

114TH CONGRESS  
1ST SESSION

# H. R. 3572

To amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2015

Mr. McCAUL (for himself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “DHS Headquarters Reform and Improvement Act of  
6 2015”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is the following:

Sec. 1. Short title; table of contents.

TITLE I—DEPARTMENT OF HOMELAND SECURITY  
 HEADQUARTERS REAUTHORIZATION

Sec. 101. Definitions.  
 Sec. 102. Headquarters components.  
 Sec. 103. Chief Privacy Officer.  
 Sec. 104. Office of Policy.  
 Sec. 105. Quadrennial homeland security review.  
 Sec. 106. Future years homeland security program.  
 Sec. 107. Management and execution.  
 Sec. 108. Chief Financial Officer.  
 Sec. 109. Chief Procurement Officer.  
 Sec. 110. Chief Information Officer.  
 Sec. 111. Chief Human Capital Officer.  
 Sec. 112. Chief Security Officer.  
 Sec. 113. Cost savings and efficiency reviews.  
 Sec. 114. Field efficiencies plan.

TITLE II—DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY

Sec. 201. Definitions.  
 Sec. 202. Prohibition on additional authorization of appropriations.

Subtitle A—Acquisition Authorities

Sec. 211. Acquisition authorities for Under Secretary for Management.  
 Sec. 212. Acquisition authorities for Chief Financial Officer.  
 Sec. 213. Acquisition authorities for Chief Information Officer.  
 Sec. 214. Requirements to ensure greater accountability for acquisition programs.

Subtitle B—Acquisition Program Management Discipline

Sec. 221. Acquisition Review Board.  
 Sec. 222. Requirements to reduce duplication in acquisition programs.  
 Sec. 223. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.  
 Sec. 224. Excluded Party List System waivers.  
 Sec. 225. Inspector General oversight of suspension and debarment.

Subtitle C—Acquisition Program Management Accountability and  
 Transparency

Sec. 231. Congressional notification and other requirements for major acquisition program breach.  
 Sec. 232. Multiyear acquisition strategy.  
 Sec. 233. Acquisition reports.  
 Sec. 234. Government Accountability Office review of multiyear acquisition strategy.  
 Sec. 235. Office of Inspector General report.

1 **TITLE I—DEPARTMENT OF**  
2 **HOMELAND SECURITY HEAD-**  
3 **QUARTERS REAUTHORIZA-**  
4 **TION**

5 **SEC. 101. DEFINITIONS.**

6 Section 2 of the Homeland Security Act of 2002 is  
7 amended—

8 (1) by redesignating paragraphs (13) through  
9 (17) as paragraphs (15) through (19);

10 (2) by redesignating paragraphs (9) through  
11 (12) as paragraphs (10) through (13);

12 (3) by inserting after paragraph (8) the fol-  
13 lowing:

14 “(9) The term ‘homeland security enterprise’  
15 means relevant governmental and nongovernmental  
16 entities involved in homeland security, including  
17 Federal, State, local, and tribal government officials,  
18 private sector representatives, academics, and other  
19 policy experts.”; and

20 (4) by inserting after paragraph (13), as so re-  
21 designated, the following:

22 “(14) The term ‘management integration and  
23 transformation’—

24 “(A) means the development of consistent  
25 and consolidated functions for information tech-

1 nology, financial management, acquisition man-  
2 agement, and human capital management; and

3 “(B) includes governing processes and pro-  
4 cedures, management systems, personnel activi-  
5 ties, budget and resource planning, training,  
6 real estate management, and provision of secu-  
7 rity, as they relate to functions cited in sub-  
8 paragraph (A).”.

9 **SEC. 102. HEADQUARTERS COMPONENTS.**

10 (a) IN GENERAL.—Section 102 of the Homeland Se-  
11 curity Act of 2002 (6 U.S.C. 112) is amended—

12 (1) in subsection (c)—

13 (A) in the matter preceding paragraph (1),  
14 by striking “through the Office of State and  
15 Local Coordination (established under section  
16 801)” and inserting “through the Office of  
17 Partnership and Engagement”;

18 (B) in paragraph (2), by striking “and”  
19 after the semicolon at the end;

20 (C) in paragraph (3), by striking the pe-  
21 riod and inserting “; and”; and

22 (D) by adding at the end the following:

23 “(4) entering into agreements with governments  
24 of other countries, in consultation with the Secretary  
25 of State, and international nongovernmental organi-

1 zations in order to achieve the missions of the De-  
2 partment.”; and

3 (2) by adding at the end the following:

4 “(h) HEADQUARTERS.—

5 “(1) COMPONENTS.—The Department Head-  
6 quarters shall include the following:

7 “(A) The Office of the Secretary.

8 “(B) The Office of the Deputy Secretary.

9 “(C) The Executive Secretariat.

10 “(D) The Management Directorate, includ-  
11 ing the Office of the Chief Financial Officer.

12 “(E) The Office of Policy.

13 “(F) The Office of General Counsel.

14 “(G) The Office of the Chief Privacy Offi-  
15 cer.

16 “(H) The Office of Civil Rights and Civil  
17 Liberties.

18 “(I) The Office of Operations and Coordi-  
19 nation and Planning.

20 “(J) The Office of Intelligence and Anal-  
21 ysis.

22 “(K) The Office of Legislative Affairs.

23 “(L) The Office of Public Affairs.

24 “(2) FUNCTIONS.—The Secretary, through the  
25 Headquarters, shall—

1           “(A) establish the Department’s overall  
2 strategy for successfully completing its mission;

3           “(B) establish initiatives that improve per-  
4 formance Departmentwide;

5           “(C) establish mechanisms to ensure that  
6 components of the Department comply with  
7 Headquarters policies and fully implement the  
8 Secretary’s strategies and initiatives;

9           “(D) establish annual operational and  
10 management objectives to determine the De-  
11 partment’s performance;

12           “(E) ensure that the Department success-  
13 fully meets operational and management per-  
14 formance objectives through conducting over-  
15 sight of component agencies;

16           “(F) ensure that the strategies, priorities,  
17 investments, and workforce of Department  
18 agencies align with Department objectives;

19           “(G) establish and implement policies re-  
20 lated to Department ethics and compliance  
21 standards;

22           “(H) manage and encourage shared serv-  
23 ices across Department components;

24           “(I) lead and coordinate interaction with  
25 Congress and other external organizations; and

1                   “(J) carry out other such functions as the  
2                   Secretary determines are appropriate.”.

3           (b) ABOLISHMENT OF DIRECTOR OF SHARED SERV-  
4 ICES.—

5           (1) ABOLISHMENT.—The position of Director of  
6           Shared Services is abolished.

7           (2) CONFORMING AMENDMENT.—Section 475  
8           of the Homeland Security Act of 2002 (6 U.S.C.  
9           295), and the item relating to such section in the  
10          table of contents in section 1(b) of such Act, are re-  
11          pealed.

12 **SEC. 103. CHIEF PRIVACY OFFICER.**

13          (a) IN GENERAL.—Section 222 of the Homeland Se-  
14          curity Act of 2002 (6 U.S.C. 142) is amended—

15               (1) in subsection (a)—

16                       (A) in the matter preceding paragraph

17                       (1)—

18                               (i) by inserting “to be the Chief Pri-  
19                               vacy Officer of the Department,” after “in  
20                               the Department,”; and

21                               (ii) by striking “, to assume” and in-  
22                               serting “and who shall have”; and

23                       (B) by amending paragraph (6) to read as  
24                       follows:

1           “(6) preparing a report to Congress on an an-  
2 nual basis on—

3           “(A) activities of the Department that af-  
4 fect privacy, including complaints of privacy  
5 violations, implementation of section 554 of  
6 title 5, United States Code (popularly known as  
7 the Privacy Act of 1974), internal controls, and  
8 other matters; and

9           “(B) the number of new technology pro-  
10 grams implemented in the Department each fis-  
11 cal year, the number of those programs that the  
12 Chief Privacy Officer has evaluated to ensure  
13 that privacy protections are considered and im-  
14 plemented, the number of those programs that  
15 effectively implemented privacy protections into  
16 new technology programs, and an explanation  
17 of why any new programs did not effectively im-  
18 plement privacy protections.”;

19           (2) by redesignating subsections (b) through (e)  
20 as subsections (c) through (f);

21           (3) by inserting after subsection (a) the fol-  
22 lowing:

23           “(b) **ADDITIONAL RESPONSIBILITIES.**—In addition  
24 to the responsibilities under subsection (a), the Chief Pri-  
25 vacy Officer shall—



1           “(1) develop guidance to assist components of  
2 the Department in developing privacy policies and  
3 practices;

4           “(2) establish a mechanism to ensure such com-  
5 ponents are in compliance with Federal, regulatory,  
6 statutory, and the Department’s privacy require-  
7 ments, mandates, directives, and policy;

8           “(3) work with the Chief Information Officer of  
9 the Department to identify methods for managing  
10 and overseeing the Department’s records, manage-  
11 ment policies, and procedures;

12           “(4) work with components and offices of the  
13 Department to ensure that information sharing ac-  
14 tivities incorporate privacy protections;

15           “(5) serve as the Department’s central office  
16 for managing and processing requests related to sec-  
17 tion 552 of title 5, United States Code, popularly  
18 known as the Freedom of Information Act;

19           “(6) develop public guidance on procedures to  
20 be followed when making requests for information  
21 under section 552 of title 5, United States Code;

22           “(7) oversee the management and processing of  
23 requests for information under section 552 of title 5,  
24 United States Code, within Department Head-

1       quarters and relevant Department component of-  
2       fices;

3               “(8) identify and eliminate unnecessary and du-  
4       plicative actions taken by the Department in the  
5       course of processing requests for information under  
6       section 552 of title 5, United States Code; and

7               “(9) carry out such other responsibilities as the  
8       Secretary determines are appropriate, consistent  
9       with this section.”; and

10              (4) by adding at the end the following:

11              “(g) REASSIGNMENT OF FUNCTIONS.—The Sec-  
12       retary may reassign the functions related to managing and  
13       processing requests for information under section 552 of  
14       title 5, United States Code, to another officer within the  
15       Department, consistent with requirements of that sec-  
16       tion.”.

17       **SEC. 104. OFFICE OF POLICY.**

18              (a) IN GENERAL.—The Homeland Security Act of  
19       2002 (6 U.S.C. 101 et seq.) is amended by—

20                      (1) redesignating section 601 as section 890B,  
21              and transferring that section to appear immediately  
22              after section 890A; and

23                      (2) striking the heading for title VI and insert-  
24              ing the following:

1                   **“TITLE VI—POLICY AND**  
2                                   **PLANNING**

3   **“SEC. 601. OFFICE OF POLICY.**

4           “(a) ESTABLISHMENT OF OFFICE.—There shall be in  
5 the Department an Office of Policy. The Office of Policy  
6 shall be headed by an Under Secretary for Policy, who  
7 shall be appointed by the President, by and with the advice  
8 and consent of the Senate.

9           “(b) MISSION.—The mission of the Office of Policy  
10 is to lead, conduct, and coordinate Departmentwide policy,  
11 strategic planning, and relationships with organizations or  
12 persons that are not part of the Department.

13          “(c) COMPONENTS OF OFFICE.—The Office of Policy  
14 shall include the following components:

15               “(1) The Office of Partnership and Engage-  
16 ment under section 602.

17               “(2) The Office of International Affairs under  
18 section 603.

19               “(3) The Office of Policy Implementation under  
20 section 604.

21               “(4) The Office of Strategy and Planning under  
22 section 605.

23          “(d) RESPONSIBILITIES OF THE UNDER SEC-  
24 RETARY.—Subject to the direction and control of the Sec-  
25 retary, the Under Secretary for Policy shall—

1           “(1) serve as the principal policy advisor to the  
2     Secretary;

3           “(2) coordinate with the Under Secretary for  
4     Management and the General Counsel of the De-  
5     partment to ensure that development of the Depart-  
6     ment’s budget is compatible with the priorities, stra-  
7     tegic plans, and policies established by the Sec-  
8     retary, including those priorities identified through  
9     the Quadrennial Homeland Security Review required  
10    under section 707;

11          “(3) incorporate relevant feedback from, and  
12    oversee and coordinate relationships with, organiza-  
13    tions and other persons that are not part of the De-  
14    partment to ensure effective communication of out-  
15    side stakeholders’ perspectives to components of the  
16    Department;

17          “(4) establish a process to ensure that organi-  
18    zations and other persons that are not part of the  
19    Department can communicate with Department  
20    components without compromising adherence by the  
21    officials of such components to the Department’s  
22    ethics and policies;

23          “(5) manage and coordinate the Department’s  
24    international engagement activities;

1           “(6) advise, inform, and assist the Secretary on  
2           the impact of the Department’s policy, processes,  
3           and actions on State, local, tribal, and territorial  
4           governments;

5           “(7) oversee the Department’s engagement and  
6           development of partnerships with nonprofit organiza-  
7           tions and academic institutions;

8           “(8) administer the Homeland Security Advi-  
9           sory Council and make studies available to the Com-  
10          mittee on Homeland Security of the House of Rep-  
11          resentatives and the Committee on Homeland Secu-  
12          rity and Governmental Affairs of the Senate on an  
13          annual basis; and

14          “(9) carry out such other responsibilities as the  
15          Secretary determines are appropriate, consistent  
16          with this section.

17          “(e) COORDINATION BY DEPARTMENT COMPO-  
18          NENTS.—

19                 “(1) IN GENERAL.—To ensure consistency with  
20                 the Secretary’s policy priorities, the head of each  
21                 component of the Department shall coordinate with  
22                 the Office of Policy, as appropriate, in establishing  
23                 new policies or strategic planning guidance.

24                 “(2) INTERNATIONAL ACTIVITIES.—

1           “(A) FOREIGN NEGOTIATIONS.—Each  
2 component of the Department shall coordinate  
3 with the Under Secretary for Policy plans and  
4 efforts of the component before pursuing nego-  
5 tiations with foreign governments, to ensure  
6 consistency with the Department’s policy prior-  
7 ities.

8           “(B) NOTICE OF INTERNATIONAL TRAVEL  
9 BY SENIOR OFFICERS.—Each component of the  
10 Department shall notify the Under Secretary  
11 for Policy of the international travel of senior  
12 officers of the Department.

13       “(f) ASSIGNMENT OF PERSONNEL.—The Secretary  
14 shall assign to the Office of Policy permanent staff and,  
15 as appropriate and consistent with sections 506(c)(2),  
16 821, and 888(d), other appropriate personnel detailed  
17 from other components of the Department to carry out  
18 the responsibilities under this section.

19 **“SEC. 602. OFFICE OF PARTNERSHIP AND ENGAGEMENT.**

20       “(a) IN GENERAL.—There shall be in the Office of  
21 Policy an Office of Partnership and Engagement.

22       “(b) HEAD OF OFFICE.—The Secretary shall appoint  
23 an Assistant Secretary for Partnership and Engagement  
24 to serve as the head of the Office.

