

DHS STOP ASSET AND VEHICLE EXCESS ACT

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 366) to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Stop Asset and Vehicle Excess Act" or the "DHS SAVE Act".

SEC. 2. DHS VEHICLE FLEETS.

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

(1) in subsection (a)(5), by inserting "vehicle fleets (under subsection (c))," after "equipment,";

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following new subsection:

“(c) VEHICLE FLEETS.—

“(1) IN GENERAL.—In carrying out responsibilities regarding vehicle fleets pursuant to subsection (a)(5), the Under Secretary for Management shall be responsible for overseeing and managing vehicle fleets throughout the Department. The Under Secretary shall also be responsible for the following:

“(A) Ensuring that components are in compliance with Federal law, Federal regulations, executive branch guidance, and Department policy (including associated guidance) relating to fleet management and use of vehicles from home to work.

“(B) Developing and distributing a standardized vehicle allocation methodology and fleet management plan for components to use to determine optimal fleet size in accordance with paragraph (4).

“(C) Ensuring that components formally document fleet management decisions.

“(D) Approving component fleet management plans, vehicle leases, and vehicle acquisitions.

“(2) COMPONENT RESPONSIBILITIES.—

“(A) IN GENERAL.—Component heads—

“(i) shall—

“(I) comply with Federal law, Federal regulations, executive branch guidance, and Department policy (including associated guidance) relating to fleet management and use of vehicles from home to work;

“(II) ensure that data related to fleet management is accurate and reliable;

“(III) use such data to develop a vehicle allocation tool derived by using the standardized vehicle allocation methodology provided by the Under Secretary for Management to determine the optimal fleet size for the next fiscal year and a fleet management plan; and

“(IV) use vehicle allocation methodologies and fleet management plans to develop annual requests for funding to support vehicle fleets pursuant to paragraph (6); and

“(ii) may not, except as provided in subparagraph (B), lease or acquire new vehicles or replace existing vehicles without prior approval from the Under Secretary for Management pursuant to paragraph (5)(B).

“(B) EXCEPTION REGARDING CERTAIN LEASING AND ACQUISITIONS.—If exigent circumstances warrant such, a component head may lease or acquire a new vehicle or replace an existing vehicle without prior approval

from the Under Secretary for Management. If under such exigent circumstances a component head so leases, acquires, or replaces a vehicle, such component head shall provide to the Under Secretary an explanation of such circumstances.

“(3) ONGOING OVERSIGHT.—

“(A) QUARTERLY MONITORING.—In accordance with paragraph (4), the Under Secretary for Management shall collect, on a quarterly basis, information regarding component vehicle fleets, including information on fleet size, composition, cost, and vehicle utilization.

“(B) AUTOMATED INFORMATION.—The Under Secretary for Management shall seek to achieve a capability to collect, on a quarterly basis, automated information regarding component vehicle fleets, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles.

“(C) MONITORING.—The Under Secretary for Management shall track and monitor component information provided pursuant to subparagraph (A) and, as appropriate, subparagraph (B), to ensure that component vehicle fleets are the optimal fleet size and cost effective. The Under Secretary shall use such information to inform the annual component fleet analyses referred to in paragraph (4).

“(4) ANNUAL REVIEW OF COMPONENT FLEET ANALYSES.—

“(A) IN GENERAL.—To determine the optimal fleet size and associated resources needed for each fiscal year beginning with fiscal year 2018, component heads shall annually submit to the Under Secretary for Management a vehicle allocation tool and fleet management plan using information described in paragraph (3)(A). Such tools and plans may be submitted in classified form if a component head determines that such is necessary to protect operations or mission requirements.

“(B) VEHICLE ALLOCATION TOOL.—Component heads develop a vehicle allocation tool in accordance with subclause (III) of paragraph (2)(A)(i) that includes an analysis of the following:

“(i) Vehicle utilization data, including the number of trips, miles driven, hours and days used, and the associated costs of such mileage for leased vehicles, in accordance with such paragraph.

“(ii) The role of vehicle fleets in supporting mission requirements for each component.

“(iii) Any other information determined relevant by such component heads.

“(C) FLEET MANAGEMENT PLANS.—Component heads shall use information described in subparagraph (B) to develop a fleet management plan for each such component. Such fleet management plans shall include the following:

“(i) A plan for how each such component may achieve optimal fleet size determined by the vehicle allocation tool required under such subparagraph, including the elimination of excess vehicles in accordance with paragraph (5), if applicable.

