

112TH CONGRESS  
1ST SESSION

# H. R. 2384

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to conduct cost-benefit analyses of certain contracts.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2011

Mr. JOHNSON of Ohio introduced the following bill; which was referred to the Committee on Veterans' Affairs

---

## A BILL

To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to conduct cost-benefit analyses of certain contracts.

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 “Accountability in Con-  
5 tract Execution Act”.

6 **SEC. 2. COST-BENEFIT ANALYSES OF CERTAIN CONTRACTS.**

7 (a) IN GENERAL.—Subchapter I of chapter 5 of title  
8 38, United States Code, is amended by adding at the end  
9 the following:

1 **“§ 517. Cost-benefit analyses of certain contracts**

2 “(a) IN GENERAL.—(1) The Secretary shall—

3 “(A) conduct a cost-benefit analysis of each  
4 contract described in paragraph (2); and

5 “(B) notify the Committees on Veterans’ Af-  
6 fairs of the House of Representatives and the Senate  
7 of each such contract and the office of the Depart-  
8 ment where the cost-benefit analysis for such con-  
9 tract is located.

10 “(2) A contract described in this paragraph is a con-  
11 tract awarded by the Secretary that is valued at more than  
12 \$100,000,000, including—

13 “(A) a sole-source contract;

14 “(B) an undefinitized contract;

15 “(C) a split contract; or

16 “(D) an indefinite delivery-indefinite quantity  
17 contract.

18 “(b) ELEMENTS.—Each cost-benefit analysis con-  
19 ducted under subsection (a)(1)(A) shall include—

20 “(1) a cost analysis detailing—

21 “(A) the economic feasibility of the con-  
22 tract, including the costs and benefits;

23 “(B) the technical feasibility of the award-  
24 ed contract, including its effectiveness and ade-  
25 quacy at achieving the stated goal of the con-  
26 tract;

1           “(C) the cost effectiveness of the contract,  
2 including why selecting the particular con-  
3 tractor provides the best value for the dollar  
4 amount of the contract; and

5           “(D) the manner in which the Secretary  
6 adhered to best industry practices in writing,  
7 bidding, and awarding the contract, including a  
8 description of—

9                   “(i) any industry expertise used; and

10                   “(ii) the primary stakeholders related  
11 to the contract and the manner in which  
12 the Secretary identified such stakeholders;  
13 and

14           “(2) written certification that, during the con-  
15 tracting process, the Secretary considered all alter-  
16 natives in a fair, competitive, and ethical contracting  
17 environment.

18           “(c) SUBMISSION TO CONGRESS.—Upon request by  
19 the Committee on Veterans’ Affairs of the House of Rep-  
20 resentatives or the Committee on Veterans’ Affairs of the  
21 Senate, the Secretary shall submit to such committee a  
22 cost-benefit analysis conducted under subsection (a)(1)(A)  
23 by not later than the date that is 10 days after the date  
24 of the request.”.

1           (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such chapter is amended by adding  
3 after the item relating to section 516 the following new  
4 item:

“517. Cost-benefit analyses of certain contracts.”.

5           (c) EFFECTIVE DATE.—Section 517 of title 38,  
6 United States Code, as added by subsection (a), shall  
7 apply with respect to contracts entered into by the Sec-  
8 retary of Veterans Affairs on or after the date of the en-  
9 actment of this Act.

○