

Calendar No. 423

116TH CONGRESS
2D SESSION**S. 2336**

To improve the management of information technology projects and investments of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2019

Mr. TESTER (for himself and Mrs. BLACKBURN) introduced the following bill;
which was read twice and referred to the Committee on Veterans' Affairs

FEBRUARY 13, 2020

Reported by Mr. MORAN, without amendment

A BILL

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 2019”.

1 **SEC. 2. MANAGEMENT OF DEPARTMENT OF VETERANS AF-**
2 **FAIRS INFORMATION TECHNOLOGY**
3 **PROJECTS.**

4 (a) UPDATE OF REVIEW PROCESS AND INFORMA-
5 TION TECHNOLOGY DASHBOARD CHIEF INFORMATION
6 OFFICER RATINGS.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Sec-
9 retary of Veterans Affairs shall update the review
10 process for information technology projects of the
11 Department of Veterans Affairs to ensure that ac-
12 tive risks are factored into the Information Tech-
13 nology Dashboard Chief Information Officer ratings.

14 (2) REVIEW BY COMPTROLLER GENERAL OF
15 THE UNITED STATES.—Not later than one year after
16 the date on which the Secretary completes updating
17 the review process under paragraph (1), the Comp-
18 troller General of the United States shall complete
19 a review such process.

20 (b) ANNUAL REPORT ON PROJECT BUDGET DIS-
21 CREPANCIES.—

22 (1) IN GENERAL.—Each fiscal year, not later
23 than 120 days after the end of the previous fiscal
24 year, the Secretary shall submit to the Committee
25 on Veterans' Affairs of the Senate and the Com-
26 mittee on Veterans' Affairs of the House of Rep-

1 representatives a report on covered information tech-
 2 nology projects of the Department with respect to
 3 which the amounts that were obligated and the
 4 amounts expended by the Department in that fiscal
 5 year were, in aggregate, 10 percent or more greater
 6 or less than the amount budgeted for the project in
 7 that fiscal year.

8 (2) COVERED INFORMATION TECHNOLOGY
 9 PROJECTS.—For purposes of this subsection, a cov-
 10 ered information technology project of the Depart-
 11 ment is an information technology project of the De-
 12 partment for which the Secretary estimates the De-
 13 partment will expend or obligate \$25,000,000 or
 14 more for development and sustainment over a three-
 15 year lifecycle.

16 (3) MITIGATION PLANS.—Each report sub-
 17 mitted under paragraph (1) shall include, for each
 18 project described in the report, a plan to rectify the
 19 budget discrepancy and improve the accuracy of the
 20 budget formulation process of the Department.

21 **SEC. 3. PLAN FOR EXPENDITURES RELATING TO DEPART-**
 22 **MENT OF VETERANS AFFAIRS INFORMATION**
 23 **TECHNOLOGY PROJECTS AND INVESTMENTS.**

24 (a) PLAN REQUIRED.—

1 (1) IN GENERAL.—The Secretary of Veterans
2 Affairs shall submit to the appropriate committees
3 of Congress a plan for expenditures of the Depart-
4 ment of Veterans Affairs relating to large informa-
5 tion technology projects and investments.

6 (2) CONTENTS.—The report submitted under
7 paragraph (1) shall include the following:

8 (A) Identification of each information tech-
9 nology project and investment planned by the
10 Secretary for which the Secretary estimates the
11 Department will expend or obligate
12 \$25,000,000 or more for development and
13 sustainment over a three-year lifecycle.

14 (B) For each such project and investment,
15 a description of—

16 (i) the functional and performance ca-
17 pabilities to be delivered and the mission
18 benefits to be realized;

19 (ii) the estimated lifecycle cost, includ-
20 ing estimates for development as well as
21 maintenance and operations; and

22 (iii) key milestones to be met.

