

[DISCUSSION DRAFT]

JANUARY 30, 2014

113TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management.

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IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN of South Carolina introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management.

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 “DHS Acquisition Ac-  
5 countability and Efficiency Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Definitions.

TITLE I—ACQUISITION AUTHORITIES

- Sec. 101. Acquisition authorities for Under Secretary for management.
- Sec. 102. Acquisition authorities for Chief Financial Officer.
- Sec. 103. Acquisition authorities for Chief Information Officer.
- Sec. 104. Chief Procurement Officer.
- Sec. 105. Requirements to ensure greater accountability for acquisition programs.

TITLE II—ACQUISITION PROGRAM MANAGEMENT DISCIPLINE

- Sec. 201. Acquisition Review Board.
- Sec. 202. Requirements to reduce duplication in acquisition programs.
- Sec. 203. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.

TITLE III—ACQUISITION PROGRAM MANAGEMENT  
ACCOUNTABILITY AND TRANSPARENCY

- Sec. 301. Congressional notification and other requirements for major acquisition program breach.
- Sec. 302. Multiyear acquisition strategy.
- Sec. 303. Government Accountability Office review of multiyear acquisition strategy.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) The Department of Homeland Security does  
4 not consistently implement its policies and Govern-  
5 ment and private sector best practices for acquisi-  
6 tions and procurement.

7 (2) It is difficult to determine the cost of the  
8 Department's major acquisition programs because  
9 the Department has not provided consistent, com-  
10 parable updates on an annual basis. As of January  
11 2014, the Department identified over 80 major ac-  
12 quisition programs costing over \$300,000,000, and,  
13 based on 2011, estimates it plans to spend about

1       \$170,000,000,000 in the future on major acquisition  
2       programs.

3           (3) Since 2005, the Government Accountability  
4       Office has placed Department acquisition manage-  
5       ment activities on its “High-Risk List”, which iden-  
6       tifies Government operations that have greater sus-  
7       ceptibility to fraud, waste, abuse, and mismanage-  
8       ment or greater need for transformation to address  
9       economy, efficiency, or effectiveness challenges.

10          (4) While the Department has taken actions to  
11       address some high-risk acquisition program manage-  
12       ment issues, many programs continue to experience  
13       challenges with funding instability, workforce short-  
14       falls, reliable cost estimates, realistic schedules,  
15       agreed-upon baseline objectives, and consistent and  
16       reliable data needed to accurately measure program  
17       performance.

18          (5) Out of 77 Department major acquisition  
19       programs in 2011, the Government Accountability  
20       Office identified 42 programs that experienced cost  
21       growth, schedule slips, or both. The Department re-  
22       ported that the magnitude of the cost growth for 16  
23       of the 42 programs, which increased from almost  
24       \$20,000,000,000 to over \$50,000,000,000 2011, had  
25       an aggregate increase of 166 percent

1           (6) In 2012, the Government Accountability Of-  
2           fice found that only 20 of 63 programs had Depart-  
3           ment-approved acquisition program baselines. The  
4           Government Accountability Office also reported that  
5           the Department planned to spend more than \$105  
6           billion on programs lacking acquisition program  
7           baselines.

8 **SEC. 4. DEFINITIONS.**

9           (a) IN GENERAL.—In this Act:

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

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

14           (3) CONGRESSIONAL HOMELAND SECURITY  
15           COMMITTEES.—The term “congressional homeland  
16           security committees” means—

17           (A) the Committee on Homeland Security  
18           of the House of Representatives and the Com-  
19           mittee on Homeland Security and Govern-  
20           mental Affairs of the Senate; and

21           (B) the Committee on Appropriations of  
22           the House of Representatives and of the Sen-  
23           ate.

24           (b) ADDITIONAL DEFINITIONS.—In this Act:

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

4           (2) BEST PRACTICES.—The term “best prac-  
5 tices”, with respect to acquisition, means a knowl-  
6 edge-based approach to capability development that  
7 includes identifying and validating needs; assessing  
8 alternatives to select the most appropriate solution;  
9 clearly establishing well-defined requirements; devel-  
10 oping realistic cost assessments and schedules; se-  
11 curing stable funding that matches resources to re-  
12 quirements; demonstrating technology, design, and  
13 manufacturing maturity; using milestones and exit  
14 criteria or specific accomplishments that dem-  
15 onstrate progress; adopting and executing standard-  
16 ized processes with known success across programs;  
17 establishing an adequate workforce that is qualified  
18 and sufficient to perform necessary functions; and  
19 integrating these capabilities into the Department’s  
20 mission and business operations.

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

24           (1) by inserting “(a) IN GENERAL.—In this  
25 Act,”;

1 (2) in section 2(2)—

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

3 (B) by adding at the end the following new  
4 subparagraph:

5 “(B) The term ‘congressional homeland se-  
6 curity committees’ means—

7 “(i) the Committee on Homeland Se-  
8 curity of the House of Representatives and  
9 the Committee on Homeland Security and  
10 Governmental Affairs of the Senate; and

11 “(ii) the Committee on Appropriations  
12 of the House of Representatives and of the  
13 Senate.”; and

14 (3) by adding at the end the following new sub-  
15 section:

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

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

21 “(2) ACQUISITION DECISION AUTHORITY.—The  
22 term ‘acquisition decision authority’ means the au-  
23 thority, held by the Secretary acting through the  
24 Under Secretary for Management or Deputy Sec-  
25 retary—

1           “(A) to ensure compliance with Depart-  
2           ment acquisition policy;

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

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

9           “(D) to ensure good program management  
10          of cost, schedule, risk, and system performance  
11          of the acquisition, including assessing acquisi-  
12          tion program baseline breaches and directing  
13          any corrective action for such breaches.