“(ii) A cost benefit analysis supporting such plan.

“(iii) A schedule each such component will follow to obtain optimal fleet size.

“(iv) Any other information determined relevant by component heads.

“(D) REVIEW.—The Under Secretary for Management shall review and make a determination on the results of each component's vehicle allocation tool and fleet management plan under this paragraph to ensure each such component's vehicle fleets are the optimal fleet size and that components are in compliance with applicable Federal law, Federal regulations, executive branch guidance, and Department policy (including asso-

ciated guidance) pursuant to paragraph (2) relating to fleet management and use of vehicles from home to work. The Under Secretary shall use such tools and plans when reviewing annual component requests for vehicle fleet funding in accordance with paragraph (6).

“(5) GUIDANCE TO DEVELOP FLEET MANAGEMENT PLANS.—The Under Secretary for Management shall provide guidance, pursuant to paragraph (1)(B) on how component heads may achieve optimal fleet size in accordance with paragraph (4), including processes for the following:

“(A) Leasing or acquiring additional vehicles or replacing existing vehicles, if determined necessary.

“(B) Disposing of excess vehicles that the Under Secretary determines should not be reallocated under subparagraph (C).

“(C) Reallocating excess vehicles to other components that may need temporary or long-term use of additional vehicles.

“(6) ANNUAL REVIEW OF VEHICLE FLEET FUNDING REQUESTS.—As part of the annual budget process, the Under Secretary for Management shall review and make determinations regarding annual component requests for funding for vehicle fleets. If component heads have not taken steps in furtherance of achieving optimal fleet size in the prior fiscal year pursuant to paragraphs (4) and (5), the Under Secretary shall provide rescission recommendations to the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate regarding such component vehicle fleets.

“(7) ACCOUNTABILITY FOR VEHICLE FLEET MANAGEMENT.—

“(A) PROHIBITION ON CERTAIN NEW VEHICLE LEASES AND ACQUISITIONS.—The Under Secretary for Management and component heads may not approve in any fiscal year beginning with fiscal year 2019 a vehicle lease, acquisition, or replacement request if such component heads did not comply in the prior fiscal year with paragraph (4).

“(B) PROHIBITION ON CERTAIN PERFORMANCE COMPENSATION.—No Department official with vehicle fleet management responsibilities may receive annual performance compensation in pay in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

“(C) PROHIBITION ON CERTAIN CAR SERVICES.—Notwithstanding any other provision of law, no senior executive service official of the Department whose office has a vehicle fleet may receive access to a car service in any fiscal year beginning with fiscal year 2019 if such official did not comply in the prior fiscal year with paragraph (4).

“(8) MOTOR POOL.—

“(A) IN GENERAL.—The Under Secretary for Management may determine the feasibility of operating a vehicle motor pool to permit components to share vehicles as necessary to support mission requirements to reduce the number of excess vehicles in the Department.

“(B) REQUIREMENTS.—The determination of feasibility of operating a vehicle motor pool under subparagraph (A) shall—

“(i) include—

“(I) regions in the United States in which multiple components with vehicle fleets are located in proximity to one another, or a significant number of employees with authorization to use vehicles are located; and

“(II) law enforcement vehicles;

“(ii) cover the National Capital Region; and

“(iii) take into account different mission requirements.

“(C) REPORT.—The Secretary shall include in the Department’s next annual performance report required under current law the results of the determination under this paragraph.

“(9) DEFINITIONS.—In this subsection:

“(A) COMPONENT HEAD.—The term ‘component head’ means the head of any component of the Department with a vehicle fleet.

“(B) EXCESS VEHICLE.—The term ‘excess vehicle’ means any vehicle that is not essential to support mission requirements of a component.

“(C) OPTIMAL FLEET SIZE.—The term ‘optimal fleet size’ means, with respect to a particular component, the appropriate number of vehicles to support mission requirements of such component.

“(D) VEHICLE FLEET.—The term ‘vehicle fleet’ means all owned, commercially leased, or Government-leased vehicles of the Department or of a component of the Department, as the case may be, including vehicles used for law enforcement and other purposes.”.

SEC. 3. GAO REPORT AND INSPECTOR GENERAL REVIEW.

(a) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

(1) The status of efforts at achieving a capability to collect automated information as required under subsection (c)(3) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, and any challenges that remain with respect to achieving the capability to collect, assess, and report vehicle fleet (as such term is defined in subsection (c)(9) of such section 701) data for the purpose of determining vehicle utilization.

