

115TH CONGRESS
1ST SESSION

H. R. 347

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2017

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to provide
for requirements relating to documentation for major
acquisition programs, 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 Doc-
3 umentation Integrity Act of 2017”.

4 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUISITION DOCUMENTATION.**

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

9 **“SEC. 708. ACQUISITION DOCUMENTATION.**

10 “(a) IN GENERAL.—For each major acquisition pro-
11 gram, the Secretary, acting through the Under Secretary
12 for Management, shall require the head of a relevant com-
13 ponent or office to—

14 “(1) maintain acquisition documentation that is
15 complete, accurate, timely, and valid, and that in-
16 cludes, at a minimum—

17 “(A) operational requirements that are
18 validated consistent with departmental policy
19 and changes to such requirements, as appro-
20 priate;

21 “(B) a complete lifecycle cost estimate
22 with supporting documentation;

23 “(C) verification of such lifecycle cost esti-
24 mate against independent cost estimates, and
25 reconciliation of any differences;

1 “(D) a cost-benefit analysis with sup-
2 porting documentation; and

3 “(E) a schedule, including, as appropriate,
4 an integrated master schedule;

5 “(2) prepare cost estimates and schedules for
6 major acquisition programs, as required under sub-
7 paragraphs (B) and (E), in a manner consistent
8 with best practices as identified by the Comptroller
9 General of the United States; and

10 “(3) submit certain acquisition documentation
11 to the Secretary to produce an annual comprehen-
12 sive report on the status of departmental acquisi-
13 tions for submission to Congress.

14 “(b) WAIVER.—On a case-by-case basis with respect
15 to any major acquisition program under this section, the
16 Secretary may waive the requirement under paragraph (3)
17 of subsection (a) for a fiscal year if either—

18 “(1) such program has not—

19 “(A) entered the full rate production phase
20 in the acquisition lifecycle;

21 “(B) had a reasonable cost estimate estab-
22 lished; and

23 “(C) had a system configuration defined
24 fully; or

1 “(2) such program does not meet the definition
2 of capital asset, as such term is defined by the Di-
3 rector of the Office of Management and Budget.

4 “(c) CONGRESSIONAL OVERSIGHT.—At the same
5 time the President’s budget is submitted for a fiscal year
6 under section 1105(a) of title 31, United States Code, the
7 Secretary shall make information available, as applicable,
8 to the Committee on Homeland Security of the House of
9 Representatives and the Committee on Homeland Security
10 and Governmental Affairs of the Senate regarding the re-
11 quirement described in subsection (a) in the prior fiscal
12 year that includes the following specific information re-
13 garding each major acquisition program for which the Sec-
14 retary has issued a waiver under subsection (b):

15 “(1) The grounds for granting a waiver for
16 such program.

17 “(2) The projected cost of such program.

18 “(3) The proportion of a component’s or office’s
19 annual acquisition budget attributed to such pro-
20 gram, as available.

21 “(4) Information on the significance of such
22 program with respect to the component’s or office’s
23 operations and execution of its mission.

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
2 the Secretary to require an eventual total expenditure of
3 at least \$300,000,000 (based on fiscal year 2017 constant
4 dollars) over its lifecycle cost.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 in section 1(b) of the Homeland Security Act of 2002 (6
7 U.S.C. 101 et seq.) is amended by adding after the item
8 related to section 707 the following new item:

“Sec. 708. Acquisition documentation.”.

Passed the House of Representatives January 31,
2017.

Attest:

KAREN L. HAAS,

Clerk.