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(Original Signature of Member)

114TH CONGRESS  
2D SESSION

**H. R. 4398**

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

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IN THE HOUSE OF REPRESENTATIVES

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUI-**  
2 **SION DOCUMENTATION.**

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

6 **“SEC. 708. ACQUISITION DOCUMENTATION.**

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

11 “(1) maintain acquisition documentation that is  
12 complete, accurate, timely, and valid and that in-  
13 cludes, at a minimum—

14 “(A) operational requirements that are  
15 validated consistent with Departmental policy  
16 and changes to those requirements, as appro-  
17 priate;

18 “(B) a complete life-cycle-cost estimate  
19 with supporting documentation;

20 “(C) verification of the life cycle cost esti-  
21 mate against independent cost estimates, and  
22 reconciliation of any differences;

23 “(D) a cost-benefit analysis with sup-  
24 porting documentation; and

25 “(E) a schedule, including, as appropriate,  
26 an integrated master schedule;

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

6           “(3) submit certain acquisition documentation  
7           to the Secretary to produce an annual comprehen-  
8           sive report on the status of departmental acquisi-  
9           tions for submission to Congress.

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

13                 “(1) the program has not—

14                         “(A) entered the full rate production phase  
15                         in the acquisition life cycle;

16                         “(B) had a reasonable cost estimate estab-  
17                         lished; and

18                         “(C) had a system configuration defined  
19                         fully; or

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

23          “(c) CONGRESSIONAL OVERSIGHT.—At the same  
24         time the President’s budget is submitted for a fiscal year  
25         under section 1105(a) of title 31, United States Code, the

1 Secretary shall make information available, as applicable,  
2 to the Committee on Homeland Security of the House of  
3 Representatives and Committee on Homeland Security  
4 and Governmental Affairs of the Senate information on  
5 the requirement under subsection (a) in the prior fiscal  
6 year that includes the following specific information re-  
7 garding each program for which the Secretary has issued  
8 a waiver under subsection (b):

9           “(1) The grounds for granting a waiver for that  
10       program.

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

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

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

18       “(d) MAJOR ACQUISITION PROGRAM DEFINED.—In  
19       this section, the term ‘major acquisition program’ means  
20       a Department acquisition program that is estimated by  
21       the Secretary to require an eventual total expenditure of  
22       at least \$300,000,000 (based on fiscal year 2016 constant  
23       dollars) over its life cycle cost.”

24       (b) CLERICAL AMENDMENT.—The table of contents  
25       in section 1(b) of the Homeland Security Act of 2002 (6

- 1 U.S.C. 101 et seq.) is amended by adding after the item
- 2 related to section 707 the following new item:

“Sec. 708. Acquisition documentation.”.