

117TH CONGRESS
2^D SESSION

H. R. 6871

AN ACT

To amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DHS Acquisition Re-
3 form Act”.

4 **SEC. 2. ACQUISITION AUTHORITIES FOR THE UNDER SEC-**
5 **RETARY OF MANAGEMENT OF THE DEPART-**
6 **MENT OF HOMELAND SECURITY.**

7 Section 701 of the Homeland Security Act of 2002
8 (6 U.S.C. 341) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2), by inserting “and ac-
11 quisition management” after “Procurement”;
12 and

13 (B) in paragraph (6), by inserting “(in-
14 cluding firearms and other sensitive assets)”
15 after “equipment”;

16 (2) by redesignating subsections (d), the first
17 subsection (e) (relating to the system for award
18 management consultation), and the second sub-
19 section (e) (relating to the definition of interoperable
20 communications) as subsections (e), (f), and (g), re-
21 spectively; and

22 (3) by inserting after subsection (c) the fol-
23 lowing new subsection:

24 “(d) ACQUISITION AND RELATED RESPONSIBIL-
25 ITIES.—

1 “(1) IN GENERAL.—Notwithstanding section
2 1702(a) of title 41, United States Code, the Under
3 Secretary for Management is the Chief Acquisition
4 Officer of the Department. As Chief Acquisition Of-
5 ficer, the Under Secretary shall have the authorities
6 and perform the functions specified in section
7 1702(b) of such title, and perform all other func-
8 tions and responsibilities delegated by the Secretary
9 or described in this subsection.

10 “(2) FUNCTIONS AND RESPONSIBILITIES.—In
11 addition to the authorities and functions specified in
12 section 1702(b) of title 41, United States Code, the
13 functions and responsibilities of the Under Secretary
14 for Management related to acquisition (as such term
15 is defined in section 131 of such title) include the
16 following:

17 “(A) Advising the Secretary regarding ac-
18 quisition management activities, considering
19 risks of failure to achieve cost, schedule, or per-
20 formance parameters, to ensure that the De-
21 partment achieves its mission through the adop-
22 tion of widely accepted program management
23 best practices (as such term is defined in sec-
24 tion 714) and standards and, where appro-
25 priate, acquisition innovation best practices.

1 “(B) Leading the Department’s acquisition
2 oversight body, the Acquisition Review Board.

3 “(C) Synchronizing interagency coordina-
4 tion relating to acquisition programs and acqui-
5 sition management efforts of the Department.

6 “(D) Exercising the acquisition decision
7 authority (as such term is defined in section
8 714) to approve, pause, modify (including the
9 rescission of approvals of program milestones),
10 or cancel major acquisition programs (as such
11 term is defined in section 714), unless the
12 Under Secretary delegates such authority to a
13 Component Acquisition Executive (as such term
14 is defined in section 714) pursuant to para-
15 graph (3).

16 “(E) Providing additional scrutiny and
17 oversight for an acquisition that is not a major
18 acquisition if—

19 “(i) the acquisition is for a program
20 that is important to the strategic and per-
21 formance plans of the Department;

22 “(ii) the acquisition is for a program
23 with significant program or policy implica-
24 tions; and

1 “(iii) the Secretary determines that
2 such scrutiny and oversight for the acquisi-
3 tion is proper and necessary.

4 “(F) Establishing policies for managing
5 acquisitions across the Department that pro-
6 mote best practices (as such term is defined in
7 section 714).

8 “(G) Establishing policies for acquisition
9 that implement an approach that considers
10 risks of failure to achieve cost, schedule, or per-
11 formance parameters that all components of the
12 Department shall comply with, including out-
13 lining relevant authorities for program man-
14 agers to effectively manage acquisition pro-
15 grams (as such term is defined in section 714).

16 “(H) Ensuring that each major acquisition
17 program has a Department-approved acquisi-
18 tion program baseline (as such term is defined
19 in section 714), pursuant to the Department’s
20 acquisition management policy that is traceable
21 to the life-cycle cost estimate of the program,
22 integrated master schedule, and operational re-
23 quirements.

24 “(I) Assisting the heads of components
25 and Component Acquisition Executives in ef-

1 forts to comply with Federal law, the Federal
2 Acquisition Regulation, and Department acqui-
3 sition management directives.

