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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R. 3572

To amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McCAUL (for himself and [see ATTACHED LIST of cosponsors]) introduced the following bill; which was referred to the Committee on

A BILL

To amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, 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; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “DHS Headquarters Reform and Improvement Act of
4 2015”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is the following:

Sec. 1. Short title; table of contents.

TITLE I—DEPARTMENT OF HOMELAND SECURITY
HEADQUARTERS REAUTHORIZATION

- Sec. 101. Definitions.
- Sec. 102. Headquarters components.
- Sec. 103. Chief Privacy Officer.
- Sec. 104. Office of Policy.
- Sec. 105. Quadrennial homeland security review.
- Sec. 106. Future years homeland security program.
- Sec. 107. Management and execution.
- Sec. 108. Chief Financial Officer.
- Sec. 109. Chief Procurement Officer.
- Sec. 110. Chief Information Officer.
- Sec. 111. Chief Human Capital Officer.
- Sec. 112. Chief Security Officer.
- Sec. 113. Cost savings and efficiency reviews.
- Sec. 114. Field efficiencies plan.

TITLE II—DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY

- Sec. 201. Definitions.
- Sec. 202. Prohibition on additional authorization of appropriations.

Subtitle A—Acquisition Authorities

- Sec. 211. Acquisition authorities for Under Secretary for Management.
- Sec. 212. Acquisition authorities for Chief Financial Officer.
- Sec. 213. Acquisition authorities for Chief Information Officer.
- Sec. 214. Requirements to ensure greater accountability for acquisition programs.

Subtitle B—Acquisition Program Management Discipline

- Sec. 221. Acquisition Review Board.
- Sec. 222. Requirements to reduce duplication in acquisition programs.
- Sec. 223. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.
- Sec. 224. Excluded Party List System waivers.
- Sec. 225. Inspector General oversight of suspension and debarment.

Subtitle C—Acquisition Program Management Accountability and
Transparency

Sec. 231. Congressional notification and other requirements for major acquisition program breach.

Sec. 232. Multiyear acquisition strategy.

Sec. 233. Acquisition reports.

Sec. 234. Government Accountability Office review of multiyear acquisition strategy.

Sec. 235. Office of Inspector General report.

1 **TITLE I—DEPARTMENT OF**
2 **HOMELAND SECURITY HEAD-**
3 **QUARTERS REAUTHORIZA-**
4 **TION**

5 **SEC. 101. DEFINITIONS.**

6 Section 2 of the Homeland Security Act of 2002 is
7 amended—

8 (1) by redesignating paragraphs (13) through
9 (17) as paragraphs (15) through (19);

10 (2) by redesignating paragraphs (9) through
11 (12) as paragraphs (10) through (13);

12 (3) by inserting after paragraph (8) the fol-
13 lowing:

14 “(9) The term ‘homeland security enterprise’
15 means relevant governmental and nongovernmental
16 entities involved in homeland security, including
17 Federal, State, local, and tribal government officials,
18 private sector representatives, academics, and other
19 policy experts.”; and

20 (4) by inserting after paragraph (13), as so re-
21 designated, the following:

1 “(14) The term ‘management integration and
2 transformation’—

3 “(A) means the development of consistent
4 and consolidated functions for information tech-
5 nology, financial management, acquisition man-
6 agement, and human capital management; and

7 “(B) includes governing processes and pro-
8 cedures, management systems, personnel activi-
9 ties, budget and resource planning, training,
10 real estate management, and provision of secu-
11 rity, as they relate to functions cited in sub-
12 paragraph (A).”.

13 **SEC. 102. HEADQUARTERS COMPONENTS.**

14 (a) IN GENERAL.—Section 102 of the Homeland Se-
15 curity Act of 2002 (6 U.S.C. 112) is amended—

16 (1) in subsection (c)—

17 (A) in the matter preceding paragraph (1),
18 by striking “through the Office of State and
19 Local Coordination (established under section
20 801)” and inserting “through the Office of
21 Partnership and Engagement”;

22 (B) in paragraph (2), by striking “and”
23 after the semicolon at the end;

24 (C) in paragraph (3), by striking the pe-
25 riod and inserting “; and”; and

1 (D) by adding at the end the following:

2 “(4) entering into agreements with governments
3 of other countries, in consultation with the Secretary
4 of State, and international nongovernmental organi-
5 zations in order to achieve the missions of the De-
6 partment.”; and

7 (2) by adding at the end the following:

8 “(h) HEADQUARTERS.—

9 “(1) COMPONENTS.—The Department Head-
10 quarters shall include the following:

11 “(A) The Office of the Secretary.

12 “(B) The Office of the Deputy Secretary.

13 “(C) The Executive Secretariat.

14 “(D) The Management Directorate, includ-
15 ing the Office of the Chief Financial Officer.

16 “(E) The Office of Policy.

17 “(F) The Office of General Counsel.

18 “(G) The Office of the Chief Privacy Offi-
19 cer.

20 “(H) The Office of Civil Rights and Civil
21 Liberties.

22 “(I) The Office of Operations and Coordi-
23 nation and Planning.

24 “(J) The Office of Intelligence and Anal-
25 ysis.

1 “(K) The Office of Legislative Affairs.

2 “(L) The Office of Public Affairs.

3 “(2) FUNCTIONS.—The Secretary, through the
4 Headquarters, shall—

5 “(A) establish the Department’s overall
6 strategy for successfully completing its mission;

7 “(B) establish initiatives that improve per-
8 formance Departmentwide;

9 “(C) establish mechanisms to ensure that
10 components of the Department comply with
11 Headquarters policies and fully implement the
12 Secretary’s strategies and initiatives;

13 “(D) establish annual operational and
14 management objectives to determine the De-
15 partment’s performance;

16 “(E) ensure that the Department success-
17 fully meets operational and management per-
18 formance objectives through conducting over-
19 sight of component agencies;

20 “(F) ensure that the strategies, priorities,
21 investments, and workforce of Department
22 agencies align with Department objectives;

23 “(G) establish and implement policies re-
24 lated to Department ethics and compliance
25 standards;

1 “(H) manage and encourage shared serv-
2 ices across Department components;

3 “(I) lead and coordinate interaction with
4 Congress and other external organizations;

5 “(J) carry out other such functions as the
6 Secretary determines are appropriate.”.

7 (b) **ABOLISHMENT OF DIRECTOR OF SHARED SERV-
8 ICES.—**

9 (1) **ABOLISHMENT.—**The position of Director of
10 Shared Services is abolished.

11 (2) **CONFORMING AMENDMENT.—**Section 475
12 of the Homeland Security Act of 2002 (6 U.S.C.
13 295), and the item relating to such section in the
14 table of contents in section 1(b) of such Act, are re-
15 pealed.

16 **SEC. 103. CHIEF PRIVACY OFFICER.**

17 (a) **IN GENERAL.—**Section 222 of the Homeland Se-
18 curity Act of 2002 (6 U.S.C. 142) is amended—

19 (1) in subsection (a)—

20 (A) in the matter preceding paragraph

21 (1)—

22 (i) by inserting “to be the Chief Pri-
23 vacy Officer of the Department,” after “in
24 the Department,”; and

1 (ii) by striking “, to assume” and in-
2 serting “and who shall have”;

3 (B) by amending paragraph (6) to read as
4 follows:

5 “(6) preparing a report to Congress on an an-
6 nual basis on—

7 “(A) activities of the Department that af-
8 fect privacy, including complaints of privacy
9 violations, implementation of section 554 of
10 title 5, United States Code (popularly known as
11 the Privacy Act of 1974), internal controls, and
12 other matters; and

13 “(B) the number of new technology pro-
14 grams implemented in the Department each fis-
15 cal year, the number of those programs that the
16 Chief Privacy Officer has evaluated to ensure
17 that privacy protections are considered and im-
18 plemented, the number of those programs that
19 effectively implemented privacy protections into
20 new technology programs, and an explanation
21 of why any new programs did not effectively im-
22 plement privacy protections.”;

23 (3) by redesignating subsections (b) through (e)
24 as subsections (c) through (f); and

1 (4) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) **ADDITIONAL RESPONSIBILITIES.**—In addition
4 to the responsibilities under subsection (a), the Chief Pri-
5 vacy Officer shall—

6 “(1) develop guidance to assist components of
7 the Department in developing privacy policies and
8 practices;

9 “(2) establish a mechanism to ensure such com-
10 ponents are in compliance with Federal, regulatory,
11 statutory, and the Department’s privacy require-
12 ments, mandates, directives, and policy;

13 “(3) work with the Chief Information Officer of
14 the Department to identify methods for managing
15 and overseeing the Department’s records, manage-
16 ment policies, and procedures;

17 “(4) work with components and offices of the
18 Department to ensure that information sharing ac-
19 tivities incorporate privacy protections;

20 “(5) serve as the Department’s central office
21 for managing and processing requests related to sec-
22 tion 552 of title 5, United States Code, popularly
23 known as the Freedom of Information Act;

1 “(6) develop public guidance on procedures to
2 be followed when making requests for information
3 under section 552 of title 5, United States Code;

4 “(7) oversee the management and processing of
5 requests for information under section 552 of title 5,
6 United States Code, within Department Head-
7 quarters and relevant Department component of-
8 fices;

9 “(8) identify and eliminate unnecessary and du-
10 plicative actions taken by the Department in the
11 course of processing requests for information under
12 section 552 of title 5, United States Code; and

13 “(9) carry out such other responsibilities as the
14 Secretary determines are appropriate, consistent
15 with this section.”; and

16 (5) by adding at the end the following:

17 “(g) REASSIGNMENT OF FUNCTIONS.—The Sec-
18 retary may reassign the functions related to managing and
19 processing requests for information under section 552 of
20 title 5, United States Code, to another officer within the
21 Department, consistent with requirements of that sec-
22 tion.”.

23 **SEC. 104. OFFICE OF POLICY.**

24 (a) IN GENERAL.—The Homeland Security Act of
25 2002 (6 U.S.C. 101 et seq.) is amended by—

1 (1) redesignating section 601 as section 890B,
2 and transferring that section to appear immediately
3 after section 890A; and

4 (2) striking the heading for title VI and insert-
5 ing the following:

6 **“TITLE VI—POLICY AND**
7 **PLANNING**

8 **“SEC. 601. OFFICE OF POLICY.**

9 “(a) ESTABLISHMENT OF OFFICE.—There shall be in
10 the Department an Office of Policy. The Office of Policy
11 shall be headed by an Under Secretary for Policy, who
12 shall be appointed by the President, by and with the advice
13 and consent of the Senate.

14 “(b) MISSION.—The mission of the Office of Policy
15 is to lead, conduct, and coordinate Departmentwide policy,
16 strategic planning, and relationships with organizations or
17 persons that are not part of the Department.

18 “(c) COMPONENTS OF OFFICE.—The Office of Policy
19 shall include the following components:

20 “(1) The Office of Partnership and Engage-
21 ment under section 602.

22 “(2) The Office of International Affairs under
23 section 603.

24 “(3) The Office of Policy Implementation under
25 section 604.

1 “(4) The Office of Strategy and Planning under
2 section 605.

3 “(d) RESPONSIBILITIES OF THE UNDER SEC-
4 RETARY.—Subject to the direction and control of the Sec-
5 retary, the Under Secretary for Policy shall—

6 “(1) serve as the principal policy advisor to the
7 Secretary;

8 “(2) coordinate with the Under Secretary for
9 Management and the General Counsel of the De-
10 partment to ensure that development of the Depart-
11 ment’s budget is compatible with the priorities, stra-
12 tegic plans, and policies established by the Sec-
13 retary, including those priorities identified through
14 the Quadrennial Homeland Security Review required
15 under section 707;

16 “(3) incorporate relevant feedback from, and
17 oversee and coordinate relationships with, organiza-
18 tions and other persons that are not part of the De-
19 partment to ensure effective communication of out-
20 side stakeholders’ perspectives to components of the
21 Department;

22 “(4) establish a process to ensure that organi-
23 zations and other persons that are not part of the
24 Department can communicate with Department
25 components without compromising adherence by the

1 officials of such components to the Department's
2 ethics and policies;

3 “(5) manage and coordinate the Department's
4 international engagement activities;

5 “(6) advise, inform, and assist the Secretary on
6 the impact of the Department's policy, processes,
7 and actions on State, local, tribal, and territorial
8 governments;

9 “(7) oversee the Department's engagement and
10 development of partnerships with nonprofit organiza-
11 tions and academic institutions;

12 “(8) administer the Homeland Security Advi-
13 sory Council and make studies available to the Com-
14 mittee on Homeland Security of the House of Rep-
15 resentatives and the Committee on Homeland Secu-
16 rity and Governmental Affairs of the Senate on an
17 annual basis; and

18 “(9) carry out such other responsibilities as the
19 Secretary determines are appropriate, consistent
20 with this section.

21 “(e) COORDINATION BY DEPARTMENT COMPO-
22 NENTS.—

23 “(1) IN GENERAL.—To ensure consistency with
24 the Secretary's policy priorities, the head of each
25 component of the Department shall coordinate with

1 the Office of Policy, as appropriate, in establishing
2 new policies or strategic planning guidance.

3 “(2) INTERNATIONAL ACTIVITIES.—

4 “(A) FOREIGN NEGOTIATIONS.—Each
5 component of the Department shall coordinate
6 with the Under Secretary for Policy plans and
7 efforts of the component before pursuing nego-
8 tiations with foreign governments, to ensure
9 consistency with the Department’s policy prior-
10 ities.

11 “(B) NOTICE OF INTERNATIONAL TRAVEL
12 BY SENIOR OFFICERS.—Each component of the
13 Department shall notify the Under Secretary
14 for Policy of the international travel of senior
15 officers of the Department.

16 “(f) ASSIGNMENT OF PERSONNEL.—The Secretary
17 shall assign to the Office of Policy permanent staff and,
18 as appropriate and consistent with sections 506(c)(2),
19 821, and 888(d), other appropriate personnel detailed
20 from other components of the Department to carry out
21 the responsibilities under this section.

22 **“SEC. 602. OFFICE OF PARTNERSHIP AND ENGAGEMENT.**

23 “(a) IN GENERAL.—There shall be in the Office of
24 Policy an Office of Partnership and Engagement.

1 “(b) HEAD OF OFFICE.—The Secretary shall appoint
2 an Assistant Secretary for Partnership and Engagement
3 to serve as the head of the Office.

