



One Hundred Thirteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

March 26, 2014

SUBCOMMITTEE ACTION

The Committee on Homeland Security's Subcommittee on Oversight and Management Efficiency met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, March 26, 2014 in 311 Cannon House Office Building to consider the following measure: H.R. 4228, (Mr. Duncan of South Carolina), To require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management. The "DHS Acquisition Accountability and Efficiency Act."

The Subcommittee took the following actions:

H.R. 4228, To require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management.; was ordered forwarded to the Full Committee with a favorable recommendation, amended, by voice vote.

The Committee agreed to H.R. 4228, as amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 4288 offered by Mr. Duncan (#1); was AGREED TO by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 4228 offered by Mr. Barber (#1A); consisting of the following amendments:
Page 17, line 6, insert after "including" the following: ", in particular,"

Page 22, beginning on line 17, strike "The Chief Financial Officer" and all that follows through "The Board shall" on line 20, and insert "The Secretary shall".

Page 40, lines 15 and 16, strike "ranked based on mission and greatest security risks to the homeland".; was AGREED TO by voice vote.

A unanimous consent request by Mr. Barber to consider his amendment en bloc, was not objected to.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4228 offered by Mr. Daines (#1B); Page 42, insert after line 2 a new paragraph entitled “(6) Focus on incentives to save taxpayer dollars.”
Page 42, line 3, strike “(6)” and insert “(7)”.
Page 42, line 13, strike “(7)” and insert “(8)”.
Page 43, line 16, strike “(8)” and insert “(9)”.
Page 43, line 18, strike “(9)” and insert “(10)”.
Page 43, line 21, strike “(10)” and insert “(11)”.
Page 44, line 2, strike “(d)(8)” and insert “(d)(9)”.
Page 45, line 1, strike “(d)(9)” and insert “(d)(10)”.
Page 46, line 21, strike “(d)(10)” and insert “(d)(11)”.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 4228 offered by Mr. O’Rourke (#1C); consisting of the following amendments:
Page 21, starting on line 11, strike "For each major acquisition" and all that follows through the period on line 16, and insert the following: “For each major acquisition, each head of a Component shall-
“(1) establish a complete life cycle cost estimate with supporting documentation;
“(2) verify each life cycle cost estimate against independent cost estimates, and reconcile any differences;
“(3) complete a cost-benefit analysis with supporting documentation;
“(4) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and
“(5) ensure that all acquisition program information provided by the Component is complete, accurate, timely, and valid.

Page 40, line 17, after “address” insert “, that includes the expected security benefit of the program or system and an analysis of how the security benefit derived from the program or system will be measured”.; was AGREED TO by voice vote.

A unanimous consent request by Mr. Barber to adopt the amendments on the roster by Mr. Payne, was not objected to.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4228 offered by Mr. Payne (#1D); Page 45, line 12, insert after “personnel” the following “, including contracting officer’s representatives,”.; was ADOPTED by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute to H.R. 4228 offered by Mr. Payne (#1E); Page 46, after line 18, insert the following:
“(F) strengthen the performance of contracting officer’s representatives (as defined in Subpart 1.602-2 and Subpart 2.101 of the Federal Acquisition Regulation), including by—

“(i) assessing the extent to which contracting officer’s representatives are certified and receive training that is appropriate;

“(ii) determining what training is most effective with respect to the type and complexity of assignment; and “(ii) implementing actions to improve training based on such assessment.”.

Page 46, line 4, strike “and”.

Page 46, line 18, strike the period and insert “; and”.; was ADOPTED by unanimous consent.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 4228.

