

bail—and they wouldn't have to come back for a hearing and they would be in the country.

The stories are quite clear from the investigative officers that people are crossing the border with children and they go right up to the Border Patrol officers and turn themselves in. The Border Patrol officers turn them over to Homeland Security, and Homeland Security doesn't deport them. They set them up for some sort of trial or hearing, which may take up to 500 days. Then they find a place for them and they take care of them. It is just the kind of process that makes no sense for a serious Nation. That is all I am saying.

Why are we seeing this large number again? It is because they believe it works. And in fact it is working. In fact, young people who are coming in with their parents or brothers or uncles or aunts are coming into the country and both of them are staying. Nobody is really being deported, and they don't intend to leave.

The President created this policy, and now it has caused a national crisis. I hope we can do better. I hope in the course of the discussion we can improve on our law and find some strength for the President and put some strength behind our law enforcement in America.

Chairman GOODLATTE, the chairman of the Judiciary Committee in the House, has made a strong statement. He said he simply cannot provide money until we have clarity that we are going to be taking action in this country that will keep this from happening in the future. We certainly need to do that, and if we do, I am more optimistic than a lot of people.

I truly believe if we follow up aggressively and start promptly reporting people who come here illegally instead of talking about it and not releasing them on bail on permisos, the word will get out in Central America just as it got out that they could come and stay. The message that will get out will tell them: Don't come here or you will take a risk. You will lose your money, you will lose everything you invested in this attempt, and you will be sent back. If we do that, the numbers will start to fall, and we might be surprised how fast those numbers would fall. It would be good for public policy and the rule of law.

I thank the Chair, yield the floor, and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. McCAIN. Mr. President, I ask to address the Senate as in morning busi-

ness and take such time as I may consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXPEDITIONARY COMBAT SUPPORT SYSTEM

Mr. McCAIN. Mr. President, at a time when vital defense programs are threatened due to a lack of funding, the Federal Government has wasted billions of dollars attempting to procure new large information technology systems, consistently disregarding lessons learned from past failures and well-established acquisition best practices.

Even with a current annual budget of \$80 billion for information technology projects, the Federal Government struggles to make those systems work. The American people can still remember the embarrassing failure of healthcare.gov, the Obama administration's most recent information technology fiasco. What they may not realize is the Health and Human Services' healthcare.gov mess is not unique and is, in an important sense, merely business as usual in how the government, particularly the Department of Defense, acquires large information technology systems.

The Pentagon is responsible for many of the most egregious cases of wasted taxpayer dollars when it comes to government information technology programs. Lack of planning for these acquisitions within the Armed Forces has made the adoption of new information technology systems an expensive and risky endeavor. The Air Force's Expeditionary Combat Support System, or ECSS, is a prime example of how a system designed to save money can actually waste billions of taxpayer dollars without producing any usable capability.

Today the Permanent Subcommittee on Investigations issued a bipartisan report on the failed acquisition of the ECSS, a program that was supposed to decrease costs and increase efficiencies by consolidating the Air Force's hundreds of legacy logistic systems into a single new system.

It is important to recognize that what happened with ECSS is not an isolated case of incompetence. Unfortunately, it is one of the many examples that show how billions of dollars can be wasted if the intended acquisition is not started off right with a detailed plan that includes clear, stable requirements and achievable milestones supported by realistic original cost estimates and reliable assessments of risk.

The subcommittee's report notes that the Air Force started the ECSS acquisition in 2004 with the goal of obtaining a single "transformational" unified logistics and supply chain management system that would allow the Air Force to track all of its physical assets worldwide, from airplanes, to fuel, to spare parts. These types of

computer platforms; that is, large business systems that companies use to make their businesses operate more efficiently, are known as enterprise resource planning systems or ERPs. Basically, ECSS was supposed to be an enterprise resource planning system that would have combined all of the Air Force's global logistics and its associated supply chain management activities under one streamlined management information technology system.

As the Department of Defense's overall strategy to become fully auditable hinges on how successfully it procures and integrates these systems into its business enterprises, failures such as the ECSS are not only costly to the taxpayer but also disastrous to the Department's larger financial improvement efforts.

To keep costs down, the Air Force intended to build its new ERP system using already available commercial software instead of a software system designed from scratch. That type of commercial software, however, works best when the organization using it follows efficient business processes. In order to take advantage of the commercial software that supported ECSS, the Air Force needed to dramatically change longstanding internal business processes that supported how it managed global logistics and its associated supply chain.