4 “(c) RESPONSIBILITIES.—The Assistant Secretary
5 for Partnership and Engagement shall—

6 “(1) lead the coordination of Departmentwide
7 policies relating to the role of State and local law en-
8 forcement in preventing, preparing for, protecting
9 against, and responding to natural disasters, acts of
10 terrorism, and other man-made disasters within the
11 United States;

12 “(2) serve as a liaison between State, local, and
13 tribal law enforcement agencies and the Department,
14 including through consultation with such agencies
15 regarding Department programs that may impact
16 such agencies;

17 “(3) coordinate with the Office of Intelligence
18 and Analysis to certify the intelligence and informa-
19 tion sharing requirements of State, local, and tribal
20 law enforcement agencies are being addressed;

21 “(4) work with the Administrator to ensure
22 that law enforcement and terrorism-focused grants
23 to State, local, and tribal government agencies, in-
24 cluding grants under sections 2003 and 2004, the
25 Commercial Equipment Direct Assistance Program,

1 and other grants administered by the Department to
2 support fusion centers and law enforcement-oriented
3 programs, are appropriately focused on terrorism
4 prevention activities;

5 “(5) coordinate with the Science and Tech-
6 nology Directorate, the Federal Emergency Manage-
7 ment Agency, the Department of Justice, the Na-
8 tional Institute of Justice, law enforcement organiza-
9 tions, and other appropriate entities to support the
10 development, promulgation, and updating, as nec-
11 essary, of national voluntary consensus standards
12 for training and personal protective equipment to be
13 used in a tactical environment by law enforcement
14 officers;

15 “(6) create and foster strategic communications
16 with the private sector to enhance the primary mis-
17 sion of the Department to protect the American
18 homeland;

19 “(7) advise the Secretary on the impact of the
20 Department’s policies, regulations, processes, and
21 actions on the private sector;

22 “(8) interface with other relevant Federal agen-
23 cies with homeland security missions to assess the
24 impact of these agencies’ actions on the private sec-
25 tor;

1 “(9) create and manage private sector advisory
2 councils composed of representatives of industries
3 and associations designated by the Secretary to—

4 “(A) advise the Secretary on private sector
5 products, applications, and solutions as they re-
6 late to homeland security challenges;

7 “(B) advise the Secretary on homeland se-
8 curity policies, regulations, processes, and ac-
9 tions that affect the participating industries
10 and associations; and

11 “(C) advise the Secretary on private sector
12 preparedness issues, including effective methods
13 for—

14 “(i) promoting voluntary preparedness
15 standards to the private sector; and

16 “(ii) assisting the private sector in
17 adopting voluntary preparedness stand-
18 ards;

19 “(10) promote existing public-private partner-
20 ships and developing new public-private partnerships
21 to provide for collaboration and mutual support to
22 address homeland security challenges;

23 “(11) assist in the development and promotion
24 of private sector best practices to secure critical in-
25 frastructure;

1 “(12) provide information to the private sector
2 regarding voluntary preparedness standards and the
3 business justification for preparedness and pro-
4 moting to the private sector the adoption of vol-
5 untary preparedness standards;

6 “(13) coordinate industry efforts, with respect
7 to functions of the Department of Homeland Secu-
8 rity, to identify private sector resources and capabili-
9 ties that could be effective in supplementing Federal,
10 State, and local government agency efforts to pre-
11 vent or respond to a terrorist attack;

12 “(14) coordinate with the Commissioner of Cus-
13 toms and Border Protection and the appropriate
14 senior official of the Department of Commerce on
15 issues related to the travel and tourism industries;

16 “(15) coordinate the activities of the Depart-
17 ment relating to State and local government;

18 “(16) assess, and advocate for, the resources
19 needed by State and local governments to implement
20 the national strategy for combating terrorism;

21 “(17) provide State and local governments with
22 regular information, research, and technical support
23 to assist local efforts at securing the homeland;

24 “(18) develop a process for receiving meaning-
25 ful input from State and local governments to assist

1 the development of the national strategy for com-
2 bating terrorism and other homeland security activi-
3 ties; and

4 “(19) perform such other functions as are es-
5 tablished by law or delegated to such Assistant Sec-
6 retary by the Under Secretary for Policy.

7 **“SEC. 603. OFFICE OF INTERNATIONAL AFFAIRS.**

8 “(a) IN GENERAL.—There shall be in the Office of
9 Policy an Office of International Affairs.

10 “(b) HEAD OF OFFICE.—The Secretary shall appoint
11 an Assistant Secretary for International Affairs to serve
12 as the head of the Office and as the chief diplomatic offi-
13 cer of the Department.

14 “(c) FUNCTIONS.—

15 “(1) IN GENERAL.—The Assistant Secretary for
16 International Affairs shall—

17 “(A) coordinate international functions
18 within the Department, including functions car-
19 ried out by the components of the Department,
20 in consultation with other Federal officials with
21 responsibility for counterterrorism and home-
22 land security matters;

23 “(B) advise, inform, and assist the Sec-
24 retary, in consultation with overseas Depart-
25 ment personnel, on strategies, foreign policy

1 matters, and the Department's international
2 programs;

3 “(C) develop, in consultation with the
4 Under Secretary for Management, guidance for
5 selecting, assigning, training, and monitoring
6 overseas deployments of Department personnel,
7 including minimum standards for
8 predeployment training;

9 “(D) develop and update, in coordination
10 with all components of the Department engaged
11 in international activities, a strategic plan for
12 the international activities of the Department,
13 establish a process for managing its implemen-
14 tation, and monitor the ability of the Depart-
15 ment's components to comply with such a proc-
16 ess;

17 “(E) develop and distribute guidance on
18 Department policy priorities for overseas func-
19 tions to personnel deployed overseas, that, at a
20 minimum, sets forth the regional and national
21 priorities being advanced by their deployment;

22 “(F) maintain awareness regarding the
23 international travel of senior officers of the De-
24 partment and their intent to pursue negotia-

1 tions with foreign government officials, and re-
2 view resulting draft agreements;

3 “(G) develop, in consultation with the com-
4 ponents of the Department, including, as appro-
5 priate, with the Under Secretary for the Science
6 and Technology Directorate, programs to sup-
7 port the overseas programs conducted by the
8 Department, including training, technical as-
9 sistance, and equipment to ensure that Depart-
10 ment personnel deployed abroad have proper re-
11 sources and receive adequate and timely sup-
12 port;

13 “(H) conduct the exchange of homeland
14 security information, in consultation with the
15 Under Secretary of the Office of Intelligence
16 and Analysis, and best practices relating to
17 homeland security with foreign nations that, in
18 the determination of the Secretary, reciprocate
19 the sharing of such information in a substan-
20 tially similar manner;

21 “(I) submit information to the Under Sec-
22 retary for Policy for oversight purposes, includ-
23 ing preparation of the quadrennial homeland se-
24 curity review and on the status of overseas ac-
25 tivities, including training and technical assist-

1 ance and information exchange activities and
2 the Department's resources dedicated to these
3 activities;

4 “(J) promote, when appropriate, and over-
5 see the exchange of education, training, and in-
6 formation with nations friendly to the United
7 States in order to share best practices relating
8 to homeland security; and

9 “(K) perform such other functions as are
10 established by law or delegated by the Under
11 Secretary for Policy.

12 “(2) INVENTORY OF ASSETS DEPLOYED
13 ABROAD.—For each fiscal year, the Assistant Sec-
14 retary for International Affairs, in coordination with
15 the Under Secretary for Management, shall provide
16 to the Committee on Homeland Security of the
17 House of Representatives and the Committee on
18 Homeland Security and Governmental Affairs of the
19 Senate with the annual budget request for the De-
20 partment, an annual accounting of all assets of the
21 Department, including personnel, deployed outside
22 the United States on behalf of the Department.

23 “(3) EXCLUSIONS.—This subsection does not
24 apply to international activities related to the protec-
25 tive mission of the United States Secret Service, or

1 to the Coast Guard when operating under the direct
2 authority of the Secretary of Defense or the Sec-
3 retary of the Navy.

4 **“SEC. 604. OFFICE OF POLICY IMPLEMENTATION.**

5 “(a) IN GENERAL.—There shall be in the Office of
6 Policy an Office of Policy Implementation.

7 “(b) HEAD OF OFFICE.—The Secretary shall appoint
8 a Director of the Office of Policy Implementation to serve
9 as the head of the Office.

10 “(c) RESPONSIBILITIES.—The Director of the Office
11 of Policy Implementation shall lead, conduct, coordinate,
12 and provide overall direction and supervision of Depart-
13 mentwide policy development for the programs, offices,
14 and activities of the Department, in consultation with rel-
15 evant officials of the Department, to ensure quality, con-
16 sistency, and integration across the Department, as appro-
17 priate.

18 **“SEC. 605. OFFICE OF STRATEGY AND PLANNING.**

19 “(a) IN GENERAL.—There shall be in the Office of
20 Policy of the Department an Office of Strategy and Plan-
21 ning.

22 “(b) HEAD OF OFFICE.—The Secretary shall appoint
23 a Director of the Office of Strategy and Planning who
24 shall serve as the head of the Office.

1 “(c) RESPONSIBILITIES.—The Director of the Office
2 of Strategy and Planning shall—

3 “(1) lead and conduct long-term Department-
4 wide strategic planning, including the Quadrennial
5 Homeland Security Review and planning guidance
6 for the Department, and translate the Department’s
7 statutory responsibilities, strategic plans, and long-
8 term goals into risk-based policies and procedures
9 that improve operational effectiveness; and

10 “(2) develop strategies to address unconven-
11 tional threats to the homeland.”.

12 (b) CLERICAL AMENDMENT.—The table of contents
13 in section 1(b) of such Act is amended—

14 (1) by striking the items relating to title VI and
15 inserting the following:

“TITLE VI—POLICY AND PLANNING

“Sec. 601. Office of Policy.

“Sec. 602. Office of Partnership and Engagement.

“Sec. 603. Office of International Affairs.

“Sec. 604. Office of Policy Implementation.

“Sec. 605. Office of Strategy and Planning.”.

16 (2) by inserting after the item relating to sec-
17 tion 889, and inserting after the item relating sec-
18 tion 890A the following:

“Sec. 890B. Treatment of charitable trusts for members of the Armed Forces
of the United States and other governmental organizations.”.

19 (c) APPOINTMENT OF UNDER SECRETARY FOR POL-
20 ICY; CONTINUATION OF SERVICE OF ASSISTANT SEC-
21 RETARY.—

1 (1) TIME OF APPOINTMENT.—The President
2 may appoint an Under Secretary for Policy under
3 section 601 of the Homeland Security Act of 2002,
4 as amended by this Act, only on or after January
5 20, 2017.

6 (2) HEAD OF OFFICE PENDING APPOINT-
7 MENT.—The individual serving as the Assistant Sec-
8 retary for Policy of the Department of Homeland
9 Security on the date of the enactment of this Act,
10 or their successor, may continue to serve as an As-
11 sistant Secretary and as the head of the Office of
12 Policy established by such section, until the date on
13 which the Under Secretary for Policy is appointed
14 under such section in accordance with paragraph
15 (1).

16 (d) APPOINTMENT OF ASSISTANT SECRETARY FOR
17 INTERNATIONAL AFFAIRS; ABOLISHMENT OF EXISTING
18 OFFICE.—

19 (1) TIME OF APPOINTMENT.—The Secretary of
20 Homeland Security may appoint an Assistant Sec-
21 retary for International Affairs under section 602 of
22 the Homeland Security Act of 2002, as amended by
23 this Act, only on or after January 20, 2017.

24 (2) HEAD OF OFFICE PENDING APPOINT-
25 MENT.—The individual serving as the Assistant Sec-

1 retary for International Affairs of the Department of
2 Homeland Security on the date of the enactment of
3 this Act, or their successor, may continue to serve
4 as a Deputy Assistant Secretary and as the head of
5 the Office of International Affairs established by
6 such section, until the date the Under Secretary for
7 Policy is appointed under such section in accordance
8 with paragraph (1).

9 (3) ABOLISHMENT OF EXISTING OFFICE.—

10 (A) IN GENERAL.—The Office of Inter-
11 national Affairs within the Office of the Sec-
12 retary is abolished.

13 (B) TRANSFER OF ASSETS AND PER-
14 SONNEL.—The assets and personnel associated
15 with such Office are transferred to the head of
16 the Office of International Affairs provided for
17 by section 603 of the Homeland Security Act of
18 2002, as amended by this Act.

19 (C) CONFORMING AMENDMENT.—Sub-
20 section 879 of the Homeland Security Act of
21 2002 (6 U.S.C. 459), and the item relating to
22 such section in section 1(b) of such Act, are re-
23 pealed.

24 (e) ABOLISHMENT OF OFFICE FOR STATE AND
25 LOCAL LAW ENFORCEMENT.—

1 (1) IN GENERAL.—The Office for State and
2 Local Law Enforcement of the Department of
3 Homeland Security is abolished.

4 (2) TRANSFER OF FUNCTIONS, ASSETS, AND
5 PERSONNEL.—The functions authorized to be per-
6 formed by such office immediately before the enact-
7 ment of this Act, and the assets and personnel asso-
8 ciated with such functions, are transferred to the
9 head of the Office of Partnership and Engagement
10 provided for by section 602 of the Homeland Secu-
11 rity Act of 2002, as amended by this Act.

12 (3) CONFORMING AMENDMENT.—Subsection (b)
13 of section 2006 of the Homeland Security Act of
14 2002 (6 U.S.C. 607) is repealed.

15 (f) ABOLISHMENT OF OFFICE FOR STATE AND
16 LOCAL GOVERNMENT COORDINATION.—

17 (1) IN GENERAL.—The Office for State and
18 Local Government Coordination of the Department
19 of Homeland Security is abolished.

20 (2) TRANSFER OF FUNCTIONS AND ASSETS.—
21 The functions authorized to be performed by such
22 office immediately before the enactment of this Act,
23 and the assets and personnel associated with such
24 functions, are transferred to the head of Office of
25 Partnership and Engagement provided for by section

1 602 of the Homeland Security Act of 2002, as
2 amended by this Act.

3 (3) CONFORMING AMENDMENTS.—Section 801
4 of the Homeland Security Act of 2002 (6 U.S.C.
5 631), and the item relating to that section in the
6 table of contents in section 1(b) of such Act, are re-
7 pealed.

8 (g) ABOLISHMENT OF SPECIAL ASSISTANT TO THE
9 SECRETARY.—

10 (1) IN GENERAL.—The Special Assistant to the
11 Secretary authorized by section 102(f) of the Home-
12 land Security Act of 2002, as in effect immediately
13 before the enactment of this Act (6 U.S.C. 112(f)),
14 is abolished.

15 (2) TRANSFER OF FUNCTIONS AND ASSETS.—
16 The functions authorized to be performed by such
17 Special Assistant to the Secretary immediately be-
18 fore the enactment of this Act, and the assets and
19 personnel associated with such functions, are trans-
20 ferred to the head of the Office of Partnership and
21 Engagement provided for by section 602 of the
22 Homeland Security Act of 2002, as amended by this
23 Act.

1 (3) CONFORMING AMENDMENT.—Section 102(f)
2 of the Homeland Security Act of 2002 (6 U.S.C.
3 112(f)) is repealed.

4 (h) CONFORMING AMENDMENTS RELATING TO AS-
5 SISTANT SECRETARIES.—Section 103(a) of the Homeland
6 Security Act of 2002 (6 U.S.C. 113(a)) is amended—

7 (1) in paragraph (1), by striking subparagraph
8 (I) and redesignating subparagraph (J) as subpara-
9 graph (I); and

10 (2) by amending paragraph (2) to read as fol-
11 lows:

12 “(2) ASSISTANT SECRETARIES.—

13 “(A) ADVICE AND CONSENT APPOINT-
14 MENTS.—The Department shall have the fol-
15 lowing Assistant Secretaries appointed by the
16 President, by and with the advice and consent
17 of the Senate:

18 “(i) The Assistant Secretary, U.S.
19 Immigration and Customs Enforcement.

20 “(ii) The Assistant Secretary, Trans-
21 portation Security Administration.

22 “(B) OTHER PRESIDENTIAL APPOINT-
23 MENTS.—The Department shall have the fol-
24 lowing Assistant Secretaries appointed by the
25 President:

1 “(i) The Assistant Secretary, Infra-
2 structure Protection.