14          “(3) ACQUISITION DECISION EVENT.—The term  
15          ‘acquisition decision event’, with respect to an in-  
16          vestment or acquisition program, means a predeter-  
17          mined point within the acquisition phases of the in-  
18          vestment or acquisition program at which the invest-  
19          ment or acquisition program will undergo a review  
20          prior to commencement of the next phase.

21          “(4) ACQUISITION DECISION MEMORANDUM.—  
22          The term ‘acquisition decision memorandum’, with  
23          respect to an acquisition, means the official acquisi-  
24          tion decision event record that includes a docu-  
25          mented record of decisions, exit criteria, and as-

1 signed actions for the acquisition as determined by  
2 the person exercising acquisition decision authority  
3 for the acquisition.

4 “(5) ACQUISITION PROGRAM BASELINE.—The  
5 term ‘acquisition program baseline’, with respect to  
6 an acquisition program, means a summary of the  
7 cost, schedule, and performance parameters, ex-  
8 pressed in standard, measurable, quantitative terms,  
9 which must be met in order to accomplish the goals  
10 of the program.

11 “(6) CAPABILITY DEVELOPMENT PLAN.—The  
12 term ‘capability development plan’, with respect to a  
13 proposed acquisition, means the document that the  
14 Accountability Review Board approves for the first  
15 acquisition decision event related to validating the  
16 need of a proposed acquisition.

17 “(7) COMPONENT ACQUISITION EXECUTIVE.—  
18 The term ‘Component Acquisition Executive’ means  
19 the senior acquisition official within a Component  
20 who is designated in writing by the Under Secretary  
21 for Management, in consultation with the Compo-  
22 nent head, with authority and responsibility for lead-  
23 ing a process and staff to provide acquisition and  
24 program management oversight, policy, and guid-



1           ance to ensure that statutory, regulatory, and higher  
2           level policy requirements are fulfilled.

3           “(8) LIFE CYCLE COST.—The term ‘life cycle  
4           cost’, with respect to an acquisition program, means  
5           all costs associated with research, development, pro-  
6           curement, operation, integrated logistics support,  
7           and disposal under the program, including sup-  
8           porting infrastructure that plans, manages, and exe-  
9           cutes the program over its full life, and costs of com-  
10          mon support items incurred as a result of the pro-  
11          gram.

12          “(9) MAJOR ACQUISITION PROGRAM.—The term  
13          ‘major acquisition program’ means a Department  
14          acquisition program that is estimated by the Sec-  
15          retary to require an eventual total expenditure of at  
16          least \$300,000,000 (based on fiscal year 2014 con-  
17          stant dollars) over its life cycle cost.”.

## 18                   **TITLE I—ACQUISITION**

### 19                           **AUTHORITIES**

20   **SEC. 101. ACQUISITION AUTHORITIES FOR UNDER SEC-**  
21                           **RETARY FOR MANAGEMENT.**

22           Section 701 of the Homeland Security Act of 2002  
23   (6 U.S.C. 341) is amended—

1           (1) in subsection (a)(2), by striking “Procure-  
2           ment” and inserting “Acquisition and procurement”;  
3           and

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

5           “(d) ACQUISITION AND RELATED RESPONSIBIL-  
6           ITIES.—

7           “(1) IN GENERAL.—Notwithstanding section  
8           1702(b) of title 41, United States Code, the Under  
9           Secretary for Management is the Chief Acquisition  
10          Officer of the Department. As Chief Acquisition Of-  
11          ficer, the Under Secretary shall perform functions as  
12          specified in section 1702(b) of such title and all  
13          other functions and responsibilities described in this  
14          subsection.

15          “(2) DUTIES AND RESPONSIBILITIES.—In addi-  
16          tion to the authority and functions specified in sec-  
17          tion 1702(b) of title 41, United States Code, the du-  
18          ties and responsibilities of the Under Secretary for  
19          Management related to acquisition include the fol-  
20          lowing:

21                  “(A) Advising the Secretary regarding ac-  
22                  quisition management activities, taking into ac-  
23                  count risks of failure to achieve cost, schedule,  
24                  or performance parameters, to ensure that the  
25                  Department achieves its mission through the

1 adoption of widely accepted program manage-  
2 ment best practices and standards.

3 “(B) Exercising the acquisition decision  
4 authority to approve, halt, modify (including  
5 the recession of approvals of program mile-  
6 stones), or cancel major acquisition programs,  
7 unless the Under Secretary delegates the au-  
8 thority to a Component Acquisition Executive  
9 pursuant to paragraph (3).

10 “(C) Establishing policies for acquisition  
11 that implement an approach that takes into ac-  
12 count risks of failure to achieve cost, schedule,  
13 or performance parameters, for all Components  
14 of the Department, including outlining relevant  
15 authorities for program managers to effectively  
16 manage acquisition programs.

17 “(3) DELEGATION OF ACQUISITION DECISION  
18 AUTHORITY.—

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

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

9                   “(i) The Component concerned pos-  
10                  sesses working policies, processes, and pro-  
11                  cedures that are consistent with Depart-  
12                  ment-level acquisition policy.

13                   “(ii) The Component Acquisition Ex-  
14                  ecutive has adequate, experienced, dedi-  
15                  cated program management professional  
16                  staff commensurate with the size of the  
17                  delegated portfolio.

