

117TH CONGRESS  
1ST SESSION

# H. R. 2250

To amend title 38, United States Code, to improve the management of information technology projects and investments of the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. ROSENDALE (for himself, Mr. MRVAN, and Mr. BANKS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to improve the management of information technology projects and investments of the Department of Veterans Affairs, 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 “Department of Vet-  
5 erans Affairs Information Technology Reform Act of  
6 2021”.

1 **SEC. 2. MANAGEMENT OF MAJOR INFORMATION TECH-**  
2 **NOLOGY PROJECTS.**

3 (a) IN GENERAL.—Chapter 81 of title 38, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing new subchapter:

6 “SUBCHAPTER VI—INFORMATION  
7 TECHNOLOGY PROJECTS AND ACTIVITIES

8 “§ 8171. **Definitions**

9 “In this subchapter:

10 “(1) The term ‘appropriate congressional com-  
11 mittees’ means—

12 “(A) the Committees on Veterans’ Affairs  
13 of the House of Representatives and the Sen-  
14 ate; and

15 “(B) the Subcommittees on Military Con-  
16 struction, Veterans Affairs and Related Agen-  
17 cies of the House of Representatives and the  
18 Senate.

19 “(2) The term ‘information technology’ has the  
20 meaning given that term in section 11101 of title  
21 40.

22 “(3) The term ‘life cycle costs’ means all direct  
23 and indirect costs to acquire, implement, operate,  
24 and maintain an information technology system.

25 “(4) The term ‘major information technology  
26 project’ means a project or program of the Depart-

1       ment of Veterans Affairs (including a project or pro-  
2       gram of any element of the Department) for, or in-  
3       cluding, the acquisition or implementation of an in-  
4       formation technology system if—

5               “(A) the project or program is des-  
6       ignated—

7                       “(i) by the Secretary of Veterans Af-  
8       fairs or the Chief Information Officer of  
9       the Department as a major information  
10      technology project; or

11                      “(ii) by the Director of the Office of  
12      Management and Budget as a major infor-  
13      mation technology investment, as defined  
14      in section 11302 of title 40;

15               “(B) the dollar value of the project or pro-  
16      gram is estimated by the Secretary to exceed—

17                      “(i) \$50,000,000 (as adjusted for in-  
18      flation pursuant to section 1908 of title  
19      41) for all project or program costs in a  
20      single fiscal year;

21                      “(ii) \$200,000,000 (as adjusted for  
22      inflation pursuant to section 1908 of title  
23      41) for all project acquisition or implemen-  
24      tation costs for the duration of the project  
25      or program; or

1                   “(iii) \$500,000,000 (as adjusted for  
2                   inflation pursuant to section 1908 of title  
3                   41) for the total life cycle costs of the  
4                   project or program; or

5                   “(C) any increment of the project or pro-  
6                   gram separately meets the requirements of sub-  
7                   paragraphs (A) or (B).

8   **“§ 8172. Management of major information tech-**  
9                   **nology projects**

10           “(a) COST, SCHEDULE, AND PERFORMANCE INFOR-  
11   MATION.—The Secretary of Veterans Affairs may not obli-  
12   gate or expend funds for any major information tech-  
13   nology project that begins after the date of the enactment  
14   of this section unless the Secretary, acting through the  
15   Chief Information Officer, submits to the appropriate con-  
16   gressional committees a report containing information on  
17   the cost, schedule, and performance of such project. Each  
18   such report shall include, with respect to such project, the  
19   following:

20           “(1) An estimate of acquisition, implementa-  
21   tion, and life cycle costs.

22           “(2) An intended implementation schedule indi-  
23   cating significant milestones, initial operating capa-  
24   bility, and full operating capability or completion.

1           “(3) Key business, functional, or performance  
2 objectives.

3           “(b) BASELINE.—(1) The Secretary shall use the in-  
4 formation on the cost, schedule, and performance of a  
5 major information technology project included in the re-  
6 port under subsection (a) as the baseline against which  
7 changes or variances are measured during the life cycle  
8 of such project.

9           “(2) The Secretary shall—

10           “(A) annually update the baseline of a major  
11 information technology project pursuant to sub-  
12 section (c); and

13           “(B) include such updated baseline in the docu-  
14 ments providing detailed information on the budget  
15 for the Department that the Secretary submits to  
16 Congress in conjunction with the President’s budget  
17 submission pursuant to section 1105 of title 31.

18           “(c) CHANGES AND VARIANCES.—(1) Not later than  
19 60 days after the date on which the Secretary identifies  
20 a change or variance described in paragraph (2) in the  
21 cost, schedule, or performance of a major information  
22 technology project, the Secretary, acting through the Chief  
23 Information Officer, shall submit to the appropriate con-  
24 gressional committees a notification of such change or

1 variance, including a description and explanation for such  
2 change or variance.

3 “(2) A change or variance in the cost, schedule, or  
4 performance of a major information technology project de-  
5 scribed in this paragraph is—

6 “(A) with respect to the acquisition, implemen-  
7 tation, or life cycle cost of the project, or an incre-  
8 ment therein, a change or variance that is 10 per-  
9 cent or greater compared to the baseline;

10 “(B) with respect to the schedule for achieving  
11 a significant milestone, initial operating capability,  
12 or final completion of the project, a change or vari-  
13 ance that is 180 days or greater compared to the  
14 baseline; or

15 “(C) with respect to the performance, an in-  
16 stance where a key business, functional, or perform-  
17 ance objective is not attained, or is not anticipated  
18 to be attained, in whole or in part.