1       “(c) RESPONSIBILITIES.—The Assistant Secretary  
2 for Partnership and Engagement shall—

3               “(1) lead the coordination of Departmentwide  
4 policies relating to the role of State and local law en-  
5 forcement in preventing, preparing for, protecting  
6 against, and responding to natural disasters, acts of  
7 terrorism, and other man-made disasters within the  
8 United States;

9               “(2) serve as a liaison between State, local, and  
10 tribal law enforcement agencies and the Department,  
11 including through consultation with such agencies  
12 regarding Department programs that may impact  
13 such agencies;

14               “(3) coordinate with the Office of Intelligence  
15 and Analysis to certify the intelligence and informa-  
16 tion sharing requirements of State, local, and tribal  
17 law enforcement agencies are being addressed;

18               “(4) work with the Administrator to ensure  
19 that law enforcement and terrorism-focused grants  
20 to State, local, and tribal government agencies, in-  
21 cluding grants under sections 2003 and 2004, the  
22 Commercial Equipment Direct Assistance Program,  
23 and other grants administered by the Department to  
24 support fusion centers and law enforcement-oriented

1 programs, are appropriately focused on terrorism  
2 prevention activities;

3 “(5) coordinate with the Science and Tech-  
4 nology Directorate, the Federal Emergency Manage-  
5 ment Agency, the Department of Justice, the Na-  
6 tional Institute of Justice, law enforcement organiza-  
7 tions, and other appropriate entities to support the  
8 development, promulgation, and updating, as nec-  
9 essary, of national voluntary consensus standards  
10 for training and personal protective equipment to be  
11 used in a tactical environment by law enforcement  
12 officers;

13 “(6) create and foster strategic communications  
14 with the private sector to enhance the primary mis-  
15 sion of the Department to protect the American  
16 homeland;

17 “(7) advise the Secretary on the impact of the  
18 Department’s policies, regulations, processes, and  
19 actions on the private sector;

20 “(8) interface with other relevant Federal agen-  
21 cies with homeland security missions to assess the  
22 impact of these agencies’ actions on the private sec-  
23 tor;



1           “(9) create and manage private sector advisory  
2           councils composed of representatives of industries  
3           and associations designated by the Secretary to—

4                   “(A) advise the Secretary on private sector  
5                   products, applications, and solutions as they re-  
6                   late to homeland security challenges;

7                   “(B) advise the Secretary on homeland se-  
8                   curity policies, regulations, processes, and ac-  
9                   tions that affect the participating industries  
10                  and associations; and

11                  “(C) advise the Secretary on private sector  
12                  preparedness issues, including effective methods  
13                  for—

14                          “(i) promoting voluntary preparedness  
15                          standards to the private sector; and

16                          “(ii) assisting the private sector in  
17                          adopting voluntary preparedness stand-  
18                          ards;

19           “(10) promote existing public-private partner-  
20           ships and developing new public-private partnerships  
21           to provide for collaboration and mutual support to  
22           address homeland security challenges;

23           “(11) assist in the development and promotion  
24           of private sector best practices to secure critical in-  
25           frastructure;

1           “(12) provide information to the private sector  
2           regarding voluntary preparedness standards and the  
3           business justification for preparedness and pro-  
4           moting to the private sector the adoption of vol-  
5           untary preparedness standards;

6           “(13) coordinate industry efforts, with respect  
7           to functions of the Department of Homeland Secu-  
8           rity, to identify private sector resources and capabili-  
9           ties that could be effective in supplementing Federal,  
10          State, and local government agency efforts to pre-  
11          vent or respond to a terrorist attack;

12          “(14) coordinate with the Commissioner of Cus-  
13          toms and Border Protection and the appropriate  
14          senior official of the Department of Commerce on  
15          issues related to the travel and tourism industries;

16          “(15) coordinate the activities of the Depart-  
17          ment relating to State and local government;

18          “(16) assess, and advocate for, the resources  
19          needed by State and local governments to implement  
20          the national strategy for combating terrorism;

21          “(17) provide State and local governments with  
22          regular information, research, and technical support  
23          to assist local efforts at securing the homeland;

24          “(18) develop a process for receiving meaning-  
25          ful input from State and local governments to assist

1 the development of the national strategy for com-  
2 bating terrorism and other homeland security activi-  
3 ties; and

4 “(19) perform such other functions as are es-  
5 tablished by law or delegated to such Assistant Sec-  
6 retary by the Under Secretary for Policy.

7 **“SEC. 603. OFFICE OF INTERNATIONAL AFFAIRS.**

8 “(a) IN GENERAL.—There shall be in the Office of  
9 Policy an Office of International Affairs.

10 “(b) HEAD OF OFFICE.—The Secretary shall appoint  
11 an Assistant Secretary for International Affairs to serve  
12 as the head of the Office and as the chief diplomatic offi-  
13 cer of the Department.

14 “(c) FUNCTIONS.—

15 “(1) IN GENERAL.—The Assistant Secretary for  
16 International Affairs shall—

17 “(A) coordinate international functions  
18 within the Department, including functions car-  
19 ried out by the components of the Department,  
20 in consultation with other Federal officials with  
21 responsibility for counterterrorism and home-  
22 land security matters;

23 “(B) advise, inform, and assist the Sec-  
24 retary, in consultation with overseas Depart-  
25 ment personnel, on strategies, foreign policy

1 matters, and the Department's international  
2 programs;

3 “(C) develop, in consultation with the  
4 Under Secretary for Management, guidance for  
5 selecting, assigning, training, and monitoring  
6 overseas deployments of Department personnel,  
7 including minimum standards for  
8 predeployment training;

9 “(D) develop and update, in coordination  
10 with all components of the Department engaged  
11 in international activities, a strategic plan for  
12 the international activities of the Department,  
13 establish a process for managing its implemen-  
14 tation, and monitor the ability of the Depart-  
15 ment's components to comply with such a proc-  
16 ess;

17 “(E) develop and distribute guidance on  
18 Department policy priorities for overseas func-  
19 tions to personnel deployed overseas, that, at a  
20 minimum, sets forth the regional and national  
21 priorities being advanced by their deployment;

22 “(F) maintain awareness regarding the  
23 international travel of senior officers of the De-  
24 partment and their intent to pursue negotia-

1           tions with foreign government officials, and re-  
2           view resulting draft agreements;

3           “(G) develop, in consultation with the com-  
4           ponents of the Department, including, as appro-  
5           priate, with the Under Secretary for the Science  
6           and Technology Directorate, programs to sup-  
7           port the overseas programs conducted by the  
8           Department, including training, technical as-  
9           sistance, and equipment to ensure that Depart-  
10          ment personnel deployed abroad have proper re-  
11          sources and receive adequate and timely sup-  
12          port;

13          “(H) conduct the exchange of homeland  
14          security information, in consultation with the  
15          Under Secretary of the Office of Intelligence  
16          and Analysis, and best practices relating to  
17          homeland security with foreign nations that, in  
18          the determination of the Secretary, reciprocate  
19          the sharing of such information in a substan-  
20          tially similar manner;

21          “(I) submit information to the Under Sec-  
22          retary for Policy for oversight purposes, includ-  
23          ing preparation of the quadrennial homeland se-  
24          curity review and on the status of overseas ac-  
25          tivities, including training and technical assist-

1           ance and information exchange activities and  
2           the Department’s resources dedicated to these  
3           activities;

4           “(J) promote, when appropriate, and over-  
5           see the exchange of education, training, and in-  
6           formation with nations friendly to the United  
7           States in order to share best practices relating  
8           to homeland security; and

9           “(K) perform such other functions as are  
10          established by law or delegated by the Under  
11          Secretary for Policy.

12          “(2) INVENTORY OF ASSETS DEPLOYED  
13          ABROAD.—For each fiscal year, the Assistant Sec-  
14          retary for International Affairs, in coordination with  
15          the Under Secretary for Management, shall provide  
16          to the Committee on Homeland Security of the  
17          House of Representatives and the Committee on  
18          Homeland Security and Governmental Affairs of the  
19          Senate with the annual budget request for the De-  
20          partment, an annual accounting of all assets of the  
21          Department, including personnel, deployed outside  
22          the United States on behalf of the Department.

23          “(3) EXCLUSIONS.—This subsection does not  
24          apply to international activities related to the protec-  
25          tive mission of the United States Secret Service, or

1 to the Coast Guard when operating under the direct  
2 authority of the Secretary of Defense or the Sec-  
3 retary of the Navy.

4 **“SEC. 604. OFFICE OF POLICY IMPLEMENTATION.**

5 “(a) IN GENERAL.—There shall be in the Office of  
6 Policy an Office of Policy Implementation.

7 “(b) HEAD OF OFFICE.—The Secretary shall appoint  
8 a Director of the Office of Policy Implementation to serve  
9 as the head of the Office.

10 “(c) RESPONSIBILITIES.—The Director of the Office  
11 of Policy Implementation shall lead, conduct, coordinate,  
12 and provide overall direction and supervision of Depart-  
13 mentwide policy development for the programs, offices,  
14 and activities of the Department, in consultation with rel-  
15 evant officials of the Department, to ensure quality, con-  
16 sistency, and integration across the Department, as appro-  
17 priate.

18 **“SEC. 605. OFFICE OF STRATEGY AND PLANNING.**

19 “(a) IN GENERAL.—There shall be in the Office of  
20 Policy of the Department an Office of Strategy and Plan-  
21 ning.

22 “(b) HEAD OF OFFICE.—The Secretary shall appoint  
23 a Director of the Office of Strategy and Planning who  
24 shall serve as the head of the Office.

1       “(c) RESPONSIBILITIES.—The Director of the Office  
2 of Strategy and Planning shall—

3               “(1) lead and conduct long-term Department-  
4 wide strategic planning, including the Quadrennial  
5 Homeland Security Review and planning guidance  
6 for the Department, and translate the Department’s  
7 statutory responsibilities, strategic plans, and long-  
8 term goals into risk-based policies and procedures  
9 that improve operational effectiveness; and

10              “(2) develop strategies to address unconven-  
11 tional threats to the homeland.”.

12       (b) CLERICAL AMENDMENT.—The table of contents  
13 in section 1(b) of such Act is amended—

14              (1) by striking the items relating to title VI and  
15 inserting the following:

“TITLE VI—POLICY AND PLANNING

“Sec. 601. Office of Policy.

“Sec. 602. Office of Partnership and Engagement.

“Sec. 603. Office of International Affairs.

“Sec. 604. Office of Policy Implementation.

“Sec. 605. Office of Strategy and Planning.”.

16              (2) by inserting after the item relating to sec-  
17 tion 889, and inserting after the item relating sec-  
18 tion 890A the following:

“Sec. 890B. Treatment of charitable trusts for members of the Armed Forces  
of the United States and other governmental organizations.”.

19       (c) APPOINTMENT OF UNDER SECRETARY FOR POL-  
20 ICY; CONTINUATION OF SERVICE OF ASSISTANT SEC-  
21 RETARY.—



1           (1) TIME OF APPOINTMENT.—The President  
2           may appoint an Under Secretary for Policy under  
3           section 601 of the Homeland Security Act of 2002,  
4           as amended by this Act, only on or after January  
5           20, 2017.

6           (2) HEAD OF OFFICE PENDING APPOINT-  
7           MENT.—The individual serving as the Assistant Sec-  
8           retary for Policy of the Department of Homeland  
9           Security on the date of the enactment of this Act,  
10          or their successor, may continue to serve as an As-  
11          sistant Secretary and as the head of the Office of  
12          Policy established by such section, until the date on  
13          which the Under Secretary for Policy is appointed  
14          under such section in accordance with paragraph  
15          (1).

16          (d) APPOINTMENT OF ASSISTANT SECRETARY FOR  
17          INTERNATIONAL AFFAIRS; ABOLISHMENT OF EXISTING  
18          OFFICE.—

19               (1) TIME OF APPOINTMENT.—The Secretary of  
20               Homeland Security may appoint an Assistant Sec-  
21               retary for International Affairs under section 602 of  
22               the Homeland Security Act of 2002, as amended by  
23               this Act, only on or after January 20, 2017.

24               (2) HEAD OF OFFICE PENDING APPOINT-  
25               MENT.—The individual serving as the Assistant Sec-

1       retary for International Affairs of the Department of  
2       Homeland Security on the date of the enactment of  
3       this Act, or their successor, may continue to serve  
4       as a Deputy Assistant Secretary and as the head of  
5       the Office of International Affairs established by  
6       such section, until the date the Under Secretary for  
7       Policy is appointed under such section in accordance  
8       with paragraph (1).

9               (3) ABOLISHMENT OF EXISTING OFFICE.—

10              (A) IN GENERAL.—The Office of Inter-  
11              national Affairs within the Office of the Sec-  
12              retary is abolished.

13              (B) TRANSFER OF ASSETS AND PER-  
14              SONNEL.—The assets and personnel associated  
15              with such Office are transferred to the head of  
16              the Office of International Affairs provided for  
17              by section 603 of the Homeland Security Act of  
18              2002, as amended by this Act.

19              (C) CONFORMING AMENDMENT.—Sub-  
20              section 879 of the Homeland Security Act of  
21              2002 (6 U.S.C. 459), and the item relating to  
22              such section in section 1(b) of such Act, are re-  
23              pealed.

24              (e) ABOLISHMENT OF OFFICE FOR STATE AND  
25       LOCAL LAW ENFORCEMENT.—

1           (1) IN GENERAL.—The Office for State and  
2           Local Law Enforcement of the Department of  
3           Homeland Security is abolished.

4           (2) TRANSFER OF FUNCTIONS, ASSETS, AND  
5           PERSONNEL.—The functions authorized to be per-  
6           formed by such office immediately before the enact-  
7           ment of this Act, and the assets and personnel asso-  
8           ciated with such functions, are transferred to the  
9           head of the Office of Partnership and Engagement  
10          provided for by section 602 of the Homeland Secu-  
11          rity Act of 2002, as amended by this Act.

12          (3) CONFORMING AMENDMENT.—Subsection (b)  
13          of section 2006 of the Homeland Security Act of  
14          2002 (6 U.S.C. 607) is repealed.

15          (f) ABOLISHMENT OF OFFICE FOR STATE AND  
16          LOCAL GOVERNMENT COORDINATION.—

17               (1) IN GENERAL.—The Office for State and  
18               Local Government Coordination of the Department  
19               of Homeland Security is abolished.

20               (2) TRANSFER OF FUNCTIONS AND ASSETS.—  
21               The functions authorized to be performed by such  
22               office immediately before the enactment of this Act,  
23               and the assets and personnel associated with such  
24               functions, are transferred to the head of Office of  
25               Partnership and Engagement provided for by section

1 602 of the Homeland Security Act of 2002, as  
2 amended by this Act.

3 (3) CONFORMING AMENDMENTS.—Section 801  
4 of the Homeland Security Act of 2002 (6 U.S.C.  
5 631), and the item relating to that section in the  
6 table of contents in section 1(b) of such Act, are re-  
7 pealed.

8 (g) ABOLISHMENT OF SPECIAL ASSISTANT TO THE  
9 SECRETARY.—

10 (1) IN GENERAL.—The Special Assistant to the  
11 Secretary authorized by section 102(f) of the Home-  
12 land Security Act of 2002, as in effect immediately  
13 before the enactment of this Act (6 U.S.C. 112(f)),  
14 is abolished.

15 (2) TRANSFER OF FUNCTIONS AND ASSETS.—  
16 The functions authorized to be performed by such  
17 Special Assistant to the Secretary immediately be-  
18 fore the enactment of this Act, and the assets and  
19 personnel associated with such functions, are trans-  
20 ferred to the head of the Office of Partnership and  
21 Engagement provided for by section 602 of the  
22 Homeland Security Act of 2002, as amended by this  
23 Act.

1           (3) CONFORMING AMENDMENT.—Section 102(f)  
2           of the Homeland Security Act of 2002 (6 U.S.C.  
3           112(f)) is repealed.

4           (h) CONFORMING AMENDMENTS RELATING TO AS-  
5           SISTANT SECRETARIES.—Section 103(a) of the Homeland  
6           Security Act of 2002 (6 U.S.C. 113(a)) is amended—

7           (1) in paragraph (1), by striking subparagraph  
8           (I) and redesignating subparagraph (J) as subpara-  
9           graph (I); and

10          (2) by amending paragraph (2) to read as fol-  
11          lows:

12          “(2) ASSISTANT SECRETARIES.—

13                 “(A) ADVICE AND CONSENT APPOINT-  
14                 MENTS.—The Department shall have the fol-  
15                 lowing Assistant Secretaries appointed by the  
16                 President, by and with the advice and consent  
17                 of the Senate:

18                         “(i) The Assistant Secretary, U.S.  
19                         Immigration and Customs Enforcement.

20                         “(ii) The Assistant Secretary, Trans-  
21                         portation Security Administration.