That never happened. Unfortunately, the culture of resistance to change in the Air Force made it difficult to make those changes. The Air Force needed strong leaders who could communicate not only the goals of ECSS to end users and get their buy-in but also develop sound program management strategies to overcome resistance to change among those lower level personnel. Ultimately, the leaders of the ECSS Program did not effectively communicate with the end users. Without their buy-in, ECSS was doomed to fail before it even started.

Because the Air Force had not adequately planned what needed to be done to procure ECSS effectively, it was easier for program managers to order changes in configuration that in effect customized the commercial software on the fly rather than alter the Air Force's own culture. That caused costs to skyrocket and delivery schedules to slip.

The Air Force's eagerness for expensive customization was especially troubling given that as early as 2004, the Air Force identified the need to avoid customizing the commercial software lest costs explode. But in the end, it failed to heed its own advice. The subcommittee report finds that the Air Force's customization of the commercial software was a major root cause of ECSS's failure.

Such customization could have been avoided had the Air Force fully and timely implemented a congressionally mandated procedure for improving its operations called business process re-engineering. Business process re-engineering, which is a proven private

sector management approach, offers a structured way to introduce major new changes into an organization to help it run more efficiently and ensures that careful planning goes into every stage. Not infrequently, Fortune 500 companies use business process reengineering to, for example, restructure existing business units to work more efficiently, passing resulting savings on to consumers and to absorb effectively new business units from companies they have acquired or merged with to maintain overall competitiveness in the marketplace.

Had the Air Force actually used business process reengineering in connection with the ECSS; that is, redesigned those business processes that needed to be changed for the Air Force to absorb its commercial off-the-shelf software effectively, the risk identified in 2004 would have been consciously addressed at each stage of the procurement, not essentially disregarded for 8 years.

In its 2004 risk assessment, the Air Force also identified a lack of stable program requirements as a risk to the program. That risk, too, was not accounted for. From the beginning of the ECSS procurement, the Air Force failed to properly define and stabilize the program's requirements, what the system would do, and how it would do it. Even those who were going to use ECSS felt as though they were in the dark. In 2008, 4 years later, a technician stated: "My [number one] complaint is that E.C.S.S. has yet to identify . . . any time line [for when] we can expect to receive detailed information [or] requirements about what E.C.S.S. will provide." This user's complaint reflects the lack of planning that went into the Air Force's attempt to procure ECSS.

To this day, the Air Force still does not know how many legacy systems it actually has on hand, let alone the number that ECSS was to replace. The Air Force's lack of knowledge about its current information technology systems led to confusion when it tried to construct a replacement. That is why I offered an amendment to the NDAA—the National Defense Authorization Act—for fiscal year 2015 that would require program personnel to have a proper understanding of existing legacy systems and clear goals in connection with its efforts to procure new information technology systems, but more has to be done.

The subcommittee's report recommends the Department of Defense should also start assessing how much BPR would need to be done—and how feasibly it can be done—earlier in the acquisition lifecycle of these ERPs. Also, investment review boards, which are critically important governance tools used in connection with the Department's efforts to procure ERPs, should be integrated into the budgeting process when these programs begin. That would help make sure that not only is BPR being implemented early and effectively but also that the large

information technology system being procured lines up with the Department of Defense's broader efforts to modernize its business systems. Collectively, these initiatives would help these programs start off right and allow both the Department of Defense and Congress to conduct better oversight and hold leadership accountable for future failures.

In this case no one within the Air Force and the Department of Defense has been held accountable for ECSS's appalling mismanagement. No one has been fired and not a single government employee has been held responsible for wasting over \$1 billion in taxpayer funds. With six program managers and five program executive officers over 8 years having transitioned in and out of the program, the Air Force has had trouble determining who should be held responsible. On scores of other failed programs, this of course is a study we are all familiar with. Let me repeat: Not a single government employee has been held responsible for wasting over \$1 billion—six program managers and five program executive officers over 8 years in and out of the program.

This is a chronic lack of accountability, and I think efforts in the National Defense Authorization Act amendments to align the tenure of program managers with key decision points in the acquisition process is badly needed. That provision would allow us to not only hold accountable those responsible for blunders such as ECSS but also to reward those involved with successful acquisition strategies.

