

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

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2083, the “Homeland Procurement Reform Act.”

H.R. 2083 would reform the way the Department of Homeland Security procures uniforms and items related to national security interests.

This bill seeks to encourage the procurement of domestically sourced uniform items to ensure higher-quality uniforms and equipment are issued to the Department.

Specifically, this bill would allocate that no less than one-third of the funds obligated for uniforms and protective equipment are used for items that are manufactured in part or provided in the United States by entities that qualify as a U.S. small business.

Additionally, H.R. 2083 will ensure that uniforms and protective equipment are purchased at fair and reasonable prices, and that uniform allowances provided to Department frontline personnel are adequate.

Last, the bill mandates that suppliers—store such covered item in a locked area; report any pilferage or theft of such covered item occurring at any stage before delivery of such covered item; and

destroy any defective or unusable covered item bearing official DHS insignia not manufactured in the US.

I stand to support this bill that will bring more opportunities for American small businesses.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 2083 to reform the way the Department of Homeland Security procures uniforms and items related to national security interests.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CORREA) that the House suspend the rules and pass the bill, H.R. 2083, as amended.

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

A motion to reconsider was laid on the table.

DHS ACQUISITION REVIEW BOARD ACT OF 2019

Mr. CORREA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2609) to amend the Homeland Security Act of 2002 to establish the Acquisition Review Board in the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2609

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 Review Board Act of 2019”.

SEC. 2. ACQUISITION REVIEW BOARD.

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

“SEC. 836. ACQUISITION REVIEW BOARD.

“(a) IN GENERAL.—The Secretary shall establish an Acquisition Review Board (in this section referred to as the ‘Board’) to—

“(1) strengthen accountability and uniformity within the Department acquisition review process;

“(2) review major acquisition programs; and

“(3) review the use of best practices.

“(b) COMPOSITION.—

“(1) CHAIR.—The Under Secretary for Management shall serve as chair of the Board.

“(2) PARTICIPATION.—The Secretary shall ensure participation by other relevant Department officials with responsibilities related to acquisitions as permanent members of the Board.

“(3) OVERSIGHT.—The Under Secretary for Management shall designate a full time employee of the Department to oversee the operations of the Board.

“(c) MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness. The Board shall convene at the Secretary’s discretion and at any time—

“(1) a major acquisition program—

“(A) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

“(B) is in breach of its approved requirements; or

“(C) requires additional review, as determined by the Under Secretary for Management; or

“(2) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

“(d) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

“(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

“(2) Oversee whether a proposed acquisition’s business strategy, resources, management, and accountability is executable and is aligned to strategic initiatives.

“(3) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for such acquisition at key acquisition decision events.

“(4) Conduct systematic reviews of acquisitions to ensure that such acquisitions are progressing in compliance with the approved documents for their current acquisition phases.

“(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

“(6) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

“(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

“(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

“(e) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves such program to proceed into the planning phase before such program has a Department-approved ac-

quisition program baseline, the Under Secretary for Management shall create and approve an acquisition program baseline report regarding such approval, and the Secretary shall—

“(1) within 7 days after an acquisition decision memorandum is signed, notify in writing the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such decision; and

“(2) within 60 days after the acquisition decision memorandum is signed, submit to such committees a written explanation of the rationale for such decision and a plan of action to address acquisition program baseline requirements for such program.

“(f) REPORT.—The Under Secretary for Management shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on an annual basis through fiscal year 2024 on the activities of the Board for the prior fiscal year that includes information relating to the following:

“(1) For each meeting of the Board, any acquisition decision memoranda.

“(2) Results of the systematic reviews conducted pursuant to paragraph (4) of subsection (d).

“(3) Results of acquisition document reviews required pursuant to paragraph (5) of subsection (d).

“(4) Activities to ensure that practices are adopted and implemented throughout the Department pursuant to paragraph (6) of subsection (d).

“(g) DEFINITIONS.—In this section:

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

“(2) ACQUISITION DECISION AUTHORITY.—The term ‘acquisition decision authority’ means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

“(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

“(B) review (including approving, pausing, modifying, or cancelling) an acquisition program through the life cycle of such program;

“(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

“(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

“(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

“(3) ACQUISITION DECISION EVENT.—The term ‘acquisition decision event’, with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether such acquisition program shall proceed to the next acquisition phase.

“(4) ACQUISITION DECISION MEMORANDUM.—The term ‘acquisition decision memorandum’, with respect to an acquisition, means the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for such acquisition, as determined by the

person exercising acquisition decision authority for such acquisition.

“(5) ACQUISITION PROGRAM.—The term ‘acquisition program’ means the process by which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

“(6) ACQUISITION PROGRAM BASELINE.—The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

“(7) BEST PRACTICES.—The term ‘best practices’, with respect to acquisition, means a knowledge-based approach to capability development that includes—

- “(A) identifying and validating needs;
- “(B) assessing alternatives to select the most appropriate solution;
- “(C) clearly establishing well-defined requirements;
- “(D) developing realistic cost assessments and schedules;

- “(E) securing stable funding that matches resources to requirements;

- “(F) demonstrating technology, design, and manufacturing maturity;

- “(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

- “(H) adopting and executing standardized processes with known success across programs;

- “(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

- “(J) integrating the capabilities described in subparagraphs (A) through (I) into the Department’s mission and business operations.

“(8) MAJOR ACQUISITION PROGRAM.—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 2019 constant dollars) over its life cycle 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 inserting after the item relating to section 835 the following new item:

“Sec. 836. Acquisition Review Board.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CORREA) and the gentleman from Texas (Mr. CRENSHAW) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. CORREA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this measure.

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

There was no objection.

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

Mr. Speaker, every year, the Department of Homeland Security invests billions of dollars on major acquisition programs to execute its critical missions. It acquires systems vital to homeland security, including ships for the U.S. Coast Guard and baggage

screening systems for the Transportation Security Administration.

However, DHS’ acquisition activities are on the Government Accountability Office’s “High Risk List” because of management and funding concerns. In fact, according to GAO, only 10 of the 24 major acquisition programs have approved schedule and cost goals and are on track to meet those goals.

Given these challenges, it is critical that DHS review its major acquisition programs for proper management, oversight, and accountability.

This bill, the DHS Acquisition Review Board Act of 2019, seeks to strengthen the role of the Acquisition Review Board, or ARB, to improve acquisition outcomes within the Department of Homeland Security. The ARB has the potential to help ensure that DHS does not pursue programs that it can’t afford or that do not meet established cost, schedule, and performance thresholds.

Mr. Speaker, the enactment of H.R. 2609 is one mechanism within the Department to help ensure that programs are on time, on budget, and in line with the Department’s mission.

Mr. Speaker, I urge my House colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of my bill, H.R. 2609, the DHS Acquisition Review Board Act of 2019.

The Government Accountability Office and the Department of Homeland Security Office of Inspector General have both identified weaknesses in the Department’s management of its major acquisition programs. Poor management of these programs costs the Department billions of dollars each year.

GAO has placed DHS management functions, including acquisition management, on its “High Risk List,” programs that are highly susceptible to fraud, waste, abuse, or mismanagement or are in need of transformation.

The Department struggles to ensure that major acquisitions are delivered on schedule, provide the capabilities needed, and do not exceed budget. In recent years, GAO has identified 9 out of 26 major acquisition programs that experienced cost growth or schedule slips. Cost overruns totaled \$988 million, and schedules frequently slipped by an average of 6 months.

GAO also determined that approximately half of major acquisition programs deployed capabilities before all key performance parameters had been met.

It is essential that DHS establish better management tools to provide accountability in its major acquisition programs and ensure that problems are identified and addressed early.

My bill requires DHS to establish mechanisms for accountability to better manage components’ major acquisition programs by establishing an Acquisition Review Board within DHS. The board would oversee DHS’ acquisi-

tion process, review major acquisition programs, and evaluate the use of best practices.

The Under Secretary for Management will serve as the chair of the board, and the board would be required to meet regularly. The board would be responsible for determining if a proposed acquisition has met planning requirements necessary to move into the production and deployment phases.

It would also oversee a major acquisitions business strategy. The board will review the cost tradeoffs, schedules, and performance objectives of the programs.

As we seek to ensure the homeland is protected and DHS has the resources it needs to do its job, we must also ensure that taxpayer dollars are being spent efficiently and effectively.

Mr. Speaker, I urge my colleagues to support H.R. 2609, and I reserve the balance of my time.

Mr. CORREA. Mr. Speaker, I thank my colleague from Texas for that fine piece of legislation.

Mr. Speaker, I have no further speakers, and I am prepared to close after the gentleman from the State of Texas (Mr. CRENSHAW) closes.

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

Mr. CRENSHAW. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

Mr. CORREA. Mr. Speaker, H.R. 2609 has the potential of fostering accountability and uniformity within the Department’s acquisition programs.

A version of this legislation was passed by the House by a voice vote in the 115th Congress, and I urge my colleagues to do the same again today.

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 California (Mr. CORREA) that the House suspend the rules and pass the bill, H.R. 2609.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CORREA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DHS OVERSEAS PERSONNEL ENHANCEMENT ACT OF 2019

Mr. CORREA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2590) to require a Department of Homeland Security overseas personnel enhancement plan, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2590

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