22                 “(B) OTHER PRESIDENTIAL APPOINT-  
23                 MENTS.—The Department shall have the fol-  
24                 lowing Assistant Secretaries appointed by the  
25                 President:

1 “(i) The Assistant Secretary, Infra-  
2 structure Protection.

3 “(ii) The Assistant Secretary, Office  
4 of Public Affairs.

5 “(iii) The Assistant Secretary, Office  
6 of Legislative Affairs.

7 “(C) SECRETARIAL APPOINTMENTS.—The  
8 Department shall have the following Assistant  
9 Secretaries appointed by the Secretary:

10 “(i) The Assistant Secretary, Office of  
11 Cybersecurity and Communications.

12 “(ii) The Assistant Secretary for  
13 International Affairs under section 602.

14 “(iii) The Assistant Secretary for  
15 Partnership and Engagement under sec-  
16 tion 603.

17 “(D) LIMITATION ON CREATION OF POSI-  
18 TIONS.—No Assistant Secretary position may  
19 be created in addition to the positions provided  
20 for by this section unless such position is au-  
21 thorized by a statute enacted after the date of  
22 the enactment of the DHS Headquarters Re-  
23 form and Improvement Act of 2015.”.

24 (i) HOMELAND SECURITY ADVISORY COUNCIL.—Sec-  
25 tion 102(b) of the Homeland Security Act of 2002 (6

1 U.S.C. 112(b)) is amended by striking “and” after the  
2 semicolon at the end of paragraph (2), striking the period  
3 at the end of paragraph (3) and inserting “; and”, and  
4 adding at the end the following:

5           “(4) shall establish a Homeland Security Advi-  
6           sory Council to provide advice and recommendations  
7           on homeland-security-related matters.”.

8           (j) PROHIBITION ON NEW OFFICES.—No new office  
9           may be created to perform functions transferred by this  
10          section, other than as provided in section 601 of the  
11          Homeland Security Act of 2002, as amended by this Act.

12          (k) DEFINITIONS.—In this section each of the terms  
13          “functions”, “assets”, and “personnel” has the meaning  
14          that term has under section 2 of the Homeland Security  
15          Act of 2002 (6 U.S.C. 101).

16          (l) DUPLICATION REVIEW.—The Secretary of Home-  
17          land Security shall—

18                (1) within 1 year after the date of the enact-  
19                ment of this Act, complete a review of the inter-  
20                national affairs offices, functions, and responsibil-  
21                ities of the components of the Department of Home-  
22                land Security, to identify and eliminate areas of un-  
23                necessary duplication; and

24                (2) within 30 days after the completion of such  
25                review, provide the results of the review to the Com-

1       committee on Homeland Security of the House of Rep-  
2       resentatives and the Committee on Homeland Secu-  
3       rity and Governmental Affairs of the Senate.

4       **SEC. 105. QUADRENNIAL HOMELAND SECURITY REVIEW.**

5       Section 707 of the Homeland Security Act of 2002  
6       (6 U.S.C. 347) is amended—

7               (1) in subsection (a)—

8                       (A) by amending paragraph (1) to read as  
9               follows:

10               “(1) REVIEW REQUIRED.—In fiscal year 2017,  
11       and every 4 years thereafter, the Secretary shall  
12       conduct a review of the homeland security of the Na-  
13       tion (in this section referred to as a ‘quadrennial  
14       homeland security review’). Such review shall be con-  
15       ducted so that it is completed, and the report under  
16       subsection (c) is issued, by no later than December  
17       31, 2017, and by December 31 of every fourth year  
18       thereafter.”; and

19               (B) in paragraph (3) by striking “The Sec-  
20       retary shall conduct each quadrennial homeland  
21       security review under this subsection in con-  
22       sultation with” and inserting “In order to en-  
23       sure that each quadrennial homeland security  
24       review conducted under this section is coordi-  
25       nated with the quadrennial defense review con-



1           ducted by the Secretary of Defense under sec-  
2           tion 118 of title 10, United States Code, and  
3           any other major strategic review relating to di-  
4           plomacy, intelligence, or other national security  
5           issues, the Secretary shall conduct and obtain  
6           information and feedback from entities of the  
7           homeland security enterprise through”;

8           (2) in subsection (b)—

9                 (A) in paragraph (5), by striking “and”  
10           after the semicolon at the end;

11                (B) in paragraph (6), by striking the pe-  
12           riod and inserting “; and”; and

13                (C) by adding after paragraph (6) the fol-  
14           lowing:

15                “(7) leverage analytical tools and resources de-  
16           veloped as part of the quadrennial homeland security  
17           review to support the Department’s ongoing pro-  
18           grams and missions.”; and

19           (3) in subsection (c)(2)—

20                 (A) by striking “and” after the semicolon  
21           at the end of subparagraph (H);

22                 (B) by redesignating subparagraph (I) as  
23           subparagraph (L); and

24                 (C) by inserting after subparagraph (H)  
25           the following:

1           “(I) a description of how the conclusions  
2           under the quadrennial homeland security review  
3           will inform efforts to develop capabilities and  
4           build capacity of States, local governments, In-  
5           dian tribes, and private entities, and of individ-  
6           uals, families, and communities;

7           “(J) as appropriate, proposed changes to  
8           the authorities, organization, governance struc-  
9           ture, or business processes (including acquisi-  
10          tion processes) of the Department in order to  
11          better fulfill responsibilities of the Department;  
12          and

13          “(K) where appropriate, a classified annex,  
14          including materials prepared pursuant to sec-  
15          tion 306 of title 5, relating to the preparation  
16          of an agency strategic plan, to satisfy, in whole  
17          or in part, the reporting requirements of this  
18          paragraph.”.

19 **SEC. 106. FUTURE YEARS HOMELAND SECURITY PROGRAM.**

20          Section 874 of the Homeland Security Act of 2002  
21          (6 U.S.C. 454) is amended—

22                 (1) by amending subsection (a) to read as fol-  
23          lows:

24                 “(a) IN GENERAL.—Not later than the 30 days fol-  
25          lowing the date of each fiscal year on which the budget

1 of the President is submitted to Congress under section  
2 1105(a) of title 31, United States Code, the Secretary  
3 shall submit to the Committee on Homeland Security of  
4 the House of Representatives and the Committee on  
5 Homeland Security and Governmental Affairs of the Sen-  
6 ate a Future Years Homeland Security Program that pro-  
7 vides detailed estimates of the projected expenditures and  
8 corresponding requests for appropriations included in that  
9 budget. The Future Years Homeland Security Program  
10 shall cover the fiscal year for which the budget is sub-  
11 mitted and the 4 succeeding fiscal years.”; and

12 (2) by adding at the end the following:

13 “(d) CONSISTENCY OF BUDGET REQUEST WITH ES-  
14 TIMATES.—For each fiscal year, the Secretary shall ensure  
15 that the projected amounts specified in program and  
16 budget information for the Department submitted to Con-  
17 gress in support of the President’s budget request are con-  
18 sistent with the estimated expenditures and proposed ap-  
19 propriations necessary to support the programs, projects,  
20 and activities of the Department included in the budget  
21 pursuant to section 1105(a)(5) of title 31, United States  
22 Code.

23 “(e) EXPLANATION OF ALIGNMENT WITH STRATE-  
24 GIES AND PLANS.—Together with the detailed estimates  
25 of the projected expenditures and corresponding requests

1 for appropriations submitted for the Future Years Home-  
2 land Security Program, the Secretary shall provide an ex-  
3 planation of how those estimates and requests align with  
4 the homeland security strategies and plans developed and  
5 updated as appropriate by the Secretary. Such explanation  
6 shall include an evaluation of the organization, organiza-  
7 tional structure, governance structure, and business proc-  
8 esses (including acquisition processes) of the Department,  
9 to ensure that the Department is able to meet its respon-  
10 sibilities.

11 “(f) PROJECTION OF ACQUISITION ESTIMATES.—  
12 Each Future Years Homeland Security Program shall  
13 project—

14 “(1) acquisition estimates for a period of 5 fis-  
15 cal years, with specified estimates for each fiscal  
16 year, for major acquisition programs by the Depart-  
17 ment and each component therein, including mod-  
18 ernization and sustainment expenses; and

19 “(2) estimated annual deployment schedules for  
20 major acquisition programs over the 5-fiscal-year pe-  
21 riod.

22 “(g) CONTINGENCY AMOUNTS.—Nothing in this sec-  
23 tion shall be construed as prohibiting the inclusion in the  
24 Future Years Homeland Security Program of amounts for

1 management contingencies, subject to the requirements of  
2 subsection (b).

3 “(h) CLASSIFIED OR SENSITIVE ANNEX.—The Sec-  
4 retary may include with each submission under this sec-  
5 tion a classified or sensitive annex containing any informa-  
6 tion required to be submitted under this section that is  
7 restricted from public disclosure in accordance with Fed-  
8 eral law, including information that is determined to be  
9 Sensitive Security Information under section 537 of the  
10 Department of Homeland Security Appropriations Act,  
11 2006 (6 U.S.C. 114) to Congress in a classified or sen-  
12 sitive annex.

13 “(i) AVAILABILITY OF INFORMATION TO THE PUB-  
14 LIC.—The Secretary shall make available to the public in  
15 electronic form the information required to be submitted  
16 to Congress under this section, other than information de-  
17 scribed in subsection (h).”.

18 **SEC. 107. MANAGEMENT AND EXECUTION.**

19 Section 701 of the Homeland Security Act of 2002  
20 (6 U.S.C. 341) is amended by redesignating subsections  
21 (c) and (d) as subsections (e) and (f), respectively, and  
22 by striking subsections (a) and (b) and inserting the fol-  
23 lowing:

1       “(a) IN GENERAL.—Subject to the direction and con-  
2 trol of the Secretary, the Under Secretary for Manage-  
3 ment shall serve as the following:

4               “(1) The Chief Management Officer for all mat-  
5 ters related to the management and administration  
6 of the Department in support of homeland security  
7 operations and programs. With regard to the man-  
8 agement functions for which the Under Secretary  
9 has responsibility by law or by direction of the Sec-  
10 retary, the Under Secretary for Management takes  
11 precedence in the Department after the Secretary  
12 and the Deputy Secretary of Homeland Security.

13               “(2) The senior official with the authority to  
14 administer, implement, and direct management inte-  
15 gration and transformation across functional dis-  
16 ciplines of the Department, including—

17                       “(A) information technology, financial  
18 management, acquisition management, and  
19 human capital management of the Department  
20 to improve program efficiency and effectiveness;

21                       “(B) ensure compliance with laws, rules,  
22 regulations, and the Department’s policies;

23                       “(C) conduct regular oversight; and

24                       “(D) prevent unnecessary duplication of  
25 programs in the Department.

1       “(b) RESPONSIBILITIES.—In addition to responsibil-  
2 ities designated by the Secretary or otherwise established  
3 by law, the Under Secretary for Management shall be re-  
4 sponsible for performing, or delegating responsibility for  
5 performing, the following activities of the Department:

6           “(1) Development of the budget, management  
7 of appropriations, expenditures of funds, accounting,  
8 and finance.

9           “(2) Acquisition and procurement activities  
10 under section 701(d).

11          “(3) Human resources and personnel.

12          “(4) Information technology and communica-  
13 tion systems, in consultation with the Under Sec-  
14 retary for Intelligence and Analysis, as appropriate.

15          “(5) Facilities, property, equipment, and other  
16 material resources.

17          “(6) Real property and personal property.

18          “(7) Security for personnel, information tech-  
19 nology and communications systems, facilities, prop-  
20 erty, equipment, and other material resources.

21          “(8) Strategic management planning, annual  
22 performance planning, and identification and track-  
23 ing of performance measures relating to the respon-  
24 sibilities of the Department, including such respon-

1 sibilities under section 306 of title 5, United States  
2 Code.

3 “(9) Oversight of grants and other assistance  
4 management programs to ensure proper administra-  
5 tion.

6 “(10) Management integration and trans-  
7 formation within each functional management dis-  
8 cipline of the Department, including information  
9 technology, financial management, acquisition man-  
10 agement, and human capital management, and the  
11 transition process, to ensure an efficient and orderly  
12 consolidation of functions and personnel in the De-  
13 partment and transition, including the—

14 “(A) development of coordinated data  
15 sources and connectivity of information systems  
16 to the greatest extent practical to enhance pro-  
17 gram visibility and transparency;

18 “(B) development of standardized, auto-  
19 mated, and real-time management information  
20 to uniformly manage and oversee programs,  
21 and make informed decisions to improve the ef-  
22 ficiency of the Department;

23 “(C) development of effective program  
24 management and regular oversight mechanisms,  
25 including clear roles and processes for program



1 governance, sharing of best practices, and ac-  
2 cess to timely, reliable, and analyzed data on all  
3 acquisitions and investments;

4 “(D) implementation of mechanisms to  
5 promote accountability for management integra-  
6 tion among Department and component chief  
7 officers;

8 “(E) integration of financial management  
9 systems within and across the Department to  
10 ensure financial transparency, support daily  
11 operational and financial decisionmaking, and  
12 maintain consecutive unqualified opinions for  
13 all financial statements, including the responsi-  
14 bility to review, approve, and oversee the plan-  
15 ning, design, acquisition, deployment, operation,  
16 maintenance, and modernization of business  
17 systems;

18 “(F) integration of human resource man-  
19 agement systems within and across the Depart-  
20 ment to track and record information (including  
21 attrition rates, knowledge, skills, and abilities  
22 critical for workforce planning, identifying cur-  
23 rent and future human capital needs, including  
24 recruitment efforts and improving employee mo-  
25 rale), including the responsibility to review, ap-

1 prove, and oversee the planning, design, acquisi-  
2 tion, deployment, operation, maintenance, and  
3 modernization of business systems;

4 “(G) development of a management inte-  
5 gration strategy for the Department and its  
6 components to be submitted annually with the  
7 President’s budget to ensure that management  
8 of the Department is strengthened in the areas  
9 of human capital, acquisition, information tech-  
10 nology, and financial management, which shall  
11 include—

12 “(i) short- and long-term objectives to  
13 effectively guide implementation of inter-  
14 operable business systems solutions;

15 “(ii) issuance of guidance and action  
16 plans with dates, specific actions, and costs  
17 for implementing management integration  
18 and transformation of common functional  
19 disciplines across the Department and its  
20 components;

21 “(iii) specific operational and tactical  
22 goals, activities, and timelines needed to  
23 accomplish the integration effort;

24 “(iv) performance measures to mon-  
25 itor and validate corrective measures;

1 “(v) efforts to identify resources need-  
2 ed to achieve key actions and outcomes;

3 “(vi) other issues impeding manage-  
4 ment integration;

5 “(vii) reporting to the Government  
6 Accountability Office twice annually to  
7 demonstrate measurable, sustainable  
8 progress made in implementing the De-  
9 partment’s corrective action plans and  
10 achieving key outcomes, including regard-  
11 ing—

12 “(I) leadership commitment;

13 “(II) capacity building; and

14 “(III) continuous monitoring to  
15 address Government Accountability  
16 Office designations of programs at  
17 high risk for waste, fraud, and abuse,  
18 including with respect to strength-  
19 ening management functions;

20 “(viii) review and approve any major  
21 update to the Department’s strategy re-  
22 lated to management integration and  
23 transformation across functional disciplines  
24 and lines of business, including any busi-  
25 ness systems modernization plans to maxi-

1           mize benefits and minimize costs for the  
2           Department; and

3                   “(ix) before December 1 of each year  
4           in which a Presidential election is held, the  
5           development of a transition and succession  
6           plan to guide the transition of Department  
7           functions to a new Presidential administra-  
8           tion, and making such plan available to the  
9           next Secretary and Under Secretary for  
10          Management and to the homeland security  
11          congressional committees;

12                   “(H) oversight, including the conduct of  
13          internal audits and management analyses, of  
14          the programs and activities of the Department.  
15          Such supervision includes establishing oversight  
16          procedures to ensure a full and effective review  
17          of the efforts by Department components to im-  
18          plement policies and procedures of the Depart-  
19          ment for management integration and trans-  
20          formation; and

21                   “(I) any other management duties that the  
22          Secretary may designate.”.

