

117TH CONGRESS
1ST SESSION

H. R. 5683

To direct the Under Secretary for Management of the Department of Homeland Security to assess contracts for covered services performed by contractor personnel along the borders of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2021

Mrs. CAMMACK (for herself and Mr. KATKO) introduced the following bill;
which was referred to the Committee on Homeland Security

A BILL

To direct the Under Secretary for Management of the Department of Homeland Security to assess contracts for covered services performed by contractor personnel along the borders of the United States, and for other purposes.

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 “Department of Home-
5 land Security Border Support Services Contracts Review
6 Act”.

1 **SEC. 2. ASSESSMENT OF CONTRACTS FOR COVERED SERV-**
2 **ICES BY THE DEPARTMENT OF HOMELAND**
3 **SECURITY.**

4 (a) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the
7 Under Secretary for Management of the Department
8 of Homeland Security, in consultation with appro-
9 priate officials of the Department, shall submit to
10 the appropriate congressional committees a report
11 on active contracts for covered services of the De-
12 partment awarded on or before September 30, 2021.

13 (2) ELEMENTS.—The report required under
14 paragraph (1) shall include the following:

15 (A) The criteria used by the Department
16 to determine whether contractor personnel were
17 necessary to assist the Department in carrying
18 out its mission along the borders of the United
19 States.

20 (B) An analysis of the purpose, quantity,
21 and location of contractor personnel to perform
22 covered services of the Department with respect
23 to effectively—

24 (i) addressing mission needs along
25 such borders; and

1 (ii) enhancing the capability of De-
2 partment personnel to perform primary
3 mission responsibilities, including the num-
4 ber of Department personnel not removed
5 from their primary mission responsibilities
6 by reason of the performance of covered
7 services by contractor personnel.

8 (C) An assessment with respect to the ben-
9 efits of contractor personnel performing covered
10 services, including whether the performance of
11 such services by contractor personnel is more
12 efficient or effective than the performance of
13 such services by Department employees.

14 (D) An assessment of opportunities to in-
15 crease the efficiency of the Department with re-
16 spect to contracting, including whether Depart-
17 ment-wide contract vehicles for covered services
18 would be the most cost effective option for the
19 performance of covered services.

20 (E) A strategy to improve the procurement
21 and delivery of covered services through con-
22 tracts during the five-year period beginning on
23 the date of the enactment of this Act to achieve
24 the best value for the Department through the

1 use of full and open competition and to ensure
2 no lapse in the performance of such services.

3 (F) Recommendations based on findings
4 resulting from the analysis and assessments re-
5 quired in subparagraphs (B) through (D).

6 (G) Any other information relating to con-
7 tracts for covered services that the Under Sec-
8 retary determines to be appropriate.

9 (b) IMPLEMENTATION PLAN.—

10 (1) IN GENERAL.—The Under Secretary for
11 Management shall transmit with the report required
12 under subsection (a) a plan to implement the rec-
13 ommendations and strategy contained in such report
14 to enhance coordination, minimize overlap, and in-
15 crease cost effectiveness among contracts for covered
16 services.

17 (2) BRIEFING.—Not later than 180 days after
18 the date on which the Under Secretary for Manage-
19 ment submits the report required under paragraph
20 (1) of subsection (a) and the plan required under
21 paragraph (1) and every 180 days thereafter until
22 the plan is fully implemented, the Under Secretary,
23 or the designee of the Under Secretary, shall provide
24 a briefing to the appropriate congressional commit-

1 tees with respect to the status of such implementa-
2 tion.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Homeland Security
7 of the House of Representatives; and

8 (B) the Committee on Homeland Security
9 and Governmental Affairs of the Senate.

10 (2) The term “contract for covered services”
11 means a contract relating to the procurement of cov-
12 ered services for the Department of Homeland Secu-
13 rity.

14 (3) The term “covered services” means with re-
15 spect to the borders of the United States, any serv-
16 ice related to border security provided by a con-
17 tractor to be used by the Department.

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