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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To direct the Chief Acquisition Officer of the Department of Veterans Affairs to enter into a contract for the independent verification and validation of certain modernization efforts of the Department, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. TAKANO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the Chief Acquisition Officer of the Department of Veterans Affairs to enter into a contract for the independent verification and validation of certain modernization efforts of the Department, 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 “Department of Vet-  
5 erans Affairs IT Modernization Improvement Act of  
6 2023”.

1 **SEC. 2. INDEPENDENT VERIFICATION AND VALIDATION OF**  
2 **CERTAIN MODERNIZATION EFFORTS OF DE-**  
3 **PARTMENT OF VETERANS AFFAIRS.**

4 (a) **CONTRACTING AUTHORITY.**—Not later than 90  
5 days after the date of the enactment of this Act, the Chief  
6 Acquisition Officer of the Department of Veterans Affairs  
7 established pursuant to section 1702 of title 41, United  
8 States Code, shall enter into a contract with an eligible  
9 entity under subsection (b) to carry out the oversight func-  
10 tions described in subsection (c).

11 (b) **ELIGIBILITY.**—An entity is eligible under this  
12 subsection if the Chief Acquisition Officer of the Depart-  
13 ment determines that, with respect to the solicitation by  
14 the Department for a contract under subsection (a), the  
15 entity—

16 (1) is currently performing or has performed,  
17 during the three-year period preceding the date of  
18 the issuance of such solicitation, not fewer than  
19 three prime contracts for the independent  
20 verification and validation, or equivalent technical  
21 and program oversight support, of major defense ac-  
22 quisition programs or priority defense business sys-  
23 tems, in accordance with guidance of the Depart-  
24 ment of Defense relating to such acquisition pro-  
25 grams or such business systems; and

1           (2) is not currently performing and has not per-  
2           formed, for at least the five-year period preceding  
3           the date of the issuance of such solicitation, any con-  
4           tract or subcontract for the Department of Veterans  
5           Affairs (including such a contract or subcontract re-  
6           lating to a covered program).

7           (c) FUNCTIONS.—The oversight functions described  
8           in this subsection are the following:

9           (1) Conducting an initial assessment of each  
10          covered program and submitting to the Secretary a  
11          report containing the findings of such assessment.

12          (2) On an annual basis, conducting an overall  
13          assessment of each covered program and submitting  
14          to the Secretary a report containing the findings of  
15          each such assessment.

16          (3) Conducting continuous oversight of the ac-  
17          tivities carried out under, and the systems associated  
18          with, each covered program, including oversight of  
19          the status, compliance, performance, and implemen-  
20          tation of recommendations with respect to, for each  
21          covered program, the following:

22                  (A) Management, including governance,  
23                  costs, and implementation milestones and  
24                  timelines.

1 (B) Contracts for implementation, includ-  
2 ing financial metrics and performance bench-  
3 marks for contractors.

4 (C) Effect on the functions, business oper-  
5 ations, or clinical organizational structure of  
6 the health care system of the Department.

7 (D) Supply chain risk management, con-  
8 trols, and compliance.

9 (E) Data management.

10 (F) With respect to associated systems, the  
11 following:

12 (i) Technical architectural design, de-  
13 velopment, and stability of the systems.

14 (ii) System interoperability and inte-  
15 gration with related information technology  
16 systems.

17 (iii) System testing.

18 (iv) Functional system training pro-  
19 vided to users.

20 (v) System adoption and use.

21 (d) SUBMISSION TO CONGRESS.—Not later than 30  
22 days after the date on which the Secretary receives any  
23 annual report under subsection (c)(2), the Secretary shall  
24 submit to the Committees on Veterans' Affairs of the  
25 House of Representatives and the Senate such report.

1 (e) AWARDED AMOUNTS.—Not later than 90 days  
2 after the date on which the Chief Acquisition Officer of  
3 the Department enters into the contract under subsection  
4 (a), the Chief Financial Officer of the Department, in co-  
5 ordination with the heads of such office of the Department  
6 responsible for the management of a covered program,  
7 shall ensure that amounts awarded to an eligible entity  
8 under such contract are derived, in proportionate  
9 amounts, from amounts otherwise authorized to be appro-  
10 priated for each such office of the Department, respec-  
11 tively.

12 (f) DEFINITIONS.—In this section:

13 (1) The term “covered program” means the fol-  
14 lowing:

15 (A) The Electronic Health Record Mod-  
16 ernization Program (or any successor program).

17 (B) The Financial Management and Busi-  
18 ness Transformation Program (or any successor  
19 program).

20 (C) Any program of the Department relat-  
21 ing to supply chain modernization.

22 (D) Any program of the Department relat-  
23 ing to the modernization of information tech-  
24 nology systems associated with human re-  
25 sources.

1                   (E) Any program of the Department relat-  
2                   ing to the Veterans Benefits Management Sys-  
3                   tem.

4                   (2) The term “priority defense business sys-  
5                   tem” has the meaning given such term in section  
6                   2222(i)(5) of title 10, United States Code.

7                   (3) The term “major defense acquisition pro-  
8                   gram” has the meaning given such term in section  
9                   4201 of title 10, United States Code.