23 **SEC. 108. CHIEF FINANCIAL OFFICER.**

24          Section 702 of the Homeland Security Act of 2002  
25          (6 U.S.C. 341) is amended by redesignating subsections

1 (b) and (c) as subsections (c) and (d), respectively, and  
2 by inserting after subsection (a) the following:

3 “(b) RESPONSIBILITIES.—Notwithstanding sections  
4 901 and 1122 of title 31, United States Code, the Chief  
5 Financial Officer, in consultation with the Under Sec-  
6 retary for Management and the Under Secretary for Intel-  
7 ligence and Analysis, as appropriate, shall—

8 “(1) lead cost-estimating practices for the De-  
9 partment, including the development of the Depart-  
10 ment’s policy on cost estimating and approval of life  
11 cycle cost estimates;

12 “(2) oversee coordination with the Office of Pol-  
13 icy on the Department’s long-term strategic plan-  
14 ning to ensure that the development of the Depart-  
15 ment’s budget is compatible with the priorities, stra-  
16 tegic plans, and policies established by the Sec-  
17 retary;

18 “(3) develop and oversee the Department’s fi-  
19 nancial management policy;

20 “(4) provide guidance for and over financial  
21 system modernization efforts throughout the Depart-  
22 ment;

23 “(5) establish effective internal controls over fi-  
24 nancial reporting systems and processes throughout  
25 the Department;

1           “(6) lead assessments of internal controls re-  
2           lated to the Department’s financial management sys-  
3           tems and review financial processes to ensure that  
4           internal controls are designed properly and operate  
5           effectively;

6           “(7) lead the Department’s efforts related to fi-  
7           nancial oversight, including identifying ways to  
8           streamline and standardize business processes;

9           “(8) lead and provide guidance on performance-  
10          based budgeting practices for the Department to en-  
11          sure that the Department and its components are  
12          meeting missions and goals;

13          “(9) ensure that Department components’ sen-  
14          ior financial officers certify that their major acquisi-  
15          tion programs have adequate resources to execute  
16          their programs through the 5-year future years  
17          homeland security program period, so that the De-  
18          partment’s funding requirements for major acquisi-  
19          tion programs match expected resources;

20          “(10) ensure that components identify and re-  
21          port all expected costs of acquisition programs to the  
22          Chief Financial Officer of the Department;

23          “(11) oversee Department budget formulation  
24          and execution; and

1           “(12) fully implement a common accounting  
2           structure to be used across the entire Department  
3           by fiscal year 2019.”.

4 **SEC. 109. CHIEF PROCUREMENT OFFICER.**

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

8 **“SEC. 708. CHIEF PROCUREMENT OFFICER.**

9           “(a) IN GENERAL.—There is a Chief Procurement  
10           Officer of the Department, who shall report directly to the  
11           Under Secretary for Management. The Chief Procurement  
12           Officer is the senior procurement executive for purposes  
13           of section 1702(e) of title 41, United States Code, and  
14           shall perform procurement functions as specified in such  
15           section. The Chief Procurement Officer also shall perform  
16           other functions and responsibilities set forth in this section  
17           and as may be assigned by the Under Secretary for Man-  
18           agement.

19           “(b) RESPONSIBILITIES.—The Chief Procurement  
20           Officer shall—

21                   “(1) exercise leadership and authority to the ex-  
22                   tent delegated by the Under Secretary for Manage-  
23                   ment over the Department procurement function;

24                   “(2) issue procurement policies, and shall serve  
25                   as a senior business advisor to agency officials on

1 acquisition-related matters, including policy and  
2 workforce matters, as determined by the Under Sec-  
3 retary for Management;

4 “(3) account for the integrity, performance, and  
5 oversight of Department procurement and con-  
6 tracting functions and be responsible for ensuring  
7 that a procurement’s contracting strategy and plans  
8 are consistent with the intent and direction of the  
9 Acquisition Review Board;

10 “(4) serve as the Department’s main liaison to  
11 industry on procurement-related issues;

12 “(5) oversee a centralized certification and  
13 training program, in consultation with the Under  
14 Secretary for Management, for the entire Depart-  
15 ment acquisition workforce while using, to the great-  
16 est extent practicable, best practices and acquisitions  
17 training opportunities already in existence within the  
18 Federal Government, the private sector, or univer-  
19 sities and colleges, as appropriate, and including  
20 training on how best to identify actions that warrant  
21 referrals for suspension or debarment;

22 “(6) delegate or retain contracting authority, as  
23 appropriate;



1           “(7) provide input on the periodic performance  
2           reviews of each head of contracting activity of the  
3           Department;

4           “(8) collect baseline data and establish perform-  
5           ance measures on the impact of strategic sourcing  
6           initiatives on the private sector, including, in par-  
7           ticular, small businesses; and

8           “(9) ensure that a fair proportion (as defined  
9           pursuant to the Small Business Act (15 U.S.C. 631  
10          et seq.)) of Federal contract and subcontract dollars  
11          are awarded to small businesses, maximize opportu-  
12          nities for small business participation, and ensure, to  
13          the extent practicable, small businesses that achieve  
14          qualified vendor status for security-related tech-  
15          nologies are provided an opportunity to compete for  
16          contracts for such technology.

17          “(c) HEAD OF CONTRACTING ACTIVITY DEFINED.—  
18          In this section the term ‘head of contracting activity’  
19          means each official responsible for the creation, manage-  
20          ment, and oversight of a team of procurement profes-  
21          sionals properly trained, certified, and warranted to ac-  
22          complish the acquisition of products and services on behalf  
23          of the designated components, offices, and organizations  
24          of the Department, and as authorized, other government  
25          entities.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of such Act is further amended by adding  
3 at the end of the items relating to such title the following:

“Sec. 708. Chief Procurement Officer.”.

4 **SEC. 110. CHIEF INFORMATION OFFICER.**

5 (a) IN GENERAL.—Section 703 of the Homeland Se-  
6 curity Act of 2002 (6 U.S.C. 343) is amended—

7 (1) in subsection (a), by adding at the end the  
8 following: “In addition to the functions under sec-  
9 tion 3506(a)(2) of title 44, United States Code, the  
10 Chief Information Officer shall perform the func-  
11 tions set forth in this section and such other func-  
12 tions as may be assigned by the Secretary.”;

13 (2) by redesignating subsection (b) as sub-  
14 section (e); and

15 (3) by inserting after subsection (a) the fol-  
16 lowing:

17 “(b) RESPONSIBILITIES.—In addition to the func-  
18 tions under section 3506 of title 44, United States Code,  
19 the Chief Information Officer, in consultation with the  
20 Under Secretary for Management, shall—

21 “(1) advise and assist the Secretary, heads of  
22 the components of the Department, and other senior  
23 officers in carrying out the responsibilities of the  
24 Department for all activities relating to the budgets,

1 programs, and operations of the information tech-  
2 nology functions of the Department;

3 “(2) to the extent delegated by the Secretary—

4 “(A) exercise leadership and authority over  
5 Department information technology manage-  
6 ment; and

7 “(B) establish the information technology  
8 priorities, policies, processes, standards, guide-  
9 lines, and procedures of the Department to en-  
10 sure interoperability and standardization of in-  
11 formation technology;

12 “(3) serve as the lead technical authority for in-  
13 formation technology programs;

14 “(4) maintain a consolidated inventory of the  
15 Department’s mission critical and mission essential  
16 information systems, and develop and maintain con-  
17 tingency plans for responding to a disruption in the  
18 operation of any of those information systems;

19 “(5) maintain the security, visibility, reliability,  
20 integrity, and availability of data and information  
21 technology of the Department including the security  
22 of the Homeland Security Data Network;

23 “(6) in coordination with relevant officials of  
24 the Department, ensure that the Department is in

1 compliance with subchapter II of chapter 35 of title  
2 44, United States Code;

3 “(7) establish policies and procedures to effec-  
4 tively monitor and manage vulnerabilities in the sup-  
5 ply chain for purchases of information technology;

6 “(8) in coordination with relevant officials of  
7 the Department, ensure Department compliance  
8 with Homeland Security Presidential Directive 12;

9 “(9) in coordination with relevant officials of  
10 the Department, ensure that information technology  
11 systems of the Department meet the standards es-  
12 tablished under the information sharing environ-  
13 ment, as defined in section 1016 of the Intelligence  
14 Reform and Terrorism Prevention Act of 2004 (6  
15 U.S.C. 485);

16 “(10) develop measures to monitor the perform-  
17 ance of Department components’ use and implemen-  
18 tation of information technology systems and con-  
19 sistently monitor such performance to ensure that  
20 such systems are used effectively;

21 “(11) ensure that Department components re-  
22 port to the Chief Information Officer of the Depart-  
23 ment a complete inventory of information systems  
24 and fully adhere to Department guidance related to  
25 information technology;

1           “(12) carry out any other responsibilities dele-  
2           gated by the Secretary consistent with an effective  
3           information system management function; and

4           “(13) carry out authorities over Department in-  
5           formation technology consistent with section 113419  
6           of title 40, United States Code.

7           “(c) STRATEGIC PLANS.—In coordination with the  
8           Chief Financial Officer, the Chief Information Officer  
9           shall develop an information technology strategic plan  
10          every 5 years and report to the Committee on Homeland  
11          Security of the House of Representatives and the Com-  
12          mittee on Homeland Security and Governmental Affairs  
13          of the Senate on—

14                 “(1) how the information technology strategic  
15                 plans developed under this subsection are used to  
16                 help inform the Department’s budget process;

17                 “(2) how the Department’s budget aligns with  
18                 priorities specified in the information technology  
19                 strategic plans;

20                 “(3) in cases in which it is not possible to fund  
21                 all information technology strategic plan activities  
22                 for a given fiscal year, the rationale as to why cer-  
23                 tain activities are not being funded in lieu of higher  
24                 priorities;

1           “(4) what decisionmaking process was used to  
2 arrive at these priorities and the role of Department  
3 components in that process; and

4           “(5) examine the extent to which unnecessary  
5 duplicate information technology within and across  
6 the components of the Department has been elimi-  
7 nated.

8           “(d) SOFTWARE LICENSING.—

9           “(1) IN GENERAL.—Not later than 180 days  
10 after the date of the enactment of the DHS Head-  
11 quarters Reauthorization Act of 2015, and every 2  
12 years thereafter, the Chief Information Officer, in  
13 consultation with Department component chief infor-  
14 mation officers, shall—

15           “(A) conduct a Departmentwide inventory  
16 of all existing software licenses held by the De-  
17 partment, including utilized and unutilized li-  
18 censes;

19           “(B) assess the needs of the Department  
20 and the components of the Department for soft-  
21 ware licenses for the subsequent 2 fiscal years;

22           “(C) examine how the Department can  
23 achieve the greatest possible economies of scale  
24 and cost savings in the procurement of software  
25 licenses;

1           “(D) determine how the use of shared  
2 cloud-computing services will impact the needs  
3 for software licenses for the subsequent 2 fiscal  
4 years; and

5           “(E) establish plans and estimated costs  
6 for eliminating unutilized software licenses for  
7 the subsequent 2 fiscal years.

8           “(2) EXCESS SOFTWARE LICENSING.—

9           “(A) PLAN TO REDUCE SOFTWARE LI-  
10 CENSES.—If the Chief Information Officer de-  
11 termines through the inventory conducted under  
12 paragraph (1) that the number of software li-  
13 censes held by the Department and the compo-  
14 nents of the Department exceed the needs of  
15 the Department as assessed under paragraph  
16 (1), the Secretary, not later than 90 days after  
17 the date on which the inventory is completed,  
18 shall establish a plan for bringing the number  
19 of such software licenses into balance with such  
20 needs of the Department.

21           “(B) PROHIBITION ON PROCUREMENT OF  
22 NEW SOFTWARE LICENSES.—

23           “(i) IN GENERAL.—Except as pro-  
24 vided in clause (ii), upon completion of a  
25 plan established under paragraph (1), no

1 additional resources may be obligated for  
2 the procurement of new software licenses  
3 for the Department until such time as the  
4 need of the Department exceeds the num-  
5 ber of used and unused licenses held by the  
6 Department.

7 “(ii) EXCEPTION.—The Chief Infor-  
8 mation Officer may authorize the purchase  
9 of additional licenses and amend the num-  
10 ber of needed licenses as necessary.

11 “(3) GAO REVIEW.—The Comptroller General  
12 of the United States shall review the inventory con-  
13 ducted under paragraph (1)(A) and the plan estab-  
14 lished under paragraph (2)(A).

15 “(4) SUBMISSION TO CONGRESS.—The Chief  
16 Information Officer shall submit a copy of each in-  
17 ventory conducted under paragraph (1)(A) and each  
18 plan established under paragraph (2)(A) to the  
19 Committee on Homeland Security of the House of  
20 Representatives and the Committee on Homeland  
21 Security and Governmental Affairs of the Senate.”.

22 (b) COMPLETION OF FIRST DEFINITION OF CAPA-  
23 BILITIES.—The Chief Information Officer shall complete  
24 the first implementation of section 701(c) of the Home-  
25 land Security Act of 2002, as amended by this section,



1 by not later than 1 year after the date of the enactment  
2 of this Act.

3 **SEC. 111. CHIEF HUMAN CAPITAL OFFICER.**

4 Section 704 of the Homeland Security Act of 2002  
5 (6 U.S.C. 343) is amended to read as follows:

6 **“SEC. 704. CHIEF HUMAN CAPITAL OFFICER.**

7 “(a) IN GENERAL.—There is a Chief Human Capital  
8 Officer of the Department who shall report directly to the  
9 Under Secretary of Management.

10 “(b) RESPONSIBILITIES.—The Chief Human Capital  
11 Officer shall—

12 “(1) develop and implement strategic workforce  
13 planning efforts that are consistent with Govern-  
14 mentwide leading principles, and that are in line  
15 with Department strategic human capital goals and  
16 priorities;

17 “(2) develop performance measures to provide a  
18 basis for monitoring and evaluating Departmentwide  
19 strategic workforce planning efforts;

20 “(3) develop strategies to recruit, hire, and  
21 train the Department workforce;

22 “(4) work with the component heads to identify  
23 methods for managing and overseeing human capital  
24 programs and initiatives;

1           “(5) develop a career path framework, and cre-  
2           ate opportunities for leader development;

3           “(6) serve as the Department’s central office  
4           for managing employee resources, including training  
5           and development opportunities;

6           “(7) coordinate the Department’s human re-  
7           source management system;

8           “(8) conduct efficiency reviews to determine if  
9           components are implementing human capital pro-  
10          grams and initiatives; and

11          “(9) identify and eliminate unnecessary and du-  
12          plicative human capital policies and guidance.

13          “(c) COMPONENT STRATEGIES.—

14                 “(1) IN GENERAL.—Each component of the De-  
15                 partment shall coordinate with the Chief Human  
16                 Capital Officer of the Department to develop or  
17                 maintain its own 5-year workforce strategy that will  
18                 support the Department’s goals, objectives, perform-  
19                 ance measures, and determination of the proper bal-  
20                 ance of Federal employees and private labor re-  
21                 sources.

22                 “(2) STRATEGY REQUIREMENTS.—The Chief  
23                 Human Capital Officer shall ensure that, in the de-  
24                 velopment of the strategy required by subsection (c),  
25                 the head of the component reports to the Chief

1 Human Capital Officer on the human resources con-  
2 siderations associated with creating additional Fed-  
3 eral full-time equivalent positions, converting private  
4 contractors to Federal employees, or relying on the  
5 private sector for goods and services, including—

6 “(A) hiring projections, including occupa-  
7 tion and grade level, as well as corresponding  
8 salaries, benefits, and hiring or retention bo-  
9 nuses;

10 “(B) the identification of critical skills re-  
11 quirements over the 5-year period, any current  
12 or anticipated need for critical skills required at  
13 the Department, and the training or other  
14 measures required to address such need;

15 “(C) recruitment of qualified candidates  
16 and retention of qualified employees;

17 “(D) supervisory and management require-  
18 ments;

19 “(E) travel and related personnel support  
20 costs;

21 “(F) the anticipated cost and impact on  
22 mission performance associated with replacing  
23 Federal personnel due to their retirement or  
24 other attrition; and

25 “(G) other appropriate factors.