4 “(J) Ensuring that grants and financial
5 assistance are provided only to individuals and
6 organizations that are not suspended or
7 debarred.

8 “(K) Distributing guidance throughout the
9 Department to ensure that contractors involved
10 in acquisitions, particularly contractors that ac-
11 cess the Department’s information systems and
12 technologies, adhere to relevant Department
13 policies related to physical and information se-
14 curity as identified by the Under Secretary.

15 “(L) Overseeing the Component Acquisi-
16 tion Executive organizational structure to en-
17 sure Component Acquisition Executives have
18 sufficient capabilities and comply with Depart-
19 ment acquisition policies.

20 “(M) Developing and managing a profes-
21 sional acquisition workforce to ensure the goods
22 and services acquired by the Department meet
23 the needs of the mission and are at the best
24 value for the expenditure of public resources.

1 “(3) DELEGATION OF CERTAIN ACQUISITION
2 DECISION AUTHORITY.—The Under Secretary for
3 Management may delegate acquisition decision au-
4 thority, in writing, to the relevant Component Acqui-
5 sition Executive for a major capital asset, service, or
6 hybrid acquisition program that has a life-cycle cost
7 estimate of at least \$300,000,000 but not more than
8 \$1,000,000,000, based on fiscal year 2022 constant
9 dollars, if—

10 “(A) the component concerned possesses
11 working policies, processes, and procedures that
12 are consistent with Department acquisition pol-
13 icy;

14 “(B) the Component Acquisition Executive
15 concerned has adequate, experienced, and dedi-
16 cated professional employees with program
17 management training; and

18 “(C) each major acquisition program has a
19 Department-approved acquisition program base-
20 line, and it is meeting agreed-upon cost, sched-
21 ule, and performance thresholds.”.

1 **SEC. 3. OFFICE OF TEST AND EVALUATION OF THE DE-**
2 **PARTMENT OF HOMELAND SECURITY.**

3 (a) IN GENERAL.—Title III of the Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
5 adding at the end the following new section:

6 **“SEC. 323. OFFICE OF TEST AND EVALUATION.**

7 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
8 lished in the Directorate of Science and Technology of the
9 Department an Office of Test and Evaluation (in this sec-
10 tion referred to as the ‘Office’). The Office shall—

11 “(1) serve as the principal advisory office for
12 test and evaluation support across the Department;
13 and

14 “(2) serve as the test and evaluation liaison
15 with—

16 “(A) Federal agencies and foreign, State,
17 local, Tribal, and territorial governments;

18 “(B) the private sector;

19 “(C) institutions of higher education; and

20 “(D) other relevant entities.

21 “(b) DIRECTOR.—The Office shall be led by a Direc-
22 tor. The Director shall oversee the duties specified in sub-
23 section (a) and carry out the following responsibilities:

24 “(1) Serve as a member of the Department’s
25 Acquisition Review Board.

1 “(2) Establish and update, as necessary, test
2 and evaluation policies, procedures, and guidance for
3 the Department.

4 “(3) Ensure, in coordination with the Chief Ac-
5 quisition Officer, the Joint Requirements Council,
6 the Under Secretary for Science and Technology,
7 and relevant component heads, that acquisition pro-
8 grams (as such term is defined in section 714)—

9 “(A) complete reviews of operational re-
10 quirements to ensure such requirements—

11 “(i) are informed by threats, including
12 physical and cybersecurity threats;

13 “(ii) are operationally relevant; and

14 “(iii) are measurable, testable, and
15 achievable within the constraints of cost
16 and schedule;

17 “(B) complete independent testing and
18 evaluation of a system or service throughout de-
19 velopment of such system or service;

20 “(C) complete operational testing and eval-
21 uation that includes all system components and
22 incorporates operators into such testing and
23 evaluation to ensure that a system or service
24 satisfies the mission requirements in the oper-

1 ational environment of such system or service
2 as intended in the acquisition program baseline;

3 “(D) use independent verification and vali-
4 dation of test and evaluation implementation
5 and results, as appropriate; and

6 “(E) document whether such programs
7 meet all operational requirements.

