

114TH CONGRESS
2D SESSION

H. R. 4398

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

FEBRUARY 1, 2016

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on Homeland Security

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 ACQUISITION DOCUMENTATION.**
2

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

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

7 “(a) IN GENERAL.—For each major acquisition program, the Secretary, acting through the Under Secretary
8 for Management, shall require the head of a relevant component or office to—
9

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

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

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

20 “(C) verification of the lifecycle cost estimate against independent cost estimates, and
21 reconciliation of any differences;
22

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

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 lifecycle;

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 the 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 lifecycle 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.”.

○