1       “(d) ANNUAL SUBMISSION.—The Secretary shall  
2 provide to the appropriate congressional committees, to-  
3 gether with submission of the annual budget justification,  
4 information on the progress within the Department of ful-  
5 filling the workforce strategies required under subsection  
6 (c).”.

7 **SEC. 112. CHIEF SECURITY OFFICER.**

8       (a) IN GENERAL.—Title VII of the Homeland Secu-  
9 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by  
10 section 109(a) of this Act, is further amended by adding  
11 at the end the following:

12 **“SEC. 709. CHIEF SECURITY OFFICER.**

13       “(a) IN GENERAL.—There is a Chief Security Officer  
14 of the Department, who shall report directly to the Under  
15 Secretary for Management.

16       “(b) RESPONSIBILITIES.—The Chief Security Officer  
17 shall—

18               “(1) develop and implement the Department’s  
19 security policies, programs, and standards;

20               “(2) identify training and provide education to  
21 Department personnel on security-related matters;  
22 and

23               “(3) provide support to Department compo-  
24 nents on security-related matters.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of such Act is further amended by adding  
3 at the end of the items relating to such title the following:

“Sec. 709. Chief Security Officer.”.

4 **SEC. 113. COST SAVINGS AND EFFICIENCY REVIEWS.**

5 Not later than 1 year after the date of the enactment  
6 of this Act, the Secretary of Homeland Security, acting  
7 through the Under Secretary for Management of the De-  
8 partment of Homeland Security, shall submit to the Com-  
9 mittee on Homeland Security of the House of Representa-  
10 tives and the Committee on Homeland Security and Gov-  
11 ernmental Affairs of the Senate a report that—

12 (1) provides a detailed accounting of the man-  
13 agement and administrative expenditures and activi-  
14 ties of the components of the Department and iden-  
15 tifies potential cost savings and efficiencies for those  
16 expenditures and activities of each such component;

17 (2) examines the size, experience level, and geo-  
18 graphic distribution of the operational personnel of  
19 the Department, including U.S. Customs and Border  
20 Protection officers, Border Patrol agents, U.S. Cus-  
21 toms and Border Protection Air and Marine agents,  
22 U.S. Customs and Border Protection agriculture  
23 specialists, Federal Protective Service law enforce-  
24 ment security officers, U.S. Immigration and Cus-  
25 toms Enforcement agents, Transportation Security

1 Administration officers, Federal air marshals, and  
2 members of the Coast Guard; and

3 (3) makes recommendations for adjustments in  
4 the management and administration of the Depart-  
5 ment that would reduce deficiencies in the Depart-  
6 ment's capabilities, reduce costs, and enhance effi-  
7 ciencies.

8 **SEC. 114. FIELD EFFICIENCIES PLAN.**

9 (1) IN GENERAL.—Not later than 270 days  
10 after the date of the enactment of this Act, the Sec-  
11 retary of Homeland Security shall submit to the  
12 Committee on Homeland Security of the House of  
13 Representatives and Committee on Homeland Secu-  
14 rity and Governmental Affairs of the Senate a field  
15 efficiencies plan that—

16 (A) examines the facilities and administra-  
17 tive and logistics functions of components of the  
18 Department of Homeland Security located with-  
19 in designated geographic areas; and

20 (B) provides specific recommendations and  
21 an associated cost-benefit analysis for the con-  
22 solidation of the facilities and administrative  
23 and logistics functions of components of the De-  
24 partment within each designated geographic  
25 area.

1           (2) CONTENTS.—The field efficiencies plan sub-  
2           mitted under paragraph (1) shall include the fol-  
3           lowing:

4                   (A) An accounting of leases held by the  
5           Department or its components that have ex-  
6           pired in the current fiscal year or will be expir-  
7           ing in the next fiscal year, that have begun or  
8           been renewed in the current fiscal year, or that  
9           the Department or its components plan to sign  
10          or renew in the next fiscal year.

11                   (B)(i) An evaluation for each designated  
12          geographic area of specific facilities at which  
13          components, or operational entities of compo-  
14          nents, of the Department may be closed or con-  
15          solidated, including consideration of when leases  
16          expire or facilities owned by the Government  
17          become available.

18                   (ii) The evaluation shall include consider-  
19          ation of potential consolidation with facilities of  
20          other Federal, State, or local entities, includ-  
21          ing—

22                           (I) offices;

23                           (II) warehouses;

24                           (III) training centers;

25                           (IV) housing;

1 (V) ports, shore facilities, and air-  
2 fields;

3 (VI) laboratories; and

4 (VII) other assets as determined by  
5 the Secretary.

6 (iii) The evaluation shall include the poten-  
7 tial for the consolidation of administrative and  
8 logistics functions, including—

9 (I) facility maintenance;

10 (II) fleet vehicle services;

11 (III) mail handling and shipping and  
12 receiving;

13 (IV) facility security;

14 (V) procurement of goods and serv-  
15 ices;

16 (VI) information technology and tele-  
17 communications services and support; and

18 (VII) additional ways to improve unity  
19 of effort and cost savings for field oper-  
20 ations and related support activities as de-  
21 termined by the Secretary.

22 (C) An implementation plan, including—

23 (i) near-term actions that can co-lo-  
24 cate, consolidate, or dispose of property  
25 within 24 months;



1 (ii) identifying long-term occupancy  
2 agreements or leases that cannot be  
3 changed without a significant cost to the  
4 Government; and

5 (iii) how the Department can ensure  
6 it has the capacity, in both personnel and  
7 funds, needed to cover up-front costs to  
8 achieve consolidation and efficiencies.

9 (D) An accounting of any consolidation in  
10 the Department or its component's real estate  
11 footprint, including the colocation of personnel  
12 from different components, offices, and agencies  
13 within the Department.

14 **TITLE II—DHS ACQUISITION AC-**  
15 **COUNTABILITY AND EFFI-**  
16 **CIENCY**

17 **SEC. 201. DEFINITIONS.**

18 (a) IN GENERAL.—In this title:

19 (1) SECRETARY.—The term “Secretary” means  
20 the Secretary of Homeland Security.

21 (2) DEPARTMENT.—The term “Department”  
22 means the Department of Homeland Security.

23 (3) CONGRESSIONAL HOMELAND SECURITY  
24 COMMITTEES.—The term “congressional homeland  
25 security committees” means—

1 (A) the Committee on Homeland Security  
2 of the House of Representatives and the Com-  
3 mittee on Homeland Security and Govern-  
4 mental Affairs of the Senate; and

5 (B) the Committee on Appropriations of  
6 the House of Representatives and of the Sen-  
7 ate.

8 (b) ADDITIONAL DEFINITIONS.—In this title:

9 (1) ACQUISITION.—The term “acquisition” has  
10 the meaning provided in section 131 of title 41,  
11 United States Code.

12 (2) BEST PRACTICES.—The term “best prac-  
13 tices”, with respect to acquisition, means a knowl-  
14 edge-based approach to capability development that  
15 includes identifying and validating needs; assessing  
16 alternatives to select the most appropriate solution;  
17 clearly establishing well-defined requirements; devel-  
18 oping realistic cost assessments and schedules; se-  
19 curing stable funding that matches resources to re-  
20 quirements; demonstrating technology, design, and  
21 manufacturing maturity; using milestones and exit  
22 criteria or specific accomplishments that dem-  
23 onstrate progress; adopting and executing standard-  
24 ized processes with known success across programs;  
25 establishing an adequate workforce that is qualified

1 and sufficient to perform necessary functions; and  
2 integrating these capabilities into the Department’s  
3 mission and business operations.

4 (c) AMENDMENTS TO DEFINITIONS IN HOMELAND  
5 SECURITY ACT OF 2002.—Section 2 of the Homeland Se-  
6 curity Act of 2002 is amended—

7 (1) by striking “In this Act,” and inserting “(a)

8 IN GENERAL.—In this Act,”;

9 (2) in paragraph (2)—

10 (A) by inserting “(A)” after “(2)”; and

11 (B) by adding at the end the following new  
12 subparagraph:

13 “(B) The term ‘congressional homeland security  
14 committees’ means—

15 “(i) the Committee on Homeland Security  
16 of the House of Representatives and the Com-  
17 mittee on Homeland Security and Govern-  
18 mental Affairs of the Senate; and

19 “(ii) the Committees on Appropriations of  
20 the House of Representatives and of the Sen-  
21 ate, where appropriate.”; and

22 (3) by adding at the end the following new sub-  
23 section:

24 “(b) ACQUISITION-RELATED DEFINITIONS.—In this  
25 Act, the following definitions apply:

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

4           “(2) ACQUISITION DECISION AUTHORITY.—The  
5 term ‘acquisition decision authority’ means the au-  
6 thority, held by the Secretary acting through the  
7 Deputy Secretary or Under Secretary for Manage-  
8 ment—

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

12           “(B) to review (including approving, halt-  
13 ing, modifying, or cancelling) an acquisition  
14 program through the life cycle of the program;

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

18           “(D) to ensure good program management  
19 of cost, schedule, risk, and system performance  
20 of the acquisition, including assessing acquisi-  
21 tion program baseline breaches and directing  
22 any corrective action for such breaches.

23           “(3) ACQUISITION DECISION EVENT.—The term  
24 ‘acquisition decision event’, with respect to an in-  
25 vestment or acquisition program, means a predeter-

1 mined point within the acquisition phases of the in-  
2 vestment or acquisition program at which the invest-  
3 ment or acquisition program will undergo a review  
4 prior to commencement of the next phase.

5 “(4) ACQUISITION DECISION MEMORANDUM.—  
6 The term ‘acquisition decision memorandum’, with  
7 respect to an acquisition, means the official acquisi-  
8 tion decision event record that includes a docu-  
9 mented record of decisions, exit criteria, and as-  
10 signed actions for the acquisition as determined by  
11 the person exercising acquisition decision authority  
12 for the acquisition.

13 “(5) ACQUISITION PROGRAM BASELINE.—The  
14 term ‘acquisition program baseline’, with respect to  
15 an acquisition program, means a summary of the  
16 cost, schedule, and performance parameters, ex-  
17 pressed in standard, measurable, quantitative terms,  
18 which must be met in order to accomplish the goals  
19 of the program.

20 “(6) CAPABILITY DEVELOPMENT PLAN.—The  
21 term ‘capability development plan’, with respect to a  
22 proposed acquisition, means the document that the  
23 Acquisition Review Board approves for the first ac-  
24 quisition decision event related to validating the  
25 need of a proposed acquisition.

1           “(7) COMPONENT ACQUISITION EXECUTIVE.—  
2           The term ‘Component Acquisition Executive’ means  
3           the senior acquisition official within a Component  
4           who is designated in writing by the Under Secretary  
5           for Management, in consultation with the Compo-  
6           nent head, with authority and responsibility for lead-  
7           ing a process and staff to provide acquisition and  
8           program management oversight, policy, and guid-  
9           ance to ensure that statutory, regulatory, and higher  
10          level policy requirements are fulfilled, including com-  
11          pliance with Federal law, the Federal Acquisition  
12          Regulation, and Department acquisition manage-  
13          ment directives established by the Under Secretary  
14          for Management.

15          “(8) LIFE CYCLE COST.—The term ‘life cycle  
16          cost’, with respect to an acquisition program, means  
17          all costs associated with research, development, pro-  
18          curement, operation, integrated logistics support,  
19          and disposal under the program, including sup-  
20          porting infrastructure that plans, manages, and exe-  
21          cutes the program over its full life, and costs of com-  
22          mon support items incurred as a result of the pro-  
23          gram.

24          “(9) MAJOR ACQUISITION PROGRAM.—The term  
25          ‘major acquisition program’ means a Department

1 acquisition program that is estimated by the Sec-  
2 retary to require an eventual total expenditure of at  
3 least \$300,000,000 (based on fiscal year 2015 con-  
4 stant dollars) over its life cycle cost.”.

5 **SEC. 202. PROHIBITION ON ADDITIONAL AUTHORIZATION**  
6 **OF APPROPRIATIONS.**

7 No additional funds are authorized to be appro-  
8 priated to carry out this title and the amendments made  
9 by this title. This title and such amendments shall be car-  
10 ried out using amounts otherwise available for such pur-  
11 poses.

12 **Subtitle A—Acquisition Authorities**

13 **SEC. 211. ACQUISITION AUTHORITIES FOR UNDER SEC-**  
14 **RETARY FOR MANAGEMENT.**

15 Section 701 of the Homeland Security Act of 2002  
16 (6 U.S.C. 341), as amended by section 107 of this Act,  
17 is further amended by adding at the end the following:

18 “(f) ACQUISITION AND RELATED RESPONSIBIL-  
19 ITIES.—

20 “(1) IN GENERAL.—Notwithstanding section  
21 1702(b) of title 41, United States Code, the Under  
22 Secretary for Management is the Chief Acquisition  
23 Officer of the Department. As Chief Acquisition Of-  
24 ficer, the Under Secretary shall have the authority  
25 and perform the functions as specified in section

1 1702(b) of such title, and perform all other func-  
2 tions and responsibilities delegated by the Secretary  
3 or described in this subsection.

4 “(2) DUTIES AND RESPONSIBILITIES.—In addi-  
5 tion to the authority and functions specified in sec-  
6 tion 1702(b) of title 41, United States Code, the du-  
7 ties and responsibilities of the Under Secretary for  
8 Management related to acquisition include the fol-  
9 lowing:

10 “(A) Advising the Secretary regarding ac-  
11 quisition management activities, taking into ac-  
12 count risks of failure to achieve cost, schedule,  
13 or performance parameters, to ensure that the  
14 Department achieves its mission through the  
15 adoption of widely accepted program manage-  
16 ment best practices and standards.

17 “(B) Exercising the acquisition decision  
18 authority to approve, halt, modify (including  
19 the rescission of approvals of program mile-  
20 stones), or cancel major acquisition programs,  
21 unless the Under Secretary delegates the au-  
22 thority to a Component Acquisition Executive  
23 pursuant to paragraph (3).

24 “(C) Establishing policies for acquisition  
25 that implement an approach that takes into ac-



1 count risks of failure to achieve cost, schedule,  
2 or performance parameters that all Components  
3 of the Department shall comply with, including  
4 outlining relevant authorities for program man-  
5 agers to effectively manage acquisition pro-  
6 grams.

7 “(D) Ensuring that each major acquisition  
8 program has a Department-approved acquisi-  
9 tion program baseline, pursuant to the Depart-  
10 ment’s acquisition management policy.

11 “(E) Ensuring that the heads of Compo-  
12 nents and Component Acquisition Executives  
13 comply with Federal law, the Federal Acquisi-  
14 tion Regulation, and Department acquisition  
15 management directives.

16 “(F) Ensuring that grants and financial  
17 assistance are provided only to individuals and  
18 organizations that are not suspended or  
19 debarred.

20 “(G) Distributing guidance throughout the  
21 Department to ensure that contractors involved  
22 in acquisitions, particularly companies that ac-  
23 cess the Department’s information systems and  
24 technologies, adhere to internal cybersecurity

1 policies established by the Department of  
2 Homeland Security.

3 “(3) DELEGATION OF ACQUISITION DECISION  
4 AUTHORITY.—

5 “(A) LEVEL 3 ACQUISITIONS.—The Under  
6 Secretary for Management may delegate acqui-  
7 sition decision authority in writing to the rel-  
8 evant Component Acquisition Executive for an  
9 acquisition program that has a life cycle cost  
10 estimate of less than \$300,000,000.

11 “(B) LEVEL 2 ACQUISITIONS.—The Under  
12 Secretary for Management may delegate acqui-  
13 sition decision authority in writing to the rel-  
14 evant Component Acquisition Executive for a  
15 major acquisition program that has a life cycle  
16 cost estimate of at least \$300,000,000 but not  
17 more than \$1,000,000,000 if all of the following  
18 requirements are met:

19 “(i) The Component concerned pos-  
20 sesses working policies, processes, and pro-  
21 cedures that are consistent with Depart-  
22 ment-level acquisition policy.

23 “(ii) The Component Acquisition Ex-  
24 ecutive has adequate, experienced, dedi-  
25 cated program management professional

1 staff commensurate with the size of the  
2 delegated portfolio.

3 “(iii) Each major acquisition program  
4 concerned has written documentation  
5 showing that it has a Department-ap-  
6 proved acquisition program baseline and it  
7 is meeting agreed-upon cost, schedule, and  
8 performance thresholds.

9 “(4) EXCLUDED PARTIES LIST SYSTEM CON-  
10 SULTATION.—The Under Secretary for Management  
11 shall require that all Department contracting and  
12 procurement officials consult the Excluded Parties  
13 List System (or successor system) as maintained by  
14 the General Services Administration prior to award-  
15 ing a contract or grant or entering into other trans-  
16 actions to ascertain whether the selected contractor  
17 is excluded from receiving Federal contracts, certain  
18 subcontracts, and certain types of Federal financial  
19 and nonfinancial assistance and benefits.

20 “(5) RELATIONSHIP TO UNDER SECRETARY  
21 FOR SCIENCE AND TECHNOLOGY.—Nothing in this  
22 subsection shall diminish the authority granted to  
23 the Under Secretary for Science and Technology  
24 under this Act. The Under Secretary for Manage-  
25 ment and the Under Secretary for Science and

1 Technology shall cooperate in matters related to the  
2 coordination of acquisitions across the Department  
3 so that investments of the Directorate of Science  
4 and Technology can support current and future re-  
5 quirements of the Components.”.

6 **SEC. 212. ACQUISITION AUTHORITIES FOR CHIEF FINAN-**  
7 **CIAL OFFICER.**

8 Section 702 of the Homeland Security Act of 2002  
9 (6 U.S.C. 342), as amended by section 108 of this Act,  
10 is further amended by adding at the end of subsection  
11 (c)(2) the following new subparagraph:

12 “(J) Notwithstanding section 902 of title  
13 31, United States Code, provide leadership over  
14 financial management policy and programs for  
15 the Department as they relate to the Depart-  
16 ment’s acquisitions programs, in consultation  
17 with the Under Secretary for Management.”.

18 **SEC. 213. ACQUISITION AUTHORITIES FOR CHIEF INFORMA-**  
19 **TION OFFICER.**

20 Section 703 of the Homeland Security Act of 2002  
21 (6 U.S.C. 343), as amended by section 110(a) of this Act,  
22 is further amended by adding at the end the following new  
23 subsection:

24 “(f) ACQUISITION RESPONSIBILITIES.—Notwith-  
25 standing section 11315 of title 40, United States Code,

1 the acquisition responsibilities of the Chief Information  
2 Officer, in consultation with the Under Secretary for Man-  
3 agement, shall include the following:

4           “(1) Oversee the management of the Homeland  
5 Security Enterprise Architecture and ensure that,  
6 before each acquisition decision event, approved in-  
7 formation technology acquisitions comply with de-  
8 partmental information technology management  
9 processes, technical requirements, and the Homeland  
10 Security Enterprise Architecture, and in any case in  
11 which information technology acquisitions do not  
12 comply with the Department’s management direc-  
13 tives, make recommendations to the Acquisition Re-  
14 view Board regarding such noncompliance.

15           “(2) Be responsible for providing recommenda-  
16 tions to the Acquisition Review Board established in  
17 section 836 of this Act on information technology  
18 programs, and be responsible for developing infor-  
19 mation technology acquisition strategic guidance.”.

20 **SEC. 214. REQUIREMENTS TO ENSURE GREATER ACCOUNT-**  
21 **ABILITY FOR ACQUISITION PROGRAMS.**

22           (a) IN GENERAL.—Title VII of the Homeland Secu-  
23 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by  
24 sections 109(a) and 112(a) of this Act, is further amended  
25 by adding at the end the following new section:

1 **“SEC. 710. REQUIREMENTS TO ENSURE GREATER AC-**  
2 **COUNTABILITY FOR ACQUISITION PRO-**  
3 **GRAMS.**

4 “(a) **REQUIREMENT TO ESTABLISH MECHANISM.—**  
5 Within the Management Directorate, the Under Secretary  
6 for Management shall establish a mechanism to prioritize  
7 improving the accountability, standardization, and trans-  
8 parency of major acquisition programs of the Department  
9 in order to increase opportunities for effectiveness and ef-  
10 ficiencies and to serve as the central oversight function  
11 of all Department acquisition programs.

12 “(b) **RESPONSIBILITIES OF EXECUTIVE DIREC-**  
13 **TOR.—**The Under Secretary for Management shall des-  
14 ignate an Executive Director to oversee the requirement  
15 under subsection (a). The Executive Director shall report  
16 directly to the Under Secretary and shall carry out the  
17 following responsibilities:

18 “(1) Monitor the performance of Department  
19 acquisition programs regularly between acquisition  
20 decision events to identify problems with cost, per-  
21 formance, or schedule that Components may need to  
22 address to prevent cost overruns, performance  
23 issues, or schedule delays.

24 “(2) Assist the Chief Acquisition Officer in  
25 managing the Department’s acquisition portfolio.

1           “(3) Conduct oversight of individual acquisition  
2 programs to implement Department acquisition pro-  
3 gram policy, procedures, and guidance with a pri-  
4 ority on ensuring the data it collects and maintains  
5 from its Components is accurate and reliable.

6           “(4) Serve as the focal point and coordinator  
7 for the acquisition life cycle review process and as  
8 the executive secretariat for the Acquisition Review  
9 Board established under section 836 of this Act.

10           “(5) Advise the persons having acquisition deci-  
11 sion authority in making acquisition decisions con-  
12 sistent with all applicable laws and in establishing  
13 clear lines of authority, accountability, and responsi-  
14 bility for acquisition decisionmaking within the De-  
15 partment.

16           “(6) Engage in the strategic planning and per-  
17 formance evaluation process required under section  
18 306 of title 5, United States Code, and sections  
19 1105(a)(28), 1115, 1116, and 9703 of title 31,  
20 United States Code, by supporting the Chief Pro-  
21 curement Officer in developing strategies and spe-  
22 cific plans for hiring, training, and professional de-  
23 velopment in order to rectify any deficiency within  
24 the Department’s acquisition workforce.

1           “(7) Oversee the Component Acquisition Execu-  
2           tive structure to ensure it has sufficient capabilities  
3           and complies with Department policies.

4           “(8) Develop standardized certification stand-  
5           ards in consultation with the Component Acquisition  
6           Executives for all acquisition program managers.

7           “(9) In the event that a program manager’s  
8           certification or actions need review for purposes of  
9           promotion or removal, provide input, in consultation  
10          with the relevant Component Acquisition Executive,  
11          into the relevant program manager’s performance  
12          evaluation, and report positive or negative experi-  
13          ences to the relevant certifying authority.

14          “(10) Provide technical support and assistance  
15          to Department acquisitions and acquisition per-  
16          sonnel in conjunction with the Chief Procurement  
17          Officer.

18          “(11) Prepare the Department’s Comprehensive  
19          Acquisition Status Report, as required by the De-  
20          partment of Homeland Security Appropriations Act,  
21          2013 (division D of Public Law 113–6; 127 Stat.  
22          343) and section 840 of this Act, and make such re-  
23          port available to congressional homeland security  
24          committees.



1           “(12) Prepare the Department’s Quarterly Pro-  
2           gram Accountability Report as required by section  
3           840 of this Act, and make such report available to  
4           the congressional homeland security committees.

5           “(c) RESPONSIBILITIES OF COMPONENTS.—Each  
6           head of a Component shall comply with Federal law, the  
7           Federal Acquisition Regulation, and Department acquisi-  
8           tion management directives established by the Under Sec-  
9           retary for Management. For each major acquisition pro-  
10          gram, each head of a Component shall—

11           “(1) establish a complete life cycle cost estimate  
12          with supporting documentation, including an acquisi-  
13          tion program baseline;

14           “(2) verify each life cycle cost estimate against  
15          independent cost estimates, and reconcile any dif-  
16          ferences;

17           “(3) complete a cost-benefit analysis with sup-  
18          porting documentation;

19           “(4) develop and maintain a schedule that is  
20          consistent with scheduling best practices as identi-  
21          fied by the Comptroller General of the United  
22          States, including, in appropriate cases, an integrated  
23          master schedule; and

1           “(5) ensure that all acquisition program infor-  
2           mation provided by the Component is complete, ac-  
3           curate, timely, and valid.”.

4           (b) CLERICAL AMENDMENT.—The table of contents  
5           in section 1(b) of the Homeland Security Act of 2002 (6  
6           U.S.C. 101 et seq.) is further amended by adding after  
7           the item relating to section 708 the following new item:  
          “Sec. 710. Requirements to ensure greater accountability for acquisition pro-  
          grams.”.

## 8           **Subtitle B—Acquisition Program** 9           **Management Discipline**

### 10       **SEC. 221. ACQUISITION REVIEW BOARD.**

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

#### 14       **“SEC. 836. ACQUISITION REVIEW BOARD.**

15           “(a) IN GENERAL.—The Secretary shall establish an  
16           Acquisition Review Board (in this section referred to as  
17           the ‘Board’) to strengthen accountability and uniformity  
18           within the Department acquisition review process, review  
19           major acquisition programs, and review the use of best  
20           practices.

21           “(b) COMPOSITION.—The Deputy Secretary or Under  
22           Secretary for Management shall serve as chair of the  
23           Board. The Secretary shall also ensure participation by  
24           other relevant Department officials, including at least 2

1 Component heads or their designees, as permanent mem-  
2 bers of the Board.

3       “(c) MEETINGS.—The Board shall meet every time  
4 a major acquisition program needs authorization to pro-  
5 ceed from acquisition decision events through the acquisi-  
6 tion life cycle and to consider any major acquisition pro-  
7 gram in breach as necessary. The Board may also be con-  
8 vened for non-major acquisitions that are deemed high-  
9 risk by the Executive Director referred to in section  
10 710(b) of this Act. The Board shall also meet regularly  
11 for purposes of ensuring all acquisitions processes proceed  
12 in a timely fashion to achieve mission readiness.

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

15               “(1) Determine whether a proposed acquisition  
16 has met the requirements of key phases of the acqui-  
17 sition life cycle framework and is able to proceed to  
18 the next phase and eventual full production and de-  
19 ployment.

20               “(2) Oversee executable business strategy, re-  
21 sources, management, accountability, and alignment  
22 to strategic initiatives.

23               “(3) Support the person with acquisition deci-  
24 sion authority for an acquisition in determining the

1 appropriate direction for the acquisition at key ac-  
2 quisition decision events.

3 “(4) Conduct systematic reviews of acquisitions  
4 to ensure that they are progressing in compliance  
5 with the approved documents for their current acqui-  
6 sition phase.

7 “(5) Review the acquisition documents of each  
8 major acquisition program, including the acquisition  
9 program baseline, to ensure the reliability of under-  
10 lying data.

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

18 “(A) Department officials responsible for  
19 acquisition, budget, and cost estimating func-  
20 tions are provided with the appropriate oppor-  
21 tunity to develop estimates and raise cost and  
22 schedule matters before performance objectives  
23 are established for capabilities when feasible.

1           “(B) Full consideration of possible trade-  
2           offs among cost, schedule, and performance ob-  
3           jectives for each alternative is considered.

4           “(e) ACQUISITION PROGRAM BASELINE REPORT RE-  
5           QUIREMENT.—If the person exercising acquisition decision  
6           authority over a major acquisition program approves the  
7           program to proceed into the planning phase before it has  
8           a Department-approved acquisition program baseline,  
9           then the Under Secretary for Management shall create  
10          and approve an acquisition program baseline report on the  
11          decision, and the Secretary shall—

12           “(1) within 7 days after an acquisition decision  
13          memorandum is signed, notify in writing the con-  
14          gressional homeland security committees of such de-  
15          cision; and

16           “(2) within 60 days after the acquisition deci-  
17          sion memorandum is signed, submit a report to such  
18          committees stating the rationale for the decision and  
19          a plan of action to require an acquisition program  
20          baseline for the program.

21           “(f) BEST PRACTICES DEFINED.—In this section,  
22          the term ‘best practices’ has the meaning provided in sec-  
23          tion 4(b) of the DHS Headquarters Reform and Improve-  
24          ment Act of 2015.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of the Homeland Security Act of 2002 (6  
3 U.S.C. 101 et seq.) is further amended by adding after  
4 the item relating to section 835 the following new item:  
“Sec. 836. Acquisition Review Board.”.

5 **SEC. 222. REQUIREMENTS TO REDUCE DUPLICATION IN AC-**  
6 **QUISITION PROGRAMS.**

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

11 **“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN**  
12 **ACQUISITION PROGRAMS.**

13 “(a) REQUIREMENT TO ESTABLISH POLICIES.—In  
14 an effort to reduce unnecessary duplication and ineffi-  
15 ciency for all Department investments, including major ac-  
16 quisition programs, the Deputy Secretary, in consultation  
17 with the Under Secretary for Management, shall establish  
18 Departmentwide policies to integrate all phases of the in-  
19 vestment life cycle and help the Department identify, vali-  
20 date, and prioritize standards for common Component re-  
21 quirements for major acquisition program requirements in  
22 order to increase opportunities for effectiveness and effi-  
23 ciencies. The policies shall also include strategic alter-  
24 natives for developing and facilitating a Department Com-  
25 ponent-driven requirements process that includes over-

1 sight of a development test and evaluation capability; iden-  
2 tification of priority gaps and overlaps in Department ca-  
3 pability needs; and provision of feasible technical alter-  
4 natives, including innovative commercially available alter-  
5 natives, to meet capability needs.

6       “(b) MECHANISMS TO CARRY OUT REQUIREMENT.—  
7 The Under Secretary for Management shall coordinate the  
8 actions necessary to carry out subsection (a), using such  
9 mechanisms as considered necessary by the Secretary to  
10 help the Department reduce unnecessary duplication and  
11 inefficiency for all Department investments, including  
12 major acquisition programs.

13       “(c) COORDINATION.—In coordinating the actions  
14 necessary to carry out subsection (a), the Deputy Sec-  
15 retary shall consult with the Under Secretary for Manage-  
16 ment, Component Acquisition Executives, and any other  
17 Department officials, including the Under Secretary for  
18 Science and Technology or his designee, with specific  
19 knowledge of Department or Component acquisition capa-  
20 bilities to prevent unnecessary duplication of require-  
21 ments.

22       “(d) ADVISORS.—The Deputy Secretary, in consulta-  
23 tion with the Under Secretary for Management, shall seek  
24 and consider input within legal and ethical boundaries  
25 from members of Federal, State, local, and tribal govern-

1 ments, nonprofit organizations, and the private sector, as  
2 appropriate, on matters within their authority and exper-  
3 tise in carrying out the Department’s mission.

4 “(e) MEETINGS.—The Deputy Secretary, in consulta-  
5 tion with the Under Secretary for Management, shall meet  
6 at least quarterly and communicate with Components  
7 often to ensure that Components do not overlap or dupli-  
8 cate spending or priorities on major investments and ac-  
9 quisition programs within their areas of responsibility.

10 “(f) RESPONSIBILITIES.—In carrying out this sec-  
11 tion, the responsibilities of the Deputy Secretary, in con-  
12 sultation with the Under Secretary for Management, are  
13 as follows:

14 “(1) To review and validate the requirements  
15 documents of major investments and acquisition pro-  
16 grams prior to acquisition decision events of the in-  
17 vestments or programs.

