

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2083
OFFERED BY Mr . Payne _____**

Page 4, line 6, strike “on instances” and insert the following: “on the following:

- 1 “(1) Instances
- 2 “(2) The status of efforts to carry out para-
- 3 graph (1) of subsection (a).
- 4 “(3) A description of how the Department en-
- 5 sures the compliance of each prime contractor with
- 6 the requirements of paragraph (2) of subsection (a),
- 7 any instances of non-compliance, and corrective ac-
- 8 tions taken by the Department in response to such
- 9 instances.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2083
OFFERED BY Ms . Jackson Lee**

Page 6, line 22, strike the closing quotes and second period.

Page 6, beginning line 23, insert the following:

1 “(i) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Secretary should endeavor to ensure that
3 the majority of covered items for a frontline operational
4 component procured by the Department are manufactured
5 in the United States by entities that qualify as small busi-
6 ness concerns.”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2083
OFFERED BY M. _____**

Page 1, line 18, insert “in part or provided” after
“manufactured”.



**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2083
OFFERED BY MR. CORREA OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Homeland Procurement Reform Act” or the “HOPR Act”.

**4 SEC. 2. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED
5 TO NATIONAL SECURITY INTERESTS AC-
6 CORDING TO CERTAIN CRITERIA.**

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. REQUIREMENTS TO BUY CERTAIN ITEMS RE-
11 LATED TO NATIONAL SECURITY INTERESTS.**

12 “(a) REQUIREMENT.—The Secretary shall ensure
13 that any procurement of covered items for a frontline
14 operational component meets the following criteria:

15 “(1) To the maximum extent possible, not less
16 than one-third of funds obligated in a specific fiscal
17 year for the procurement of such covered items shall
18 be covered items that are manufactured in the

1 United States by entities that qualify as small busi-
2 ness concerns (as such term is described under sec-
3 tion 3 of the Small Business Act (15 U.S.C. 632)).

4 “(2) Each prime contractor, with respect to the
5 procurement of such covered items, shall ensure, to
6 the maximum extent practicable, the following:

7 “(A) Each first-tier subcontractor and end-
8 item manufacturer is an entity registered with
9 the System for Award Management (or suc-
10 cessor system) administered by the General
11 Services Administration or is otherwise eligible
12 for participation in such system.

13 “(B) Each first-tier subcontractor and
14 end-item manufacturer is in compliance with a
15 standard identified by the Secretary as appro-
16 priate for quality, such as ISO 9001:2015 of
17 the International Organization for Standardiza-
18 tion.

19 “(C) The ability of a first-tier subcon-
20 tractor to fulfill the terms of the contract is
21 verified.

22 “(3) Each supplier of such a covered item with
23 an insignia (such as any patch, badge, or emblem)
24 and each supplier of such an insignia, if such cov-
25 ered item with such insignia or such insignia, as the

1 case may be, is not produced, applied, or assembled
2 in the United States, shall—

3 “(A) store such covered item with such in-
4 signia or such insignia in a locked area;

5 “(B) report any pilferage or theft of such
6 covered item with such insignia or such insignia
7 occurring at any stage before delivery of such
8 covered item with such insignia or such insig-
9 nia; and

10 “(C) destroy any defective or unusable cov-
11 ered item with insignia or insignia in a manner
12 established by the Secretary, and maintain
13 records, for three years after the creation of
14 such records, of such destruction that include
15 the date of such destruction, a description of
16 the covered item with insignia or insignia de-
17 stroyed, the quantity of the covered item with
18 insignia or insignia destroyed, and the method
19 of destruction.

20 “(b) PRICING.—The Secretary shall ensure that cov-
21 ered items are purchased at a fair and reasonable price,
22 consistent with the procedures and guidelines specified in
23 the Federal Acquisition Regulation.

24 “(c) REPORT.—Not later than 180 days after the
25 date of the enactment of this section and annually there-

1 after, the Secretary shall provide to the Committee on
2 Homeland Security, the Committee on Oversight and Re-
3 form, and the Committee on Appropriations of the House
4 of Representatives, and the Committee on Homeland Se-
5 curity and Governmental Affairs and the Committee on
6 Appropriations of the Senate a report on instances in
7 which vendors have failed to meet deadlines for delivery
8 of covered items and corrective actions taken by the De-
9 partment in response to such instances.

10 “(d) DEPARTMENT FRONTLINE OPERATIONAL COM-
11 PONENT DESCRIBED.—In this section, the term ‘Depart-
12 ment frontline operational component’ refers to any of the
13 following components of the Department:

14 “(1) U.S. Customs and Border Protection.

15 “(2) U.S. Immigration and Customs Enforce-
16 ment.

17 “(3) The United States Secret Service.

18 “(4) The Transportation Security Administra-
19 tion.

20 “(5) The Cybersecurity and Infrastructure Se-
21 curity Agency.

22 “(6) The Federal Protective Service.

23 “(7) The Federal Emergency Management
24 Agency.

1 “(8) The Federal Law Enforcement Training
2 Centers.

3 “(e) DETERMINATION.—If the Secretary determines
4 that compliance with paragraph (1) of subsection (a) is
5 impractical, the Secretary shall, not later than 15 days
6 after making such determination, submit to the Com-
7 mittee on Homeland Security of the House of Representa-
8 tives and Committee on Homeland Security and Govern-
9 mental Affairs of the Senate an explanation relating to
10 such determination and specifics regarding what percent-
11 age of covered items will be procured by small business
12 concerns.

13 “(f) EXCEPTION.—This section shall not apply to the
14 purchase of covered items by the Department to be used
15 by the Department for training purposes.

