

S 906

Reducing DHS Acquisition Cost Growth Act

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Apr 7, 2017

Current Status: Held at the desk.

Latest Action: Held at the desk. (Nov 13, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/906>

Sponsor

Name: Sen. McCaskill, Claire [D-MO]

Party: Democratic • **State:** MO • **Chamber:** Senate

Cosponsors (1 total)

| Cosponsor | Party / State | Role | Date Joined |
|---------------------------|---------------|------|-------------|
| Sen. Daines, Steve [R-MT] | R · MT | | Apr 7, 2017 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|---|--------------|
| Homeland Security and Governmental Affairs Committee | Senate | Reported By | Oct 5, 2017 |
| Homeland Security Committee | House | Bills of Interest - Exchange of Letters | Feb 23, 2018 |

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|--|
| 115 HR 2825 | Related bill | Nov 13, 2018: By Senator Johnson from Committee on Homeland Security and Governmental Affairs filed written report. Report No. 115-351. |
| 115 HR 1294 | Related bill | Mar 21, 2017: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. |

Reducing DHS Acquisition Cost Growth Act

(Sec. 2) This bill amends the Homeland Security Act of 2002 to require the program manager of a major acquisition program (a Department of Homeland Security [DHS] acquisition program estimated to require an eventual total expenditure of at least \$300 million over its life cycle cost) to notify the program's Component Acquisition Executive (CAE) (the senior acquisition official within a DHS component designated to lead a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled), the head of the component concerned, the Executive Director of the Program Accountability and Risk Management division, the Under Secretary for Management, and the Deputy Secretary of DHS within 30 days after any breach in such program is identified.

If such a breach results in a cost overrun greater than 15%, a schedule delay greater than 180 days, or a failure to meet any performance thresholds from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for such a program, the CAE must notify the DHS Secretary and Inspector General within five business days after such other officials are notified of the breach.

If such a breach occurs, the program manager for such program shall submit to the component head, the Executive Director, and the Under Secretary in writing a remediation plan and root cause analysis. The Under Secretary shall review each remediation plan and may approve it or provide an alternative proposed corrective action.

The Under Secretary shall notify the congressional homeland security committees of such breach. If a likely cost overrun is greater than 20% or a likely delay is greater than 12 months from the costs and schedule specified in the baseline, the Under Secretary shall include in such notification a written certification that:

- such program is essential to the accomplishment of DHS's mission;
- there are no alternatives to the capability or asset provided by such program that will provide equal or greater capability in both a more cost-effective and timely manner;
- the new acquisition schedule and estimates for total acquisition cost are reasonable; and
- the management structure for such program is adequate to manage and control cost, schedule, and performance.

(Sec. 3) The Inspector General to study and report on the prevalence and impact of bid protests on the DHS acquisition process, particularly protests filed with the Government Accountability Office and the U.S. Court of Federal Claims.

Actions Timeline

- **Nov 13, 2017:** Message on Senate action sent to the House.
- **Nov 13, 2017:** Received in the House.
- **Nov 13, 2017:** Held at the desk.
- **Nov 9, 2017:** Measure laid before Senate by unanimous consent. (consideration: CR S7164-7166; text of measure as reported in Senate: CR S7164-7166)
- **Nov 9, 2017:** The committee amendment withdrawn by Unanimous Consent. (consideration: CR S7166)
- **Nov 9, 2017:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Nov 9, 2017:** Passed Senate with an amendment by Unanimous Consent.
- **Oct 5, 2017:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Johnson with an amendment. With written report No. 115-165.
- **Oct 5, 2017:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 234.
- **Jul 26, 2017:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment favorably.
- **Apr 7, 2017:** Introduced in Senate
- **Apr 7, 2017:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.