

Union Calendar No. 171

114TH CONGRESS
1ST SESSION

H. R. 1634

[Report No. 114–226]

To strengthen accountability for deployment of border security technology
at the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2015

Ms. MCSALLY (for herself, Mr. McCAUL, Mr. KATKO, Mr. HURD of Texas,
Mr. CARTER of Georgia, Mr. WALKER, Mr. LOUDERMILK, and Mr.
RATCLIFFE) introduced the following bill; which was referred to the Com-
mittee on Homeland Security

JULY 27, 2015

Additional sponsors: Mr. RUSSELL, Mr. KING of New York, Mr. BILIRAKIS,
Mrs. MILLER of Michigan, Mr. GOSAR, and Mr. HENSARLING

JULY 27, 2015

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 25, 2015]

A BILL

To strengthen accountability for deployment of border security technology at the Department of Homeland Security, 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 “Border Security Tech-*
5 *nology Accountability Act of 2015”.*

6 **SEC. 2. BORDER SECURITY TECHNOLOGY ACCOUNTABILITY.**

7 *(a) IN GENERAL.—Subtitle C of title IV of the Home-*
8 *land Security Act of 2002 (6 U.S.C. 231 et seq.) is amended*
9 *by adding at the end the following new section:*

10 **“SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM**
11 **MANAGEMENT.**

12 *“(a) PLANNING DOCUMENTATION.—For each border se-*
13 *curity technology acquisition program of the Department*
14 *that is determined to be a major acquisition program, the*
15 *Secretary shall—*

16 *“(1) ensure that each such program has a writ-*
17 *ten acquisition program baseline approved by the rel-*
18 *evant acquisition decision authority;*

19 *“(2) document that each such program is meet-*
20 *ing cost, schedule, and performance thresholds as spec-*
21 *ified in such baseline, in compliance with relevant de-*
22 *partmental acquisition policies and the Federal Ac-*
23 *quisition Regulation; and*

24 *“(3) have a plan for meeting program implemen-*
25 *tation objectives by managing contractor performance.*

1 “(b) *ADHERENCE TO STANDARDS.*—*The Secretary,*
2 *acting through the Under Secretary for Management and*
3 *the Commissioner of U.S. Customs and Border Protection,*
4 *shall ensure border security technology acquisition program*
5 *managers who are responsible for carrying out this section*
6 *adhere to relevant internal control standards identified by*
7 *the Comptroller General of the United States. The Commis-*
8 *sioner shall provide information, as needed, to assist the*
9 *Under Secretary in monitoring proper program manage-*
10 *ment of border security technology acquisition programs*
11 *under this section.*

12 “(c) *PLAN.*—*The Secretary, acting through the Under*
13 *Secretary for Management, in coordination with the Under*
14 *Secretary for Science and Technology and the Commis-*
15 *sioner of U.S. Customs and Border Protection, shall submit*
16 *to the appropriate congressional committees a plan for test-*
17 *ing and evaluation, as well as the use of independent*
18 *verification and validation resources, for border security*
19 *technology so that new border security technologies are eval-*
20 *uated through a series of assessments, processes, and audits*
21 *to ensure compliance with relevant departmental acquisi-*
22 *tion policies and the Federal Acquisition Regulation, as*
23 *well as the effectiveness of taxpayer dollars.*

24 “(d) *MAJOR ACQUISITION PROGRAM DEFINED.*—*In*
25 *this section, the term ‘major acquisition program’ means*

1 *a Department acquisition program that is estimated by the*
2 *Secretary to require an eventual total expenditure of at*
3 *least \$300,000,000 (based on fiscal year 2015 constant dol-*
4 *lars) over its life cycle cost.”.*

5 *(b) CLERICAL AMENDMENT.—The table of contents of*
6 *the Homeland Security Act of 2002 is amended by inserting*
7 *after the item relating to section 433 the following new item:*
“Sec. 434. Border security technology program management.”.

8 **SEC. 3. PROHIBITION ON ADDITIONAL AUTHORIZATION OF**
9 **APPROPRIATIONS.**

10 *No additional funds are authorized to be appropriated*
11 *to carry out this Act and the amendments made by this*
12 *Act. This Act and such amendments shall be carried out*
13 *using amounts otherwise available for such purposes.*

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