3 “(ii) The Assistant Secretary, Office
4 of Public Affairs.

5 “(iii) The Assistant Secretary, Office
6 of Legislative Affairs.

7 “(C) SECRETARIAL APPOINTMENTS.—The
8 Department shall have the following Assistant
9 Secretaries appointed by the Secretary:

10 “(i) The Assistant Secretary, Office of
11 Cybersecurity and Communications.

12 “(ii) The Assistant Secretary for
13 International Affairs under section 602.

14 “(iii) The Assistant Secretary for
15 Partnership and Engagement under sec-
16 tion 603.

17 “(D) LIMITATION ON CREATION OF POSI-
18 TIONS.—No Assistant Secretary position may
19 be created in addition to the positions provided
20 for by this section unless such position is au-
21 thorized by a statute enacted after the date of
22 the enactment of the DHS Headquarters Re-
23 form and Improvement Act of 2015.”.

24 (i) HOMELAND SECURITY ADVISORY COUNCIL.—Sec-
25 tion 102(b) of the Homeland Security Act of 2002 (6

1 U.S.C. 112(b)) is amended by striking “and” after the
2 semicolon at the end of paragraph (2), striking the period
3 at the end of paragraph (3) and inserting “; and”, and
4 adding at the end the following:

5 “(4) shall establish a Homeland Security Advi-
6 sory Council to provide advice and recommendations
7 on homeland-security-related matters.”.

8 (j) PROHIBITION ON NEW OFFICES.—No new office
9 may be created to perform functions transferred by this
10 section, other than as provided in section 601 of the
11 Homeland Security Act of 2002, as amended by this Act.

12 (k) DEFINITIONS.—In this section each of the terms
13 “functions”, “assets”, and “personnel” has the meaning
14 that term has under section 2 of the Homeland Security
15 Act of 2002 (6 U.S.C. 101).

16 (l) DUPLICATION REVIEW.—The Secretary of Home-
17 land Security shall—

18 (1) within 1 year after the date of the enact-
19 ment of this Act, complete a review of the inter-
20 national affairs offices, functions, and responsibil-
21 ities of the components of the Department of Home-
22 land Security, to identify and eliminate areas of un-
23 necessary duplication; and

24 (2) within 30 days after the completion of such
25 review, provide the results of the review to the Com-

1 committee on Homeland Security of the House of Rep-
2 resentatives and the Committee on Homeland Secu-
3 rity and Governmental Affairs of the Senate.

4 **SEC. 105. QUADRENNIAL HOMELAND SECURITY REVIEW.**

5 Section 707 of the Homeland Security Act of 2002
6 (6 U.S.C. 347) is amended—

7 (1) in subsection (a)—

8 (A) by amending paragraph (1) to read as
9 follows:

10 “(1) REVIEW REQUIRED.—In fiscal year 2017,
11 and every 4 years thereafter, the Secretary shall
12 conduct a review of the homeland security of the Na-
13 tion (in this section referred to as a ‘quadrennial
14 homeland security review’). Such review shall be con-
15 ducted so that it is completed, and the report under
16 subsection (c) is issued, by no later than December
17 31, 2017, and by December 31 of every fourth year
18 thereafter.”; and

19 (B) in paragraph (3) by striking “The Sec-
20 retary shall conduct each quadrennial homeland
21 security review under this subsection in con-
22 sultation with” and inserting “In order to en-
23 sure that each quadrennial homeland security
24 review conducted under this section is coordi-
25 nated with the quadrennial defense review con-

1 ducted by the Secretary of Defense under sec-
2 tion 118 of title 10, United States Code, and
3 any other major strategic review relating to di-
4 plomacy, intelligence, or other national security
5 issues, the Secretary shall conduct and obtain
6 information and feedback from entities of the
7 homeland security enterprise through”;

8 (2) in subsection (b)—

9 (A) in paragraph (5), by striking “and”
10 after the semicolon at the end;

11 (B) in paragraph (6), by striking the pe-
12 riod and inserting “; and”; and

13 (C) by adding after paragraph (6) the fol-
14 lowing:

15 “(7) leverage analytical tools and resources de-
16 veloped as part of the quadrennial homeland security
17 review to support the Department’s ongoing pro-
18 grams and missions.”;

19 (3) in subsection (c)(2)—

20 (A) by striking “and” after the semicolon
21 at the end of subparagraph (H);

22 (B) by redesignating subparagraph (I) as
23 subparagraph (L); and

24 (C) by inserting after subparagraph (H)
25 the following:

1 “(I) a description of how the conclusions
2 under the quadrennial homeland security review
3 will inform efforts to develop capabilities and
4 build capacity of States, local governments, In-
5 dian tribes, and private entities, and of individ-
6 uals, families, and communities;

7 “(J) as appropriate, proposed changes to
8 the authorities, organization, governance struc-
9 ture, or business processes (including acquisi-
10 tion processes) of the Department in order to
11 better fulfill responsibilities of the Department;
12 and

13 “(K) where appropriate, a classified annex,
14 including materials prepared pursuant to sec-
15 tion 306 of title 5, relating to the preparation
16 of an agency strategic plan, to satisfy, in whole
17 or in part, the reporting requirements of this
18 paragraph.”.

19 **SEC. 106. FUTURE YEARS HOMELAND SECURITY PROGRAM.**

20 Section 874 of the Homeland Security Act of 2002
21 (6 U.S.C. 454) is amended—

22 (1) by amending subsection (a) to read as fol-
23 lows:

24 “(a) IN GENERAL.—Not later than the 30 days fol-
25 lowing the date of each fiscal year on which the budget

1 of the President is submitted to Congress under section
2 1105(a) of title 31, United States Code, the Secretary
3 shall submit to the Committee on Homeland Security of
4 the House of Representatives and the Committee on
5 Homeland Security and Governmental Affairs of the Sen-
6 ate a Future Years Homeland Security Program that pro-
7 vides detailed estimates of the projected expenditures and
8 corresponding requests for appropriations included in that
9 budget. The Future Years Homeland Security Program
10 shall cover the fiscal year for which the budget is sub-
11 mitted and the 4 succeeding fiscal years.”; and

12 (2) by adding at the end the following:

13 “(d) CONSISTENCY OF BUDGET REQUEST WITH ES-
14 TIMATES.—For each fiscal year, the Secretary shall ensure
15 that the projected amounts specified in program and
16 budget information for the Department submitted to Con-
17 gress in support of the President’s budget request are con-
18 sistent with the estimated expenditures and proposed ap-
19 propriations necessary to support the programs, projects,
20 and activities of the Department included in the budget
21 pursuant to section 1105(a)(5) of title 31, United States
22 Code.

23 “(e) EXPLANATION OF ALIGNMENT WITH STRATE-
24 GIES AND PLANS.—Together with the detailed estimates
25 of the projected expenditures and corresponding requests

1 for appropriations submitted for the Future Years Home-
2 land Security Program, the Secretary shall provide an ex-
3 planation of how those estimates and requests align with
4 the homeland security strategies and plans developed and
5 updated as appropriate by the Secretary. Such explanation
6 shall include an evaluation of the organization, organiza-
7 tional structure, governance structure, and business proc-
8 esses (including acquisition processes) of the Department,
9 to ensure that the Department is able to meet its respon-
10 sibilities.

11 “(f) PROJECTION OF ACQUISITION ESTIMATES.—
12 Each Future Years Homeland Security Program shall
13 project—

14 “(1) acquisition estimates for a period of 5 fis-
15 cal years, with specified estimates for each fiscal
16 year, for major acquisition programs by the Depart-
17 ment and each component therein, including mod-
18 ernization and sustainment expenses; and

19 “(2) estimated annual deployment schedules for
20 major acquisition programs over the 5-fiscal-year pe-
21 riod.

22 “(g) CONTINGENCY AMOUNTS.—Nothing in this sec-
23 tion shall be construed as prohibiting the inclusion in the
24 Future Years Homeland Security Program of amounts for

1 management contingencies, subject to the requirements of
2 subsection (b).

3 “(h) CLASSIFIED OR SENSITIVE ANNEX.—The Sec-
4 retary may include with each submission under this sec-
5 tion a classified or sensitive annex containing any informa-
6 tion required to be submitted under this section that is
7 restricted from public disclosure in accordance with Fed-
8 eral law, including information that is determined to be
9 Sensitive Security Information under section 537 of the
10 Department of Homeland Security Appropriations Act,
11 2006 (6 U.S.C. 114) to Congress in a classified or sen-
12 sitive annex.

13 “(i) AVAILABILITY OF INFORMATION TO THE PUB-
14 LIC.—The Secretary shall make available to the public in
15 electronic form the information required to be submitted
16 to Congress under this section, other than information de-
17 scribed in subsection (h).”.

18 **SEC. 107. MANAGEMENT AND EXECUTION.**

19 Section 701 of the Homeland Security Act of 2002
20 (6 U.S.C. 341) is amended by redesignating subsections
21 (c) and (d) as subsection (e) and (f), respectively, and by
22 striking subsections (a) and (b) and inserting the fol-
23 lowing:

1 “(a) IN GENERAL.—Subject to the direction and con-
2 trol of the Secretary, the Under Secretary for Manage-
3 ment shall serve as the following:

4 “(1) The Chief Management Officer for all mat-
5 ters related to the management and administration
6 of the Department in support of homeland security
7 operations and programs. With regard to the man-
8 agement functions for which the Under Secretary
9 has responsibility by law or by direction of the Sec-
10 retary, the Under Secretary for Management takes
11 precedence in the Department after the Secretary
12 and the Deputy Secretary of Homeland Security.

13 “(2) The senior official with the authority to
14 administer, implement, and direct management inte-
15 gration and transformation across functional dis-
16 ciplines of the Department, including—

17 “(A) information technology, financial
18 management, acquisition management, and
19 human capital management of the Department
20 to improve program efficiency and effectiveness;

21 “(B) ensure compliance with laws, rules,
22 regulations, and the Department’s policies;

23 “(C) conduct regular oversight; and

24 “(D) prevent unnecessary duplication of
25 programs in the Department.

1 “(b) RESPONSIBILITIES.—In addition to responsibil-
2 ities designated by the Secretary or otherwise established
3 by law, the Under Secretary for Management shall be re-
4 sponsible for performing, or delegating responsibility for
5 performing, the following activities of the Department:

6 “(1) Development of the budget, management
7 of appropriations, expenditures of funds, accounting,
8 and finance.

9 “(2) Acquisition and procurement activities
10 under section 701(d).

11 “(3) Human resources and personnel.

12 “(4) Information technology and communica-
13 tion systems, in consultation with the Under Sec-
14 retary for Intelligence and Analysis, as appropriate.

15 “(5) Facilities, property, equipment, and other
16 material resources.

17 “(6) Real property and personal property.

18 “(7) Security for personnel, information tech-
19 nology and communications systems, facilities, prop-
20 erty, equipment, and other material resources.

21 “(8) Strategic management planning, annual
22 performance planning, and identification and track-
23 ing of performance measures relating to the respon-
24 sibilities of the Department, including such respon-

1 sibilities under section 306 of title 5, United States
2 Code.

3 “(9) Oversight of grants and other assistance
4 management programs to ensure proper administra-
5 tion.

6 “(10) Management integration and trans-
7 formation within each functional management dis-
8 cipline of the Department, including information
9 technology, financial management, acquisition man-
10 agement, and human capital management, and the
11 transition process, to ensure an efficient and orderly
12 consolidation of functions and personnel in the De-
13 partment and transition, including the—

14 “(A) development of coordinated data
15 sources and connectivity of information systems
16 to the greatest extent practical to enhance pro-
17 gram visibility and transparency;

18 “(B) development of standardized, auto-
19 mated, and real-time management information
20 to uniformly manage and oversee programs,
21 and make informed decisions to improve the ef-
22 ficiency of the Department;

23 “(C) development of effective program
24 management and regular oversight mechanisms,
25 including clear roles and processes for program

1 governance, sharing of best practices, and ac-
2 cess to timely, reliable, and analyzed data on all
3 acquisitions and investments;

4 “(D) implementation of mechanisms to
5 promote accountability for management integra-
6 tion among Department and component chief
7 officers;

8 “(E) integration of financial management
9 systems within and across the Department to
10 ensure financial transparency, support daily
11 operational and financial decisionmaking, and
12 maintain consecutive unqualified opinions for
13 all financial statements, including the responsi-
14 bility to review, approve, and oversee the plan-
15 ning, design, acquisition, deployment, operation,
16 maintenance, and modernization of business
17 systems;

18 “(F) integration of human resource man-
19 agement systems within and across the Depart-
20 ment to track and record information (including
21 attrition rates, knowledge, skills, and abilities
22 critical for workforce planning, identifying cur-
23 rent and future human capital needs, including
24 recruitment efforts and improving employee mo-
25 rale), including the responsibility to review, ap-

1 prove, and oversee the planning, design, acquisi-
2 tion, deployment, operation, maintenance, and
3 modernization of business systems;

4 “(G) development of a management inte-
5 gration strategy for the Department and its
6 components to be submitted annually with the
7 President’s budget to ensure that management
8 of the Department is strengthened in the areas
9 of human capital, acquisition, information tech-
10 nology, and financial management, which shall
11 include—

12 “(i) short- and long-term objectives to
13 effectively guide implementation of inter-
14 operable business systems solutions;

15 “(ii) issuance of guidance and action
16 plans with dates, specific actions, and costs
17 for implementing management integration
18 and transformation of common functional
19 disciplines across the Department and its
20 components;

21 “(iii) specific operational and tactical
22 goals, activities, and timelines needed to
23 accomplish the integration effort;

24 “(iv) performance measures to mon-
25 itor and validate corrective measures;

1 “(v) efforts to identify resources need-
2 ed to achieve key actions and outcomes;

3 “(vi) other issues impeding manage-
4 ment integration;

5 “(vii) reporting to the Government
6 Accountability Office twice annually to
7 demonstrate measurable, sustainable
8 progress made in implementing the De-
9 partment’s corrective action plans and
10 achieving key outcomes, including regard-
11 ing—

12 “(I) leadership commitment;

13 “(II) capacity building; and

14 “(III) continuous monitoring to
15 address Government Accountability
16 Office designations of programs at
17 high risk for waste, fraud, and abuse,
18 including with respect to strength-
19 ening management functions;

20 “(viii) review and approve any major
21 update to the Department’s strategy re-
22 lated to management integration and
23 transformation across functional disciplines
24 and lines of business, including any busi-
25 ness systems modernization plans to maxi-

1 mize benefits and minimize costs for the
2 Department; and

3 “(ix) before December 1 of each year
4 in which a Presidential election is held, the
5 development of a transition and succession
6 plan to guide the transition of Department
7 functions to a new Presidential administra-
8 tion, and making such plan available to the
9 next Secretary and Under Secretary for
10 Management and to the homeland security
11 congressional committees.

12 “(H) Oversight, including the conduct of
13 internal audits and management analyses, of
14 the programs and activities of the Department.
15 Such supervision includes establishing oversight
16 procedures to ensure a full and effective review
17 of the efforts by Department components to im-
18 plement policies and procedures of the Depart-
19 ment for management integration and trans-
20 formation.

21 “(I) Any other management duties that
22 the Secretary may designate.”.