16 “(g) COVERED ITEM DESCRIBED.—In this section,
17 the term ‘covered item’ refers to any of the following with
18 respect to a Department frontline operational component:

19 “(1) Body armor components intended to pro-
20 vide ballistic protection for an individual, consisting
21 of one or more of the following:

22 “(A) Soft ballistic panels.

23 “(B) Hard ballistic plates.

24 “(C) Concealed armor carriers worn under
25 a uniform.

1 “(D) External armor carriers worn over a
2 uniform.

3 “(2) Helmets that provide ballistic protection
4 and other head protection and components.

5 “(3) Protective eyewear.

6 “(4) Rain gear, cold weather gear, other envi-
7 ronmental and flame-resistant clothing.

8 “(5) Footwear.

9 “(6) Uniforms.

10 “(7) Bags and packs.

11 “(8) Holsters and tactical pouches.

12 “(9) Patches, insignia, and embellishments.

13 “(10) Respiratory protective masks.

14 “(11) Chemical, biological, radiological, and nu-
15 clear protective gear.

16 “(12) Hearing protection equipment.

17 “(13) Any other critical safety item as deter-
18 mined appropriate by the Secretary.

19 “(h) EFFECTIVE DATE.—This section applies with
20 respect to a contract entered into by the Department or
21 any of its frontline operational components on or after Oc-
22 tober 1, 2020.”.

23 (b) STUDY.—Not later than one year after the date
24 of the enactment of this Act, the Secretary of Homeland
25 Security shall submit to the Committee on Homeland Se-

1 curity of the House of Representatives and the Committee
2 on Homeland Security and Governmental Affairs of the
3 Senate a study of the adequacy of allowances provided to
4 employees of Department of Homeland Security frontline
5 operational components (as such term is described in sec-
6 tion 836 of the Homeland Security Act of 2002, as added
7 by subsection (a)). Such study shall be informed by a De-
8 partment-wide survey of employees from across the De-
9 partment who receive uniform allowances that seeks to as-
10 certain what, if any, improvements could be made to the
11 current uniform allowances and what, if any, impacts cur-
12 rent allowances have had on employee morale and reten-
13 tion. Such study shall also consider increasing by 25 per-
14 cent, at minimum, the uniform allowance for first year em-
15 ployees and by 50 percent, at minimum, the annual allow-
16 ance for all other employees.

17 (c) CLERICAL AMENDMENT.—The table of contents
18 in section 1(b) of the Homeland Security Act of 2002 is
19 amended by inserting after the item relating to section
20 835 the following new item:

“Sec. 836. Requirements to buy certain items related to national security inter-
ests.”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2083
OFFERED BY Mr . Rogers _____**

Page 2, strike lines 7 through 12, and insert the following:

1 “(A) Each first-tier subcontractor and end
2 item manufacturer complies with the contractor
3 code of business ethics and conduct under sec-
4 tion 3509 of title 41, United States Code, and
5 the Federal Acquisition Regulation.”.



AMENDMENT TO H.R. 2589

OFFERED BY MS. JACKSON LEE OF TEXAS

Page 3, line 11, insert “, consistent with the protection of privacy, civil rights, and civil liberties” before the period.

Page 3, line 12, strike “An assessment and” and insert “A”.

Insert after section 2 the following:

1 SEC. 3. COMPTROLLER GENERAL ASSESSMENT.

2 (a) ANNUAL ASSESSMENT REQUIRED.—Not later
3 than one year after the date of the enactment of this Act
4 and again not later than five years thereafter, the Comp-
5 troller General of the United States shall submit to the
6 Committee on Homeland Security of the House of Rep-
7 resentatives and the Committee on Homeland Security
8 and Governmental Affairs of the Senate an assessment of
9 the degree to which guidance established pursuant to sec-
10 tion 210H of the Homeland Security Act of 2002 (as
11 added by section 2 of this Act) is implemented across the
12 Department of Homeland Security. Such assessment
13 should evaluate the extent to which such guidance is car-

1 ried out in a manner that protects privacy, civil rights,
2 and civil liberties.

3 (b) ELEMENTS OF ASSESSMENT.—In conducting
4 each assessment under subsection (a), the Comptroller
5 General of the United States shall—

6 (1) use standard methodology and reporting
7 formats in order to demonstrate and display any
8 changes over time; and

9 (2) include any other subject matter the Comp-
10 troller General determines appropriate.

11 (c) ACCESS TO RELEVANT DATA.—To carry out this
12 section, the Secretary of Homeland Security shall ensure
13 that the Comptroller General of the United States has ac-
14 cess to all relevant data.



AMENDMENT TO H.R. 2590
OFFERED BY MS. CLARKE OF NEW YORK

In section 3(b), amend paragraph (5) to read as follows:

1 (5) maintain and enhance practices to guard
2 against counter-espionage and counter-intelligence
3 threats, including cyber threats, associated with De-
4 partment personnel.



AMENDMENT TO H.R. 2590
OFFERED BY MS. JACKSON LEE OF TEXAS

Page 3, beginning line 3, insert the following:

- 1 (5) Information regarding trends in foreign ef-
- 2 forts to influence such personnel while deployed
- 3 overseas to contribute to the Department's counter-
- 4 terrorism mission.



AMENDMENT TO H.R. 2590
OFFERED BY MISS RICE OF NEW YORK

Page 2, line 11, insert “, and deployment schedule for,” after “summary of”.

Page 2, beginning line 19, insert the following:

1 (3) Information related to any risk mitigation
2 plans for each geographic and regional placement,
3 including to address counter-intelligence risks.

4 (4) Information regarding the costs of deploy-
5 ing or maintaining personnel at each geographic and
6 regional placement, including information on any
7 cost-sharing agreement with foreign partners to
8 cover a portion or all the costs relating to such de-
9 ployment or maintenance.