18                   “(iii) Each major acquisition program  
19                  concerned has written documentation  
20                  showing that it has a Department-ap-  
21                  proved acquisition program baseline and it  
22                  is meeting agreed-upon cost, schedule, and  
23                  performance thresholds.

24           “(4) RELATIONSHIP TO UNDER SECRETARY  
25           FOR SCIENCE AND TECHNOLOGY.—Nothing in this

1 subsection shall diminish the authority granted to  
2 the Under Secretary for Science and Technology  
3 under this Act. The Under Secretary for Manage-  
4 ment and the Under Secretary for Science and  
5 Technology shall cooperate in matters related to the  
6 coordination of acquisitions across the Department  
7 so that investments of the Directorate of Science  
8 and Technology can support current and future re-  
9 quirements of the Components.”.

10 **SEC. 102. ACQUISITION AUTHORITIES FOR CHIEF FINAN-**  
11 **CIAL OFFICER.**

12 Section 702 of the Homeland Security Act of 2002  
13 (6 U.S.C. 342) is amended by adding at the end of sub-  
14 section (b)(2) the following new subparagraph:

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

21 **SEC. 103. ACQUISITION AUTHORITIES FOR CHIEF INFORMA-**  
22 **TION OFFICER.**

23 Section 703 of the Homeland Security Act of 2002  
24 (6 U.S.C. 343) is amended by adding at the end the fol-  
25 lowing new subsection:

1       “(c) ACQUISITION RESPONSIBILITIES.—Notwith-  
2 standing section 11315 of title 40, United States Code,  
3 the acquisition responsibilities of the Chief Information  
4 Officer, in consultation with the Under Secretary for Man-  
5 agement, shall include the following:

6           “(1) Serve as the lead technical authority for  
7 information technology programs and establish de-  
8 partmental information technology priorities, poli-  
9 cies, processes, standards, guidelines, and proce-  
10 dures.

11          “(2) Oversee the management of the Homeland  
12 Security Enterprise Architecture and ensure that ap-  
13 proved information technology acquisitions comply  
14 with departmental information technology manage-  
15 ment processes, technical requirements, and the  
16 Homeland Security Enterprise Architecture.

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

22 **SEC. 104. CHIEF PROCUREMENT OFFICER.**

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

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

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

12 “(b) RESPONSIBILITIES.—The Chief Procurement  
13 Officer shall—

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

17 “(2) issue acquisition regulations and policies;

18 “(3) account for the integrity, performance, and  
19 oversight of Department procurement and con-  
20 tracting functions and be responsible for ensuring  
21 that a procurement’s contracting strategy and plans  
22 are consistent with the intent and direction of the  
23 Acquisition Review Board established in section 836  
24 of this Act;

25 “(4) serve as the Department’s business advisor  
26 and main liaison to industry on procurement-related

1 issues by providing advice on industry engagement,  
2 acquisition policy, oversight of the procurement  
3 function, and development of the acquisition work-  
4 force;

5 “(5) oversee a centralized certification and  
6 training program, in consultation with the Under  
7 Secretary for Management, for the entire Depart-  
8 ment acquisition workforce while using, to the great-  
9 est extent practicable, best practices and acquisitions  
10 training opportunities already in existence within the  
11 Federal Government, the private sector, or univer-  
12 sities and colleges, as appropriate;

13 “(6) delegate or retain contracting authority, as  
14 appropriate; and

15 “(7) participate in the selection, and periodic  
16 performance review, of the head of each contracting  
17 activity within the Department.

18 “(c) BEST PRACTICES DEFINED.—In this section,  
19 the term ‘best practices’, with respect to acquisition,  
20 means a knowledge-based approach to capability develop-  
21 ment that includes identifying and validating needs; as-  
22 sessing alternatives to select the most appropriate solu-  
23 tion; clearly establishing well-defined requirements; devel-  
24 oping realistic cost assessments and schedules; securing  
25 stable funding that matches resources to requirements;



1 demonstrating technology, design, and manufacturing ma-  
2 turity; using milestones and exit criteria or specific accom-  
3 plishments that demonstrate progress; adopting and exe-  
4 cuting standardized processes with known success across  
5 programs; establishing an adequate workforce that is  
6 qualified and sufficient to perform necessary functions.;  
7 and integrating these capabilities into the Department’s  
8 mission and business operations.”.

9 (b) CLERICAL AMENDMENT.—The table of contents  
10 in section 1(b) of the Homeland Security Act of 2002 (6  
11 U.S.C. 101 et seq.) is amended by adding after the item  
12 relating to section 707 the following new item:

“Sec. 708. Chief Procurement Officer.”.

13 **SEC. 105. REQUIREMENTS TO ENSURE GREATER ACCOUNT-**  
14 **ABILITY FOR ACQUISITION PROGRAMS.**

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

18 **“SEC. 709. REQUIREMENTS TO ENSURE GREATER AC-**  
19 **COUNTABILITY FOR ACQUISITION PRO-**  
20 **GRAMS.**

21 “(a) REQUIREMENT TO ESTABLISH MECHANISM.—  
22 Within the Management Directorate, the Under Secretary  
23 for Management shall establish a mechanism to prioritize  
24 improving the accountability, standardization, and trans-  
25 parency of major acquisition programs of the Department

1 in order to increase opportunities for effectiveness and ef-  
2 ficiencies and to serve as the central oversight function  
3 of all Department acquisition programs.

4 “(b) RESPONSIBILITIES OF EXECUTIVE DIREC-  
5 TOR.—The Under Secretary for Management shall des-  
6 ignate an Executive Director to oversee the requirement  
7 under subsection (a). The Executive Director shall report  
8 directly to the Under Secretary and shall carry out the  
9 following responsibilities:

10 “(1) Monitor the performance of Department  
11 acquisition programs regularly between formal re-  
12 views to identify problems with cost, performance, or  
13 schedule that Components may need to address to  
14 prevent cost overruns, performance issues, or sched-  
15 ule delays.