23 **SEC. 108. CHIEF FINANCIAL OFFICER.**

24 Section 702 of the Homeland Security Act of 2002
25 (6 U.S.C. 341) is amended by redesignating subsections

1 (b) and (c) as subsections (c) and (d), respectively, and
2 by inserting after subsection (a) the following:

3 “(b) RESPONSIBILITIES.—Notwithstanding sections
4 901 and 1122 of title 31, United States Code, the Chief
5 Financial Officer, in consultation with the Under Sec-
6 retary for Management and the Under Secretary for Intel-
7 ligence and Analysis, as appropriate, shall—

8 “(1) lead cost-estimating practices for the De-
9 partment, including the development of the Depart-
10 ment’s policy on cost estimating and approval of life
11 cycle cost estimates;

12 “(2) oversee coordination with the Office of Pol-
13 icy on the Department’s long-term strategic plan-
14 ning to ensure that the development of the Depart-
15 ment’s budget is compatible with the priorities, stra-
16 tegic plans, and policies established by the Sec-
17 retary;

18 “(3) develop and oversee the Department’s fi-
19 nancial management policy;

20 “(4) provide guidance for and over financial
21 system modernization efforts throughout the Depart-
22 ment;

23 “(5) establish effective internal controls over fi-
24 nancial reporting systems and processes throughout
25 the Department;

1 “(6) lead assessments of internal controls re-
2 lated to the Department’s financial management sys-
3 tems and review financial processes to ensure that
4 internal controls are designed properly and operate
5 effectively;

6 “(7) lead the Department’s efforts related to fi-
7 nancial oversight, including identifying ways to
8 streamline and standardize business processes;

9 “(8) lead and provide guidance on performance-
10 based budgeting practices for the Department to en-
11 sure that the Department and its components are
12 meeting missions and goals;

13 “(9) ensure that Department components’ sen-
14 ior financial officers certify that their major acquisi-
15 tion programs have adequate resources to execute
16 their programs through the 5-year future years
17 homeland security program period, so that the De-
18 partment’s funding requirements for major acquisi-
19 tion programs match expected resources;

20 “(10) ensure that components identify and re-
21 port all expected costs of acquisition programs to the
22 Chief Financial Officer of the Department;

23 “(11) oversee Department budget formulation
24 and execution; and

1 “(12) fully implement a common accounting
2 structure to be used across the entire Department
3 by fiscal year 2019.”.

4 **SEC. 109. CHIEF PROCUREMENT OFFICER.**

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

8 **“SEC. 708. CHIEF PROCUREMENT OFFICER.**

9 “(a) IN GENERAL.—There is a Chief Procurement
10 Officer of the Department, who shall report directly to the
11 Under Secretary for Management. The Chief Procurement
12 Officer is the senior procurement executive for purposes
13 of section 1702(c) of title 41 United States Code, and
14 shall perform procurement functions as specified in such
15 section. The Chief Procurement Officer also shall perform
16 other functions and responsibilities set forth in this section
17 and as may be assigned by the Under Secretary for Man-
18 agement.

19 “(b) RESPONSIBILITIES.—The Chief Procurement
20 Officer shall—

21 “(1) exercise leadership and authority to the ex-
22 tent delegated by the Under Secretary for Manage-
23 ment over the Department procurement function;

24 “(2) issue procurement policies, and shall serve
25 as a senior business advisor to agency officials on

1 acquisition-related matters, including policy and
2 workforce matters, as determined by the Under Sec-
3 retary for Management;

4 “(3) account for the integrity, performance, and
5 oversight of Department procurement and con-
6 tracting functions and be responsible for ensuring
7 that a procurement’s contracting strategy and plans
8 are consistent with the intent and direction of the
9 Acquisition Review Board;

10 “(4) serve as the Department’s main liaison to
11 industry on procurement-related issues;

12 “(5) oversee a centralized certification and
13 training program, in consultation with the Under
14 Secretary for Management, for the entire Depart-
15 ment acquisition workforce while using, to the great-
16 est extent practicable, best practices and acquisitions
17 training opportunities already in existence within the
18 Federal Government, the private sector, or univer-
19 sities and colleges, as appropriate, and including
20 training on how best to identify actions that warrant
21 referrals for suspension or debarment;

22 “(6) delegate or retain contracting authority, as
23 appropriate;

1 “(7) provide input on the periodic performance
2 reviews of each head of contracting activity of the
3 Department;

4 “(8) collect baseline data and establish perform-
5 ance measures on the impact of strategic sourcing
6 initiatives on the private sector, including, in par-
7 ticular, small businesses; and

8 “(9) ensure that a fair proportion (as defined
9 pursuant to the Small Business Act (15 U.S.C. 631
10 et seq.)) of Federal contract and subcontract dollars
11 are awarded to small businesses, maximize opportu-
12 nities for small business participation, and ensure, to
13 the extent practicable, small businesses that achieve
14 qualified vendor status for security-related tech-
15 nologies are provided an opportunity to compete for
16 contracts for such technology.

17 “(c) HEAD OF CONTRACTING ACTIVITY DEFINED.—
18 In this section the term ‘head of contracting activity’
19 means each official responsible for the creation, manage-
20 ment, and oversight of a team of procurement profes-
21 sionals properly trained, certified, and warranted to ac-
22 complish the acquisition of products and services on behalf
23 of the designated components, offices, and organizations
24 of the Department, and as authorized, other government
25 entities.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is further amended by adding
3 at the end of the items relating to such title the following:

“Sec. 708. Chief Procurement Officer.”.

4 **SEC. 110. CHIEF INFORMATION OFFICER.**

5 (a) IN GENERAL.—Section 703 of the Homeland Se-
6 curity Act of 2002 (6 U.S.C. 343) is amended—

7 (1) in subsection (a), by adding at the end the
8 following: “In addition to the functions under sec-
9 tion 3506(a)(2) of title 44, United States Code, the
10 Chief Information Officer shall perform the func-
11 tions set forth in this section and such other func-
12 tions as may be assigned by the Secretary.”;

13 (2) by redesignating subsection (b) as sub-
14 section (e); and

15 (3) by inserting after subsection (a) the fol-
16 lowing:

17 “(b) RESPONSIBILITIES.—In addition to the func-
18 tions under section 3506 of title 44, United States Code,
19 the Chief Information Officer, in consultation with the
20 Under Secretary for Management, shall—

21 “(1) advise and assist the Secretary, heads of
22 the components of the Department, and other senior
23 officers in carrying out the responsibilities of the
24 Department for all activities relating to the budgets,

1 programs, and operations of the information tech-
2 nology functions of the Department;

3 “(2) to the extent delegated by the Secretary—

4 “(A) exercise leadership and authority over
5 Department information technology manage-
6 ment;

7 “(B) establish the information technology
8 priorities, policies, processes, standards, guide-
9 lines, and procedures of the Department to en-
10 sure interoperability and standardization of in-
11 formation technology;

12 “(3) serve as the lead technical authority for in-
13 formation technology programs;

14 “(4) maintain a consolidated inventory of the
15 Department’s mission critical and mission essential
16 information systems, and develop and maintain con-
17 tingency plans for responding to a disruption in the
18 operation of any of those information systems;

19 “(5) maintain the security, visibility, reliability,
20 integrity, and availability of data and information
21 technology of the Department including the security
22 of the Homeland Security Data Network;

23 “(6) in coordination with relevant officials of
24 the Department, ensure that the Department is in

1 compliance with subchapter II of chapter 35 of title
2 44, United States Code;

3 “(7) establish policies and procedures to effec-
4 tively monitor and manage vulnerabilities in the sup-
5 ply chain for purchases of information technology;

6 “(8) in coordination with relevant officials of
7 the Department, ensure Department compliance
8 with Homeland Security Presidential Directive 12;

9 “(9) in coordination with relevant officials of
10 the Department, ensure that information technology
11 systems of the Department meet the standards es-
12 tablished under the information sharing environ-
13 ment, as defined in section 1016 of the Intelligence
14 Reform and Terrorism Prevention Act of 2004 (6
15 U.S.C. 485);

16 “(10) develop measures to monitor the perform-
17 ance of Department components’ use and implemen-
18 tation of information technology systems and con-
19 sistently monitor such performance to ensure that
20 such systems are used effectively;

21 “(11) ensure that Department components re-
22 port to the Chief Information Officer of the Depart-
23 ment a complete inventory of information systems
24 and fully adhere to Department guidance related to
25 information technology;

1 “(12) carry out any other responsibilities dele-
2 gated by the Secretary consistent with an effective
3 information system management function; and

4 “(13) carry out authorities over Department in-
5 formation technology consistent with section 113419
6 of title 40, United States Code.

7 “(c) STRATEGIC PLANS.—In coordination with the
8 Chief Financial Officer, the Chief Information Officer
9 shall develop an information technology strategic plan
10 every 5 years and report to the Committee on Homeland
11 Security of the House of Representatives and the Com-
12 mittee on Homeland Security and Governmental Affairs
13 of the Senate on—

14 “(1) how the information technology strategic
15 plans developed under this subsection are used to
16 help inform the Department’s budget process;

17 “(2) how the Department’s budget aligns with
18 priorities specified in the information technology
19 strategic plans;

20 “(3) in cases in which it is not possible to fund
21 all information technology strategic plan activities
22 for a given fiscal year, the rationale as to why cer-
23 tain activities are not being funded in lieu of higher
24 priorities;

1 “(4) what decisionmaking process was used to
2 arrive at these priorities and the role of Department
3 components in that process; and

4 “(5) examine the extent to which unnecessary
5 duplicate information technology within and across
6 the components of the Department has been elimi-
7 nated.

8 “(d) SOFTWARE LICENSING.—

9 “(1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of the DHS Head-
11 quarters Reauthorization Act of 2015, and every 2
12 years thereafter, the Chief Information Officer, in
13 consultation with Department component chief infor-
14 mation officers, shall—

15 “(A) conduct a Departmentwide inventory
16 of all existing software licenses held by the De-
17 partment, including utilized and unutilized li-
18 censes;

19 “(B) assess the needs of the Department
20 and the components of the Department for soft-
21 ware licenses for the subsequent 2 fiscal years;

22 “(C) examine how the Department can
23 achieve the greatest possible economies of scale
24 and cost savings in the procurement of software
25 licenses;

1 “(D) determine how the use of shared
2 cloud-computing services will impact the needs
3 for software licenses for the subsequent 2 fiscal
4 years; and

5 “(E) establish plans and estimated costs
6 for eliminating unutilized software licenses for
7 the subsequent 2 fiscal years.

8 “(2) EXCESS SOFTWARE LICENSING.—

9 “(A) PLAN TO REDUCE SOFTWARE LI-
10 CENSES.—If the Chief Information Officer de-
11 termines through the inventory conducted under
12 paragraph (1) that the number of software li-
13 censes held by the Department and the compo-
14 nents of the Department exceed the needs of
15 the Department as assessed under paragraph
16 (1), the Secretary, not later than 90 days after
17 the date on which the inventory is completed,
18 shall establish a plan for bringing the number
19 of such software licenses into balance with such
20 needs of the Department.

21 “(B) PROHIBITION ON PROCUREMENT OF
22 NEW SOFTWARE LICENSES.—

23 “(i) IN GENERAL.—Except as pro-
24 vided in clause (ii), upon completion of a
25 plan established under paragraph (1), no

1 additional resources may be obligated for
2 the procurement of new software licenses
3 for the Department until such time as the
4 need of the Department exceeds the num-
5 ber of used and unused licenses held by the
6 Department.

7 “(ii) EXCEPTION.—The Chief Infor-
8 mation Officer may authorize the purchase
9 of additional licenses and amend the num-
10 ber of needed licenses as necessary.

11 “(3) GAO REVIEW.—The Comptroller General
12 of the United States shall review the inventory con-
13 ducted under paragraph (1)(A) and the plan estab-
14 lished under paragraph (2)(A).

15 “(4) SUBMISSION TO CONGRESS.—The Chief
16 Information Officer shall submit a copy of each in-
17 ventory conducted under paragraph (1)(A) and each
18 plan established under paragraph (2)(A) to the
19 Committee on Homeland Security of the House of
20 Representatives and the Committee on Homeland
21 Security and Governmental Affairs of the Senate.”.

22 (b) COMPLETION OF FIRST DEFINITION OF CAPA-
23 BILITIES.—The Chief Information Officer shall complete
24 the first implementation of section 701(c) of the Home-
25 land Security Act of 2002, as amended by this section,

1 by not later than 1 year after the date of the enactment
2 of this Act.

3 **SEC. 111. CHIEF HUMAN CAPITAL OFFICER.**

4 Section 704 of the Homeland Security Act of 2002
5 (6 U.S.C. 343) is amended to read as follows:

6 **“SEC. 704. CHIEF HUMAN CAPITAL OFFICER.**

7 “(a) IN GENERAL.—There is a Chief Human Capital
8 Officer of the Department who shall report directly to the
9 Under Secretary of Management.

10 “(b) RESPONSIBILITIES.—The Chief Human Capital
11 Officer shall—

12 “(1) develop and implement strategic workforce
13 planning efforts that are consistent with Govern-
14 mentwide leading principles, and that are in line
15 with Department strategic human capital goals and
16 priorities;

17 “(2) develop performance measures to provide a
18 basis for monitoring and evaluating Departmentwide
19 strategic workforce planning efforts;

20 “(3) develop strategies to recruit, hire, and
21 train the Department workforce;

22 “(4) work with the component heads to identify
23 methods for managing and overseeing human capital
24 programs and initiatives;

1 “(5) develop a career path framework, and cre-
2 ate opportunities for leader development;

3 “(6) serve as the Department’s central office
4 for managing employee resources, including training
5 and development opportunities;

6 “(7) coordinate the Department’s human re-
7 source management system;

8 “(8) conduct efficiency reviews to determine if
9 components are implementing human capital pro-
10 grams and initiatives; and

11 “(9) identify and eliminate unnecessary and du-
12 plicative human capital policies and guidance.

13 “(c) COMPONENT STRATEGIES.—

14 “(1) IN GENERAL.—Each component of the De-
15 partment shall coordinate with the Chief Human
16 Capital Officer of the Department to develop or
17 maintain its own 5-year workforce strategy that will
18 support the Department’s goals, objectives, perform-
19 ance measures, and determination of the proper bal-
20 ance of Federal employees and private labor re-
21 sources.

22 “(2) STRATEGY REQUIREMENTS.—The Chief
23 Human Capital Officer shall ensure that, in the de-
24 velopment of the strategy required by subsection (c),
25 the head of the component reports to the Chief

1 Human Capital Officer on the human resources con-
2 siderations associated with creating additional Fed-
3 eral full-time equivalent positions, converting private
4 contractors to Federal employees, or relying on the
5 private sector for goods and services, including—

6 “(A) hiring projections, including occupa-
7 tion and grade level, as well as corresponding
8 salaries, benefits, and hiring or retention bo-
9 nuses;

10 “(B) the identification of critical skills re-
11 quirements over the 5-year period, any current
12 or anticipated need for critical skills required at
13 the Department, and the training or other
14 measures required to address such need;

15 “(C) recruitment of qualified candidates
16 and retention of qualified employees;

17 “(D) supervisory and management require-
18 ments;

19 “(E) travel and related personnel support
20 costs;

21 “(F) the anticipated cost and impact on
22 mission performance associated with replacing
23 Federal personnel due to their retirement or
24 other attrition; and

25 “(G) other appropriate factors.

1 “(d) ANNUAL SUBMISSION.—The Secretary shall
2 provide to the appropriate congressional committees, to-
3 gether with submission of the annual budget justification,
4 information on the progress within the Department of ful-
5 filling the workforce strategies required under subsection
6 (c).”.