(2) The extent to which the Under Secretary for Management has identified and addressed any relevant security concerns, including cybersecurity risks, related to such automation.

(3) The extent to which the Under Secretary collects, assesses, and reports on vehicle fleet event data recorder data.

(b) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Homeland Security shall—

(1) review implementation of subsection (c)(4) of section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341), as added by section 2 of this Act, for fiscal years 2018 and 2020, and shall provide, upon request, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information regarding any such review; and

(2) submit to the committees specified in paragraph (1) a report, not later than six months after completion of the second review required under such paragraph, regarding the effectiveness of such subsection with respect to cost avoidance, savings realized, and component operations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PERRY. Mr. Speaker, I yield myself such time as I may consume.

I stand before you in support of H.R. 366, the DHS Stop Asset and Vehicle Excess, or DHS SAVE, Act of 2016.

In October of 2015, the DHS inspector general released a scathing report of the Federal Protective Service’s management of their vehicle fleet, a report that reads like a laundry list of poor management decisions. The IG found that the FPS had more vehicles than officers, and officers were authorized to drive from home to work with government-owned vehicles and, actually, put more miles on the vehicles in driving from home and back to work than they did on the job, among many other things. Additionally, the report stated that the FPS was not in compliance with Federal and departmental compliance, which is why I introduced the DHS SAVE Act.

This bill improves the management of DHS’ vehicle fleets by authorizing the Under Secretary for Management at the headquarters level to oversee the components’ vehicle fleets, requires the components to evaluate their fleets on an ongoing basis, includes penalties for the mismanagement of component fleets, and requires the DHS to identify alternative methods for the management of component fleets. With the second largest civilian vehicle fleet in the Federal Government, the DHS simply must have stricter controls in place at the headquarters level in order to rein in rogue components.

As the new administration scrutinizes the DHS’ operations, this bill will provide important authorities to root out waste, fraud, and abuse from the Department.

I urge all Members to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 366, the DHS Stop Asset and Vehicle Excess Act.

H.R. 366 seeks to improve the Department of Homeland Security’s management, acquisition, and oversight of its fleet of roughly 53,000 vehicles. H.R. 366 requires the Under Secretary for Management to provide departmental components with a standardized vehicle allocation methodology for components to utilize to develop fleet management plans.

This legislation was informed by oversight that was conducted by the Department’s inspector general. The inspector general found that, in 2014 and 2015, the DHS did not adequately manage or have the enforcement au-

thority over components to ensure that the composition of its motor vehicle fleet was right sized. This lack of effective management led to the overuse of sports utility vehicles, unnecessary discretionary equipment packages, and overpayments to the GSA.

Further, the Committee on Homeland Security received testimony from the Director of the Federal Protective Service that roughly half of the 1,100 vehicles in FPS’ fleet were underutilized or had fewer than 12,000 miles. H.R. 366 grants authority to the DHS headquarters over components with respect to managing vehicle fleets.

Specifically, under H.R. 366, the DHS is directed to establish requirements for components to more rigorously evaluate their fleets on an ongoing basis. Additionally, this bill directs the DHS to identify alternative methods for managing component fleets, such as a shared motor pool. The DHS has the second largest civilian vehicle fleet in the Federal Government at an operating cost of about \$462 million.

There is a critical linkage between the Department’s operational effectiveness in national security missions and the effective management of the resources and requirements by the DHS leadership. As such, enhancing oversight and management should help the Department more effectively spend limited taxpayer dollars on what the Department actually needs to carry out its mission.

H.R. 366 seeks to improve the management of DHS’ vehicle fleet by strengthening the oversight and management of the Department’s fleet by the Under Secretary for Management. It is also worth noting that H.R. 366 includes language that I authored to ensure that the inspector general’s oversight of the DHS’ management of its vehicle fleet continues.

I commend the OIG for its robust and ongoing oversight of the Department’s vehicle fleet. I also commend my colleague on the Homeland Security Committee, Mr. PERRY, for introducing this legislation and working in a bipartisan fashion to advance it.

I urge the passage of H.R. 366.

Mr. Speaker, I yield back the balance of my time.

Mr. PERRY. Mr. Speaker, I commend my colleague for her hard work on this bill and for her bipartisan spirit in getting it to the floor with me.

I, once again, urge my colleagues to support H.R. 366.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 366.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DHS ACQUISITION DOCUMENTATION INTEGRITY ACT OF 2017

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 347) to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Acquisition Documentation Integrity Act of 2017”.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUISITION DOCUMENTATION.