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

18 “(3) Develop, maintain, and control Depart-  
19 ment acquisition program policy, procedures, and  
20 guidance with a priority on ensuring the data it col-  
21 lects and maintains from its Components is accurate  
22 and reliable.

23 “(4) Serve as the focal point within the Depart-  
24 ment for policy, process, and procedure regarding  
25 life cycle cost estimating and analysis.

1           “(5) Serve as the focal point and coordinator  
2           for the acquisition life cycle review process and as  
3           the executive secretariat for the Acquisition Review  
4           Board established under section 836 of this Act.

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

11          “(7) Engage in the strategic planning and per-  
12          formance evaluation process required under section  
13          306 of title 5, United States Code, and sections  
14          1105(a)(28), 1115, 1116, and 9703 of title 31,  
15          United States Code, by supporting the Chief Pro-  
16          curement Officer in developing strategies and spe-  
17          cific plans for hiring, training, and professional de-  
18          velopment in order to rectify any deficiency within  
19          the Department’s acquisition workforce.

20          “(8) Oversee the Component Acquisition Execu-  
21          tive structure to ensure it has sufficient capabilities  
22          and complies with Department policies.

23          “(9) Develop standardized certification stand-  
24          ards in consultation with the Component Acquisition  
25          Executives for all acquisition program managers.

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

8           “(12) Provide technical support and assistance  
9           to Department acquisitions and acquisition per-  
10          sonnel.

11          “(13) Prepare the Department’s Comprehensive  
12          Acquisition Status Report, as required by the De-  
13          partment of Homeland Security Appropriations Act,  
14          2013 (division D of Public Law 113–6; 127 Stat.  
15          343), and make such report available to congress-  
16          sional homeland security committees.

17          “(14) Prepare the Department’s Quarterly Pro-  
18          gram Accountability Report to meet the Depart-  
19          ment’s mandate to perform program health assess-  
20          ments and improve program execution and govern-  
21          ance, and make such report available to the congress-  
22          sional homeland security committees.”.

23          (b) CLERICAL AMENDMENT.—The table of contents  
24          in section 1(b) of the Homeland Security Act of 2002 (6

1 U.S.C. 101 et seq.) is further amended by adding after  
2 the item relating to section 708 the following new item:

“Sec. 709. Requirements to ensure greater accountability for acquisition programs.”.

3 **TITLE II—ACQUISITION PRO-**  
4 **GRAM MANAGEMENT DIS-**  
5 **CIPLINE**

6 **SEC. 201. ACQUISITION REVIEW BOARD.**

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 amended by adding at the end the following new section:

10 **“SEC. 836. ACQUISITION REVIEW BOARD.**

11 “(a) IN GENERAL.—The Under Secretary for Man-  
12 agement shall establish an Acquisition Review Board (in  
13 this section referred to as the ‘Board’) to strengthen ac-  
14 countability and uniformity within the Department acqui-  
15 sition review process, review major acquisition programs,  
16 and review the use of best practices.

17 “(b) COMPOSITION.—The Deputy Secretary or Under  
18 Secretary for Management shall serve as chair of the  
19 Board. The Chief Financial Officer, Chief Information Of-  
20 ficer, Chief Procurement Officer, and Executive Director  
21 referred to in section 709(b) of this Act shall also serve  
22 on the Board. The Board shall also permit participation  
23 by other Department officials, including the Under Sec-  
24 retary for Science and Technology and relevant Compo-

1   nent Acquisition Executives on an ad hoc basis at the invi-  
2   tation of the chair.

3       “(c) MEETINGS.—The Board shall meet every time  
4   a major acquisition program needs authorization to pro-  
5   ceed from phase to phase through the acquisition life cycle  
6   and to consider any major acquisition program in breach  
7   as necessary. The Board shall also meet regularly for pur-  
8   poses of ensuring all acquisitions processes proceed in a  
9   timely fashion to achieve mission readiness.

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

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

17           “(2) Oversee executable business strategy, re-  
18   sources, management, accountability, and alignment  
19   to strategic initiatives.

20           “(3) Support the person with acquisition deci-  
21   sion authority for an acquisition in determining the  
22   appropriate direction for the acquisition at key ac-  
23   quisition decision events.

24           “(4) Conduct systematic reviews of acquisitions  
25   to ensure that they are progressing in compliance

1 with the approved documents for their current acqui-  
2 sition phase.

3 “(5) Validate the acquisition documents of each  
4 major acquisition program, including the acquisition  
5 program baseline, to ensure the reliability of under-  
6 lying data.

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

14 “(A) Department officials responsible for  
15 acquisition, budget, and cost estimating func-  
16 tions are provided with the appropriate oppor-  
17 tunity to develop estimates and raise cost and  
18 schedule matters before performance objectives  
19 are established for capabilities.

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

23 “(e) ACQUISITION PROGRAM BASELINE REPORT RE-  
24 QUIREMENT.—If the Under Secretary for Management  
25 approves a major acquisition program to proceed beyond

1 the acquisition decision event requiring a capability devel-  
2 opment plan before it has a Department-approved acquisi-  
3 tion program baseline, then the Under Secretary for Man-  
4 agement shall create and approve an acquisition program  
5 baseline Report, and the Secretary shall—

6 “(1) within seven days after an acquisition deci-  
7 sion memorandum is signed, notify in writing the  
8 congressional homeland security committees of such  
9 decision; and

10 “(2) within 60 days after the acquisition deci-  
11 sion memorandum is signed, submit a report to such  
12 committees stating the rationale for the decision and  
13 a plan of action to require an acquisition program  
14 baseline for the program.

