

Calendar No. 454

114TH CONGRESS }
2d Session }

SENATE

{ REPORT
114-247 }

DHS IT DUPLICATION REDUCTION
ACT OF 2015

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 1620

TO REDUCE DUPLICATION OF INFORMATION TECHNOLOGY AT
THE DEPARTMENT OF HOMELAND SECURITY, AND FOR OTHER
PURPOSES



APRIL 28, 2016.—Ordered to be printed

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DHS IT DUPLICATION REDUCTION ACT OF 2015

APRIL 28, 2016.—Ordered to be printed

Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 1620]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 1620), to reduce duplication of information technology at the Department of Homeland Security, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

The purpose of S.1620, the DHS IT Duplication Reduction Act of 2015, is to identify duplicative information technology at the Department of Homeland Security (DHS or “the Department”) and require the Department to identify a strategy for reducing identified duplication. This bill requires the Chief Information Officer (CIO) of DHS to submit a report within 90 days of enactment to the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Homeland Security detailing the number of information systems at DHS, an assessment of the systems exhibiting duplication or fragmentation, a strategy for reducing duplicative systems, and a methodology for determining which

systems should be eliminated when duplication or fragmentation are present.

II. BACKGROUND AND THE NEED FOR LEGISLATION

Congress established DHS in 2002 with the enactment of the Homeland Security Act of 2002.¹ The Department began largely as a conglomeration of 22 separate government agencies, each with its own existing capital, infrastructure, policies and procedures.² Included within those agencies were also multiple separate information technology (IT) systems. Thus the combination of these agencies through the creation of DHS was both an opportunity and a challenge within the context of IT systems—an opportunity to achieve cost savings through unifying common IT needs Department-wide, and a challenge in phasing out institutionalized legacy IT systems at the agencies, many of which long predate the Department’s creation.³ In many ways, the creation of DHS made it a microcosm of the broader Executive Branch from the perspective of shared IT services and reducing duplicative IT systems.⁴

The Department has made some efforts to consolidate duplicative IT systems and prevent duplication in IT systems among its agencies, but it has not been wholly successful.⁵ First launched in 2012, the Office of Management and Budget’s (OMB) PortfolioStat program has the specific goal of “eliminating duplication and achieving savings through specific actions and time frames.”⁶ In 2015, the Government Accountability Office (GAO) reviewed the second iteration of the PortfolioStat initiative and found DHS had significantly overestimated its projected savings from reducing IT duplication between 2013 and 2015.⁷ DHS was one of 26 agencies that GAO reviewed and one of the two at which GAO identified the largest discrepancies between initially projected savings and revised projected savings.⁸ According to the report, of the \$1.4 billion DHS planned to save through implementing the PortfolioStat program, DHS ultimately reduced its projections to \$446.67 million, a 67 percent and nearly \$1 billion reduction in savings.⁹

The Secretary of Homeland Security and DHS CIO must ensure the Department consolidates IT systems where practical, and resists pressure from components to permit exceptions to policy or individual systems where a centralized system would be sufficient. To provide Congress, the Department, and the public with a Department-wide picture of duplication of IT at the Department and to ensure that DHS reduces unnecessary duplication in IT, this bill would require the CIO to report within 90 days of enactment on duplication of IT at DHS and provide a strategy for reducing duplication that would be provided directly to Congress.

¹ Homeland Security Act of 2002, Pub. L. 107–296.

² See, e.g., President’s Budget Request FY 2004, Department of Homeland Security.

³ See, e.g., *id.* at 144.

⁴ See, e.g., *id.* at 159.

⁵ E.g., U.S. Dep’t of Homeland Sec., Office of Inspector General, OIG–12–82, DHS Information Technology Management Has Improved, But Challenges Remain (2012).

⁶ U.S. Gov’t Accountability Office, GAO–15–296, Information Technology: Additional OMB and Agency Actions Needed To Ensure Portfolio Savings Are Realized and Effectively Tracked 1 (2015).

⁷ *Id.*

⁸ *Id.* at 9. The Other agency was the Department of Defense. *Id.*

⁹ *Id.*

III. LEGISLATIVE HISTORY

On March 25, 2015, Representative Will Hurd introduced H.R. 1626, the DHS IT Duplication Reduction Act of 2015. The act passed the House as amended by voice vote on June 23, 2015. The measure was received in the Senate and referred to the Committee on Homeland Security and Governmental Affairs. On June 18, 2015, Chairman Ron Johnson introduced the Senate companion to the bill, S. 1620, with minor technical changes.

The Committee considered S. 1620 at a business meeting on June 24, 2015. At the meeting, the Committee ordered the bill reported favorably by voice vote. Senators present for the vote were: Johnson, McCain, Lankford, Ayotte, Ernst, Sasse, Carper, Tester, Baldwin, and Heitkamp.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Sec. 1. Short title

This section provides the bill's short title, the "DHS IT Duplication Reduction Act of 2015."

Sec. 2. DHS Information technology duplication reduction

Subsection (a) requires the CIO of DHS to submit a report to the Senate Homeland Security and Governmental Affairs Committee and the House Committee on Homeland Security within 90 days of enactment that includes: (1) the number of IT systems at DHS; (2) an assessment of the number of such systems exhibiting duplication or fragmentation; (3) a strategy for reducing duplicative systems; and (4) a methodology for determining which systems should be eliminated when duplication or fragmentation are present.

Subsection (b) defines the terms "duplication or fragmentation" and "information technology."

Subsection (c) provides that this section shall be carried out using existing appropriations and that no new funds are authorized by this bill.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

JULY 6, 2015.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1620, the DHS IT Duplication Reduction Act of 2015.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KEITH HALL.

Enclosure.

S. 1620—DHS IT Duplication Reduction Act of 2015

S. 1620 would require the Department of Homeland Security (DHS), within 90 days of the bill's enactment, to prepare a report for the Congress on duplicative information technology systems in the department. DHS is currently carrying out activities similar to those required by the bill. Thus, CBO estimates that implementing S. 1620 would not significantly affect spending by the department. Enacting S. 1620 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 1620 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On June 3, 2015, CBO transmitted a cost estimate for H.R. 1626, the DHS IT Duplication Reduction Act of 2015, as ordered reported by the House Committee on Homeland Security on May 20, 2015. The two bills are identical and CBO's estimates of budgetary effects are the same.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE ACT, AS REPORTED

Because this legislation would not repeal or amend any provision of current law, it would make no changes in existing law within the meaning of clauses (a) and (b) of paragraph 12 of rule XXVI of the Standing Rules of the Senate.