7 **SEC. 112. CHIEF SECURITY OFFICER.**

8 (a) IN GENERAL.—Title VII of the Homeland Secu-
9 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by
10 section 109(a) of this Act, is further amended by adding
11 at the end the following:

12 **“SEC. 709. CHIEF SECURITY OFFICER.**

13 “(a) IN GENERAL.—There is a Chief Security Officer
14 of the Department, who shall report directly to the Under
15 Secretary for Management.

16 “(b) RESPONSIBILITIES.—The Chief Security Officer
17 shall—

18 “(1) develop and implement the Department’s
19 security policies, programs, and standards;

20 “(2) identify training and provide education to
21 Department personnel on security-related matters;
22 and

23 “(3) provide support to Department compo-
24 nents on security-related matters.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is further amended by adding
3 at the end of the items relating to such title the following:

“Sec. 709. Chief Security Officer.”.

4 **SEC. 113. COST SAVINGS AND EFFICIENCY REVIEWS.**

5 Not later than 1 year after the date of the enactment
6 of this Act, the Secretary of Homeland Security, acting
7 through the Under Secretary for Management of the De-
8 partment of Homeland Security, shall submit to the Com-
9 mittee on Homeland Security of the House of Representa-
10 tives and the Committee on Homeland Security and Gov-
11 ernmental Affairs of the Senate a report that—

12 (1) provides a detailed accounting of the man-
13 agement and administrative expenditures and activi-
14 ties of the components of the Department and iden-
15 tifies potential cost savings and efficiencies for those
16 expenditures and activities of each such component;

17 (2) examines the size, experience level, and geo-
18 graphic distribution of the operational personnel of
19 the Department, including U.S. Customs and Border
20 Protection officers, Border Patrol agents, U.S. Cus-
21 toms and Border Protection Air and Marine agents,
22 U.S. Customs and Border Protection agriculture
23 specialists, Federal Protective Service law enforce-
24 ment security officers, U.S. Immigration and Cus-
25 toms Enforcement agents, Transportation Security

1 Administration officers, Federal air marshals, and
2 members of the Coast Guard; and

3 (3) makes recommendations for adjustments in
4 the management and administration of the Depart-
5 ment that would reduce deficiencies in the Depart-
6 ment's capabilities, reduce costs, and enhance effi-
7 ciencies.

8 **SEC. 114. FIELD EFFICIENCIES PLAN.**

9 (1) IN GENERAL.—Not later than 270 days
10 after the date of the enactment of this Act, the Sec-
11 retary of Homeland Security shall submit to the
12 Committee on Homeland Security of the House of
13 Representatives and Committee on Homeland Secu-
14 rity and Governmental Affairs of the Senate a field
15 efficiencies plan that—

16 (A) examines the facilities and administra-
17 tive and logistics functions of components of the
18 Department of Homeland Security located with-
19 in designated geographic areas; and

20 (B) provides specific recommendations and
21 an associated cost-benefit analysis for the con-
22 solidation of the facilities and administrative
23 and logistics functions of components of the De-
24 partment within each designated geographic
25 area.

1 (2) CONTENTS.—The field efficiencies plan sub-
2 mitted under paragraph (1) shall include the fol-
3 lowing:

4 (A) An accounting of leases held by the
5 Department or its components that have ex-
6 pired in the current fiscal year or will be expir-
7 ing in the next fiscal year, that have begun or
8 been renewed in the current fiscal year, or that
9 the Department or its components plan to sign
10 or renew in the next fiscal year.

11 (B)(i) An evaluation for each designated
12 geographic area of specific facilities at which
13 components, or operational entities of compo-
14 nents, of the Department may be closed or con-
15 solidated, including consideration of when leases
16 expire or facilities owned by the Government
17 become available.

18 (ii) The evaluation shall include consider-
19 ation of potential consolidation with facilities of
20 other Federal, State, or local entities, includ-
21 ing—

22 (I) offices;

23 (II) warehouses;

24 (III) training centers;

25 (IV) housing;

1 (V) ports, shore facilities, and air-
2 fields;

3 (VI) laboratories; and

4 (VII) other assets as determined by
5 the Secretary.

6 (iii) The evaluation shall include the poten-
7 tial for the consolidation of administrative and
8 logistics functions, including—

9 (I) facility maintenance;

10 (II) fleet vehicle services;

11 (III) mail handling and shipping and
12 receiving;

13 (IV) facility security;

14 (V) procurement of goods and serv-
15 ices;

16 (VI) information technology and tele-
17 communications services and support; and

18 (VII) additional ways to improve unity
19 of effort and cost savings for field oper-
20 ations and related support activities as de-
21 termined by the Secretary.

22 (C) An implementation plan, including—

23 (i) near-term actions that can co-lo-
24 cate, consolidate, or dispose of property
25 within 24 months;

1 (ii) identifying long-term occupancy
2 agreements or leases that cannot be
3 changed without a significant cost to the
4 Government; and

5 (iii) how the Department can ensure
6 it has the capacity, in both personnel and
7 funds, needed to cover up-front costs to
8 achieve consolidation and efficiencies.

9 (D) An accounting of any consolidation in
10 the Department or its component's real estate
11 footprint, including the colocation of personnel
12 from different components, offices, and agencies
13 within the Department.

14 **TITLE II—DHS ACQUISITION AC-**
15 **COUNTABILITY AND EFFI-**
16 **CIENCY**

17 **SEC. 201. DEFINITIONS.**

18 (a) IN GENERAL.—In this title:

19 (1) SECRETARY.—The term “Secretary” means
20 the Secretary of Homeland Security.

21 (2) DEPARTMENT.—The term “Department”
22 means the Department of Homeland Security.

23 (3) CONGRESSIONAL HOMELAND SECURITY
24 COMMITTEES.—The term “congressional homeland
25 security committees” means—

1 (A) the Committee on Homeland Security
2 of the House of Representatives and the Com-
3 mittee on Homeland Security and Govern-
4 mental Affairs of the Senate; and

5 (B) the Committee on Appropriations of
6 the House of Representatives and of the Sen-
7 ate.

8 (b) ADDITIONAL DEFINITIONS.—In this title:

9 (1) ACQUISITION.—The term “acquisition” has
10 the meaning provided in section 131 of title 41,
11 United States Code.

12 (2) BEST PRACTICES.—The term “best prac-
13 tices”, with respect to acquisition, means a knowl-
14 edge-based approach to capability development that
15 includes identifying and validating needs; assessing
16 alternatives to select the most appropriate solution;
17 clearly establishing well-defined requirements; devel-
18 oping realistic cost assessments and schedules; se-
19 curing stable funding that matches resources to re-
20 quirements; demonstrating technology, design, and
21 manufacturing maturity; using milestones and exit
22 criteria or specific accomplishments that dem-
23 onstrate progress; adopting and executing standard-
24 ized processes with known success across programs;
25 establishing an adequate workforce that is qualified

1 and sufficient to perform necessary functions; and
2 integrating these capabilities into the Department’s
3 mission and business operations.

4 (c) AMENDMENTS TO DEFINITIONS IN HOMELAND
5 SECURITY ACT OF 2002.—Section 2 of the Homeland Se-
6 curity Act of 2002 is amended—

7 (1) by striking “In this Act,” and inserting “(a)

8 IN GENERAL.—In this Act,”;

9 (2) in paragraph (2)—

10 (A) by inserting “(A)” after “(2)”; and

11 (B) by adding at the end the following new
12 subparagraph:

13 “(B) The term ‘congressional homeland security
14 committees’ means—

15 “(i) the Committee on Homeland Security
16 of the House of Representatives and the Com-
17 mittee on Homeland Security and Govern-
18 mental Affairs of the Senate; and

19 “(ii) the Committees on Appropriations of
20 the House of Representatives and of the Sen-
21 ate, where appropriate.”; and

22 (3) by adding at the end the following new sub-
23 section:

24 “(b) ACQUISITION-RELATED DEFINITIONS.—In this
25 Act, the following definitions apply:

1 “(1) ACQUISITION.—The term ‘acquisition’ has
2 the meaning provided in section 131 of title 41,
3 United States Code.

4 “(2) ACQUISITION DECISION AUTHORITY.—The
5 term ‘acquisition decision authority’ means the au-
6 thority, held by the Secretary acting through the
7 Deputy Secretary or Under Secretary for Manage-
8 ment—

9 “(A) to ensure compliance with Federal
10 law, the Federal Acquisition Regulation, and
11 Department acquisition management directives;

12 “(B) to review (including approving, halt-
13 ing, modifying, or cancelling) an acquisition
14 program through the life cycle of the program;

15 “(C) to ensure that program managers
16 have the resources necessary to successfully
17 execute an approved acquisition program; and

18 “(D) to ensure good program management
19 of cost, schedule, risk, and system performance
20 of the acquisition, including assessing acquisi-
21 tion program baseline breaches and directing
22 any corrective action for such breaches.

23 “(3) ACQUISITION DECISION EVENT.—The term
24 ‘acquisition decision event’, with respect to an in-
25 vestment or acquisition program, means a predeter-

1 mined point within the acquisition phases of the in-
2 vestment or acquisition program at which the invest-
3 ment or acquisition program will undergo a review
4 prior to commencement of the next phase.

5 “(4) ACQUISITION DECISION MEMORANDUM.—
6 The term ‘acquisition decision memorandum’, with
7 respect to an acquisition, means the official acquisi-
8 tion decision event record that includes a docu-
9 mented record of decisions, exit criteria, and as-
10 signed actions for the acquisition as determined by
11 the person exercising acquisition decision authority
12 for the acquisition.

13 “(5) ACQUISITION PROGRAM BASELINE.—The
14 term ‘acquisition program baseline’, with respect to
15 an acquisition program, means a summary of the
16 cost, schedule, and performance parameters, ex-
17 pressed in standard, measurable, quantitative terms,
18 which must be met in order to accomplish the goals
19 of the program.

20 “(6) CAPABILITY DEVELOPMENT PLAN.—The
21 term ‘capability development plan’, with respect to a
22 proposed acquisition, means the document that the
23 Acquisition Review Board approves for the first ac-
24 quisition decision event related to validating the
25 need of a proposed acquisition.

1 “(7) COMPONENT ACQUISITION EXECUTIVE.—

2 The term ‘Component Acquisition Executive’ means
3 the senior acquisition official within a Component
4 who is designated in writing by the Under Secretary
5 for Management, in consultation with the Compo-
6 nent head, with authority and responsibility for lead-
7 ing a process and staff to provide acquisition and
8 program management oversight, policy, and guid-
9 ance to ensure that statutory, regulatory, and higher
10 level policy requirements are fulfilled, including com-
11 pliance with Federal law, the Federal Acquisition
12 Regulation, and Department acquisition manage-
13 ment directives established by the Under Secretary
14 for Management.

15 “(8) LIFE CYCLE COST.—The term ‘life cycle
16 cost’, with respect to an acquisition program, means
17 all costs associated with research, development, pro-
18 curement, operation, integrated logistics support,
19 and disposal under the program, including sup-
20 porting infrastructure that plans, manages, and exe-
21 cutes the program over its full life, and costs of com-
22 mon support items incurred as a result of the pro-
23 gram.

24 “(9) MAJOR ACQUISITION PROGRAM.—The term
25 ‘major acquisition program’ means a Department

1 acquisition program that is estimated by the Sec-
2 retary to require an eventual total expenditure of at
3 least \$300,000,000 (based on fiscal year 2015 con-
4 stant dollars) over its life cycle cost.”.

5 **SEC. 202. PROHIBITION ON ADDITIONAL AUTHORIZATION**
6 **OF APPROPRIATIONS.**

7 No additional funds are authorized to be appro-
8 priated to carry out this title and the amendments made
9 by this title. This title and such amendments shall be car-
10 ried out using amounts otherwise available for such pur-
11 poses.

12 **Subtitle A—Acquisition Authorities**

13 **SEC. 211. ACQUISITION AUTHORITIES FOR UNDER SEC-**
14 **RETARY FOR MANAGEMENT.**

15 Section 701 of the Homeland Security Act of 2002
16 (6 U.S.C. 341), as amended by section 107 of this Act,
17 is further amended by adding at the end the following:

18 “(f) ACQUISITION AND RELATED RESPONSIBIL-
19 ITIES.—

20 “(1) IN GENERAL.—Notwithstanding section
21 1702(b) of title 41, United States Code, the Under
22 Secretary for Management is the Chief Acquisition
23 Officer of the Department. As Chief Acquisition Of-
24 ficer, the Under Secretary shall have the authority
25 and perform the functions as specified in section

1 1702(b) of such title, and perform all other func-
2 tions and responsibilities delegated by the Secretary
3 or described in this subsection.

4 “(2) DUTIES AND RESPONSIBILITIES.—In addi-
5 tion to the authority and functions specified in sec-
6 tion 1702(b) of title 41, United States Code, the du-
7 ties and responsibilities of the Under Secretary for
8 Management related to acquisition include the fol-
9 lowing:

10 “(A) Advising the Secretary regarding ac-
11 quisition management activities, taking into ac-
12 count risks of failure to achieve cost, schedule,
13 or performance parameters, to ensure that the
14 Department achieves its mission through the
15 adoption of widely accepted program manage-
16 ment best practices and standards.

17 “(B) Exercising the acquisition decision
18 authority to approve, halt, modify (including
19 the rescission of approvals of program mile-
20 stones), or cancel major acquisition programs,
21 unless the Under Secretary delegates the au-
22 thority to a Component Acquisition Executive
23 pursuant to paragraph (3).

24 “(C) Establishing policies for acquisition
25 that implement an approach that takes into ac-

1 count risks of failure to achieve cost, schedule,
2 or performance parameters that all Components
3 of the Department shall comply with, including
4 outlining relevant authorities for program man-
5 agers to effectively manage acquisition pro-
6 grams.

7 “(D) Ensuring that each major acquisition
8 program has a Department-approved acquisi-
9 tion program baseline, pursuant to the Depart-
10 ment’s acquisition management policy.

11 “(E) Ensuring that the heads of Compo-
12 nents and Component Acquisition Executives
13 comply with Federal law, the Federal Acquisi-
14 tion Regulation, and Department acquisition
15 management directives.

16 “(F) Ensuring that grants and financial
17 assistance are provided only to individuals and
18 organizations that are not suspended or
19 debarred.

20 “(G) Distributing guidance throughout the
21 Department to ensure that contractors involved
22 in acquisitions, particularly companies that ac-
23 cess the Department’s information systems and
24 technologies, adhere to internal cybersecurity

1 policies established by the Department of
2 Homeland Security.

3 “(3) DELEGATION OF ACQUISITION DECISION
4 AUTHORITY.—

5 “(A) LEVEL 3 ACQUISITIONS.—The Under
6 Secretary for Management may delegate acqui-
7 sition decision authority in writing to the rel-
8 evant Component Acquisition Executive for an
9 acquisition program that has a life cycle cost
10 estimate of less than \$300,000,000.

11 “(B) LEVEL 2 ACQUISITIONS.—The Under
12 Secretary for Management may delegate acqui-
13 sition decision authority in writing to the rel-
14 evant Component Acquisition Executive for a
15 major acquisition program that has a life cycle
16 cost estimate of at least \$300,000,000 but not
17 more than \$1,000,000,000 if all of the following
18 requirements are met:

19 “(i) The Component concerned pos-
20 sesses working policies, processes, and pro-
21 cedures that are consistent with Depart-
22 ment-level acquisition policy.