8 “(4) Provide oversight of test and evaluation
9 activities for major acquisition programs throughout
10 the acquisition life cycle by—

11 “(A) approving program test and evalua-
12 tion master plans, plans for individual test and
13 evaluation events, and other related documenta-
14 tion, determined appropriate by the Director;

15 “(B) approving which independent test and
16 evaluation agent or third-party tester is selected
17 for each program; and

18 “(C) providing an independent assessment
19 to the acquisition decision authority (as such
20 term is defined in section 714) that assesses a
21 program’s progress in meeting operational re-
22 quirements and operational effectiveness, suit-
23 ability, and resilience to inform production and
24 deployment decisions.

1 “(5) Determine if testing of a system or service
2 conducted by other Federal agencies, entities, or in-
3 stitutions of higher education are relevant and suffi-
4 cient in determining whether such system or service
5 performs as intended.

6 “(c) ANNUAL REPORT.—

7 “(1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this section and
9 annually thereafter, the Director of the Office shall
10 submit to the Secretary, the Under Secretary for
11 Management, component heads, and the Committee
12 on Homeland Security of the House of Representa-
13 tives and the Committee on Homeland Security and
14 Governmental Affairs a report relating to the test
15 and evaluation activities of the major acquisition
16 programs of the Department for the previous fiscal
17 year.

18 “(2) ELEMENTS.—Each report required under
19 paragraph (1) shall include the following:

20 “(A) An assessment of—

21 “(i) test and evaluation activities con-
22 ducted for each major acquisition program
23 with respect to demonstrating operational
24 requirements and operational effectiveness,

1 suitability, and resilience for each such
2 program;

3 “(ii) any waivers of, or deviations
4 from, approved program test and evalua-
5 tion master plans referred to in subsection
6 (b)(3)(A);

7 “(iii) any concerns raised by the inde-
8 pendent test and evaluation agent or third-
9 party tester selected and approved under
10 subsection (b)(3)(B) relating to such waiv-
11 ers or deviations; and

12 “(iv) any actions that have been taken
13 or are planned to be taken to address such
14 concerns.

15 “(B) Recommendations with respect to re-
16 sources, facilities, and levels of funding made
17 available for test and evaluation activities re-
18 ferred to in subparagraph (A).

19 “(3) FORM.—Each report required under para-
20 graph (1) shall be submitted in unclassified form but
21 may include a classified annex.

22 “(d) RELATIONSHIP TO UNDER SECRETARY FOR
23 SCIENCE AND TECHNOLOGY.—

24 “(1) IN GENERAL.—The Under Secretary for
25 Management and the Under Secretary for Science

1 and Technology shall coordinate in matters related
2 to Department-wide acquisitions so that investments
3 of the Directorate of Science and Technology are
4 able to support current and future requirements of
5 the components of the Department.

6 “(2) RULE OF CONSTRUCTION.—Nothing in
7 this subsection may be construed as affecting or di-
8 minishing the authority of the Under Secretary for
9 Science and Technology.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 in section 1(b) of the Homeland Security Act of 2002 is
12 amended by inserting after the item relating to section
13 322 the following new item:

“Sec. 323. Office of Test and Evaluation.”.

14 **SEC. 4. ACQUISITION AUTHORITIES FOR CHIEF FINANCIAL**
15 **OFFICER OF THE DEPARTMENT OF HOME-**
16 **LAND SECURITY.**

17 Paragraph (2) of section 702(b) of the Homeland Se-
18 curity Act of 2002 (6 U.S.C. 342(b)) is amended by—

19 (1) redesignating subparagraph (I) as subpara-
20 graph (J); and

21 (2) inserting after subparagraph (H) the fol-
22 lowing new subparagraph:

23 “(I) Oversee the costs of acquisition pro-
24 grams (as such term is defined in section 714)
25 and related activities to ensure that actual and

1 planned costs are in accordance with budget es-
2 timates and are affordable, or can be ade-
3 quately funded, over the life cycle of such pro-
4 grams and activities.”.