23 (C) Demonstration that each project and
24 investment is—

1 (i) consistent with the Information
2 Technology Modernization Plan of the De-
3 partment, or successor plan;

4 (ii) being managed in accordance with
5 applicable lifecycle management policies
6 and guidance; and

7 (iii) subject to applicable planning and
8 investment control requirements of the De-
9 partment.

10 (D) A statement as to whether the plan
11 has been reviewed by the Comptroller General
12 of the United States.

13 (b) DEFINITION OF APPROPRIATE COMMITTEES OF
14 CONGRESS.—In this section, the term “appropriate com-
15 mittees of Congress” means—

16 (1) the Committee on Veterans’ Affairs and the
17 Committee on Appropriations of the Senate; and

18 (2) the Committee on Veterans’ Affairs and the
19 Committee on Appropriations of the House of Rep-
20 resentatives.

21 **SEC. 4. BUDGET JUSTIFICATION FOR DEPARTMENT OF**
22 **VETERANS AFFAIRS INFORMATION TECH-**
23 **NOLOGY PROGRAMS.**

24 The Secretary of Veterans Affairs shall ensure that
25 whenever the budget justification materials are submitted

1 to Congress in support of the Department of Veterans Af-
2 fairs budget for a fiscal year (as submitted with the budg-
3 et of the President for such fiscal year under section
4 1105(a) of title 31, United States Code), such budget jus-
5 tification materials include a specific accounting, including
6 life cycle costs, of all funds requested for the information
7 technology programs of the Department.

8 **SEC. 5. DEPARTMENT OF VETERANS AFFAIRS COMPLIANCE**
9 **WITH OFFICE OF MANAGEMENT AND BUDGET**
10 **DATA CENTER OPTIMIZATION INITIATIVE.**

11 (a) **REQUIREMENT.**—The Secretary of Veterans Af-
12 fairs shall ensure that the Department of Veterans Affairs
13 complies with all applicable requirements of the Data Cen-
14 ter Optimization Initiative (DCOI) of the Office of Man-
15 agement and Budget, including by—

16 (1) fully identifying the data center inventory of
17 the Department; and

18 (2) meeting any targets assigned by the Direc-
19 tor of the Office of Management and Budget pursu-
20 ant to such initiative regarding data center closures,
21 optimization savings, and optimization metrics.

22 (b) **PLAN FOR COMPLIANCE.**—Not later than 90 days
23 after the date of the enactment of this Act, the Secretary
24 shall submit to the Committee on Veterans' Affairs of the
25 Senate and the Committee on Veterans' Affairs of the

1 House of Representatives a plan to fully comply with the
2 requirements described in subsection (a).

3 (c) ANNUAL REPORT.—Not later than March 31,
4 2020, and in March of each year thereafter until the date
5 on which the Director of the Office of Management and
6 Budget determines that the Department is in full compli-
7 ance with the requirements of the initiative referred to in
8 subsection (a), the Secretary shall submit to the Com-
9 mittee on Veterans’ Affairs of the Senate and the Com-
10 mittee on Veterans’ Affairs of the House of Representa-
11 tives a report on the progress of the Secretary in carrying
12 out the plan submitted under subsection (b).

13 **SEC. 6. ANNUAL LIST OF DEPARTMENT OF VETERANS AF-**
14 **FAIRS INFORMATION TECHNOLOGY**
15 **PROJECTS.**

16 (a) ANNUAL LIST.—Not less frequently than once
17 each year, the Secretary of Veterans Affairs shall submit
18 to the appropriate committees of Congress a comprehen-
19 sive, prioritized list of all information technology projects
20 being funded by the Department of Veterans Affairs,
21 disaggregated by business line or portfolio division.

22 (b) DEFINITION OF APPROPRIATE COMMITTEES OF
23 CONGRESS.—In this section, the term “appropriate com-
24 mittees of Congress” means—

1 (1) the Committee on Veterans' Affairs and the
2 Committee on Appropriations of the Senate; and

3 (2) the Committee on Veterans' Affairs and the
4 Committee on Appropriations of the House of Rep-
5 resentatives.

