

117TH CONGRESS
1ST SESSION

H. R. 2250

To amend title 38, United States Code, to improve the management of information technology projects and investments of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. ROSENDALE (for himself, Mr. MRVAN, and Mr. BANKS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve the management of information technology projects and investments of the Department of Veterans Affairs, 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 Information Technology Reform Act of
6 2021”.

1 **SEC. 2. MANAGEMENT OF MAJOR INFORMATION TECH-**
2 **NOLOGY PROJECTS.**

3 (a) IN GENERAL.—Chapter 81 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new subchapter:

6 “SUBCHAPTER VI—INFORMATION
7 TECHNOLOGY PROJECTS AND ACTIVITIES

8 “§ 8171. **Definitions**

9 “In this subchapter:

10 “(1) The term ‘appropriate congressional com-
11 mittees’ means—

12 “(A) the Committees on Veterans’ Affairs
13 of the House of Representatives and the Sen-
14 ate; and

15 “(B) the Subcommittees on Military Con-
16 struction, Veterans Affairs and Related Agen-
17 cies of the House of Representatives and the
18 Senate.

19 “(2) The term ‘information technology’ has the
20 meaning given that term in section 11101 of title
21 40.

22 “(3) The term ‘life cycle costs’ means all direct
23 and indirect costs to acquire, implement, operate,
24 and maintain an information technology system.

25 “(4) The term ‘major information technology
26 project’ means a project or program of the Depart-

1 ment of Veterans Affairs (including a project or pro-
2 gram of any element of the Department) for, or in-
3 cluding, the acquisition or implementation of an in-
4 formation technology system if—

5 “(A) the project or program is des-
6 ignated—

7 “(i) by the Secretary of Veterans Af-
8 fairs or the Chief Information Officer of
9 the Department as a major information
10 technology project; or

11 “(ii) by the Director of the Office of
12 Management and Budget as a major infor-
13 mation technology investment, as defined
14 in section 11302 of title 40;

15 “(B) the dollar value of the project or pro-
16 gram is estimated by the Secretary to exceed—

17 “(i) \$50,000,000 (as adjusted for in-
18 flation pursuant to section 1908 of title
19 41) for all project or program costs in a
20 single fiscal year;

21 “(ii) \$200,000,000 (as adjusted for
22 inflation pursuant to section 1908 of title
23 41) for all project acquisition or implemen-
24 tation costs for the duration of the project
25 or program; or

1 “(iii) \$500,000,000 (as adjusted for
2 inflation pursuant to section 1908 of title
3 41) for the total life cycle costs of the
4 project or program; or

5 “(C) any increment of the project or pro-
6 gram separately meets the requirements of sub-
7 paragraphs (A) or (B).

8 **“§ 8172. Management of major information tech-**
9 **nology projects**

10 “(a) COST, SCHEDULE, AND PERFORMANCE INFOR-
11 MATION.—The Secretary of Veterans Affairs may not obli-
12 gate or expend funds for any major information tech-
13 nology project that begins after the date of the enactment
14 of this section unless the Secretary, acting through the
15 Chief Information Officer, submits to the appropriate con-
16 gressional committees a report containing information on
17 the cost, schedule, and performance of such project. Each
18 such report shall include, with respect to such project, the
19 following:

20 “(1) An estimate of acquisition, implementa-
21 tion, and life cycle costs.

22 “(2) An intended implementation schedule indi-
23 cating significant milestones, initial operating capa-
24 bility, and full operating capability or completion.

1 “(3) Key business, functional, or performance
2 objectives.

3 “(b) BASELINE.—(1) The Secretary shall use the in-
4 formation on the cost, schedule, and performance of a
5 major information technology project included in the re-
6 port under subsection (a) as the baseline against which
7 changes or variances are measured during the life cycle
8 of such project.

9 “(2) The Secretary shall—

10 “(A) annually update the baseline of a major
11 information technology project pursuant to sub-
12 section (c); and

13 “(B) include such updated baseline in the docu-
14 ments providing detailed information on the budget
15 for the Department that the Secretary submits to
16 Congress in conjunction with the President’s budget
17 submission pursuant to section 1105 of title 31.

18 “(c) CHANGES AND VARIANCES.—(1) Not later than
19 60 days after the date on which the Secretary identifies
20 a change or variance described in paragraph (2) in the
21 cost, schedule, or performance of a major information
22 technology project, the Secretary, acting through the Chief
23 Information Officer, shall submit to the appropriate con-
24 gressional committees a notification of such change or

1 variance, including a description and explanation for such
2 change or variance.

3 “(2) A change or variance in the cost, schedule, or
4 performance of a major information technology project de-
5 scribed in this paragraph is—

6 “(A) with respect to the acquisition, implemen-
7 tation, or life cycle cost of the project, or an incre-
8 ment therein, a change or variance that is 10 per-
9 cent or greater compared to the baseline;

10 “(B) with respect to the schedule for achieving
11 a significant milestone, initial operating capability,
12 or final completion of the project, a change or vari-
13 ance that is 180 days or greater compared to the
14 baseline; or

15 “(C) with respect to the performance, an in-
16 stance where a key business, functional, or perform-
17 ance objective is not attained, or is not anticipated
18 to be attained, in whole or in part.

19 “(d) MANAGEMENT.—The Secretary shall ensure
20 that each major information technology project is man-
21 aged by an interdisciplinary team including the following:

22 “(1) A project manager who is—

23 “(A) certified in project management at
24 level three by the Department or the Depart-
25 ment of Defense pursuant to section 1701a of

1 title 10, or who holds an equivalent certification
2 by a private sector project management certifi-
3 cation organization, as determined appropriate
4 by the Secretary; and

5 “(B) an employee of the Office of Informa-
6 tion and Technology of the Department or an
7 employee of an element of the Department at
8 which the project originates.