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

“SEC. 708. ACQUISITION DOCUMENTATION.

“(a) IN GENERAL.—For each major acquisition program, the Secretary, acting through the Under Secretary for Management, shall require the head of a relevant component or office to—

“(1) maintain acquisition documentation that is complete, accurate, timely, and valid, and that includes, at a minimum—

“(A) operational requirements that are validated consistent with departmental policy and changes to such requirements, as appropriate;

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

“(C) verification of such lifecycle cost estimate against independent cost estimates, and reconciliation of any differences;

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

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

“(2) prepare cost estimates and schedules for major acquisition programs, as required under subparagraphs (B) and (E), in a manner consistent with best practices as identified by the Comptroller General of the United States; and

“(3) submit certain acquisition documentation to the Secretary to produce an annual comprehensive report on the status of departmental acquisitions for submission to Congress.

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

“(1) such program has not—

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

“(B) had a reasonable cost estimate established; and

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

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

“(c) CONGRESSIONAL OVERSIGHT.—At the same time the President’s budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall make information available, as applicable, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the requirement described in subsection (a) in the prior fiscal year that includes the following specific information regarding each

major acquisition program for which the Secretary has issued a waiver under subsection (b):

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

“(2) The projected cost of such program.

“(3) The proportion of a component’s or office’s annual acquisition budget attributed to such program, as available.

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

“(d) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term ‘major acquisition program’ means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its lifecycle cost.”.

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

“Sec. 708. Acquisition documentation.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PERRY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 347, the Department of Homeland Security Acquisition Documentation Integrity Act. This legislation requires the Department of Homeland Security to improve the management of its major purchases of systems to secure the border, better screen travelers, protect our shores, and other vital missions.

Too often, the DHS has failed to document what these programs will cost, when they will be complete, and what they actually will deliver. It is unacceptable to spend billions of taxpayer dollars and not document this very basic but important information. H.R. 347 will help our committee and congressional watchdogs hold the Department accountable and ensure taxpayer dollars are being spent in both an efficient and effective manner. Safeguarding Americans’ hard-earned tax dollars is why our constituents sent us here in the first place.

I commend Ranking Member WATSON COLEMAN for her leadership on this issue, and I ask all Members to join me in supporting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 347, the DHS Acquisition Documentation Integrity Act of 2017.

I reintroduced H.R. 347, a measure that the House unanimously approved on February 23, 2016, to ensure that the progress that the Department of Homeland Security has made with respect to how it manages acquisitions continues.

H.R. 347 requires complete, accurate, timely, and valid documentation to be maintained for each of the Department’s major acquisition programs, which is defined as one with a life cycle cost estimate of \$300 million or more. The required documentation includes information regarding operational requirements, a complete life cycle cost estimate, a cost-benefit analysis, and a schedule.

Under this legislation, the DHS component heads would also be required to submit certain documentation to the DHS Secretary for inclusion in an annual status report on the Department’s acquisitions. While there have been improvements to acquisitions management under former Secretary Jeh Johnson, the Department has struggled when it comes to delivering a specific program on time and at an established cost.

Most of the DHS’ major acquisition programs continue to cost more than expected, take longer to deploy than planned, or deliver less capability than promised. For example, the DHS’ efforts to deliver a Department-wide human resources IT system—HR-IT—have spanned almost 14 years and have cost millions of dollars with little to show for it. As can be seen with the case of HR-IT, anything less than up-to-date acquisition documentation increases the odds of cost and schedule overruns, risks delayed delivery of critical capabilities, and depletes resources needed to address future requirements.

As such, H.R. 347 codifies “best practices” already embodied in the DHS’ acquisition policy and necessary for the success of the DHS’ mission. H.R. 347 requires the DHS Secretary, through the Under Secretary for Management, to require components to maintain specific types of acquisition documentation.

Representatives MCCAUL and THOMPSON, the chairman and ranking member of our committee, and Representative PERRY, the chairman of the Subcommittee on Oversight and Management Efficiency, cosponsored this legislation, which reflects a strong commitment to bolstering the effectiveness of the DHS’ acquisition programs in a bipartisan fashion.

I urge the passage of H.R. 347, a bill that will help ensure that the DHS is a good steward of taxpayer dollars and can provide the DHS’ operators in the field with the tools they need to protect the American people.

Mr. Speaker, I yield back the balance of my time.

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Mr. PERRY. Mr. Speaker, I, once again, commend my good friend and