

116TH CONGRESS  
1ST SESSION

# H. R. 1912

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IN THE SENATE OF THE UNITED STATES

MAY 15, 2019

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DHS Acquisition Doc-  
3 umentation Integrity Act of 2019”.

4 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY ACQUISITION DOCUMENTATION.**

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

9 **“SEC. 711. ACQUISITION DOCUMENTATION.**

10 “(a) IN GENERAL.—For each major acquisition pro-  
11 gram, the Secretary, acting through the Under Secretary  
12 for Management, shall require the head of a relevant com-  
13 ponent or office to—

14 “(1) maintain acquisition documentation that is  
15 complete, accurate, timely, and valid, and that in-  
16 cludes, at a minimum—

17 “(A) operational requirements that are  
18 validated consistent with departmental policy  
19 and changes to such requirements, as appro-  
20 priate;

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

23 “(C) verification of such lifecycle cost esti-  
24 mate against independent cost estimates, and  
25 reconciliation of any differences;

1           “(D) a cost-benefit analysis with sup-  
2           porting documentation; and

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

5           “(2) prepare cost estimates and schedules for  
6           major acquisition programs, as required under sub-  
7           paragraphs (B) and (E), in a manner consistent  
8           with best practices as identified by the Comptroller  
9           General of the United States; and

10          “(3) submit certain acquisition documentation  
11          to the Secretary to produce for submission to Con-  
12          gress an annual comprehensive report on the status  
13          of departmental acquisitions.

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

18                 “(1) such program has not—

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

21                         “(B) had a reasonable cost estimate estab-  
22                         lished; and

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

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

4           “(c) CONGRESSIONAL OVERSIGHT.—At the same  
5           time the President’s budget is submitted for a fiscal year  
6           under section 1105(a) of title 31, United States Code, the  
7           Secretary shall make information available, as applicable,  
8           to the Committee on Homeland Security of the House of  
9           Representatives and the Committee on Homeland Security  
10          and Governmental Affairs of the Senate regarding the re-  
11          quirement described in subsection (a) in the prior fiscal  
12          year that includes the following specific information re-  
13          garding each major acquisition program for which the Sec-  
14          retary has issued a waiver under subsection (b):

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

17                 “(2) The projected cost of such program.

18                 “(3) The proportion of a component’s or office’s  
19                 annual acquisition budget attributed to such pro-  
20                 gram, as available.

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

24           “(d) MAJOR ACQUISITION PROGRAM DEFINED.—In  
25          this section, the term ‘major acquisition program’ means