9 “(2) A functional lead who is an employee of
10 the element of the Department at which the project
11 originates.

12 “(3) A technical lead who is an employee of the
13 Office of Information and Technology of the Depart-
14 ment.

15 “(4) A contracting officer.

16 “(5) Sufficient other project management, func-
17 tional, technical, and procurement personnel as the
18 Secretary determines appropriate.

19 **“§ 8173. Information technology activities of the Fi-**
20 **nancial Services Center**

21 “(a) MANAGEMENT.—Consistent with sections 11302
22 and 11319 of title 40—

23 “(1) the Chief Information Officer of the De-
24 partment shall—

1 “(A) exercise authority over the manage-
 2 ment, governance, and oversight processes relat-
 3 ing to information technology of the Financial
 4 Services Center of the Department, or such suc-
 5 cessor office; and

6 “(B) supervise the information technology
 7 employees and contractors of the Financial
 8 Services Center; and

9 “(2) the Director of the Financial Services Cen-
 10 ter of the Department, or the head of such successor
 11 office, may not enter into a contract or other agree-
 12 ment for information technology or information tech-
 13 nology services unless the contract or other agree-
 14 ment has been reviewed and approved by the Chief
 15 Information Officer.

16 “(b) OVERSIGHT.—The Chief Information Officer
 17 shall have oversight and operational authority over all in-
 18 formation security practices of the Financial Services Cen-
 19 ter of the Department.

20 **“§ 8174. Submission of annual reviews of information**
 21 **technology**

22 “The Secretary, acting through the Chief Informa-
 23 tion Officer, shall submit to the appropriate congressional
 24 committees each annual review of the information tech-
 25 nology portfolio of the Department conducted pursuant to

1 section 11319(d)(3) of title 40. The first such annual re-
2 view so submitted shall include a copy of each previous
3 annual review conducted under such section.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by adding
6 at the end the following:

“SUBCHAPTER VI—INFORMATION TECHNOLOGY PROJECTS AND ACTIVITIES

“8171. Definitions.

“8172. Management of major information technology projects.

“8173. Information technology activities of the Financial Services Center.

“8174. Submission of annual reviews of information technology.”.

7 (c) APPLICATION; REPORT.—

8 (1) CURRENT AND NEW PROJECTS.—Except as
9 specifically provided in subsection (a) of section
10 8172 of title 38, United States Code, as added by
11 subsection (a) of this section, such section 8172
12 shall apply with respect to major information tech-
13 nology projects that begin before, on, or after the
14 date of the enactment of this Act.

15 (2) REPORT ON CURRENT PROJECTS.—

16 (A) REQUIREMENT.—Not later than 90
17 days after the date of the enactment of this
18 Act, the Secretary of Veterans Affairs shall
19 submit to the appropriate congressional com-
20 mittees a report on each major information
21 technology project that the Secretary is car-
22 rying out as of the date of the report. The re-

1 port shall contain, with respect to each such
2 project, information on the cost, schedule, and
3 performance of such project as described in
4 subsection (a) of such section 8172.

5 (B) DEFINITIONS.—In this subsection, the
6 terms “appropriate congressional committees”
7 and “major information technology project”
8 have the meanings given those terms in section
9 8171 of title 38, United States Code, as added
10 by subsection (a) of this section.

11 **SEC. 3. ASSESSMENT OF SUITABILITY OF CLOUD MIGRA-**
12 **TION INVESTMENTS.**

13 (a) ASSESSMENT.—Not later than one year after the
14 date of the enactment of this Act, the Secretary of Vet-
15 erans Affairs, acting through the Chief Information Offi-
16 cer of the Department of Veterans Affairs, shall conduct
17 an assessment, in accordance with guidance from the Of-
18 fice of Management and Budget, of all information tech-
19 nology investments of the Department of Veterans Affairs
20 to determine the suitability of the investments for migra-
21 tion to a cloud computing service.

22 (b) CONSISTENT MECHANISM.—The Secretary, act-
23 ing through the Chief Information Officer, shall establish
24 a consistent and repeatable mechanism to track savings
25 and cost avoidances from the—

1 (1) migration of information technology invest-
2 ments to cloud computing services; and

3 (2) deployment of cloud computing services.

4 **SEC. 4. REPORT ON INFORMATION TECHNOLOGY DASH-**
5 **BOARD INFORMATION.**

6 (a) REPORT.—Not later than 90 days after the date
7 of the enactment of this Act, the Secretary, acting through
8 the Chief Information Officer, shall submit to the appro-
9 priate congressional committees a report containing—

10 (1) an explanation of the ratings, rankings, and
11 risk categorizations used by the Chief Information
12 Officer pursuant to subparagraph (C) of section
13 11302(c)(3) of title 40, United States Code, with re-
14 spect to the information technology dashboard of the
15 Office of Management and Budget developed under
16 such section; and

17 (2) copies of supporting or explanatory informa-
18 tion provided by the Chief Information Officer to the
19 Office of Management and Budget with respect to
20 submissions by the Chief Information Officer to the
21 information technology dashboard for the fiscal year
22 in which the report is submitted (other than infor-
23 mation not otherwise made public pursuant to such
24 section).

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES

2 DEFINED.—In section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committees on Veterans’ Affairs of the
5 House of Representatives and the Senate; and

6 (2) the Subcommittees on Military Construc-
7 tion, Veterans Affairs and Related Agencies of the
8 House of Representatives and the Senate.

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