15 “(f) BEST PRACTICES DEFINED.—In this section,  
16 the term ‘best practices’ has the meaning provided in sec-  
17 tion 708(c) of this Act.”.

18 (b) CLERICAL AMENDMENT.—The table of contents  
19 in section 1(b) of the Homeland Security Act of 2002 (6  
20 U.S.C. 101 et seq.) is further amended by adding after  
21 the item relating to section 835 the following new item:

“Sec. 836. Acquisition Review Board.”.

22 **SEC. 202. REQUIREMENTS TO REDUCE DUPLICATION IN AC-**  
23 **QUISITION PROGRAMS.**

24 (a) IN GENERAL.—Subtitle D of title VIII of the  
25 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)



1 is further amended by adding at the end the following new  
2 section:

3 **“SEC. 837. REQUIREMENTS TO REDUCE DUPLICATION IN**  
4 **ACQUISITION PROGRAMS.**

5 “(a) REQUIREMENT TO ESTABLISH POLICIES.—In  
6 an effort to reduce duplication and inefficiency for all De-  
7 partment investments, including major acquisition pro-  
8 grams, the Under Secretary for Management shall estab-  
9 lish Department-wide policies to integrate all phases of the  
10 investment life cycle and help the Department identify,  
11 validate, and prioritize standards for common Component  
12 requirements for major acquisition requirements in order  
13 to increase opportunities for effectiveness and efficiencies.

14 “(b) MECHANISMS TO CARRY OUT REQUIREMENT.—  
15 The Under Secretary for Management shall coordinate the  
16 actions necessary to carry out subsection (a), using such  
17 mechanisms as considered necessary by the Secretary to  
18 help the Department reduce duplication and inefficiency  
19 for all Department investments, including major acquisi-  
20 tion programs.

21 “(c) COORDINATION.—In coordinating the actions  
22 necessary to carry out subsection (a), the Under Secretary  
23 for Management shall consult with Component Acquisition  
24 Executives and any other department officials, including  
25 the Under Secretary for Science and Technology or his

1 designee, with specific knowledge of Department or Com-  
2 ponent acquisition capabilities to prevent unnecessary du-  
3 plication of requirements.

4       “(d) ADVISORS.—The Under Secretary for Manage-  
5 ment shall seek and consider input within legal and ethical  
6 boundaries from members of Federal, State, local, and  
7 tribal governments, nonprofit organizations, and the pri-  
8 vate sector, as appropriate, on matters within their au-  
9 thority and expertise in carrying out the Department’s  
10 mission.

11       “(e) MEETINGS.—The Under Secretary for Manage-  
12 ment shall meet at least quarterly and communicate with  
13 Components often to ensure that Components do not over-  
14 lap or duplicate spending or priorities on major invest-  
15 ments and acquisition programs within their areas of re-  
16 sponsibility.

17       “(f) RESPONSIBILITIES.—In carrying out this sec-  
18 tion, the responsibilities of the Under Secretary for Man-  
19 agement are as follows:

20               “(1) To review and validate the requirements  
21 documents of major investments and acquisition pro-  
22 grams prior to acquisition decision events of the in-  
23 vestments or programs.

24               “(2) To ensure the requirements and scope of  
25 a major investment or acquisition program are sta-

1 ble, measurable, achievable, at an acceptable risk  
2 level, and match the resources planned to be avail-  
3 able.

4 “(3) Before any entity of the Department  
5 issues a solicitation for a new contract, coordinate  
6 with other Department entities as appropriate to  
7 prevent duplication and inefficiency and—

8 “(A) to implement portfolio reviews to  
9 identify common mission requirements and  
10 crosscutting opportunities among Components  
11 to harmonize investments and requirements and  
12 prevent overlap and duplication among Compo-  
13 nents; and

14 “(B) to the extent practicable, to stand-  
15 ardize equipment purchases, streamline the ac-  
16 quisition process, improve efficiencies, and con-  
17 duct best practices for strategic sourcing.

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

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

4           “(g) BEST PRACTICES DEFINED.—In this section,  
5           the term ‘best practices’ has the meaning provided in sec-  
6           tion 708(c) of this Act.”.

7           (b) CLERICAL AMENDMENT.—The table of contents  
8           in section 1(b) of the Homeland Security Act of 2002 (6  
9           U.S.C. 101 et seq.) is further amended by adding after  
10          the item relating to section 836 the following new item:

          “Sec. 837. Requirements to reduce duplication in acquisition programs.”.

11   **SEC. 203. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**  
12                           **OF BOARD AND OF REQUIREMENTS TO RE-**  
13                           **DUCE DUPLICATION IN ACQUISITION PRO-**  
14                           **GRAMS.**

15          (a) REVIEW REQUIRED.—The Comptroller General  
16          of the United States shall conduct a review of the effec-  
17          tiveness of the Acquisition Review Board established  
18          under section 836 of the Homeland Security Act of 2002  
19          (as added by section 201) and the requirements to reduce  
20          duplication in acquisition programs established under sec-  
21          tion 837 of such Act (as added by section 202) in improv-  
22          ing the Department’s acquisition management process.

23          (b) SCOPE OF REPORT.—The review shall include the  
24          following:

1           (1) An assessment of the effectiveness of the  
2 Department in increasing program management  
3 oversight, best practices and standards, and dis-  
4 cipline among the Components of the Department,  
5 including in working together and in preventing  
6 overlap and duplication.