19 “(d) MANAGEMENT.—The Secretary shall ensure  
20 that each major information technology project is man-  
21 aged by an interdisciplinary team including the following:

22 “(1) A project manager who is—

23 “(A) certified in project management at  
24 level three by the Department or the Depart-  
25 ment of Defense pursuant to section 1701a of

1 title 10, or who holds an equivalent certification  
2 by a private sector project management certifi-  
3 cation organization, as determined appropriate  
4 by the Secretary; and

5 “(B) an employee of the Office of Informa-  
6 tion and Technology of the Department or an  
7 employee of an element of the Department at  
8 which the project originates.

9 “(2) A functional lead who is an employee of  
10 the element of the Department at which the project  
11 originates.

12 “(3) A technical lead who is an employee of the  
13 Office of Information and Technology of the Depart-  
14 ment.

15 “(4) A contracting officer.

16 “(5) Sufficient other project management, func-  
17 tional, technical, and procurement personnel as the  
18 Secretary determines appropriate.

19 **“§ 8173. Information technology activities of the Fi-**  
20 **nancial Services Center**

21 “(a) MANAGEMENT.—Consistent with sections 11302  
22 and 11319 of title 40—

23 “(1) the Chief Information Officer of the De-  
24 partment shall—





1 section 11319(d)(3) of title 40. The first such annual re-  
2 view so submitted shall include a copy of each previous  
3 annual review conducted under such section.”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
5 at the beginning of such chapter is amended by adding  
6 at the end the following:

“SUBCHAPTER VI—INFORMATION TECHNOLOGY PROJECTS AND ACTIVITIES

“8171. Definitions.

“8172. Management of major information technology projects.

“8173. Information technology activities of the Financial Services Center.

“8174. Submission of annual reviews of information technology.”.

7 (c) APPLICATION; REPORT.—

8 (1) CURRENT AND NEW PROJECTS.—Except as  
9 specifically provided in subsection (a) of section  
10 8172 of title 38, United States Code, as added by  
11 subsection (a) of this section, such section 8172  
12 shall apply with respect to major information tech-  
13 nology projects that begin before, on, or after the  
14 date of the enactment of this Act.

15 (2) REPORT ON CURRENT PROJECTS.—

16 (A) REQUIREMENT.—Not later than 90  
17 days after the date of the enactment of this  
18 Act, the Secretary of Veterans Affairs shall  
19 submit to the appropriate congressional com-  
20 mittees a report on each major information  
21 technology project that the Secretary is car-  
22 rying out as of the date of the report. The re-

1 port shall contain, with respect to each such  
2 project, information on the cost, schedule, and  
3 performance of such project as described in  
4 subsection (a) of such section 8172.

5 (B) DEFINITIONS.—In this subsection, the  
6 terms “appropriate congressional committees”  
7 and “major information technology project”  
8 have the meanings given those terms in section  
9 8171 of title 38, United States Code, as added  
10 by subsection (a) of this section.

11 **SEC. 3. ASSESSMENT OF SUITABILITY OF CLOUD MIGRA-**  
12 **TION INVESTMENTS.**

13 (a) ASSESSMENT.—Not later than one year after the  
14 date of the enactment of this Act, the Secretary of Vet-  
15 erans Affairs, acting through the Chief Information Offi-  
16 cer of the Department of Veterans Affairs, shall conduct  
17 an assessment, in accordance with guidance from the Of-  
18 fice of Management and Budget, of all information tech-  
19 nology investments of the Department of Veterans Affairs  
20 to determine the suitability of the investments for migra-  
21 tion to a cloud computing service.

22 (b) CONSISTENT MECHANISM.—The Secretary, act-  
23 ing through the Chief Information Officer, shall establish  
24 a consistent and repeatable mechanism to track savings  
25 and cost avoidances from the—

1 (1) migration of information technology invest-  
2 ments to cloud computing services; and

3 (2) deployment of cloud computing services.

4 **SEC. 4. REPORT ON INFORMATION TECHNOLOGY DASH-**  
5 **BOARD INFORMATION.**

6 (a) REPORT.—Not later than 90 days after the date  
7 of the enactment of this Act, the Secretary, acting through  
8 the Chief Information Officer, shall submit to the appro-  
9 priate congressional committees a report containing—

10 (1) an explanation of the ratings, rankings, and  
11 risk categorizations used by the Chief Information  
12 Officer pursuant to subparagraph (C) of section  
13 11302(c)(3) of title 40, United States Code, with re-  
14 spect to the information technology dashboard of the  
15 Office of Management and Budget developed under  
16 such section; and

17 (2) copies of supporting or explanatory informa-  
18 tion provided by the Chief Information Officer to the  
19 Office of Management and Budget with respect to  
20 submissions by the Chief Information Officer to the  
21 information technology dashboard for the fiscal year  
22 in which the report is submitted (other than infor-  
23 mation not otherwise made public pursuant to such  
24 section).

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES

2 DEFINED.—In section, the term “appropriate congres-

3 sional committees” means—

4 (1) the Committees on Veterans’ Affairs of the  
5 House of Representatives and the Senate; and

6 (2) the Subcommittees on Military Construc-  
7 tion, Veterans Affairs and Related Agencies of the  
8 House of Representatives and the Senate.

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