5 **SEC. 5. ACQUISITION AUTHORITIES FOR CHIEF INFORMA-**
6 **TION OFFICER OF THE DEPARTMENT OF**
7 **HOMELAND SECURITY.**

8 Section 703 of the Homeland Security Act of 2002
9 (6 U.S.C. 343) is amended—

10 (1) by redesignating subsection (b) as sub-
11 section (c); and

12 (2) by inserting after subsection (a) the fol-
13 lowing new subsection:

14 “(b) **ACQUISITION RESPONSIBILITIES.**—In addition
15 to the responsibilities specified in section 11315 of title
16 40, United States Code, the acquisition responsibilities of
17 the Chief Information Officer, in consultation with the
18 Under Secretary for Management, shall include the fol-
19 lowing:

20 “(1) Overseeing the management of the Home-
21 land Security Enterprise Architecture and ensuring
22 that, before each acquisition decision event (as such
23 term is defined in section 714), approved informa-
24 tion technology acquisitions comply with any depart-
25 mental information technology management require-

1 ments, security protocols, and the Homeland Secu-
2 rity Enterprise Architecture, and in any case in
3 which information technology acquisitions do not so
4 comply, making recommendations to the Depart-
5 ment’s Acquisition Review Board regarding such
6 noncompliance.

7 “(2) Providing recommendations to the Acquisi-
8 tion Review Board regarding information technology
9 programs and developing information technology ac-
10 quisition strategic guidance.”.

11 **SEC. 6. ACQUISITION AUTHORITIES FOR UNDER SEC-**
12 **RETARY OF STRATEGY, POLICY, AND PLANS**
13 **OF THE DEPARTMENT OF HOMELAND SECU-**
14 **RITY.**

15 Subsection (c) of section 709 of the Homeland Secu-
16 rity Act of 2002 (6 U.S.C. 349) is amended by—

17 (1) redesignating paragraphs (4) through (7) as
18 (5) through (8), respectively; and

19 (2) inserting after paragraph (3) the following
20 new paragraph:

21 “(4) ensure acquisition programs (as such term
22 is defined in section 714) support the DHS Quad-
23 rennial Homeland Security Review Report, the DHS
24 Strategic Plan, the DHS Strategic Priorities, and
25 other appropriate successor documents;”.

1 **SEC. 7. ACQUISITION AUTHORITIES FOR PROGRAM AC-**
2 **COUNTABILITY AND RISK MANAGEMENT**
3 **(PARM) OF THE DEPARTMENT OF HOMELAND**
4 **SECURITY.**

5 (a) IN GENERAL.—Title VII of the Homeland Secu-
6 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by
7 adding at the end the following new section:

8 **“SEC. 714. PROGRAM ACCOUNTABILITY AND RISK MANAGE-**
9 **MENT OFFICE.**

10 “(a) ESTABLISHMENT OF OFFICE.—There is estab-
11 lished in the Management Directorate of the Department
12 a Program Accountability and Risk Management office.
13 Such office shall—

14 “(1) provide consistent accountability, stand-
15 ardization, and transparency of major acquisition
16 programs of the Department;

17 “(2) serve as the central oversight function for
18 all Department major acquisition programs; and

19 “(3) provide review and analysis of Department
20 acquisition programs, as appropriate.

21 “(b) EXECUTIVE DIRECTOR.—The Program Ac-
22 countability and Risk Management office shall be led by
23 an Executive Director. The Executive Director shall over-
24 see the duties specified in subsection (a), report directly
25 to the Under Secretary for Management, and carry out
26 the following responsibilities:

1 “(1) Regularly monitor the performance of De-
2 partment major acquisition programs between acqui-
3 sition decision events to identify problems with cost,
4 performance, or schedule that components may need
5 to address to prevent cost overruns, performance
6 issues, or schedule delays.

7 “(2) Assist the Under Secretary for Manage-
8 ment in managing the Department’s acquisition pro-
9 grams, acquisition workforce, and related activities
10 of the Department.

11 “(3) Conduct oversight of individual acquisition
12 programs to implement Department acquisition pro-
13 gram policy, procedures, and guidance, with a pri-
14 ority on ensuring the data the office collects and
15 maintains from Department components is accurate
16 and reliable.

17 “(4) Serve as the focal point and coordinator
18 for the acquisition life-cycle review process and as
19 the executive secretariat for the Department’s Ac-
20 quisition Review Board.