The subcommittee's report details many leadership failures within the Air Force and the Department of Defense in the ECSS Program that should serve as a warning for current and future information technology acquisitions. Since 1995 the Government Accountability Office has placed the Department of Defense business systems modernization efforts; that is, its efforts to replace its existing information technology systems to improve how the Department of Defense is managed, on its high-risk list every year. It has been on that list for many of the same reasons ECSS failed, including inadequate management controls to oversee how it acquires these large systems.

According to the Government Accountability Office, the Department of Defense "has not fully defined and established business systems modernization management controls." It further noted that these management controls are "vital to ensuring that [DOD] can effectively and efficiently manage an undertaking with the size, complexity, and significance of its business systems modernization and minimize the associated risks." I challenge the new Deputy Secretary of Defense, who acts as the Chief Management Officer, to work with the Government Accountability Office to get the Department of Defense's business systems modernization efforts off the high-risk list, and I look forward to a plan from him on how he intends to do it.

Such a plan is clearly necessary, given the current difficulties the Department of Defense is facing in procuring major information technology programs. The Army has spent roughly \$1.89 billion on its logistics modernization programs. Yet just recently, in May of this year, the Department of Defense inspector general reported that the Army will most likely miss the congressionally mandated auditability deadline in September of 2017 because it failed to properly implement the BPR.

Additionally, the defense enterprise accounting and management system, or DEAMS, is a current Air Force acquisition effort that has received roughly \$425 million in funding and is scheduled to receive billions more. DEAMS has faced similar issues to those witnessed in the failed ECSS procurement program. For instance, similar to ECSS, the Air Force has been frustrated by its inability to get the buy-in it needs from DEAMS' intended end users for them to change their business processes and allow for DEAMS integration into the Air Force.

According to a December 2013 Department of Defense internal report, end users at McConnell Air Force Base indicated that the training for this program "did not provide them with a real understanding of the system and its application to their day-to-day work process." Sound familiar? In this case, the Air Force and the Department of Defense are again failing to properly procure and implement a program that is crucial to its business operations and to the Air Force becoming fully auditable by 2017.

The Navy has also struggled with the procurement of large information technology as a program called Navy ERP illustrates. According to the Department of Defense's Deputy Chief Management Officer, these guidelines demand that program officers for information technology acquisitions effectively map out current legacy systems and business processes that need to be changed or retired and then lay out a new plan that would improve and transform the shortcomings of the old systems. These "as is" and "to be" process maps help guide the DOD components and agencies in how they procure large information technology systems.

But when the Department of Defense inspector general asked the program office for Navy ERP's process maps, disturbingly, the Navy said no such plan existed. This is particularly unsettling because the Under Secretary of the Navy at the time, who is now the Deputy Secretary of Defense, certified that those plans were actually completed.

In addition to the lack of process maps, the Department of Defense inspector general found that Navy ERP could not be used to track and account for the Navy's \$416 billion in military equipment assets. That means the Navy's program would not even allow

the Navy to become fully auditable, as required by Congress, raising questions about why the Navy would spend \$870 million on a program that would not even fulfill congressional mandates.

This lapse in oversight is unacceptable, which is why the subcommittee's bipartisan report recommends that the Department of Defense review its internal policies to make sure information technology systems that receive BPR certifications on paper are actually implementing BPR in reality.

These certifications are required for a reason: They help decisionmakers in the Department of Defense and Congress make informed decisions on whether a given program is ready to go further in the acquisition process and whether taxpayer funds should be authorized and appropriated for that purpose.

As I mentioned earlier, information technology procurement is not only a Department of Defense problem. In November of last year, in response to the disastrous healthcare.gov rollout, President Obama himself said:

One of the things [the Federal Government] does not do well is information technology procurement. This is kind of a systematic problem that we have across the board.

I agree with him that information technology procurement in the Federal Government is in desperate need of reform. The White House's Office of Management and Budget has expressed significant concerns about 42 Federal information technology investments, totaling \$2 billion. According to the Government Accountability Office: "despite spending hundreds of billions on I.T. since 2000, the federal government has experienced failed I.T. projects and has achieved little of the productivity improvements that private industry has realized from I.T."