6 **SEC. 7. ASSESSMENT OF SUITABILITY OF DEPARTMENT OF**
7 **VETERANS AFFAIRS INFORMATION TECH-**
8 **NOLOGY INVESTMENTS FOR MIGRATION TO**
9 **CLOUD COMPUTING SERVICE.**

10 (a) **ASSESSMENT REQUIRED.**—Not later than one
11 year after the date of the enactment of this Act, the Sec-
12 retary of Veterans Affairs, acting through the Chief Infor-
13 mation Officer of the Department of Veterans Affairs,
14 shall complete an assessment, in accordance with guidance
15 from the Office of Management and Budget, of all infor-
16 mation technology investments of the Department of Vet-
17 erans Affairs to determine the suitability of the invest-
18 ments for migration to a cloud computing service.

19 (b) **MECHANISM TO TRACK SAVINGS.**—The Sec-
20 retary shall create a consistent and repeatable mechanism
21 to track savings and cost avoidances from—

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

24 (2) deployment of cloud computing services.

1 (c) REPORT ON SPENDING.—Not later than 180 days
2 after the date of the enactment of this Act, the Secretary,
3 acting through the Chief, shall submit to the appropriate
4 committees of Congress a report on spending by the De-
5 partment on information technology investments,
6 disaggregated by information technology investment.

7 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
8 CONGRESS.—In this section, the term “appropriate com-
9 mittees of Congress” means—

10 (1) the Committee on Veterans’ Affairs and the
11 Committee on Appropriations of the Senate; and

12 (2) the Committee on Veterans’ Affairs and the
13 Committee on Appropriations of the House of Rep-
14 resentatives.

15 **SEC. 8. DEPARTMENT OF VETERANS AFFAIRS INFORMA-**
16 **TION TECHNOLOGY MANAGEMENT POLICIES**
17 **WITH RESPECT TO ROLE OF CHIEF INFORMA-**
18 **TION OFFICER.**

19 The Secretary of Veterans Affairs shall ensure that
20 the information technology management policies of the
21 Department of Veterans Affairs address the role of the
22 Chief Information Officer of the Department with respect
23 to the following key responsibilities:

24 (1) Information technology strategic planning.

25 (2) Information technology workforce.

1 (3) Information technology planning, program-
2 ming, and budgeting.

3 (4) Information technology investment manage-
4 ment.

5 (5) Innovations and emerging technologies.

6 **SEC. 9. CONTINUOUS MONITORING STRATEGY TO IMPROVE**
7 **INFORMATION SECURITY PROGRAMS OF DE-**
8 **PARTMENT OF VETERANS AFFAIRS.**

9 In order to improve information security programs of
10 the Department of Veterans Affairs, the Secretary of Vet-
11 erans Affairs shall develop a continuous monitoring strat-
12 egy that addresses the following:

13 (1) Organization-defined metrics.

14 (2) Frequency of monitoring metrics.

15 (3) Ongoing status monitoring of metrics.

16 (4) Reporting of security status.

17 **SEC. 10. REVISION OF PROCESSES OF DEPARTMENT OF**
18 **VETERANS AFFAIRS OFFICE OF INFORMA-**
19 **TION AND TECHNOLOGY RELATING TO RISK**
20 **MANAGEMENT.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of the enactment of this Act, the Secretary of Vet-
23 erans Affairs, acting through the Chief Information Offi-
24 cer of the Department of Veterans Affairs, shall revise the
25 processes of the Office of Information and Technology of

1 the Department relating to risk management to include
2 the following:

3 (1) Determining costs and benefits of imple-
4 menting the risk mitigation plan for each risk.

5 (2) Collecting performance measures on risk
6 handling activities.

7 (b) REVIEW BY COMPTROLLER GENERAL OF THE
8 UNITED STATES.—Not later than 180 days after the date
9 of the enactment of this Act, the Comptroller General of
10 the United States shall complete a review of the processes
11 revised pursuant to subsection (a).

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