7           (2) An assessment of the effectiveness of the  
8 Department in instilling program management dis-  
9 cipline.

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

18          (c) REPORT REQUIRED.—The Comptroller General  
19 shall submit to the congressional homeland security com-  
20 mittees a report on the review required by this section not  
21 later than one year after the date of the enactment of this  
22 Act. The report shall be submitted in unclassified form  
23 but may include a classified annex.

1 **TITLE III—ACQUISITION PRO-**  
2 **GRAM MANAGEMENT AC-**  
3 **COUNTABILITY AND TRANS-**  
4 **PARENCY**

5 **SEC. 301. CONGRESSIONAL NOTIFICATION AND OTHER RE-**  
6 **QUIREMENTS FOR MAJOR ACQUISITION PRO-**  
7 **GRAM BREACH.**

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

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

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

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

21 “(1) NOTIFICATIONS.—

22 “(A) NOTIFICATION OF POTENTIAL  
23 BREACH.—If a major acquisition program has a  
24 potential for a breach, notification of the breach  
25 shall be made to the head of the Component

1 concerned and to the Component Acquisition  
2 Executive for the program.

3 “(B) NOTIFICATION OF ACTUAL  
4 BREACH.—If an actual breach occurs in a  
5 major acquisition program, notification of the  
6 breach shall be made to the head of the Compo-  
7 nent concerned, to the Component Acquisition  
8 Executive for the program, to the Executive Di-  
9 rector referred to in section 709(b) of this Act,  
10 and to the Under Secretary for Management.

11 “(2) REMEDIATION PLAN AND ROOT CAUSE  
12 ANALYSIS.—

13 “(A) IN GENERAL.—The Under Secretary  
14 for Management or his designee shall establish  
15 a date for submission within the Department of  
16 a breach remediation plan and root cause anal-  
17 ysis in accordance with this subsection.

18 “(B) REMEDIATION PLAN.—The remedi-  
19 ation plan required under this subsection shall  
20 be submitted in writing to the head of the Com-  
21 ponent concerned, the Executive Director re-  
22 ferred to in section 709(b) of this Act, and the  
23 Under Secretary for Management. The plan  
24 shall—

1 “(i) explain the circumstances of the  
2 breach;

3 “(ii) provide prior cost estimating in-  
4 formation;

5 “(iii) propose corrective action to con-  
6 trol cost growth, schedule delays, or per-  
7 formance issues;

8 “(iv) in coordination with Component  
9 Acquisition Executive, discuss all options  
10 considered, including the estimated impact  
11 on cost, schedule, or performance of the  
12 program if no changes are made to current  
13 requirements, the estimated cost of the  
14 program if requirements are modified, and  
15 the extent to which funding from other  
16 programs will need to be reduced to cover  
17 the cost growth of the program; and

18 “(v) explain the rationale for why the  
19 proposed corrective action is recommended.

20 “(C) ROOT CAUSE ANALYSIS.—The root  
21 cause analysis required under this subsection  
22 shall determine the underlying cause or causes  
23 of shortcomings in cost, schedule, or perform-  
24 ance of the program, including the role, if any,  
25 of the following:



1                   “(i) Unrealistic performance expecta-  
2                   tions.

3                   “(ii) Unrealistic baseline estimates for  
4                   cost or schedule or changes in program re-  
5                   quirements.

6                   “(iii) Immature technologies or exces-  
7                   sive manufacturing or integration risk.

8                   “(iv) Unanticipated design, engineer-  
9                   ing, manufacturing, or technology integra-  
10                  tion issues arising during program per-  
11                  formance.

12                  “(v) Changes in procurement quan-  
13                  tities.

14                  “(vi) Inadequate program funding or  
15                  changes in planned out-year funding from  
16                  one five-year funding plan to the next five-  
17                  year funding plan as outlined in the Fu-  
18                  ture Years Homeland Security Program  
19                  required under section 874 of this Act.

20                  “(vii) Legislative, legal, or regulatory  
21                  changes.

22                  “(viii) Inadequate program manage-  
23                  ment personnel, including lack of training,  
24                  credentials, certifications ,or use of best  
25                  practices.

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

6                   “(A) The breach has been corrected and  
7                   the program is again in compliance with the re-  
8                   vised acquisition program baseline parameters.

9                   “(B) A revised acquisition program base-  
10                  line has been approved.

11                  “(C) The program has been halted or can-  
12                  celled.

13           “(c) REQUIREMENTS RELATING TO CONGRESSIONAL  
14           NOTIFICATION IF BREACH OCCURS.—

15                   “(1) NOTIFICATION TO CONGRESS.—If a notifi-  
16                   cation is made under subsection (b)(1) for a breach  
17                   in a major acquisition program, the Under Secretary  
18                   for Management shall notify the congressional home-  
19                   land security committees of the breach in the next  
20                   quarterly Comprehensive Acquisition Status Report  
21                   after the Under Secretary for Management receives  
22                   the notification from the program manager under  
23                   subsection (b)(1).

24                   “(2) SUBMISSIONS TO CONGRESS.—Not later  
25                   than 90 business days after submission to such com-

1       mittees of a breach notification under paragraph (1)  
2       for a major acquisition program, the Under Sec-  
3       retary for Management shall submit to such commit-  
4       tees the following:

5               “(A) A copy of the remediation plan and  
6               the root cause analysis prepared under sub-  
7               section (b)(2) for the program.