21 “(5) Advise the persons having acquisition deci-
22 sion authority to—

23 “(A) make acquisition decisions consistent
24 with all applicable laws; and

1 “(B) establish clear lines of authority, ac-
2 countability, and responsibility for acquisition
3 decision-making within the Department.

4 “(6) Develop standardized certification stand-
5 ards, in consultation with the Component Acquisi-
6 tion Executives, for all acquisition program man-
7 agers.

8 “(7) Assess the results of major acquisition pro-
9 grams’ post-implementation reviews, and identify op-
10 portunities to improve performance throughout the
11 acquisition process.

12 “(8) Provide technical support and assistance
13 to Department acquisition programs and acquisition
14 personnel, and coordinate with the Chief Procure-
15 ment Officer regarding workforce training and devel-
16 opment activities.

17 “(9) Assist, as appropriate, with the prepara-
18 tion of the Future Years Homeland Security Pro-
19 gram, and make such information available to the
20 congressional homeland security committees.

21 “(10) In coordination with the Component Ac-
22 quisition Executives, maintain the Master Acquisi-
23 tion Oversight List, updated quarterly, that shall
24 serve as an inventory of all major acquisition pro-

1 grams and non-major acquisition programs within
2 the Department, including for each such program—

3 “(A) the component sponsoring the acqui-
4 sition;

5 “(B) the name of the acquisition;

6 “(C) the acquisition level as determined by
7 the anticipated life-cycle cost of the program
8 and other criteria pursuant to the Department-
9 level acquisition policy;

10 “(D) the acquisition decision authority for
11 the acquisition; and

12 “(E) the current acquisition phase.

13 “(c) RESPONSIBILITIES OF COMPONENTS.—Each
14 head of a component shall comply with Federal law, the
15 Federal Acquisition Regulation, and Department acquisi-
16 tion management directives established by the Under Sec-
17 retary for Management. For each major acquisition pro-
18 gram, each head of a component shall—

19 “(1) establish an organizational structure for
20 conducting acquisitions within the component, to be
21 managed by a Component Acquisition Executive;

22 “(2) obtain the resources necessary to operate
23 such an organizational structure that are aligned
24 with the number, type, size, and complexity of the
25 acquisition programs of the component; and

1 “(3) oversee sustainment of capabilities de-
2 ployed by major acquisition programs and non-major
3 acquisition programs after all planned deployments
4 are completed until such capabilities are retired or
5 replaced.

6 “(d) RESPONSIBILITIES OF COMPONENT ACQUISI-
7 TION EXECUTIVES.—Each Component Acquisition Execu-
8 tive shall—

9 “(1) establish and implement policies and guid-
10 ance for managing and conducting oversight for
11 major acquisition programs and non-major acquisi-
12 tion programs within the component at issue that
13 comply with Federal law, the Federal Acquisition
14 Regulation, and Department acquisition manage-
15 ment directives established by the Under Secretary
16 for Management;

17 “(2) for each major acquisition program—

18 “(A) define baseline requirements and doc-
19 ument changes to such requirements, as appro-
20 priate;

21 “(B) establish a complete life cycle cost es-
22 timate with supporting documentation that is
23 consistent with cost estimating best practices as
24 identified by the Comptroller General of the
25 United States;

1 “(C) verify each life cycle cost estimate
2 against independent cost estimates or assess-
3 ments, as appropriate, and reconcile any dif-
4 ferences;

5 “(D) complete a cost-benefit analysis with
6 supporting documentation; and

7 “(E) develop and maintain a schedule that
8 is consistent with scheduling best practices as
9 identified by the Comptroller General of the
10 United States, including, in appropriate cases,
11 an integrated master schedule;

12 “(3) ensure that all acquisition program docu-
13 mentation provided by the component demonstrates
14 the knowledge required for successful program exe-
15 cution prior to final approval and is complete, accu-
16 rate, timely, and valid;

17 “(4) in such cases where it is appropriate, exer-
18 cise the acquisition decision authority to approve,
19 pause, modify (including the rescission of approvals
20 of program milestones), or cancel major acquisition
21 programs or non-major acquisition programs when
22 delegated by the Under Secretary for Management
23 pursuant to section 701(d)(3); and

24 “(5) review, oversee, and direct activities be-
25 tween acquisition decision events for major acquisi-

1 tion programs within the component for which the
2 Under Secretary for Management is the acquisition
3 decision authority.

