

HR 3572

DHS Headquarters Reform and Improvement Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Sep 18, 2015

Current Status: Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 114

Latest Action: Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 114-632. (Mar 16, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/3572>

Sponsor

Name: Rep. McCaul, Michael T. [R-TX-10]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Sep 18, 2015
Rep. Watson Coleman, Bonnie [D-NJ-12]	D · NJ		Sep 24, 2015

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Hearings By (full committee)	Mar 16, 2016
Homeland Security Committee	House	Reported By	Oct 20, 2015

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
114 HR 6381	Related bill	Dec 16, 2016: Referred to the Subcommittee on Biotechnology, Horticulture, and Research.
114 HR 4398	Related bill	Feb 24, 2016: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
114 HR 2199	Related bill	May 1, 2015: Referred to the House Committee on Homeland Security.

DHS Headquarters Reform and Improvement Act of 2015

(Sec. 2) This section requires this Act to be carried out using available amounts, without the authorization of additional funds.

TITLE I--DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS REAUTHORIZATION

((Sec. 102) This section amends the Homeland Security Act of 2002 to: (1) allow the Department of Homeland Security (DHS) to enter into agreements with governments of other countries and with nongovernmental organizations in order to achieve the missions of the Department; and (2) establish the components of the Department Headquarters of DHS and set forth its functions, including establishing DHS's overall strategy for successfully completing its mission.

This section abolishes the position of Director of Shared Services and the Office of Counternarcotics Enforcement.

(Sec. 103) This section designates the senior DHS privacy officer as the DHS Chief Privacy Officer and sets forth additional responsibilities for such Officer for developing privacy policies and practices and reporting requirements.

(Sec. 104) This section establishes in DHS an Office of Policy, to be headed by an Under Secretary for Policy. The mission of the Office is to lead, conduct, and coordinate DHS-wide policy, strategic planning, and relationships with organizations or persons that are not part of DHS. The duties of the Under Secretary include serving as the principal policy advisor to the DHS Secretary, overseeing and coordinating relationships with outside stakeholders, and managing and coordinating DHS's international engagement activities.

The Office of Policy includes an Office of Partnership and Engagement, an Office of International Affairs, an Office of Policy Implementation, and an Office of Strategy and Planning.

DHS must complete and report on a review of the international affairs offices, functions, and responsibilities of DHS components to identify and eliminate areas of unnecessary duplication.

(Sec. 105) DHS must conduct a quadrennial review of the homeland security of the United States. The first review must be completed by December 31, 2017, and subsequent reviews by December 31 of every fourth year thereafter.

(Sec. 106) DHS must submit to the congressional homeland security committees, within 30 days after the submission of the President's annual budget to Congress, an annual Future Years Homeland Security Program that covers the current fiscal year and the four succeeding fiscal years. This annual submission must provide: (1) detailed estimates for projected expenditures and corresponding requests for appropriations in the budget request, and (2) projected acquisition estimates for five fiscal years.

(Sec. 107) This section designates the DHS Under Secretary for Management as the Chief Management Officer for all matters related to the management and administration of DHS in support of homeland security operations and programs. The responsibilities of the Chief Management Officer shall include development of the budget, acquisition and procurement activities, human resources and personnel oversight, and oversight of grants and other assistance management programs.

(Sec. 108) This section establishes the position of DHS Chief Financial Officer and sets forth responsibilities for such position, including: (1) leading cost-estimating practices for DHS, (2) developing and overseeing DHS financial

management policy, (3) establishing effective internal controls over financial reporting systems, (4) leading and providing guidance on performance-based budgeting practices, and (5) overseeing DHS budget formulation and execution.

(Sec. 109) This section establishes the position of DHS Chief Procurement Officer and sets forth responsibilities for such position, including: (1) exercising leadership and authority over the DHS procurement function; (2) issuing procurement policies; (3) accounting for the integrity, performance, and oversight of DHS procurement contracting functions; (4) serving as DHS's main liaison to industry on procurement-related issues; and (5) ensuring that a fair proportion of federal contract and subcontract dollars are awarded to small businesses.

(Sec. 110) This section assigns additional responsibilities to the DHS Chief Information Officer. The Chief Information Officer shall: (1) develop and report on an information technology strategic plan every five years, and (2) conduct a DHS-wide inventory of all existing software licenses held by DHS and assess the need of DHS for software licenses for the subsequent two fiscal years.

(Sec. 111) This section sets forth additional responsibilities for the DHS Chief Human Capital Officer and requires DHS components to coordinate with the Chief Human Capital Officer to develop or maintain their own five-year workforce strategy for human resource management.

(Sec. 112) This section establishes the position of DHS Chief Security Officer who shall develop and implement DHS security policies, programs, and standards, identify training and education needs, and provide support to DHS components on security-related matters.

(Sec. 113) DHS must submit a report to the congressional homeland security committees that: (1) provides a detailed inventory of the management and administrative expenditures and activities of DHS components that identifies potential cost savings and efficiencies; (2) examines the size, experience level, and geographic distribution of DHS operational personnel; and (3) makes recommendations to reduce deficiencies in DHS's capabilities, reduce costs, and enhance efficiencies.

(Sec. 114) DHS must submit to the congressional homeland security committees a field efficiencies plan that: (1) examines the facilities and administrative and logistics functions of DHS components located within designated geographic areas, and (2) provides specific recommendations and an associated cost-benefits analysis for the consolidation of functions of DHS components.