8               “(B) A statement describing the action or  
9               actions that have occurred pursuant to sub-  
10              section (b)(3) for the program, with a justifica-  
11              tion for the action or actions.

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

13               “(1) PROHIBITION ON OBLIGATION OF  
14               FUNDS.—If a notification is made under subsection  
15               (b)(1) for a breach that is in a major acquisition  
16               program, funds appropriated for the major acquisi-  
17               tion program shall not be obligated until the Under  
18               Secretary for Management submits the certification  
19               with respect to the program described in paragraph  
20               (2) to the congressional homeland security commit-  
21               tees.

22               “(2) CERTIFICATION.—For purposes of para-  
23               graph (1), the certification described in this para-  
24               graph is a certification that—

1           “(A) the Department has restructured the  
2           program in a manner that addresses the root  
3           cause or causes of the cost growth in the pro-  
4           gram; and

5           “(B) the Department has conducted a  
6           thorough review of the breached program’s ac-  
7           quisition decision event approvals and the cur-  
8           rent acquisition decision event approval for the  
9           breached program has been adjusted as nec-  
10          essary to account for the restructured pro-  
11          gram.”.

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

          “Sec. 838. Congressional notification and other requirements for major acquisi-  
          tion program breach.”.

16          **SEC. 302. MULTIYEAR ACQUISITION STRATEGY.**

17          (a) IN GENERAL.—

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

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

23               “(a) MULTIYEAR ACQUISITION STRATEGY RE-  
24          QUIRED.—Not later than one year after the date of the

1 enactment of this section, the Secretary shall submit to  
2 the appropriate homeland security committees a multiyear  
3 acquisition strategy to guide the overall direction of the  
4 acquisitions of the Department while allowing flexibility  
5 to deal with ever-changing threats and risks and to help  
6 industry better understand, plan, and align resources to  
7 meet the future acquisition needs of the Department. The  
8 strategy shall be updated and included in each Future  
9 Years Homeland Security Program required under section  
10 874 of this Act.

11 “(b) CONSULTATION.—In developing the strategy,  
12 the Secretary shall consult with others as the Secretary  
13 deems appropriate, including headquarters, Components,  
14 employees in the field, and when appropriate, individuals  
15 from industry and the academic community.

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

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

23 “(1) PRIORITIZED LIST.—A systematic and in-  
24 tegrated prioritized list developed by the Under Sec-  
25 retary for Management or his designee in coordina-

1       tion with all of the Component Acquisition Execu-  
2       tives of Department major acquisition programs  
3       ranked based on mission and greatest security risks  
4       to the homeland that Department and Component  
5       acquisition investments seek to address.

6           “(2) INVENTORY.—A plan to develop a reliable  
7       Department-wide inventory of investments and real  
8       property assets to help the Department plan, budg-  
9       et, schedule, and acquire upgrades of its systems  
10      and equipment and plan for the acquisition and  
11      management of future systems and equipment.

12          “(3) FUNDING GAPS.—A plan to address fund-  
13      ing gaps between funding requirements for major ac-  
14      quisition programs and known available resources in-  
15      cluding, to the maximum extent practicable, ways of  
16      leveraging commercial leading practices on com-  
17      modity purchases to identify and eliminate overpay-  
18      ment for items to prevent wasteful purchasing,  
19      achieve the greatest level of efficiency and cost sav-  
20      ings by rationalizing purchases, aligning pricing for  
21      similar items, and utilizing purchase timing and  
22      economies of scale.

23          “(4) IDENTIFICATION OF CAPABILITIES.—An  
24      identification of test, evaluation, modeling, and sim-  
25      ulation capabilities that will be required to support

1 the acquisition of the technologies to meet the needs  
2 of the plan and ways to leverage to the greatest ex-  
3 tent possible the emerging technology trends and re-  
4 search and development trends within the public and  
5 private sectors and an identification of ways to en-  
6 sure that the appropriate technology is acquired and  
7 integrated into the Department's operating doctrine  
8 and procured in ways that improve mission perform-  
9 ance.

10 “(5) FOCUS ON FLEXIBLE SOLUTIONS.—An as-  
11 sessment of ways the Department can improve its  
12 ability to test and acquire innovative solutions to  
13 allow needed incentives and protections for appro-  
14 priate risk-taking in order to meet its acquisition  
15 needs with resiliency, agility, and responsiveness to  
16 assure the Nation's homeland security.

17 “(6) 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 and maximize use of flexibilities in the ac-  
21 quisition process, including in procurement an-  
22 nouncements, requests for proposals, and protests of  
23 decisions and awards.

24 “(7) FOCUS ON IMPROVING OUTREACH.—An  
25 identification and assessment of ways to increase op-

1       portunities for communication and collaboration with  
2       industry, small and disadvantaged businesses, intra-  
3       government entities, university centers of excellence,  
4       accredited certification and standards development  
5       organizations, and national laboratories to ensure  
6       that the Department understands the market for  
7       technologies, products, and innovation that is avail-  
8       able to meet its mission needs to inform the require-  
9       ments-setting process and before engaging in an ac-  
10      quisition, including—

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

18               “(B) within the Department Vendor Com-  
19               munication Plan and Market Research Guide,  
20               instructions for interaction by program man-  
21               agers with such entities to prevent misinter-  
22               pretation of acquisition regulations and to per-  
23               mit freedom within legal and ethical boundaries  
24               for program managers to interact with such  
25               businesses with transparency.



1           “(8) COMPETITION.—A plan regarding competi-  
2           tion as described in subsection (e).

3           “(9) ACQUISITION WORKFORCE.—A plan re-  
4           garding the Department acquisition workforce as de-  
5           scribed in subsection (f).