The Department of Homeland Security's Secure Border Initiative Program, or SBInet, was another notable major IT procurement failure. My colleagues might remember SBInet as the high-tech surveillance program that, when it began in 2006, promised a single "transformational" integrated security system for hundreds of miles of border protection on our southern border. Well, I remember SBInet as a system that, according to the Government Accountability Office, cost \$1.2 billion and was on a path to spend 564 percent more than its initial cost estimates when it was canceled in 2010. Once again, ever-changing requirements, a lack of internal management controls, and not really understanding what we were trying to procure, how hard it would actually be, and planning effectively for those difficulties, led to the Federal Government squandering over \$1 billion with nothing to show for it.

The Federal Government's incessant inability to procure major information technology systems is especially concerning since, in the coming months, the Department of Defense will be selecting a contractor to develop a cen-

tralized military health care information technology system. That program is supposed to provide seamless sharing of health data among the Department of Defense, Veterans Affairs, and private sector providers. In light of the recent tragic consequences stemming from mismanagement at the Phoenix VA Health Care System and VA hospitals around the country, we cannot afford to further jeopardize veterans' health care because of information technology failures. Yet any serious effort to reform how care is delivered to our veterans will largely turn on the effective delivery and integration of this system. We need to put the Department of Defense and the Department of Veterans Affairs on notice that we will monitor this program carefully throughout its acquisition.

In closing, there is still much to be done at the Department of Defense and throughout the Federal Government to ensure the acquisition of large information technology programs is improved. If we do not want to repeat past failures, the Department of Defense's attempts to procure large business IT systems must be supported by the right leadership, proper planning, and a workforce that is open to changing "business as usual" in order to help make sure the Department operates more efficiently, effectively, and transparently.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

CLARIFYING INTELLIGENCE COMMUNITY NOMINATIONS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 470, which the clerk will report by title.

The bill clerk read as follows:

A resolution (S. Res. 470) amending Senate Resolution 400 (94th Congress) to clarify the responsibility of committees of the Senate in the provision of the advice and consent of the Senate to nominations to positions in the intelligence community.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. Under the previous order, the resolution is agreed to, and the motion to reconsider is considered made and laid upon the table.

The resolution (S. Res. 470) was agreed to.

(The resolution is printed in the RECORD of Wednesday, June 11, 2014.)

The PRESIDING OFFICER. The Republican whip.

BORDER CRISIS

Mr. CORNYN. This Wednesday, it is reported President Obama will be traveling to my State of Texas, but he will not visit the border between Texas and Mexico, the site of what he has himself called a growing humanitarian crisis. Instead, on his 2-day trip, he will fundraise and apparently deliver remarks on the economy. It is a little ironic, given the economic boom in Texas relative to the rest of the country, that the President would choose to come to Texas and to lecture us on what he thinks we should do about the economy, but my hope is he would come to learn from Texas and not just give another lecture.

Today, the White House Press Secretary, Josh Earnest, said the President was "well aware" of the crisis on the border. As the distinguished Presiding Officer knows, I recently visited McAllen, TX, myself 1 week ago today, and it is heartbreaking to see these young children without their parents. It is difficult to hear the horrific stories about the journey these children made from their homes in Central America through Mexico, dodging assault, kidnapping, various and other sundry crimes, and then finally making their way into the United States. So it is easy in one sense to see why the President might prefer to stay away rather than to come, learn, and listen for himself, particularly in light of the sad stories he is going to hear or he would hear if he decided to come.

But I think the problem speaks for itself when the President, who would prefer to hang out with campaign donors and other political supporters, would decide not to have any interaction with those who are directly affected by his failed policies—in this case the failed immigration policies that led to a full-blown humanitarian crisis.

Instead of taking the easy way out, I wish the President would step up and lead—and he would learn, perhaps, something he did not already know or that he thinks he knows and which is absolutely wrong. It is puzzling, and it is frustrating that the President of the United States chooses the path he apparently is going to take rather than one that will help him solve problems.

We know the President last week stood in the Rose Garden in front of the American people and at the same time he asked for money to help address this problem—and it is reportedly on the order of \$2 billion—in the very next breath he announced he is looking at expanding the very same policies that have helped create this crisis, create the impression there will be no consequences for coming to the country in violation of our laws. It is disheartening, it is disappointing, and it is extremely dangerous.

This week, during his trip to Texas, it would take the President less than 1 hour on Air Force One to visit the border and to see what I and so many of my colleagues have seen firsthand, a