

116TH CONGRESS  
1ST SESSION

# H. R. 1912

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2019

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

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## 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 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 new section:

5 **“SEC. 711. ACQUISITION DOCUMENTATION.**

6  
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  
10

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 such requirements, as appropriate;  
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18 “(B) a complete lifecycle cost estimate  
19 with supporting documentation;

20 “(C) verification of such 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 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.”.

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