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

11          “(e) COMPETITION PLAN.—The strategy shall also  
12          include a plan (referred to in subsection (e)(8)) that shall  
13          address actions to ensure competition, or the option of  
14          competition, for major acquisition programs. The plan  
15          may include assessments of the following measures in ap-  
16          propriate cases if such measures are cost effective:

17                 “(1) Competitive prototyping.

18                 “(2) Dual-sourcing.

19                 “(3) Unbundling of contracts.

20                 “(4) Funding of next-generation prototype sys-  
21                 tems or subsystems.

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

24                 “(6) Acquisition of complete technical data  
25                 packages.

1           “(7) Periodic competitions for subsystem up-  
2 grades.

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

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

8           “(f) ACQUISITION WORKFORCE PLAN.—

9           “(1) ACQUISITION WORKFORCE.—The strategy  
10 shall also include a plan (referred to in subsection  
11 (e)(9)) to address Department acquisition workforce  
12 accountability and talent management that identifies  
13 the acquisition workforce needs of each Component  
14 performing acquisition functions and develops op-  
15 tions for filling those needs with qualified individ-  
16 uals, including a cost-benefit analysis of contracting  
17 out for acquisition assistance.

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

20           “(A) improve the recruitment, hiring,  
21 training, and retention of Department acquisi-  
22 tion workforce personnel in order to retain  
23 highly qualified individuals that have experience  
24 in the acquisition life cycle, complex procure-  
25 ments, and management of large programs;

1           “(B) empower program managers to have  
2           the authority to manage their programs in an  
3           accountable and transparent manner as they  
4           work with the acquisition workforce;

5           “(C) prevent duplication within Depart-  
6           ment acquisition workforce training and certifi-  
7           cation requirements through leveraging already-  
8           existing training within the Federal Govern-  
9           ment, academic community, or private industry;

10          “(D) achieve integration and consistency  
11          with Government-wide training and accredita-  
12          tion standards, acquisition training tools, and  
13          training facilities;

14          “(E) professionalize the Department’s ac-  
15          quisition workforce; and

16          “(F) designate the acquisition positions  
17          that will be necessary to support the Depart-  
18          ment acquisition requirements, including in the  
19          fields of—

20                  “(i) program management;

21                  “(ii) systems engineering;

22                  “(iii) procurement, including con-  
23          tracting;

24                  “(iv) test and evaluation;

25                  “(v) life cycle logistics;

1                   “(vi) cost estimating and program fi-  
2                   nancial management; and

3                   “(vii) additional disciplines appro-  
4                   priate to Department mission needs.

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

16                   “(1) Ways to credit, transfer, or deposit unobli-  
17                   gated or unused funds from Department Compo-  
18                   nents into the Fund to remain available for obliga-  
19                   tion in the fiscal year for which credited, trans-  
20                   ferred, or deposited and to remain available for suc-  
21                   cessive 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 manner and timing for  
6                   applications for amounts in the Fund to be sub-  
7                   mitted.

8                   “(B) Explain the evaluation criteria to be  
9                   used for approving or prioritizing applications  
10                  for amounts in the Fund in any fiscal year.

11                  “(C) Detail measurable performance  
12                  metrics to determine if the Fund is meeting the  
13                  objective to improve the acquisition workforce  
14                  and to achieve cost savings in acquisition man-  
15                  agement.”.

16           (2) CLERICAL AMENDMENT.—The table of con-  
17           tents in section 1(b) of the Homeland Security Act  
18           of 2002 (6 U.S.C. 101 et seq.) is further amended  
19           by adding after the item relating to section 838 the  
20           following new item:

          “Sec. 839. Multiyear acquisition strategy.”.

21           (b) CONFORMING AMENDMENT TO FUTURE YEARS  
22           HOMELAND SECURITY PROGRAM.—Section 874(a) of the  
23           Homeland Security Act of 2002 (6 U.S.C. 454(a)) is  
24           amended—

1 (1) by striking “and” at the end of paragraph  
2 (2);

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

5 (3) by adding at the end the following new  
6 paragraph:

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

9 **SEC. 303. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW**  
10 **OF MULTIYEAR ACQUISITION STRATEGY.**

11 (a) REVIEW REQUIRED.—After submission to Con-  
12 gress of the first multiyear acquisition strategy (pursuant  
13 to section 839 of the Homeland Security Act of 2002)  
14 after the date of the enactment of this Act, the Comp-  
15 troller General of the United States shall conduct a review  
16 of the plan within 180 days to analyze the viability of the  
17 plan’s effectiveness in the following:

18 (1) Complying with the requirements in section  
19 839 of the Homeland Security Act of 2002, as  
20 added by section 302 of this Act.

21 (2) Establishing clear connections between De-  
22 partment objectives and acquisition priorities.

23 (3) Demonstrating that Department acquisition  
24 policy reflects program management best practices  
25 and standards.

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

3           (5) Considering potential cost savings through  
4           using already-existing technologies when developing  
5           acquisition program requirements.

6           (6) Preventing duplication within Department  
7           acquisition workforce training requirements through  
8           leveraging already-existing training within the Fed-  
9           eral Government, academic community, or private  
10          industry.

11          (7) Providing incentives for program managers  
12          to reduce acquisition and procurement costs through  
13          the use of best practices and disciplined program  
14          management; and

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

18          (b) REPORT REQUIRED.—The Comptroller General  
19          shall submit to the congressional homeland security com-  
20          mittees a report on the review required by this section.  
21          The report shall be submitted in unclassified form but  
22          may include a classified annex.