(Sec. 115) DHS must annually provide information to the congressional homeland security committees on reprogramming or transferring funds by DHS to address unforeseen costs, including the costs associated with operational surges.

(Sec. 116) This section expands requirements for the Homeland Security Rotation Program, which assigns middle and senior-level DHS employees to other components to broaden their knowledge of the missions of such components.

TITLE II--DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY

(Sec. 201) This section defines terms applicable to this title, including "best practices" and "acquisition decision authority."

Subtitle A--Acquisition Authorities

(Sec. 211) This section amends the Homeland Security Act of 2002 to designate the DHS Under Secretary for Management as the Chief Acquisition Officer of DHS. The duties of the Chief Acquisition Officer shall include advising the

DHS Secretary on acquisition management activities and exercising authority to approve, halt, modify, or cancel major acquisition programs.

This section requires the DHS Under Secretary for Science and Technology to ensure that major acquisition programs complete operational testing and evaluation of technologies and systems.

(Sec. 212) This section authorizes the DHS Chief Financial Officer to provide leadership over financial management policy and programs as they relate to DHS acquisition programs.

(Sec. 213) This section assigns acquisition responsibilities to the DHS Chief Information Officer, including: (1) overseeing the management of the Homeland Security Enterprise Architecture, (2) providing recommendations to the Acquisition Review Board on information technology programs, and (3) developing information technology acquisition strategic guidance.

(Sec. 214) This section requires the DHS Under Secretary for Management to establish a mechanism to prioritize improving the accountability, standardization, and transparency of major DHS acquisition programs in order to increase opportunities for effectiveness and efficiencies and to serve as the central oversight function of all DHS acquisition programs.

Subtitle B--Acquisition Program Management Discipline

(Sec. 221) This section amends the Homeland Security Act of 2002 to require DHS to establish an Acquisition Review Board to strengthen accountability and uniformity within the DHS acquisition review process, review major acquisition programs, and review the use of best practices. DHS must notify the congressional homeland security committees of any decision to allow a major acquisition program to move to the next acquisition phase before the program has an approved acquisition program baseline.

(Sec. 222) This section requires DHS to establish policies to reduce unnecessary duplication and inefficiency of DHS investments and major acquisition programs.

(Sec. 223) The Government Accountability Office (GAO) must review and report to the congressional homeland security committees on the effectiveness of the Acquisition Review Board and efforts to reduce unnecessary duplication in acquisition programs. The review shall include: (1) a statement of how regularly each major acquisition program is reviewed by the Board and how often the Board halts programs because of operational problems; and (2) assessments of the effectiveness of the Board in increasing program management oversight, best practices and standards, and discipline among DHS components, instilling program management discipline, and impacting acquisition decision-making within DHS.

(Sec. 224) DHS must notify the congressional homeland security committees within five days after it waives requirements for engaging in business with contractors listed in the Excluded Party List System and provide an explanation for the waiver.

(Sec. 225) The DHS Inspector General may audit grant and procurement award decisions to ensure that entities that are suspended or debarred from receiving federal funds are not improperly receiving awards. The DHS Inspector General must also review the DHS suspension and debarment program to assess whether program criteria are being consistently applied throughout DHS.

Subtitle C--Acquisition Program Management Accountability and Transparency

(Sec. 231) This section amends the Homeland Security Act of 2002 to set forth requirements for notification within DHS and to Congress of a breach in a major acquisition program. A breach includes a failure to meet any cost, schedule, or performance parameter specified in the acquisition program baseline. After a breach is identified, the DHS Under Secretary for Management must submit a remediation plan and root cause analysis of the breach.

(Sec. 232) DHS must submit to the congressional homeland security committees a multiyear acquisition strategy to guide the overall direction of DHS acquisitions and meet future acquisition needs. The strategy shall also include: (1) a plan to address actions to ensure competition for major acquisition programs, and (2) a plan to address DHS acquisition workforce accountability and talent management that identifies acquisition workforce needs and options for filling those needs.

(Sec. 233) The DHS Undersecretary for Management shall submit to the congressional homeland security committees, at the same time as the President's annual fiscal year budget, a comprehensive acquisition status report.

(Sec. 234) The GAO must review and report on the effectiveness of the first multiyear acquisition strategy.

(Sec. 235) This section requires the DHS Inspector General, within two years after GAO submits such report, to report on whether: (1) DHS has complied with the multiyear acquisition strategy and adhered to the strategies set forth in the plan, and (2) DHS has provided the Acquisition Review Board with a capability development plan for each major acquisition program.

Actions Timeline

- **Mar 16, 2016:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 114-632.
- **Oct 21, 2015:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Oct 20, 2015:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 114-297.
- **Oct 20, 2015:** Placed on the Union Calendar, Calendar No. 226.
- **Oct 20, 2015:** Mr. McCaul moved to suspend the rules and pass the bill, as amended.
- **Oct 20, 2015:** Considered under suspension of the rules. (consideration: CR H6991-7005)
- **Oct 20, 2015:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3572.
- **Oct 20, 2015:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6991-7004)
- **Oct 20, 2015:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6991-7004)
- **Oct 20, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 30, 2015:** Committee Consideration and Mark-up Session Held.
- **Sep 30, 2015:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 18, 2015:** Introduced in House
- **Sep 18, 2015:** Referred to the House Committee on Homeland Security.

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