23 “(ii) The Component Acquisition Ex-
24 ecutive has adequate, experienced, dedi-
25 cated program management professional

1 staff commensurate with the size of the
2 delegated portfolio.

3 “(iii) Each major acquisition program
4 concerned has written documentation
5 showing that it has a Department-ap-
6 proved acquisition program baseline and it
7 is meeting agreed-upon cost, schedule, and
8 performance thresholds.

9 “(4) EXCLUDED PARTIES LIST SYSTEM CON-
10 SULTATION.—The Under Secretary for Management
11 shall require that all Department contracting and
12 procurement officials consult the Excluded Parties
13 List System (or successor system) as maintained by
14 the General Services Administration prior to award-
15 ing a contract or grant or entering into other trans-
16 actions to ascertain whether the selected contractor
17 is excluded from receiving Federal contracts, certain
18 subcontracts, and certain types of Federal financial
19 and nonfinancial assistance and benefits.

20 “(5) RELATIONSHIP TO UNDER SECRETARY
21 FOR SCIENCE AND TECHNOLOGY.—Nothing in this
22 subsection shall diminish the authority granted to
23 the Under Secretary for Science and Technology
24 under this Act. The Under Secretary for Manage-
25 ment and the Under Secretary for Science and

1 Technology shall cooperate in matters related to the
2 coordination of acquisitions across the Department
3 so that investments of the Directorate of Science
4 and Technology can support current and future re-
5 quirements of the Components.”.

6 **SEC. 212. ACQUISITION AUTHORITIES FOR CHIEF FINAN-**
7 **CIAL OFFICER.**

8 Section 702 of the Homeland Security Act of 2002
9 (6 U.S.C. 342), as amended by section 108 of this Act,
10 is further amended by adding at the end of subsection
11 (c)(2) the following new subparagraph:

12 “(J) Notwithstanding section 902 of title
13 31, United States Code, provide leadership over
14 financial management policy and programs for
15 the Department as they relate to the Depart-
16 ment’s acquisitions programs, in consultation
17 with the Under Secretary for Management.”.

18 **SEC. 213. ACQUISITION AUTHORITIES FOR CHIEF INFORMA-**
19 **TION OFFICER.**

20 Section 703 of the Homeland Security Act of 2002
21 (6 U.S.C. 343), as amended by section 110(a) of this Act,
22 is further amended by adding at the end the following new
23 subsection:

24 “(f) **ACQUISITION RESPONSIBILITIES.**—Notwith-
25 standing section 11315 of title 40, United States Code,

1 the acquisition responsibilities of the Chief Information
2 Officer, in consultation with the Under Secretary for Man-
3 agement, shall include the following:

4 “(1) Oversee the management of the Homeland
5 Security Enterprise Architecture and ensure that,
6 before each acquisition decision event, approved in-
7 formation technology acquisitions comply with de-
8 partmental information technology management
9 processes, technical requirements, and the Homeland
10 Security Enterprise Architecture, and in any case in
11 which information technology acquisitions do not
12 comply with the Department’s management direc-
13 tives, make recommendations to the Acquisition Re-
14 view Board regarding such noncompliance.

15 “(2) Be responsible for providing recommenda-
16 tions to the Acquisition Review Board established in
17 section 836 of this Act on information technology
18 programs, and be responsible for developing infor-
19 mation technology acquisition strategic guidance.”.

20 **SEC. 214. REQUIREMENTS TO ENSURE GREATER ACCOUNT-**
21 **ABILITY FOR ACQUISITION PROGRAMS.**

22 (a) IN GENERAL.—Title VII of the Homeland Secu-
23 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by
24 sections 109(a) and 112(a) of this Act, is further amended
25 by adding at the end the following new section:

1 **“SEC. 710. REQUIREMENTS TO ENSURE GREATER AC-**
2 **COUNTABILITY FOR ACQUISITION PRO-**
3 **GRAMS.**

4 “(a) **REQUIREMENT TO ESTABLISH MECHANISM.—**
5 Within the Management Directorate, the Under Secretary
6 for Management shall establish a mechanism to prioritize
7 improving the accountability, standardization, and trans-
8 parency of major acquisition programs of the Department
9 in order to increase opportunities for effectiveness and ef-
10 ficiencies and to serve as the central oversight function
11 of all Department acquisition programs.

12 “(b) **RESPONSIBILITIES OF EXECUTIVE DIREC-**
13 **TOR.—**The Under Secretary for Management shall des-
14 ignate an Executive Director to oversee the requirement
15 under subsection (a). The Executive Director shall report
16 directly to the Under Secretary and shall carry out the
17 following responsibilities:

18 “(1) Monitor the performance of Department
19 acquisition programs regularly between acquisition
20 decision events to identify problems with cost, per-
21 formance, or schedule that Components may need to
22 address to prevent cost overruns, performance
23 issues, or schedule delays.

24 “(2) Assist the Chief Acquisition Officer in
25 managing the Department’s acquisition portfolio.

1 “(3) Conduct oversight of individual acquisition
2 programs to implement Department acquisition pro-
3 gram policy, procedures, and guidance with a pri-
4 ority on ensuring the data it collects and maintains
5 from its Components is accurate and reliable.

6 “(4) Serve as the focal point and coordinator
7 for the acquisition life cycle review process and as
8 the executive secretariat for the Acquisition Review
9 Board established under section 836 of this Act.

10 “(5) Advise the persons having acquisition deci-
11 sion authority in making acquisition decisions con-
12 sistent with all applicable laws and in establishing
13 clear lines of authority, accountability, and responsi-
14 bility for acquisition decisionmaking within the De-
15 partment.

16 “(6) Engage in the strategic planning and per-
17 formance evaluation process required under section
18 306 of title 5, United States Code, and sections
19 1105(a)(28), 1115, 1116, and 9703 of title 31,
20 United States Code, by supporting the Chief Pro-
21 curement Officer in developing strategies and spe-
22 cific plans for hiring, training, and professional de-
23 velopment in order to rectify any deficiency within
24 the Department’s acquisition workforce.

1 “(7) Oversee the Component Acquisition Execu-
2 tive structure to ensure it has sufficient capabilities
3 and complies with Department policies.

4 “(8) Develop standardized certification stand-
5 ards in consultation with the Component Acquisition
6 Executives for all acquisition program managers.

7 “(9) In the event that a program manager’s
8 certification or actions need review for purposes of
9 promotion or removal, provide input, in consultation
10 with the relevant Component Acquisition Executive,
11 into the relevant program manager’s performance
12 evaluation, and report positive or negative experi-
13 ences to the relevant certifying authority.

14 “(10) Provide technical support and assistance
15 to Department acquisitions and acquisition per-
16 sonnel in conjunction with the Chief Procurement
17 Officer.

18 “(11) Prepare the Department’s Comprehensive
19 Acquisition Status Report, as required by the De-
20 partment of Homeland Security Appropriations Act,
21 2013 (division D of Public Law 113–6; 127 Stat.
22 343) and section 840 of this Act, and make such re-
23 port available to congressional homeland security
24 committees.

1 “(12) Prepare the Department’s Quarterly Pro-
2 gram Accountability Report as required by section
3 840 of this Act, and make such report available to
4 the congressional homeland security committees.

5 “(c) RESPONSIBILITIES OF COMPONENTS.—Each
6 head of a Component shall comply with Federal law, the
7 Federal Acquisition Regulation, and Department acquisi-
8 tion management directives established by the Under Sec-
9 retary for Management. For each major acquisition pro-
10 gram, each head of a Component shall—

11 “(1) establish a complete life cycle cost estimate
12 with supporting documentation, including an acquisi-
13 tion program baseline;

14 “(2) verify each life cycle cost estimate against
15 independent cost estimates, and reconcile any dif-
16 ferences;

17 “(3) complete a cost-benefit analysis with sup-
18 porting documentation;

19 “(4) develop and maintain a schedule that is
20 consistent with scheduling best practices as identi-
21 fied by the Comptroller General of the United
22 States, including, in appropriate cases, an integrated
23 master schedule; and

1 “(5) ensure that all acquisition program infor-
2 mation provided by the Component is complete, ac-
3 curate, timely, and valid.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of the Homeland Security Act of 2002 (6
6 U.S.C. 101 et seq.) is further amended by adding after
7 the item relating to section 708 the following new item:

 “Sec. 710. Requirements to ensure greater accountability for acquisition pro-
 grams.”.

8 **Subtitle B—Acquisition Program** 9 **Management Discipline**

10 **SEC. 221. ACQUISITION REVIEW BOARD.**

11 (a) IN GENERAL.—Subtitle D of title VIII of the
12 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
13 is amended by adding at the end the following new section:

14 **“SEC. 836. ACQUISITION REVIEW BOARD.**

15 “(a) IN GENERAL.—The Secretary shall establish an
16 Acquisition Review Board (in this section referred to as
17 the ‘Board’) to strengthen accountability and uniformity
18 within the Department acquisition review process, review
19 major acquisition programs, and review the use of best
20 practices.

21 “(b) COMPOSITION.—The Deputy Secretary or Under
22 Secretary for Management shall serve as chair of the
23 Board. The Secretary shall also ensure participation by
24 other relevant Department officials, including at least 2

1 Component heads or their designees, as permanent mem-
2 bers of the Board.

3 “(c) MEETINGS.—The Board shall meet every time
4 a major acquisition program needs authorization to pro-
5 ceed from acquisition decision events through the acquisi-
6 tion life cycle and to consider any major acquisition pro-
7 gram in breach as necessary. The Board may also be con-
8 vened for non-major acquisitions that are deemed high-
9 risk by the Executive Director referred to in section
10 710(b) of this Act. The Board shall also meet regularly
11 for purposes of ensuring all acquisitions processes proceed
12 in a timely fashion to achieve mission readiness.

13 “(d) RESPONSIBILITIES.—The responsibilities of the
14 Board are as follows:

15 “(1) Determine whether a proposed acquisition
16 has met the requirements of key phases of the acqui-
17 sition life cycle framework and is able to proceed to
18 the next phase and eventual full production and de-
19 ployment.

20 “(2) Oversee executable business strategy, re-
21 sources, management, accountability, and alignment
22 to strategic initiatives.

23 “(3) Support the person with acquisition deci-
24 sion authority for an acquisition in determining the

1 appropriate direction for the acquisition at key ac-
2 quisition decision events.

3 “(4) Conduct systematic reviews of acquisitions
4 to ensure that they are progressing in compliance
5 with the approved documents for their current acqui-
6 sition phase.

7 “(5) Review the acquisition documents of each
8 major acquisition program, including the acquisition
9 program baseline, to ensure the reliability of under-
10 lying data.

11 “(6) Ensure that practices are adopted and im-
12 plemented to require consideration of trade-offs
13 among cost, schedule, and performance objectives as
14 part of the process for developing requirements for
15 major acquisition programs prior to the initiation of
16 the second acquisition decision event, including, at a
17 minimum, the following practices:

18 “(A) Department officials responsible for
19 acquisition, budget, and cost estimating func-
20 tions are provided with the appropriate oppor-
21 tunity to develop estimates and raise cost and
22 schedule matters before performance objectives
23 are established for capabilities when feasible.

1 “(B) Full consideration of possible trade-
2 offs among cost, schedule, and performance ob-
3 jectives for each alternative is considered.

4 “(e) ACQUISITION PROGRAM BASELINE REPORT RE-
5 QUIREMENT.—If the person exercising acquisition decision
6 authority over a major acquisition program approves the
7 program to proceed into the planning phase before it has
8 a Department-approved acquisition program baseline,
9 then the Under Secretary for Management shall create
10 and approve an acquisition program baseline report on the
11 decision, and the Secretary shall—

12 “(1) within 7 days after an acquisition decision
13 memorandum is signed, notify in writing the con-
14 gressional homeland security committees of such de-
15 cision; and

16 “(2) within 60 days after the acquisition deci-
17 sion memorandum is signed, submit a report to such
18 committees stating the rationale for the decision and
19 a plan of action to require an acquisition program
20 baseline for the program.

21 “(f) BEST PRACTICES DEFINED.—In this section,
22 the term ‘best practices’ has the meaning provided in sec-
23 tion 4(b) of the DHS Headquarters Reform and Improve-
24 ment Act of 2015.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of the Homeland Security Act of 2002 (6
3 U.S.C. 101 et seq.) is further amended by adding after
4 the item relating to section 835 the following new item:
“Sec. 836. Acquisition Review Board.”.

5 **SEC. 222. REQUIREMENTS TO REDUCE DUPLICATION IN AC-**
6 **QUISITION PROGRAMS.**

7 (a) IN GENERAL.—Subtitle D of title VIII of the
8 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
9 is further amended by adding at the end the following new
10 section:

11 **“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN**
12 **ACQUISITION PROGRAMS.**

13 “(a) REQUIREMENT TO ESTABLISH POLICIES.—In
14 an effort to reduce unnecessary duplication and ineffi-
15 ciency for all Department investments, including major ac-
16 quisition programs, the Deputy Secretary, in consultation
17 with the Under Secretary for Management, shall establish
18 Department-wide policies to integrate all phases of the in-
19 vestment life cycle and help the Department identify, vali-
20 date, and prioritize standards for common Component re-
21 quirements for major acquisition program requirements in
22 order to increase opportunities for effectiveness and effi-
23 ciencies. The policies shall also include strategic alter-
24 natives for developing and facilitating a Department Com-
25 ponent-driven requirements process that includes over-

1 sight of a development test and evaluation capability; iden-
2 tification of priority gaps and overlaps in Department ca-
3 pability needs; and provision of feasible technical alter-
4 natives, including innovative commercially available alter-
5 natives, to meet capability needs.

6 “(b) MECHANISMS TO CARRY OUT REQUIREMENT.—
7 The Under Secretary for Management shall coordinate the
8 actions necessary to carry out subsection (a), using such
9 mechanisms as considered necessary by the Secretary to
10 help the Department reduce unnecessary duplication and
11 inefficiency for all Department investments, including
12 major acquisition programs.

13 “(c) COORDINATION.—In coordinating the actions
14 necessary to carry out subsection (a), the Deputy Sec-
15 retary shall consult with the Under Secretary for Manage-
16 ment, Component Acquisition Executives, and any other
17 Department officials, including the Under Secretary for
18 Science and Technology or his designee, with specific
19 knowledge of Department or Component acquisition capa-
20 bilities to prevent unnecessary duplication of require-
21 ments.

22 “(d) ADVISORS.—The Deputy Secretary, in consulta-
23 tion with the Under Secretary for Management, shall seek
24 and consider input within legal and ethical boundaries
25 from members of Federal, State, local, and tribal govern-

1 ments, nonprofit organizations, and the private sector, as
2 appropriate, on matters within their authority and exper-
3 tise in carrying out the Department’s mission.

4 “(e) MEETINGS.—The Deputy Secretary, in consulta-
5 tion with the Under Secretary for Management, shall meet
6 at least quarterly and communicate with Components
7 often to ensure that Components do not overlap or dupli-
8 cate spending or priorities on major investments and ac-
9 quisition programs within their areas of responsibility.

10 “(f) RESPONSIBILITIES.—In carrying out this sec-
11 tion, the responsibilities of the Deputy Secretary, in con-
12 sultation with the Under Secretary for Management, are
13 as follows:

14 “(1) To review and validate the requirements
15 documents of major investments and acquisition pro-
16 grams prior to acquisition decision events of the in-
17 vestments or programs.

18 “(2) To ensure the requirements and scope of
19 a major investment or acquisition program are sta-
20 ble, measurable, achievable, at an acceptable risk
21 level, and match the resources planned to be avail-
22 able.

23 “(3) Before any entity of the Department
24 issues a solicitation for a new contract, coordinate
25 with other Department entities as appropriate to

1 prevent unnecessary duplication and inefficiency
2 and—

3 “(A) to implement portfolio reviews to
4 identify common mission requirements and
5 crosscutting opportunities among Components
6 to harmonize investments and requirements and
7 prevent overlap and unnecessary duplication
8 among Components; and

9 “(B) to the extent practicable, to stand-
10 ardize equipment purchases, streamline the ac-
11 quisition process, improve efficiencies, and con-
12 duct best practices for strategic sourcing.

13 “(4) To ensure program managers of major in-
14 vestments and acquisition programs conduct anal-
15 yses, giving particular attention to factors such as
16 cost, schedule, risk, performance, and operational ef-
17 ficiency in order to determine that programs work as
18 intended within cost and budget expectations.

19 “(5) To propose schedules for delivery of the
20 operational capability needed to meet each Depart-
21 ment investment and major acquisition program.

22 “(g) BEST PRACTICES DEFINED.—In this section,
23 the term ‘best practices’ has the meaning provided in sec-
24 tion 4(b) of the DHS Headquarters Reform and Improve-
25 ment Act of 2015.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of the Homeland Security Act of 2002 (6
3 U.S.C. 101 et seq.) is further amended by adding after
4 the item relating to section 836 the following new item:
“Sec. 837. Requirements to reduce duplication in acquisition programs.”.

5 **SEC. 223. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**
6 **OF BOARD AND OF REQUIREMENTS TO RE-**
7 **DUCE DUPLICATION IN ACQUISITION PRO-**
8 **GRAMS.**

9 (a) REVIEW REQUIRED.—The Comptroller General
10 of the United States shall conduct a review of the effec-
11 tiveness of the Acquisition Review Board established
12 under section 836 of the Homeland Security Act of 2002
13 (as added by section 221) and the requirements to reduce
14 unnecessary duplication in acquisition programs estab-
15 lished under section 837 of such Act (as added by section
16 222) in improving the Department’s acquisition manage-
17 ment process.

18 (b) SCOPE OF REPORT.—The review shall include the
19 following:

20 (1) An assessment of the effectiveness of the
21 Department in increasing program management
22 oversight, best practices and standards, and dis-
23 cipline among the Components of the Department,
24 including in working together and in preventing
25 overlap and unnecessary duplication.

1 (2) An assessment of the effectiveness of the
2 Department in instilling program management dis-
3 cipline.

4 (3) A statement of how regularly each major
5 acquisition program is reviewed by the Board, how
6 often the Board stops major acquisition programs
7 from moving forward in the phases of the acquisition
8 life cycle process, and the number of major acquisi-
9 tion programs that have been halted because of
10 problems with operational effectiveness, schedule
11 delays, or cost overruns.

12 (c) REPORT REQUIRED.—The Comptroller General
13 shall submit to the congressional homeland security com-
14 mittees a report on the review required by this section not
15 later than 1 year after the date of the enactment of this
16 Act. The report shall be submitted in unclassified form
17 but may include a classified annex.

18 **SEC. 224. EXCLUDED PARTY LIST SYSTEM WAIVERS.**

19 The Secretary of Homeland Security shall provide no-
20 tification to the congressional homeland security commit-
21 tees within 5 days after the issuance of a waiver by the
22 Secretary of Federal requirements that an agency not en-
23 gage in business with a contractor in the Excluded Party
24 List System (or successor system) as maintained by the
25 General Services Administration and an explanation for

1 a finding by the Secretary that a compelling reason exists
2 for this action.

3 **SEC. 225. INSPECTOR GENERAL OVERSIGHT OF SUSPEN-**
4 **SION AND DEBARMENT.**

5 The Inspector General of the Department of Home-
6 land Security—

7 (1) may audit decisions about grant and pro-
8 curement awards to identify instances where a con-
9 tract or grant was improperly awarded to a sus-
10 pended or debarred entity and whether corrective ac-
11 tions were taken to prevent recurrence; and

12 (2) shall review the suspension and debarment
13 program throughout the Department of Homeland
14 Security to assess whether suspension and debar-
15 ment criteria are consistently applied throughout the
16 Department and whether disparities exist in the ap-
17 plication of such criteria, particularly with respect to
18 business size and categories.

1 **Subtitle C—Acquisition Program**
2 **Management Accountability and**
3 **Transparency**

4 **SEC. 231. CONGRESSIONAL NOTIFICATION AND OTHER RE-**
5 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**
6 **GRAM BREACH.**

7 (a) IN GENERAL.—Subtitle D of title VIII of the
8 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
9 is further amended by adding at the end the following new
10 section:

11 **“SEC. 838. CONGRESSIONAL NOTIFICATION AND OTHER RE-**
12 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**
13 **GRAM BREACH.**

14 “(a) BREACH DEFINED.—The term ‘breach’, with re-
15 spect to a major acquisition program, means a failure to
16 meet any cost, schedule, or performance parameter speci-
17 fied in the acquisition program baseline.

18 “(b) REQUIREMENTS WITHIN DEPARTMENT IF
19 BREACH OCCURS.—

20 “(1) NOTIFICATIONS.—

21 “(A) NOTIFICATION OF BREACH.—If a
22 breach occurs in a major acquisition program,
23 the program manager for that program shall
24 notify the head of the Component concerned,
25 the Component Acquisition Executive for the

1 program, the Executive Director referred to in
2 section 710(b) of this Act, the Under Secretary
3 for Management, and the Deputy Secretary.

4 “(B) NOTIFICATION TO SECRETARY.—If a
5 major acquisition program has a breach with a
6 cost overrun greater than 15 percent or a
7 schedule delay greater than 180 days from the
8 costs or schedule set forth in the acquisition
9 program baseline for the program, the Sec-
10 retary and the Inspector General of the Depart-
11 ment shall be notified not later than 5 business
12 days after the breach is identified.

13 “(2) REMEDIATION PLAN AND ROOT CAUSE
14 ANALYSIS.—

15 “(A) IN GENERAL.—In the case of a
16 breach with a cost overrun greater than 15 per-
17 cent or a schedule delay greater than 180 days
18 from the costs or schedule set forth in the ac-
19 quisition program baseline, a remediation plan
20 and root cause analysis is required, and the
21 Under Secretary for Management or his des-
22 ignee shall establish a date for submission with-
23 in the Department of a breach remediation plan
24 and root cause analysis in accordance with this
25 subsection.

1 “(B) REMEDIATION PLAN.—The remedi-
2 ation plan required under this subsection shall
3 be submitted in writing to the head of the Com-
4 ponent concerned, the Executive Director re-
5 ferred to in section 710(b) of this Act, and the
6 Under Secretary for Management. The plan
7 shall—

8 “(i) explain the circumstances of the
9 breach;

10 “(ii) provide prior cost estimating in-
11 formation;

12 “(iii) propose corrective action to con-
13 trol cost growth, schedule delays, or per-
14 formance issues;

15 “(iv) in coordination with Component
16 Acquisition Executive, discuss all options
17 considered, including the estimated impact
18 on cost, schedule, or performance of the
19 program if no changes are made to current
20 requirements, the estimated cost of the
21 program if requirements are modified, and
22 the extent to which funding from other
23 programs will need to be reduced to cover
24 the cost growth of the program; and

1 “(v) explain the rationale for why the
2 proposed corrective action is recommended.

3 “(C) ROOT CAUSE ANALYSIS.—The root
4 cause analysis required under this subsection
5 shall determine the underlying cause or causes
6 of shortcomings in cost, schedule, or perform-
7 ance of the program, including the role, if any,
8 of the following:

9 “(i) Unrealistic performance expecta-
10 tions.

11 “(ii) Unrealistic baseline estimates for
12 cost or schedule or changes in program re-
13 quirements.

14 “(iii) Immature technologies or exces-
15 sive manufacturing or integration risk.

16 “(iv) Unanticipated design, engineer-
17 ing, manufacturing, or technology integra-
18 tion issues arising during program per-
19 formance.

20 “(v) Changes in procurement quan-
21 tities.

22 “(vi) Inadequate program funding or
23 changes in planned out-year funding from
24 1 5-year funding plan to the next 5-year
25 funding plan as outlined in the Future

1 Years Homeland Security Program re-
2 quired under section 874 of this Act.

3 “(vii) Legislative, legal, or regulatory
4 changes.

5 “(viii) Inadequate program manage-
6 ment personnel, including lack of training,
7 credentials, certifications, or use of best
8 practices.

9 “(3) CORRECTION OF BREACH.—The Under
10 Secretary for Management or his designee shall es-
11 tablish a date for submission within the Department
12 of a program of corrective action that ensures that
13 1 of the following actions has occurred:

14 “(A) The breach has been corrected and
15 the program is again in compliance with the
16 original acquisition program baseline param-
17 eters.

18 “(B) A revised acquisition program base-
19 line has been approved.

20 “(C) The program has been halted or can-
21 celled.

22 “(c) REQUIREMENTS RELATING TO CONGRESSIONAL
23 NOTIFICATION IF BREACH OCCURS.—

24 “(1) NOTIFICATION TO CONGRESS.—If a notifi-
25 cation is made under subsection (b)(1)(B) for a

1 breach in a major acquisition program with a cost
2 overrun greater than 15 percent or a schedule delay
3 greater than 180 days from the costs or schedule set
4 forth in the acquisition program baseline, or with an
5 anticipated failure for any key performance thresh-
6 old or parameter specified in the acquisition pro-
7 gram baseline, the Under Secretary for Management
8 shall notify the congressional homeland security
9 committees of the breach in the next quarterly Com-
10 prehensive Acquisition Status Report after the
11 Under Secretary for Management receives the notifi-
12 cation from the program manager under subsection
13 (b)(1)(B).

14 “(2) SUBSTANTIAL VARIANCES IN COSTS OR
15 SCHEDULE.—If a likely cost overrun is greater than
16 20 percent or a likely delay is greater than 12
17 months from the costs and schedule set forth in the
18 acquisition program baseline for a major acquisition
19 program, the Under Secretary for Management shall
20 include in the notification required in (c)(1) a writ-
21 ten certification, with supporting explanation, that—

22 “(A) the acquisition is essential to the ac-
23 complishment of the Department’s mission;

24 “(B) there are no alternatives to such ca-
25 pability or asset that will provide equal or

1 greater capability in both a more cost-effective
2 and timely manner;

3 “(C) the new acquisition schedule and esti-
4 mates for total acquisition cost are reasonable;
5 and

6 “(D) the management structure for the ac-
7 quisition program is adequate to manage and
8 control performance, cost, and schedule.

9 “(3) SUBMISSIONS TO CONGRESS.—Not later
10 than 30 calendar days after submission to such com-
11 mittees of a breach notification under paragraph (1)
12 of this section for a major acquisition program, the
13 Under Secretary for Management shall submit to
14 such committees the following:

15 “(A) A copy of the remediation plan and
16 the root cause analysis prepared under sub-
17 section (b)(2) for the program.

18 “(B) A statement describing the corrective
19 action or actions that have occurred pursuant
20 to subsection (b)(3) for the program, with a
21 justification for the action or actions.

22 “(d) ADDITIONAL ACTIONS IF BREACH OCCURS.—

23 “(1) PROHIBITION ON OBLIGATION OF
24 FUNDS.—During the 90-day period following sub-
25 mission under subsection (c)(3) of a remediation

1 plan, root cause analysis, and statement of corrective
2 actions with respect to a major acquisition program,
3 the Under Secretary for Management shall submit a
4 certification described in paragraph (2) of this sub-
5 section to the congressional homeland security com-
6 mittees. If the Under Secretary for Management
7 does not submit such certification by the end of such
8 90-day period, then funds appropriated to the major
9 acquisition program shall not be obligated until the
10 Under Secretary for Management submits such cer-
11 tification.

12 “(2) CERTIFICATION.—For purposes of para-
13 graph (1), the certification described in this para-
14 graph is a certification that—

15 “(A) the Department has adjusted or re-
16 structured the program in a manner that ad-
17 dresses the root cause or causes of the cost
18 growth in the program; and

19 “(B) the Department has conducted a
20 thorough review of the breached program’s ac-
21 quisition decision event approvals and the cur-
22 rent acquisition decision event approval for the
23 breached program has been adjusted as nec-
24 essary to account for the restructured pro-
25 gram.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of the Homeland Security Act of 2002 (6
3 U.S.C. 101 et seq.) is further amended by adding after
4 the item relating to section 837 the following new item:

“Sec. 838. Congressional notification and other requirements for major acquisition program breach.”.

5 **SEC. 232. MULTIYEAR ACQUISITION STRATEGY.**

6 (a) IN GENERAL.—

7 (1) AMENDMENT.—Subtitle D of title VIII of
8 the Homeland Security Act of 2002 (6 U.S.C. 391
9 et seq.) is further amended by adding at the end the
10 following new section:

11 **“SEC. 839. MULTIYEAR ACQUISITION STRATEGY.**

12 “(a) MULTIYEAR ACQUISITION STRATEGY RE-
13 QUIRED.—Not later than 1 year after the date of the en-
14 actment of this section, the Secretary shall submit to the
15 appropriate homeland security committees a multiyear ac-
16 quisition strategy to guide the overall direction of the ac-
17 quisitions of the Department while allowing flexibility to
18 deal with ever-changing threats and risks and to help in-
19 dustry better understand, plan, and align resources to
20 meet the future acquisition needs of the Department. The
21 strategy shall be updated and included in each Future
22 Years Homeland Security Program required under section
23 874 of this Act.

1 “(b) CONSULTATION.—In developing the strategy,
2 the Secretary shall consult with others as the Secretary
3 deems appropriate, including headquarters, Components,
4 employees in the field, and when appropriate, individuals
5 from industry and the academic community.

6 “(c) FORM OF STRATEGY.—The report shall be sub-
7 mitted in unclassified form but may include a classified
8 annex for any sensitive or classified information if nec-
9 essary. The Department also shall publish the plan in an
10 unclassified format that is publicly available.

11 “(d) CONTENTS OF STRATEGY.—The strategy shall
12 include the following:

13 “(1) PRIORITIZED LIST.—A systematic and in-
14 tegrated prioritized list developed by the Under Sec-
15 retary for Management or his designee in coordina-
16 tion with all of the Component Acquisition Execu-
17 tives of Department major acquisition programs that
18 Department and Component acquisition investments
19 seek to address, that includes the expected security
20 and economic benefit of the program or system and
21 an analysis of how the security and economic benefit
22 derived from the program or system will be meas-
23 ured.

24 “(2) INVENTORY.—A plan to develop a reliable
25 Departmentwide inventory of investments and real

1 property assets to help the Department plan, budg-
2 et, schedule, and acquire upgrades of its systems
3 and equipment and plan for the acquisition and
4 management of future systems and equipment.

5 “(3) FUNDING GAPS.—A plan to address fund-
6 ing gaps between funding requirements for major ac-
7 quisition programs and known available resources in-
8 cluding, to the maximum extent practicable, ways of
9 leveraging best practices to identify and eliminate
10 overpayment for items to prevent wasteful pur-
11 chasing, achieve the greatest level of efficiency and
12 cost savings by rationalizing purchases, aligning
13 pricing for similar items, and utilizing purchase tim-
14 ing and economies of scale.

