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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Ms. TORRES SMALL of New Mexico introduced the following bill; which was referred to the Committee on _____

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 2019”.

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 new section:

6 **“SEC. 711. 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 such requirements, as appro-
17 priate;

18 “(B) a complete lifecycle cost estimate
19 with supporting documentation;

20 “(C) verification of such lifecycle 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 for submission to Con-
8 gress an annual comprehensive report on the status
9 of departmental acquisitions.

10 “(b) WAIVER.—On a case-by-case basis with respect
11 to any major acquisition program under this section, the
12 Secretary may waive the requirement under paragraph (3)
13 of subsection (a) for a fiscal year if either—

14 “(1) such program has not—

15 “(A) entered the full rate production phase
16 in the acquisition lifecycle;

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

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

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

24 “(c) CONGRESSIONAL OVERSIGHT.—At the same
25 time the President’s budget is submitted for a fiscal year

1 under section 1105(a) of title 31, United States Code, the
2 Secretary shall make information available, as applicable,
3 to the Committee on Homeland Security of the House of
4 Representatives and the Committee on Homeland Security
5 and Governmental Affairs of the Senate regarding the re-
6 quirement described in subsection (a) in the prior fiscal
7 year that includes the following specific information re-
8 garding each major acquisition program for which the Sec-
9 retary has issued a waiver under subsection (b):

10 “(1) The grounds for granting a waiver for
11 such program.

12 “(2) The projected cost of such program.

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

16 “(4) Information on the significance of such
17 program with respect to the component’s or office’s
18 operations and execution of its mission.

19 “(d) MAJOR ACQUISITION PROGRAM DEFINED.—In
20 this section, the term ‘major acquisition program’ means
21 a Department acquisition program that is estimated by
22 the Secretary to require an eventual total expenditure of
23 at least \$300,000,000 (based on fiscal year 2019 constant
24 dollars) over its lifecycle cost.”.

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 amended by adding after the item
4 related to section 707 the following new item:

“Sec. 711. Acquisition documentation.”.