. 114-]

To amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2016

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on Homeland Security

FEBRUARY --, 2016

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

A BILL

To amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DHS Acquisition Doc-
5 umentation Integrity Act of 2016”.

6 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUISITION DOCUMENTATION.**

7
8 (a) IN GENERAL.—Title VII of the Homeland Secu-
9 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by
10 adding at the end the following:

11 **“SEC. 708. ACQUISITION DOCUMENTATION.**

12 “(a) IN GENERAL.—For each major acquisition pro-
13 gram, the Secretary, acting through the Under Secretary
14 for Management, shall require the head of a relevant com-
15 ponent or office to—

16 “(1) maintain acquisition documentation that is
17 complete, accurate, timely, and valid and that in-
18 cludes, at a minimum—

19 “(A) operational requirements that are
20 validated consistent with Departmental policy
21 and changes to those requirements, as appro-
22 priate;

23 “(B) a complete lifecycle cost estimate
24 with supporting documentation;

1 “(C) verification of the lifecycle cost esti-
2 mate against independent cost estimates, and
3 reconciliation of any differences;

4 “(D) a cost-benefit analysis with sup-
5 porting documentation; and

6 “(E) a schedule, including, as appropriate,
7 an integrated master schedule;

8 “(2) prepare cost estimates and schedules for
9 major acquisition programs, as required under sub-
10 paragraphs (B) and (E), in a manner consistent
11 with best practices as identified by the Comptroller
12 General of the United States; and

13 “(3) submit certain acquisition documentation
14 to the Secretary to produce an annual comprehen-
15 sive report on the status of departmental acquisi-
16 tions for submission to Congress.

17 “(b) WAIVER.—On a case-by-case basis, the Sec-
18 retary may waive the requirement under paragraph (3) of
19 subsection (a) for a fiscal year if either—

20 “(1) the program has not—

21 “(A) entered the full rate production phase
22 in the acquisition lifecycle;

23 “(B) had a reasonable cost estimate estab-
24 lished; and

1 “(C) had a system configuration defined
2 fully; or

3 “(2) the program does not meet the definition
4 of capital asset, as such term is defined by the Di-
5 rector of the Office of Management and Budget.

6 “(c) CONGRESSIONAL OVERSIGHT.—At the same
7 time the President’s budget is submitted for a fiscal year
8 under section 1105(a) of title 31, United States Code, the
9 Secretary shall make information available, as applicable,
10 to the Committee on Homeland Security of the House of
11 Representatives and the Committee on Homeland Security
12 and Governmental Affairs of the Senate information on
13 the requirement under subsection (a) in the prior fiscal
14 year that includes the following specific information re-
15 garding each program for which the Secretary has issued
16 a waiver under subsection (b):

17 “(1) The grounds for granting a waiver for that
18 program.

19 “(2) The projected cost of that program.

20 “(3) The proportion of a component’s or office’s
21 annual acquisition budget attributed to that pro-
22 gram, as available.

23 “(4) Information on the significance of the pro-
24 gram with respect to the component’s operations and
25 execution of its mission.

1 “(d) MAJOR ACQUISITION PROGRAM DEFINED.—In
2 this section, the term ‘major acquisition program’ means
3 a Department acquisition program that is estimated by
4 the Secretary to require an eventual total expenditure of
5 at least \$300,000,000 (based on fiscal year 2016 constant
6 dollars) over its lifecycle cost.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 in section 1(b) of the Homeland Security Act of 2002 (6
9 U.S.C. 101 et seq.) is amended by adding after the item
10 related to section 707 the following new item:

“Sec. 708. Acquisition documentation.”.