4 “(e) DEFINITIONS.—In this section:

5 “(1) ACQUISITION.—The term ‘acquisition’ has
6 the meaning given such term in section 131 of title
7 41, United States Code.

8 “(2) ACQUISITION DECISION AUTHORITY.—The
9 term ‘acquisition decision authority’ means the au-
10 thority, in addition to the authorities and functions
11 specified in subsection (b) of section 1702 of title
12 41, United States Code, held by the Secretary acting
13 through the Under Secretary for Management to—

14 “(A) ensure compliance with Federal law,
15 the Federal Acquisition Regulation, and De-
16 partment acquisition management directives;

17 “(B) review (including approving, pausing,
18 modifying, or canceling) an acquisition program
19 throughout the life cycle of such program;

20 “(C) ensure that acquisition program man-
21 agers have the resources necessary to success-
22 fully execute an approved acquisition program;

23 “(D) ensure appropriate acquisition pro-
24 gram management of cost, schedule, risk, and
25 system or service performance of the acquisition

1 program at issue, including assessing acquisi-
2 tion program baseline breaches and directing
3 any corrective action for such breaches;

4 “(E) ensure that acquisition program man-
5 agers, on an ongoing basis, monitor cost, sched-
6 ule, and performance against established base-
7 lines and use tools to assess risks to an acquisi-
8 tion program at all phases of the life-cycle of
9 such program; and

10 “(F) establish policies and procedures for
11 major acquisition programs of the Department.

12 “(3) ACQUISITION DECISION EVENT.—The term
13 ‘acquisition decision event’, with respect to an acqui-
14 sition program, means a predetermined point within
15 the acquisition life-cycle at which the acquisition de-
16 cision authority determines whether such acquisition
17 program shall proceed to the next acquisition phase.

18 “(4) ACQUISITION PROGRAM.—The term ‘acqui-
19 sition program’ means the conceptualization, initi-
20 ation, design, development, test, contracting, produc-
21 tion, deployment, logistics support, modification, or
22 disposal of systems, supplies, or services (including
23 construction) to satisfy the Department’s needs.

24 “(5) ACQUISITION PROGRAM BASELINE.—The
25 term ‘acquisition program baseline’, with respect to

1 an acquisition program, means the cost, schedule,
2 and performance parameters, expressed in standard,
3 measurable, quantitative terms, which must be met
4 to accomplish the goals of such program.

5 “(6) BEST PRACTICES.—The term ‘best prac-
6 tices’, with respect to acquisition, means a knowl-
7 edge-based approach to capability development, pro-
8 curement, and support that includes the following:

9 “(A) Identifying and validating needs.

10 “(B) Assessing alternatives to select the
11 most appropriate solution.

12 “(C) Establishing well-defined require-
13 ments.

14 “(D) Developing realistic cost assessments
15 and schedules that account for the entire life-
16 cycle of an acquisition.

17 “(E) Demonstrating technology, design,
18 and manufacturing maturity before initiating
19 production.

20 “(F) Using milestones and exit criteria or
21 specific accomplishments that demonstrate the
22 attainment of knowledge to support progress
23 throughout the acquisition phases.

1 “(G) Regularly assessing and managing
2 risks to achieve requirements and cost and
3 schedule goals.

4 “(H) To the maximum extent possible,
5 adopting and executing standardized processes.

6 “(I) Establishing a workforce that is quali-
7 fied to perform necessary acquisition roles.

8 “(J) Integrating into the Department’s
9 mission and business operations the capabilities
10 described in subparagraphs (A) through (I).

11 “(7) BREACH.—The term ‘breach’, with respect
12 to a major acquisition program, means a failure to
13 meet any cost, schedule, or performance threshold
14 specified in the most recently approved acquisition
15 program baseline.