18 “(2) To ensure the requirements and scope of  
19 a major investment or acquisition program are sta-  
20 ble, measurable, achievable, at an acceptable risk  
21 level, and match the resources planned to be avail-  
22 able.

23 “(3) Before any entity of the Department  
24 issues a solicitation for a new contract, coordinate  
25 with other Department entities as appropriate to



1 prevent unnecessary duplication and inefficiency  
2 and—

3 “(A) to implement portfolio reviews to  
4 identify common mission requirements and  
5 crosscutting opportunities among Components  
6 to harmonize investments and requirements and  
7 prevent overlap and unnecessary duplication  
8 among Components; and

9 “(B) to the extent practicable, to stand-  
10 ardize equipment purchases, streamline the ac-  
11 quisition process, improve efficiencies, and con-  
12 duct best practices for strategic sourcing.

13 “(4) To ensure program managers of major in-  
14 vestments and acquisition programs conduct anal-  
15 yses, giving particular attention to factors such as  
16 cost, schedule, risk, performance, and operational ef-  
17 ficiency in order to determine that programs work as  
18 intended within cost and budget expectations.

19 “(5) To propose schedules for delivery of the  
20 operational capability needed to meet each Depart-  
21 ment investment and major acquisition program.

22 “(g) BEST PRACTICES DEFINED.—In this section,  
23 the term ‘best practices’ has the meaning provided in sec-  
24 tion 4(b) of the DHS Headquarters Reform and Improve-  
25 ment Act of 2015.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of the Homeland Security Act of 2002 (6  
3 U.S.C. 101 et seq.) is further amended by adding after  
4 the item relating to section 836 the following new item:  
“Sec. 837. Requirements to reduce duplication in acquisition programs.”.

5 **SEC. 223. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**  
6 **OF BOARD AND OF REQUIREMENTS TO RE-**  
7 **DUCE DUPLICATION IN ACQUISITION PRO-**  
8 **GRAMS.**

9 (a) REVIEW REQUIRED.—The Comptroller General  
10 of the United States shall conduct a review of the effec-  
11 tiveness of the Acquisition Review Board established  
12 under section 836 of the Homeland Security Act of 2002  
13 (as added by section 221) and the requirements to reduce  
14 unnecessary duplication in acquisition programs estab-  
15 lished under section 837 of such Act (as added by section  
16 222) in improving the Department’s acquisition manage-  
17 ment process.

18 (b) SCOPE OF REPORT.—The review shall include the  
19 following:

20 (1) An assessment of the effectiveness of the  
21 Department in increasing program management  
22 oversight, best practices and standards, and dis-  
23 cipline among the Components of the Department,  
24 including in working together and in preventing  
25 overlap and unnecessary duplication.

1           (2) An assessment of the effectiveness of the  
2 Department in instilling program management dis-  
3 cipline.

4           (3) A statement of how regularly each major  
5 acquisition program is reviewed by the Board, how  
6 often the Board stops major acquisition programs  
7 from moving forward in the phases of the acquisition  
8 life cycle process, and the number of major acquisi-  
9 tion programs that have been halted because of  
10 problems with operational effectiveness, schedule  
11 delays, or cost overruns.

12       (c) REPORT REQUIRED.—The Comptroller General  
13 shall submit to the congressional homeland security com-  
14 mittees a report on the review required by this section not  
15 later than 1 year after the date of the enactment of this  
16 Act. The report shall be submitted in unclassified form  
17 but may include a classified annex.

18 **SEC. 224. EXCLUDED PARTY LIST SYSTEM WAIVERS.**

19       The Secretary of Homeland Security shall provide no-  
20 tification to the congressional homeland security commit-  
21 tees within 5 days after the issuance of a waiver by the  
22 Secretary of Federal requirements that an agency not en-  
23 gage in business with a contractor in the Excluded Party  
24 List System (or successor system) as maintained by the  
25 General Services Administration and an explanation for

1 a finding by the Secretary that a compelling reason exists  
2 for this action.

3 **SEC. 225. INSPECTOR GENERAL OVERSIGHT OF SUSPEN-**  
4 **SION AND DEBARMENT.**

5 The Inspector General of the Department of Home-  
6 land Security—

7 (1) may audit decisions about grant and pro-  
8 curement awards to identify instances where a con-  
9 tract or grant was improperly awarded to a sus-  
10 pended or debarred entity and whether corrective ac-  
11 tions were taken to prevent recurrence; and

12 (2) shall review the suspension and debarment  
13 program throughout the Department of Homeland  
14 Security to assess whether suspension and debar-  
15 ment criteria are consistently applied throughout the  
16 Department and whether disparities exist in the ap-  
17 plication of such criteria, particularly with respect to  
18 business size and categories.

1 **Subtitle C—Acquisition Program**  
2 **Management Accountability and**  
3 **Transparency**

4 **SEC. 231. CONGRESSIONAL NOTIFICATION AND OTHER RE-**  
5 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**  
6 **GRAM BREACH.**

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

11 **“SEC. 838. CONGRESSIONAL NOTIFICATION AND OTHER RE-**  
12 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**  
13 **GRAM BREACH.**

14 “(a) BREACH DEFINED.—The term ‘breach’, with re-  
15 spect to a major acquisition program, means a failure to  
16 meet any cost, schedule, or performance parameter speci-  
17 fied in the acquisition program baseline.

18 “(b) REQUIREMENTS WITHIN DEPARTMENT IF  
19 BREACH OCCURS.—

20 “(1) NOTIFICATIONS.—

21 “(A) NOTIFICATION OF BREACH.—If a  
22 breach occurs in a major acquisition program,  
23 the program manager for that program shall  
24 notify the head of the Component concerned,  
25 the Component Acquisition Executive for the

1 program, the Executive Director referred to in  
2 section 710(b) of this Act, the Under Secretary  
3 for Management, and the Deputy Secretary.

4 “(B) NOTIFICATION TO SECRETARY.—If a  
5 major acquisition program has a breach with a  
6 cost overrun greater than 15 percent or a  
7 schedule delay greater than 180 days from the  
8 costs or schedule set forth in the acquisition  
9 program baseline for the program, the Sec-  
10 retary and the Inspector General of the Depart-  
11 ment shall be notified not later than 5 business  
12 days after the breach is identified.

13 “(2) REMEDIATION PLAN AND ROOT CAUSE  
14 ANALYSIS.—

15 “(A) IN GENERAL.—In the case of a  
16 breach with a cost overrun greater than 15 per-  
17 cent or a schedule delay greater than 180 days  
18 from the costs or schedule set forth in the ac-  
19 quisition program baseline, a remediation plan  
20 and root cause analysis is required, and the  
21 Under Secretary for Management or his des-  
22 ignee shall establish a date for submission with-  
23 in the Department of a breach remediation plan  
24 and root cause analysis in accordance with this  
25 subsection.

1           “(B) REMEDIATION PLAN.—The remedi-  
2           ation plan required under this subsection shall  
3           be submitted in writing to the head of the Com-  
4           ponent concerned, the Executive Director re-  
5           ferred to in section 710(b) of this Act, and the  
6           Under Secretary for Management. The plan  
7           shall—

8                   “(i) explain the circumstances of the  
9                   breach;

10                   “(ii) provide prior cost estimating in-  
11                   formation;

12                   “(iii) propose corrective action to con-  
13                   trol cost growth, schedule delays, or per-  
14                   formance issues;

15                   “(iv) in coordination with Component  
16                   Acquisition Executive, discuss all options  
17                   considered, including the estimated impact  
18                   on cost, schedule, or performance of the  
19                   program if no changes are made to current  
20                   requirements, the estimated cost of the  
21                   program if requirements are modified, and  
22                   the extent to which funding from other  
23                   programs will need to be reduced to cover  
24                   the cost growth of the program; and

1 “(v) explain the rationale for why the  
2 proposed corrective action is recommended.

3 “(C) ROOT CAUSE ANALYSIS.—The root  
4 cause analysis required under this subsection  
5 shall determine the underlying cause or causes  
6 of shortcomings in cost, schedule, or perform-  
7 ance of the program, including the role, if any,  
8 of the following:

9 “(i) Unrealistic performance expecta-  
10 tions.

11 “(ii) Unrealistic baseline estimates for  
12 cost or schedule or changes in program re-  
13 quirements.

14 “(iii) Immature technologies or exces-  
15 sive manufacturing or integration risk.

16 “(iv) Unanticipated design, engineer-  
17 ing, manufacturing, or technology integra-  
18 tion issues arising during program per-  
19 formance.

20 “(v) Changes in procurement quan-  
21 tities.

22 “(vi) Inadequate program funding or  
23 changes in planned out-year funding from  
24 1 5-year funding plan to the next 5-year  
25 funding plan as outlined in the Future



1           Years Homeland Security Program re-  
2           quired under section 874 of this Act.

3           “(vii) Legislative, legal, or regulatory  
4           changes.

5           “(viii) Inadequate program manage-  
6           ment personnel, including lack of training,  
7           credentials, certifications, or use of best  
8           practices.

9           “(3) CORRECTION OF BREACH.—The Under  
10          Secretary for Management or his designee shall es-  
11          tablish a date for submission within the Department  
12          of a program of corrective action that ensures that  
13          1 of the following actions has occurred:

14               “(A) The breach has been corrected and  
15               the program is again in compliance with the  
16               original acquisition program baseline param-  
17               eters.

18               “(B) A revised acquisition program base-  
19               line has been approved.

20               “(C) The program has been halted or can-  
21               celled.

22          “(c) REQUIREMENTS RELATING TO CONGRESSIONAL  
23          NOTIFICATION IF BREACH OCCURS.—

24               “(1) NOTIFICATION TO CONGRESS.—If a notifi-  
25               cation is made under subsection (b)(1)(B) for a

1 breach in a major acquisition program with a cost  
2 overrun greater than 15 percent or a schedule delay  
3 greater than 180 days from the costs or schedule set  
4 forth in the acquisition program baseline, or with an  
5 anticipated failure for any key performance thresh-  
6 old or parameter specified in the acquisition pro-  
7 gram baseline, the Under Secretary for Management  
8 shall notify the congressional homeland security  
9 committees of the breach in the next quarterly Com-  
10 prehensive Acquisition Status Report after the  
11 Under Secretary for Management receives the notifi-  
12 cation from the program manager under subsection  
13 (b)(1)(B).

14 “(2) SUBSTANTIAL VARIANCES IN COSTS OR  
15 SCHEDULE.—If a likely cost overrun is greater than  
16 20 percent or a likely delay is greater than 12  
17 months from the costs and schedule set forth in the  
18 acquisition program baseline for a major acquisition  
19 program, the Under Secretary for Management shall  
20 include in the notification required in (c)(1) a writ-  
21 ten certification, with supporting explanation, that—

22 “(A) the acquisition is essential to the ac-  
23 complishment of the Department’s mission;

24 “(B) there are no alternatives to such ca-  
25 pability or asset that will provide equal or

1 greater capability in both a more cost-effective  
2 and timely manner;

3 “(C) the new acquisition schedule and esti-  
4 mates for total acquisition cost are reasonable;  
5 and

6 “(D) the management structure for the ac-  
7 quisition program is adequate to manage and  
8 control performance, cost, and schedule.

9 “(3) SUBMISSIONS TO CONGRESS.—Not later  
10 than 30 calendar days after submission to such com-  
11 mittees of a breach notification under paragraph (1)  
12 of this section for a major acquisition program, the  
13 Under Secretary for Management shall submit to  
14 such committees the following:

15 “(A) A copy of the remediation plan and  
16 the root cause analysis prepared under sub-  
17 section (b)(2) for the program.

18 “(B) A statement describing the corrective  
19 action or actions that have occurred pursuant  
20 to subsection (b)(3) for the program, with a  
21 justification for the action or actions.

22 “(d) ADDITIONAL ACTIONS IF BREACH OCCURS.—

23 “(1) PROHIBITION ON OBLIGATION OF  
24 FUNDS.—During the 90-day period following sub-  
25 mission under subsection (c)(3) of a remediation

1 plan, root cause analysis, and statement of corrective  
2 actions with respect to a major acquisition program,  
3 the Under Secretary for Management shall submit a  
4 certification described in paragraph (2) of this sub-  
5 section to the congressional homeland security com-  
6 mittees. If the Under Secretary for Management  
7 does not submit such certification by the end of such  
8 90-day period, then funds appropriated to the major  
9 acquisition program shall not be obligated until the  
10 Under Secretary for Management submits such cer-  
11 tification.

12 “(2) CERTIFICATION.—For purposes of para-  
13 graph (1), the certification described in this para-  
14 graph is a certification that—

15 “(A) the Department has adjusted or re-  
16 structured the program in a manner that ad-  
17 dresses the root cause or causes of the cost  
18 growth in the program; and

19 “(B) the Department has conducted a  
20 thorough review of the breached program’s ac-  
21 quisition decision event approvals and the cur-  
22 rent acquisition decision event approval for the  
23 breached program has been adjusted as nec-  
24 essary to account for the restructured pro-  
25 gram.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of the Homeland Security Act of 2002 (6  
3 U.S.C. 101 et seq.) is further amended by adding after  
4 the item relating to section 837 the following new item:

“Sec. 838. Congressional notification and other requirements for major acquisition program breach.”.

5 **SEC. 232. MULTIYEAR ACQUISITION STRATEGY.**

6 (a) IN GENERAL.—

7 (1) AMENDMENT.—Subtitle D of title VIII of  
8 the Homeland Security Act of 2002 (6 U.S.C. 391  
9 et seq.) is further amended by adding at the end the  
10 following new section:

11 **“SEC. 839. MULTIYEAR ACQUISITION STRATEGY.**

12 “(a) MULTIYEAR ACQUISITION STRATEGY RE-  
13 QUIRED.—Not later than 1 year after the date of the en-  
14 actment of this section, the Secretary shall submit to the  
15 appropriate homeland security committees a multiyear ac-  
16 quisition strategy to guide the overall direction of the ac-  
17 quisitions of the Department while allowing flexibility to  
18 deal with ever-changing threats and risks and to help in-  
19 dustry better understand, plan, and align resources to  
20 meet the future acquisition needs of the Department. The  
21 strategy shall be updated and included in each Future  
22 Years Homeland Security Program required under section  
23 874 of this Act.

1       “(b) CONSULTATION.—In developing the strategy,  
2 the Secretary shall consult with others as the Secretary  
3 deems appropriate, including headquarters, Components,  
4 employees in the field, and when appropriate, individuals  
5 from industry and the academic community.

6       “(c) FORM OF STRATEGY.—The report shall be sub-  
7 mitted in unclassified form but may include a classified  
8 annex for any sensitive or classified information if nec-  
9 essary. The Department also shall publish the plan in an  
10 unclassified format that is publicly available.

11       “(d) CONTENTS OF STRATEGY.—The strategy shall  
12 include the following:

13               “(1) PRIORITIZED LIST.—A systematic and in-  
14 tegrated prioritized list developed by the Under Sec-  
15 retary for Management or his designee in coordina-  
16 tion with all of the Component Acquisition Execu-  
17 tives of Department major acquisition programs that  
18 Department and Component acquisition investments  
19 seek to address, that includes the expected security  
20 and economic benefit of the program or system and  
21 an analysis of how the security and economic benefit  
22 derived from the program or system will be meas-  
23 ured.

24               “(2) INVENTORY.—A plan to develop a reliable  
25 Departmentwide inventory of investments and real

1 property assets to help the Department plan, budg-  
2 et, schedule, and acquire upgrades of its systems  
3 and equipment and plan for the acquisition and  
4 management of future systems and equipment.

5 “(3) FUNDING GAPS.—A plan to address fund-  
6 ing gaps between funding requirements for major ac-  
7 quisition programs and known available resources in-  
8 cluding, to the maximum extent practicable, ways of  
9 leveraging best practices to identify and eliminate  
10 overpayment for items to prevent wasteful pur-  
11 chasing, achieve the greatest level of efficiency and  
12 cost savings by rationalizing purchases, aligning  
13 pricing for similar items, and utilizing purchase tim-  
14 ing and economies of scale.