15 “(4) IDENTIFICATION OF CAPABILITIES.—An
16 identification of test, evaluation, modeling, and sim-
17 ulation capabilities that will be required to support
18 the acquisition of the technologies to meet the needs
19 of the plan and ways to leverage to the greatest ex-
20 tent possible the emerging technology trends and re-
21 search and development trends within the public and
22 private sectors and an identification of ways to en-
23 sure that the appropriate technology is acquired and
24 integrated into the Department’s operating doctrine

1 and procured in ways that improve mission perform-
2 ance.

3 “(5) FOCUS ON FLEXIBLE SOLUTIONS.—An as-
4 sessment of ways the Department can improve its
5 ability to test and acquire innovative solutions to
6 allow needed incentives and protections for appro-
7 priate risk-taking in order to meet its acquisition
8 needs with resiliency, agility, and responsiveness to
9 assure the Nation’s homeland security and facilitate
10 trade.

11 “(6) FOCUS ON INCENTIVES TO SAVE TAX-
12 PAYER DOLLARS.—An assessment of ways the De-
13 partment can develop incentives for program man-
14 agers and senior Department acquisition officials to
15 prevent cost overruns, avoid schedule delays, and
16 achieve cost savings in major acquisition programs.

17 “(7) FOCUS ON ADDRESSING DELAYS AND BID
18 PROTESTS.—An assessment of ways the Department
19 can improve the acquisition process to minimize cost
20 overruns in requirements development, procurement
21 announcements, requests for proposals, evaluation of
22 proposals, protests of decisions and awards and
23 through the use of best practices as defined in sec-
24 tion 4(b) of the DHS Headquarters Reform and Im-

1 provement Act of 2015 and lessons learned by the
2 Department and other Federal agencies.

3 “(8) FOCUS ON IMPROVING OUTREACH.—An
4 identification and assessment of ways to increase op-
5 portunities for communication and collaboration with
6 industry, small and disadvantaged businesses, intra-
7 government entities, university centers of excellence,
8 accredited certification and standards development
9 organizations, and national laboratories to ensure
10 that the Department understands the market for
11 technologies, products, and innovation that is avail-
12 able to meet its mission needs to inform the require-
13 ments-setting process and before engaging in an ac-
14 quisition, including—

15 “(A) methods designed especially to engage
16 small and disadvantaged businesses and a cost-
17 benefit analysis of the tradeoffs that small and
18 disadvantaged businesses provide, barriers to
19 entry for small and disadvantaged businesses,
20 and unique requirements for small and dis-
21 advantaged businesses; and

22 “(B) within the Department Vendor Com-
23 munication Plan and Market Research Guide,
24 instructions for interaction by program man-
25 agers with such entities to prevent misinter-

1 pretation of acquisition regulations and to per-
2 mit freedom within legal and ethical boundaries
3 for program managers to interact with such
4 businesses with transparency.

5 “(9) COMPETITION.—A plan regarding competi-
6 tion as described in subsection (e).

7 “(10) ACQUISITION WORKFORCE.—A plan re-
8 garding the Department acquisition workforce as de-
9 scribed in subsection (f).

10 “(11) FEASIBILITY OF WORKFORCE DEVELOP-
11 MENT FUND PILOT PROGRAM.—An assessment of
12 the feasibility of conducting a pilot program to es-
13 tablish an acquisition workforce development fund as
14 described in subsection (g).

15 “(e) COMPETITION PLAN.—The strategy shall also
16 include a plan (referred to in subsection (d)(9)) that shall
17 address actions to ensure competition, or the option of
18 competition, for major acquisition programs. The plan
19 may include assessments of the following measures in ap-
20 propriate cases if such measures are cost effective:

21 “(1) Competitive prototyping.

22 “(2) Dual-sourcing.

23 “(3) Unbundling of contracts.

24 “(4) Funding of next-generation prototype sys-
25 tems or subsystems.

1 “(5) Use of modular, open architectures to en-
2 able competition for upgrades.

3 “(6) Acquisition of complete technical data
4 packages.

5 “(7) Periodic competitions for subsystem up-
6 grades.

7 “(8) Licensing of additional suppliers, including
8 small businesses.

9 “(9) Periodic system or program reviews to ad-
10 dress long-term competitive effects of program deci-
11 sions.

12 “(f) ACQUISITION WORKFORCE PLAN.—

13 “(1) ACQUISITION WORKFORCE.—The strategy
14 shall also include a plan (referred to in subsection
15 (d)(10)) to address Department acquisition work-
16 force accountability and talent management that
17 identifies the acquisition workforce needs of each
18 Component performing acquisition functions and de-
19 velops options for filling those needs with qualified
20 individuals, including a cost-benefit analysis of con-
21 tracting for acquisition assistance.

22 “(2) ADDITIONAL MATTERS COVERED.—The
23 acquisition workforce plan shall address ways to—

24 “(A) improve the recruitment, hiring,
25 training, and retention of Department acquisi-

1 tion workforce personnel, including contracting
2 officer’s representatives, in order to retain high-
3 ly qualified individuals that have experience in
4 the acquisition life cycle, complex procurements,
5 and management of large programs;

6 “(B) empower program managers to have
7 the authority to manage their programs in an
8 accountable and transparent manner as they
9 work with the acquisition workforce;

10 “(C) prevent duplication within Depart-
11 ment acquisition workforce training and certifi-
12 cation requirements through leveraging already-
13 existing training within the Federal Govern-
14 ment, academic community, or private industry;

15 “(D) achieve integration and consistency
16 with Governmentwide training and accreditation
17 standards, acquisition training tools, and train-
18 ing facilities;

19 “(E) designate the acquisition positions
20 that will be necessary to support the Depart-
21 ment acquisition requirements, including in the
22 fields of—

23 “(i) program management;

24 “(ii) systems engineering;

1 “(iii) procurement, including con-
2 tracting;

3 “(iv) test and evaluation;

4 “(v) life cycle logistics;

5 “(vi) cost estimating and program fi-
6 nancial management; and

7 “(vii) additional disciplines appro-
8 priate to Department mission needs;

9 “(F) strengthen the performance of con-
10 tracting officer’s representatives (as defined in
11 subpart 1.602–2 and subpart 2.101 of the Fed-
12 eral Acquisition Regulation), including by—

13 “(i) assessing the extent to which con-
14 tracting officer’s representatives are cer-
15 tified and receive training that is appro-
16 priate;

17 “(ii) determining what training is
18 most effective with respect to the type and
19 complexity of assignment; and

20 “(iii) implementing actions to improve
21 training based on such assessment; and

22 “(G) identify ways to increase training for
23 relevant investigators and auditors to examine
24 fraud in major acquisition programs, including
25 identifying opportunities to leverage existing

1 Government and private sector resources in co-
2 ordination with the Inspector General of the
3 Department.

4 “(g) FEASIBILITY OF WORKFORCE DEVELOPMENT
5 FUND PILOT PROGRAM.—The strategy shall also include
6 an assessment (referred to in subsection (d)(11)) of the
7 feasibility of conducting a pilot program to establish a
8 Homeland Security Acquisition Workforce Development
9 Fund (in this subsection referred to as the ‘Fund’) to en-
10 sure the Department acquisition workforce has the capac-
11 ity, in both personnel and skills, needed to properly per-
12 form its mission and ensure that the Department receives
13 the best value for the expenditure of public resources. The
14 assessment shall address the following:

15 “(1) Ways to fund the Fund, including the use
16 of direct appropriations, or the credit, transfer, or
17 deposit of unobligated or unused funds from Depart-
18 ment Components into the Fund to remain available
19 for obligation in the fiscal year for which credited,
20 transferred, or deposited and to remain available for
21 successive fiscal years.

22 “(2) Ways to reward the Department acquisi-
23 tion workforce and program managers for good pro-
24 gram management in controlling cost growth, lim-
25 iting schedule delays, and ensuring operational effec-

1 tiveness through providing a percentage of the sav-
2 ings or general acquisition bonuses.

3 “(3) Guidance for the administration of the
4 Fund that includes provisions to do the following:

5 “(A) Describe the costs and benefits asso-
6 ciated with the use of direct appropriations or
7 credit, transfer, or deposit of unobligated or un-
8 used funds to finance the Fund.

9 “(B) Describe the manner and timing for
10 applications for amounts in the Fund to be sub-
11 mitted.

12 “(C) Explain the evaluation criteria to be
13 used for approving or prioritizing applications
14 for amounts in the Fund in any fiscal year.

15 “(D) Explain the mechanism to report to
16 Congress on the implementation of the Fund on
17 an ongoing basis.

18 “(E) Detail measurable performance
19 metrics to determine if the Fund is meeting the
20 objective to improve the acquisition workforce
21 and to achieve cost savings in acquisition man-
22 agement.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents in section 1(b) of the Homeland Security Act
25 of 2002 (6 U.S.C. 101 et seq.) is further amended

1 by adding after the item relating to section 838 the
2 following new item:

“Sec. 839. Multiyear acquisition strategy.”.

3 (b) CONFORMING AMENDMENT TO FUTURE YEARS
4 HOMELAND SECURITY PROGRAM.—Section 874(b) of the
5 Homeland Security Act of 2002 (6 U.S.C. 454(b)) is
6 amended—

7 (1) by striking “and” at the end of paragraph
8 (2);

9 (2) by striking the period at the end of para-
10 graph (3) and inserting “; and”; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(4) include the multiyear acquisition strategy
14 required under section 839 of this Act.”.

15 **SEC. 233. ACQUISITION REPORTS.**

16 (a) IN GENERAL.—Subtitle D of title VIII of the
17 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
18 is further amended by adding at the end the following new
19 section:

20 **“SEC. 840. ACQUISITION REPORTS.**

21 “(a) COMPREHENSIVE ACQUISITION STATUS RE-
22 PORT.—

23 “(1) IN GENERAL.—The Under Secretary for
24 Management each year shall submit to the congres-
25 sional homeland security committees, at the same

1 time as the President’s budget is submitted for a fis-
2 cal year under section 1105(a) of title 31, United
3 States Code, a comprehensive acquisition status re-
4 port. The report shall include the following:

5 “(A) The information required under the
6 heading ‘Office of the Under Secretary for
7 Management’ under title I of division D of the
8 Consolidated Appropriations Act, 2012 (Public
9 Law 112–74) (as required under the Depart-
10 ment of Homeland Security Appropriations Act,
11 2013 (Public Law 113–6)).

12 “(B) A listing of programs that have been
13 cancelled, modified, paused, or referred to the
14 Under Secretary for Management or Deputy
15 Secretary for additional oversight or action by
16 the Board, Department Office of Inspector
17 General, or the Comptroller General.

18 “(C) A listing of established Executive
19 Steering Committees, which provide governance
20 of a program or related set of programs and
21 lower-tiered oversight, and support between ac-
22 quisition decision events and Component re-
23 views, including the mission and membership
24 for each.

1 “(2) INFORMATION FOR MAJOR ACQUISITION
2 PROGRAMS.—For each major acquisition program,
3 the report shall include the following:

4 “(A) A narrative description, including
5 current gaps and shortfalls, the capabilities to
6 be fielded, and the number of planned incre-
7 ments or units.

8 “(B) Acquisition Review Board (or other
9 board designated to review the acquisition) sta-
10 tus of each acquisition, including the current
11 acquisition phase, the date of the last review,
12 and a listing of the required documents that
13 have been reviewed with the dates reviewed or
14 approved.

15 “(C) The most current, approved acquisi-
16 tion program baseline (including project sched-
17 ules and events).

18 “(D) A comparison of the original acquisi-
19 tion program baseline, the current acquisition
20 program baseline, and the current estimate.

21 “(E) Whether or not an independent
22 verification and validation has been imple-
23 mented, with an explanation for the decision
24 and a summary of any findings.

1 “(F) A rating of cost risk, schedule risk,
2 and technical risk associated with the program
3 (including narrative descriptions and mitigation
4 actions).

5 “(G) Contract status (including earned
6 value management data as applicable).

7 “(H) A lifecycle cost of the acquisition,
8 and time basis for the estimate.

9 “(3) UPDATES.—The Under Secretary shall
10 submit quarterly updates to such report not later
11 than 45 days after the completion of each quarter.

12 “(b) QUARTERLY PROGRAM ACCOUNTABILITY RE-
13 PORT.—The Under Secretary for Management shall pre-
14 pare a quarterly program accountability report to meet the
15 Department’s mandate to perform program health assess-
16 ments and improve program execution and governance.
17 The report shall be submitted to the congressional home-
18 land security committees.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 in section 1(b) of the Homeland Security Act of 2002 (6
21 U.S.C. 101 et seq.) is further amended by adding after
22 the item relating to section 839 the following new item:

“Sec. 840. Acquisition reports.”.

1 **SEC. 234. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**
2 **OF MULTIYEAR ACQUISITION STRATEGY.**

3 (a) REVIEW REQUIRED.—After submission to Con-
4 gress of the first multiyear acquisition strategy (pursuant
5 to section 839 of the Homeland Security Act of 2002)
6 after the date of the enactment of this Act, the Comp-
7 troller General of the United States shall conduct a review
8 of the plan within 180 days to analyze the viability of the
9 plan’s effectiveness in the following:

10 (1) Complying with the requirements in section
11 839 of the Homeland Security Act of 2002, as
12 added by section 232 of this Act.

13 (2) Establishing clear connections between De-
14 partment objectives and acquisition priorities.

15 (3) Demonstrating that Department acquisition
16 policy reflects program management best practices
17 and standards.

18 (4) Ensuring competition or the option of com-
19 petition for major acquisition programs.

20 (5) Considering potential cost savings through
21 using already-existing technologies when developing
22 acquisition program requirements.

23 (6) Preventing duplication within Department
24 acquisition workforce training requirements through
25 leveraging already-existing training within the Fed-

1 eral Government, academic community, or private
2 industry.

3 (7) Providing incentives for program managers
4 to reduce acquisition and procurement costs through
5 the use of best practices and disciplined program
6 management.

7 (8) Assessing the feasibility of conducting a
8 pilot program to establish a Homeland Security Ac-
9 quisition Workforce Development Fund.

10 (b) **REPORT REQUIRED.**—The Comptroller General
11 shall submit to the congressional homeland security com-
12 mittees a report on the review required by this section.
13 The report shall be submitted in unclassified form but
14 may include a classified annex.

15 **SEC. 235. OFFICE OF INSPECTOR GENERAL REPORT.**

16 (a) **REVIEW REQUIRED.**—No later than 2 years fol-
17 lowing the submission of the report submitted by the
18 Comptroller General of the United States as required by
19 section 234, the Department’s Inspector General shall
20 conduct a review of whether the Department has complied
21 with the multiyear acquisition strategy (pursuant to sec-
22 tion 839 of the Homeland Security Act of 2002) and ad-
23 hered to the strategies set forth in the plan. The review
24 shall also consider whether the Department has complied
25 with the requirements to provide the Acquisition Review

1 Board with a capability development plan for each major
2 acquisition program.

3 (b) REPORT REQUIRED.—The Inspector General
4 shall submit to the congressional homeland security com-
5 mittees a report of the review required by this section. The
6 report shall be submitted in unclassified form but may in-
7 clude a classified annex.