16 “(8) CONGRESSIONAL HOMELAND SECURITY
17 COMMITTEES.—The term ‘congressional homeland
18 security committees’ means—

19 “(A) the Committee on Homeland Security
20 of the House of Representatives and the Com-
21 mittee on Homeland Security and Govern-
22 mental Affairs of the Senate; and

23 “(B) the Committee on Appropriations of
24 the House of Representatives and the Com-
25 mittee on Appropriations of the Senate.

1 “(9) COMPONENT ACQUISITION EXECUTIVE.—

2 The term ‘Component Acquisition Executive’ means
3 the senior acquisition official within a component
4 who is designated in writing by the Under Secretary
5 for Management, in consultation with the component
6 head, with authority and responsibility for leading a
7 process and staff to provide acquisition and program
8 management oversight, policy, and guidance to en-
9 sure that statutory, regulatory, and higher level pol-
10 icy requirements are fulfilled, including compliance
11 with Federal law, the Federal Acquisition Regula-
12 tion, and Department acquisition management direc-
13 tives established by the Under Secretary.

14 “(10) LIFE-CYCLE COST.—The term ‘life-cycle
15 cost’ means the total cost to the Government of ac-
16 quiring, operating, supporting, and (if applicable)
17 disposing of the items being acquired.

18 “(11) MAJOR ACQUISITION PROGRAM.—The
19 term ‘major acquisition program’ means a Depart-
20 ment capital asset, services, or hybrid acquisition
21 program that is estimated by the Secretary to re-
22 quire an eventual total expenditure of at least
23 \$300,000,000 (based on fiscal year 2022 constant
24 dollars) over its life cycle or a program identified by

1 the Chief Acquisition Officer as a program of special
2 interest.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of the Homeland Security Act of 2002 is
5 amended by inserting after the item relating to section
6 710 the following new item:

“Sec. 714. Program Accountability and Risk Management office.”.

7 **SEC. 8. ACQUISITION DOCUMENTATION.**

8 (a) IN GENERAL.—Subtitle D of title VIII of the
9 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.),
10 as amended by this Act, is further amended by adding
11 at the end the following new section:

12 **“SEC. 837. ACQUISITION DOCUMENTATION.**

13 “For each major acquisition program (as such term
14 is defined in section 714), the Secretary, acting through
15 the Under Secretary for Management, shall require the
16 head of each relevant component or office of the Depart-
17 ment to—

18 “(1) maintain acquisition documentation that is
19 complete, accurate, timely, and valid, and that in-
20 cludes—

21 “(A) operational requirements that are
22 validated consistent with departmental policy;

23 “(B) a complete life-cycle cost estimate
24 with supporting documentation;

1 “(C) verification of such life-cycle cost esti-
2 mate against independent cost estimates, and
3 reconciliation of any differences;

4 “(D) a cost-benefit analysis with sup-
5 porting documentation;

6 “(E) an integrated master schedule with
7 supporting documentation;

8 “(F) plans for conducting systems engi-
9 neering reviews and test and evaluation activi-
10 ties throughout development to support produc-
11 tion and deployment decisions;

12 “(G) an acquisition plan that outlines the
13 procurement approach, including planned con-
14 tracting vehicles;

15 “(H) a logistics and support plan for oper-
16 ating and maintaining deployed capabilities
17 until such capabilities are disposed of or retired;
18 and

19 “(I) an acquisition program baseline that
20 is traceable to the operational requirements of
21 the program required under subparagraphs (A),
22 (B), and (E);

23 “(2) prepare cost estimates and schedules for
24 major acquisition programs pursuant to subpara-
25 graphs (B) and (E) of paragraph (1) in a manner

1 consistent with best practices as identified by the
2 Comptroller General of the United States; and

3 “(3) ensure any revisions to the acquisition doc-
4 umentation maintained pursuant to paragraph (1)
5 are reviewed and approved in accordance with de-
6 partmental policy.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 in section 1(b) of the Homeland Security Act of 2002 is
9 amended by adding after the item relating to section 836,
10 as added by section 3 of this Act, the following new item:

“Sec. 837. Acquisition documentation.”.

Passed the House of Representatives May 17, 2022.

Attest:

Clerk.

117TH CONGRESS
2^D SESSION

H. R. 6871

AN ACT

To amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes.