

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6162

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2006

Received

NOVEMBER 13, 2006

Read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

---

## AN ACT

To require financial accountability with respect to certain contract actions related to the Secure Border Initiative of the Department of Homeland Security.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Secure Border Initia-  
3 tive Financial Accountability Act of 2006”.

4 **SEC. 2. SECURE BORDER INITIATIVE FINANCIAL ACCOUNT-**  
5 **ABILITY.**

6 (a) **IN GENERAL.**—The Inspector General of the De-  
7 partment of Homeland Security shall review each contract  
8 action related to the Department’s Secure Border Initia-  
9 tive having a value greater than \$20,000,000, to deter-  
10 mine whether each such action fully complies with applica-  
11 ble cost requirements, performance objectives, program  
12 milestones, inclusion of small, minority, and women-owned  
13 business, and timelines. The Inspector General shall com-  
14 plete a review under this subsection with respect to a con-  
15 tract action—

16 (1) not later than 60 days after the date of the  
17 initiation of the action; and

18 (2) upon the conclusion of the performance of  
19 the contract.

20 (b) **REPORT BY INSPECTOR GENERAL.**—Upon com-  
21 pletion of each review described in subsection (a), the In-  
22 spector General shall submit to the Secretary of Homeland  
23 Security a report containing the findings of the review,  
24 including findings regarding any cost overruns, significant  
25 delays in contract execution, lack of rigorous departmental  
26 contract management, insufficient departmental financial

1 oversight, bundling that limits the ability of small business  
2 to compete, or other high risk business practices.

3 (c) REPORT BY SECRETARY.—Not later than 30 days  
4 after the receipt of each report required under subsection  
5 (b), the Secretary of Homeland Security shall submit to  
6 the Committee on Homeland Security of the House of  
7 Representatives and the Committee on Homeland Security  
8 and Governmental Affairs of the Senate a report on the  
9 findings of the report by the Inspector General and the  
10 steps the Secretary has taken, or plans to take, to address  
11 the problems identified in such report.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
13 tion to amounts that are otherwise authorized to be appro-  
14 priated to the Office of the Inspector General, an addi-  
15 tional amount equal to at least five percent for fiscal year  
16 2007, at least six percent for fiscal year 2008, and at least  
17 seven percent for fiscal year 2009 of the overall budget  
18 of the Office for each such fiscal year is authorized to be  
19 appropriated to the Office to enable the Office to carry  
20 out this section.

21 (e) ACTION BY INSPECTOR GENERAL.—In the event  
22 the Inspector General becomes aware of any improper con-  
23 duct or wrongdoing in accordance with the contract review  
24 required under subsection (a), the Inspector General shall,  
25 as expeditiously as practicable, refer information related

1 to such improper conduct or wrongdoing to the Secretary  
2 of Homeland Security or other appropriate official in the  
3 Department of Homeland Security for purposes of evalu-  
4 ating whether to suspend or debar the contractor.

Passed the House of Representatives September 28,  
2006.

Attest:

KAREN L. HAAS,

*Clerk.*