

115TH CONGRESS  
1ST SESSION

# H. R. 505

To amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Ms. MCSALLY (for herself, Mr. GOSAR, Mr. HENSARLING, Mr. HURD, Mr. KATKO, Mr. KING of New York, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Ms. SINEMA, Mrs. COMSTOCK, Mr. RUSSELL, Mr. DONOVAN, Mr. MCCAUL, Mr. BIGGS, and Mr. ROGERS of Alabama) 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 strengthen accountability for deployment of border security technology at the Department of Homeland Security, 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.**

4 This Act may be cited as the “Border Security Tech-  
5 nology Accountability Act of 2017”.

1 **SEC. 2. BORDER SECURITY TECHNOLOGY ACCOUNT-**  
2 **ABILITY.**

3 (a) IN GENERAL.—Subtitle C of title IV of the  
4 Homeland Security Act of 2002 (6 U.S.C. 231 et seq.)  
5 is amended by adding at the end the following new section:

6 **“SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM**  
7 **MANAGEMENT.**

8 “(a) PLANNING DOCUMENTATION.—For each border  
9 security technology acquisition program of the Depart-  
10 ment that is determined to be a major acquisition pro-  
11 gram, the Secretary shall—

12 “(1) ensure that each such program has a writ-  
13 ten acquisition program baseline approved by the  
14 relevant acquisition decision authority;

15 “(2) document that each such program is meet-  
16 ing cost, schedule, and performance thresholds as  
17 specified in such baseline, in compliance with rel-  
18 evant departmental acquisition policies and the Fed-  
19 eral Acquisition Regulation; and

20 “(3) have a plan for meeting program imple-  
21 mentation objectives by managing contractor per-  
22 formance.

23 “(b) ADHERENCE TO STANDARDS.—The Secretary,  
24 acting through the Under Secretary for Management and  
25 the Commissioner of U.S. Customs and Border Protection,  
26 shall ensure border security technology acquisition pro-

1 gram managers who are responsible for carrying out this  
2 section adhere to relevant internal control standards iden-  
3 tified by the Comptroller General of the United States.  
4 The Commissioner shall provide information, as needed,  
5 to assist the Under Secretary in monitoring proper pro-  
6 gram management of border security technology acquisi-  
7 tion programs under this section.

8       “(c) PLAN.—The Secretary, acting through the  
9 Under Secretary for Management, in coordination with  
10 the Under Secretary for Science and Technology and the  
11 Commissioner of U.S. Customs and Border Protection,  
12 shall submit to the appropriate congressional committees  
13 a plan for testing and evaluation, as well as the use of  
14 independent verification and validation resources, for bor-  
15 der security technology so that new border security tech-  
16 nologies are evaluated through a series of assessments,  
17 processes, and audits to ensure compliance with relevant  
18 departmental acquisition policies and the Federal Acquisi-  
19 tion Regulation, as well as the effectiveness of taxpayer  
20 dollars.

21       “(d) MAJOR ACQUISITION PROGRAM DEFINED.—In  
22 this section, the term ‘major acquisition program’ means  
23 a Department acquisition program that is estimated by  
24 the Secretary to require an eventual total expenditure of

1 at least \$300,000,000 (based on fiscal year 2017 constant  
2 dollars) over its life cycle cost.”.

3 (b) CLERICAL AMENDMENT.—The table of contents  
4 of the Homeland Security Act of 2002 is amended by in-  
5 serting after the item relating to section 433 the following  
6 new item:

“Sec. 434. Border security technology program management.”.

7 **SEC. 3. PROHIBITION ON ADDITIONAL AUTHORIZATION OF**  
8 **APPROPRIATIONS.**

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

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