

**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 Procure-  
3 ment 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.”.