15 “(4) IDENTIFICATION OF CAPABILITIES.—An  
16 identification of test, evaluation, modeling, and sim-  
17 ulation capabilities that will be required to support  
18 the acquisition of the technologies to meet the needs  
19 of the plan and ways to leverage to the greatest ex-  
20 tent possible the emerging technology trends and re-  
21 search and development trends within the public and  
22 private sectors and an identification of ways to en-  
23 sure that the appropriate technology is acquired and  
24 integrated into the Department’s operating doctrine

1 and procured in ways that improve mission perform-  
2 ance.

3 “(5) FOCUS ON FLEXIBLE SOLUTIONS.—An as-  
4 sessment of ways the Department can improve its  
5 ability to test and acquire innovative solutions to  
6 allow needed incentives and protections for appro-  
7 priate risk-taking in order to meet its acquisition  
8 needs with resiliency, agility, and responsiveness to  
9 assure the Nation’s homeland security and facilitate  
10 trade.

11 “(6) FOCUS ON INCENTIVES TO SAVE TAX-  
12 PAYER DOLLARS.—An assessment of ways the De-  
13 partment can develop incentives for program man-  
14 agers and senior Department acquisition officials to  
15 prevent cost overruns, avoid schedule delays, and  
16 achieve cost savings in major acquisition programs.

17 “(7) FOCUS ON ADDRESSING DELAYS AND BID  
18 PROTESTS.—An assessment of ways the Department  
19 can improve the acquisition process to minimize cost  
20 overruns in requirements development, procurement  
21 announcements, requests for proposals, evaluation of  
22 proposals, protests of decisions and awards and  
23 through the use of best practices as defined in sec-  
24 tion 4(b) of the DHS Headquarters Reform and Im-



1       provement Act of 2015 and lessons learned by the  
2       Department and other Federal agencies.

3           “(8) FOCUS ON IMPROVING OUTREACH.—An  
4       identification and assessment of ways to increase op-  
5       portunities for communication and collaboration with  
6       industry, small and disadvantaged businesses, intra-  
7       government entities, university centers of excellence,  
8       accredited certification and standards development  
9       organizations, and national laboratories to ensure  
10      that the Department understands the market for  
11      technologies, products, and innovation that is avail-  
12      able to meet its mission needs to inform the require-  
13      ments-setting process and before engaging in an ac-  
14      quisition, including—

15           “(A) methods designed especially to engage  
16      small and disadvantaged businesses and a cost-  
17      benefit analysis of the tradeoffs that small and  
18      disadvantaged businesses provide, barriers to  
19      entry for small and disadvantaged businesses,  
20      and unique requirements for small and dis-  
21      advantaged businesses; and

22           “(B) within the Department Vendor Com-  
23      munication Plan and Market Research Guide,  
24      instructions for interaction by program man-  
25      agers with such entities to prevent misinter-

1           pretation of acquisition regulations and to per-  
2           mit freedom within legal and ethical boundaries  
3           for program managers to interact with such  
4           businesses with transparency.

5           “(9) COMPETITION.—A plan regarding competi-  
6           tion as described in subsection (e).

7           “(10) ACQUISITION WORKFORCE.—A plan re-  
8           garding the Department acquisition workforce as de-  
9           scribed in subsection (f).

10           “(11) FEASIBILITY OF WORKFORCE DEVELOP-  
11           MENT FUND PILOT PROGRAM.—An assessment of  
12           the feasibility of conducting a pilot program to es-  
13           tablish an acquisition workforce development fund as  
14           described in subsection (g).

15           “(e) COMPETITION PLAN.—The strategy shall also  
16           include a plan (referred to in subsection (d)(9)) that shall  
17           address actions to ensure competition, or the option of  
18           competition, for major acquisition programs. The plan  
19           may include assessments of the following measures in ap-  
20           propriate cases if such measures are cost effective:

21           “(1) Competitive prototyping.

22           “(2) Dual-sourcing.

23           “(3) Unbundling of contracts.

24           “(4) Funding of next-generation prototype sys-  
25           tems or subsystems.

1           “(5) Use of modular, open architectures to en-  
2           able competition for upgrades.

3           “(6) Acquisition of complete technical data  
4           packages.

5           “(7) Periodic competitions for subsystem up-  
6           grades.

7           “(8) Licensing of additional suppliers, including  
8           small businesses.

9           “(9) Periodic system or program reviews to ad-  
10          dress long-term competitive effects of program deci-  
11          sions.

12          “(f) ACQUISITION WORKFORCE PLAN.—

13               “(1) ACQUISITION WORKFORCE.—The strategy  
14               shall also include a plan (referred to in subsection  
15               (d)(10)) to address Department acquisition work-  
16               force accountability and talent management that  
17               identifies the acquisition workforce needs of each  
18               Component performing acquisition functions and de-  
19               velops options for filling those needs with qualified  
20               individuals, including a cost-benefit analysis of con-  
21               tracting for acquisition assistance.

22               “(2) ADDITIONAL MATTERS COVERED.—The  
23               acquisition workforce plan shall address ways to—

24                       “(A) improve the recruitment, hiring,  
25                       training, and retention of Department acquisi-

1           tion workforce personnel, including contracting  
2           officer’s representatives, in order to retain high-  
3           ly qualified individuals that have experience in  
4           the acquisition life cycle, complex procurements,  
5           and management of large programs;

6           “(B) empower program managers to have  
7           the authority to manage their programs in an  
8           accountable and transparent manner as they  
9           work with the acquisition workforce;

10          “(C) prevent duplication within Depart-  
11          ment acquisition workforce training and certifi-  
12          cation requirements through leveraging already-  
13          existing training within the Federal Govern-  
14          ment, academic community, or private industry;

15          “(D) achieve integration and consistency  
16          with Governmentwide training and accreditation  
17          standards, acquisition training tools, and train-  
18          ing facilities;

19          “(E) designate the acquisition positions  
20          that will be necessary to support the Depart-  
21          ment acquisition requirements, including in the  
22          fields of—

23                  “(i) program management;

24                  “(ii) systems engineering;

1                   “(iii) procurement, including con-  
2                   tracting;

3                   “(iv) test and evaluation;

4                   “(v) life cycle logistics;

5                   “(vi) cost estimating and program fi-  
6                   nancial management; and

7                   “(vii) additional disciplines appro-  
8                   priate to Department mission needs;

9                   “(F) strengthen the performance of con-  
10                  tracting officer’s representatives (as defined in  
11                  subpart 1.602–2 and subpart 2.101 of the Fed-  
12                  eral Acquisition Regulation), including by—

13                  “(i) assessing the extent to which con-  
14                  tracting officer’s representatives are cer-  
15                  tified and receive training that is appro-  
16                  priate;

17                  “(ii) determining what training is  
18                  most effective with respect to the type and  
19                  complexity of assignment; and

20                  “(iii) implementing actions to improve  
21                  training based on such assessment; and

22                  “(G) identify ways to increase training for  
23                  relevant investigators and auditors to examine  
24                  fraud in major acquisition programs, including  
25                  identifying opportunities to leverage existing

1 Government and private sector resources in co-  
2 ordination with the Inspector General of the  
3 Department.

4 “(g) FEASIBILITY OF WORKFORCE DEVELOPMENT  
5 FUND PILOT PROGRAM.—The strategy shall also include  
6 an assessment (referred to in subsection (d)(11)) of the  
7 feasibility of conducting a pilot program to establish a  
8 Homeland Security Acquisition Workforce Development  
9 Fund (in this subsection referred to as the ‘Fund’) to en-  
10 sure the Department acquisition workforce has the capac-  
11 ity, in both personnel and skills, needed to properly per-  
12 form its mission and ensure that the Department receives  
13 the best value for the expenditure of public resources. The  
14 assessment shall address the following:

15 “(1) Ways to fund the Fund, including the use  
16 of direct appropriations, or the credit, transfer, or  
17 deposit of unobligated or unused funds from Depart-  
18 ment Components into the Fund to remain available  
19 for obligation in the fiscal year for which credited,  
20 transferred, or deposited and to remain available for  
21 successive fiscal years.

22 “(2) Ways to reward the Department acquisi-  
23 tion workforce and program managers for good pro-  
24 gram management in controlling cost growth, lim-  
25 iting schedule delays, and ensuring operational effec-

1 tiveness through providing a percentage of the sav-  
2 ings or general acquisition bonuses.

3 “(3) Guidance for the administration of the  
4 Fund that includes provisions to do the following:

5 “(A) Describe the costs and benefits asso-  
6 ciated with the use of direct appropriations or  
7 credit, transfer, or deposit of unobligated or un-  
8 used funds to finance the Fund.

9 “(B) Describe the manner and timing for  
10 applications for amounts in the Fund to be sub-  
11 mitted.

12 “(C) Explain the evaluation criteria to be  
13 used for approving or prioritizing applications  
14 for amounts in the Fund in any fiscal year.

15 “(D) Explain the mechanism to report to  
16 Congress on the implementation of the Fund on  
17 an ongoing basis.

18 “(E) Detail measurable performance  
19 metrics to determine if the Fund is meeting the  
20 objective to improve the acquisition workforce  
21 and to achieve cost savings in acquisition man-  
22 agement.”.

23 (2) CLERICAL AMENDMENT.—The table of con-  
24 tents in section 1(b) of the Homeland Security Act  
25 of 2002 (6 U.S.C. 101 et seq.) is further amended

1 by adding after the item relating to section 838 the  
2 following new item:

“Sec. 839. Multiyear acquisition strategy.”.

3 (b) CONFORMING AMENDMENT TO FUTURE YEARS  
4 HOMELAND SECURITY PROGRAM.—Section 874(b) of the  
5 Homeland Security Act of 2002 (6 U.S.C. 454(b)) is  
6 amended—

7 (1) by striking “and” at the end of paragraph

8 (2);

9 (2) by striking the period at the end of para-  
10 graph (3) and inserting “; and”; and

11 (3) by adding at the end the following new  
12 paragraph:

13 “(4) include the multiyear acquisition strategy  
14 required under section 839 of this Act.”.

15 **SEC. 233. ACQUISITION REPORTS.**

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

20 **“SEC. 840. ACQUISITION REPORTS.**

21 “(a) COMPREHENSIVE ACQUISITION STATUS RE-  
22 PORT.—

23 “(1) IN GENERAL.—The Under Secretary for  
24 Management each year shall submit to the congress-  
25 sional homeland security committees, at the same



1 time as the President’s budget is submitted for a fis-  
2 cal year under section 1105(a) of title 31, United  
3 States Code, a comprehensive acquisition status re-  
4 port. The report shall include the following:

5 “(A) The information required under the  
6 heading ‘Office of the Under Secretary for  
7 Management’ under title I of division D of the  
8 Consolidated Appropriations Act, 2012 (Public  
9 Law 112–74) (as required under the Depart-  
10 ment of Homeland Security Appropriations Act,  
11 2013 (Public Law 113–6)).

12 “(B) A listing of programs that have been  
13 cancelled, modified, paused, or referred to the  
14 Under Secretary for Management or Deputy  
15 Secretary for additional oversight or action by  
16 the Board, Department Office of Inspector  
17 General, or the Comptroller General.

18 “(C) A listing of established Executive  
19 Steering Committees, which provide governance  
20 of a program or related set of programs and  
21 lower-tiered oversight, and support between ac-  
22 quisition decision events and Component re-  
23 views, including the mission and membership  
24 for each.

1           “(2) INFORMATION FOR MAJOR ACQUISITION  
2 PROGRAMS.—For each major acquisition program,  
3 the report shall include the following:

4           “(A) A narrative description, including  
5 current gaps and shortfalls, the capabilities to  
6 be fielded, and the number of planned incre-  
7 ments or units.

8           “(B) Acquisition Review Board (or other  
9 board designated to review the acquisition) sta-  
10 tus of each acquisition, including the current  
11 acquisition phase, the date of the last review,  
12 and a listing of the required documents that  
13 have been reviewed with the dates reviewed or  
14 approved.

15           “(C) The most current, approved acquisi-  
16 tion program baseline (including project sched-  
17 ules and events).

18           “(D) A comparison of the original acquisi-  
19 tion program baseline, the current acquisition  
20 program baseline, and the current estimate.

21           “(E) Whether or not an independent  
22 verification and validation has been imple-  
23 mented, with an explanation for the decision  
24 and a summary of any findings.

1           “(F) A rating of cost risk, schedule risk,  
2           and technical risk associated with the program  
3           (including narrative descriptions and mitigation  
4           actions).

5           “(G) Contract status (including earned  
6           value management data as applicable).

7           “(H) A life cycle cost of the acquisition,  
8           and time basis for the estimate.

9           “(3) UPDATES.—The Under Secretary shall  
10          submit quarterly updates to such report not later  
11          than 45 days after the completion of each quarter.

12          “(b) QUARTERLY PROGRAM ACCOUNTABILITY RE-  
13          PORT.—The Under Secretary for Management shall pre-  
14          pare a quarterly program accountability report to meet the  
15          Department’s mandate to perform program health assess-  
16          ments and improve program execution and governance.  
17          The report shall be submitted to the congressional home-  
18          land security committees.”.

19          (b) CLERICAL AMENDMENT.—The table of contents  
20          in section 1(b) of the Homeland Security Act of 2002 (6  
21          U.S.C. 101 et seq.) is further amended by adding after  
22          the item relating to section 839 the following new item:

“Sec. 840. Acquisition reports.”.

1 **SEC. 234. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**  
2 **OF MULTIYEAR ACQUISITION STRATEGY.**

3 (a) REVIEW REQUIRED.—After submission to Con-  
4 gress of the first multiyear acquisition strategy (pursuant  
5 to section 839 of the Homeland Security Act of 2002)  
6 after the date of the enactment of this Act, the Comp-  
7 troller General of the United States shall conduct a review  
8 of the plan within 180 days to analyze the viability of the  
9 plan’s effectiveness in the following:

10 (1) Complying with the requirements in section  
11 839 of the Homeland Security Act of 2002, as  
12 added by section 232 of this Act.

13 (2) Establishing clear connections between De-  
14 partment objectives and acquisition priorities.

15 (3) Demonstrating that Department acquisition  
16 policy reflects program management best practices  
17 and standards.

18 (4) Ensuring competition or the option of com-  
19 petition for major acquisition programs.

20 (5) Considering potential cost savings through  
21 using already-existing technologies when developing  
22 acquisition program requirements.

23 (6) Preventing duplication within Department  
24 acquisition workforce training requirements through  
25 leveraging already-existing training within the Fed-

1 eral Government, academic community, or private  
2 industry.

3 (7) Providing incentives for program managers  
4 to reduce acquisition and procurement costs through  
5 the use of best practices and disciplined program  
6 management.

7 (8) Assessing the feasibility of conducting a  
8 pilot program to establish a Homeland Security Ac-  
9 quisition Workforce Development Fund.

10 (b) REPORT REQUIRED.—The Comptroller General  
11 shall submit to the congressional homeland security com-  
12 mittees a report on the review required by this section.  
13 The report shall be submitted in unclassified form but  
14 may include a classified annex.

15 **SEC. 235. OFFICE OF INSPECTOR GENERAL REPORT.**

16 (a) REVIEW REQUIRED.—No later than 2 years fol-  
17 lowing the submission of the report submitted by the  
18 Comptroller General of the United States as required by  
19 section 234, the Department’s Inspector General shall  
20 conduct a review of whether the Department has complied  
21 with the multiyear acquisition strategy (pursuant to sec-  
22 tion 839 of the Homeland Security Act of 2002) and ad-  
23 hered to the strategies set forth in the plan. The review  
24 shall also consider whether the Department has complied  
25 with the requirements to provide the Acquisition Review

1 Board with a capability development plan for each major  
2 acquisition program.

3 (b) REPORT REQUIRED.—The Inspector General  
4 shall submit to the congressional homeland security com-  
5 mittees a report of the review required by this section. The  
6 report shall be submitted in unclassified form but may in-  
7 clude a classified annex.

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