

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2915  
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:

**10 “SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RE-  
11 LATED TO NATIONAL SECURITY INTERESTS.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) COVERED ITEM.—The term ‘covered item’  
14 means any of the following:

15 “(A) Footwear provided as part of a uni-  
16 form.

17 “(B) Uniforms.

18 “(C) Holsters and tactical pouches.

1           “(D) Patches, insignia, and embellish-  
2           ments.

3           “(E) Chemical, biological, radiological, and  
4           nuclear protective gear.

5           “(F) Body armor components intended to  
6           provide ballistic protection for an individual,  
7           consisting of 1 or more of the following:

8                   “(i) Soft ballistic panels.

9                   “(ii) Hard ballistic plates.

10                   “(iii) Concealed armor carriers worn  
11           under a uniform.

12                   “(iv) External armor carriers worn  
13           over a uniform.

14           “(G) Any other item as determined appro-  
15           priate by the Secretary.

16           “(2) FRONTLINE OPERATIONAL COMPONENT.—

17           The term ‘frontline operational component’ means  
18           any of the following organizations of the Depart-  
19           ment:

20                   “(A) U.S. Customs and Border Protection.

21                   “(B) U.S. Immigration and Customs En-  
22           forcement.

23                   “(C) The United States Secret Service.

24                   “(D) The Transportation Security Admin-  
25           istration.

1 “(E) The Coast Guard.

2 “(F) The Federal Protective Service.

3 “(G) The Federal Emergency Management  
4 Agency.

5 “(H) The Federal Law Enforcement  
6 Training Centers.

7 “(I) The Cybersecurity and Infrastructure  
8 Security Agency.

9 “(b) REQUIREMENTS.—

10 “(1) IN GENERAL.—The Secretary shall ensure  
11 that any procurement of a covered item for a front-  
12 line operational component meets the following cri-  
13 teria:

14 “(A) To the maximum extent possible, not  
15 less than one-third of funds obligated in a spe-  
16 cific fiscal year for the procurement of such  
17 covered items shall be covered items that are  
18 manufactured in the United States by entities  
19 that qualify as small business concerns, as such  
20 term is described under section 3 of the Small  
21 Business Act (15 U.S.C. 632).

22 “(B) Each contractor with respect to the  
23 procurement of such a covered item, including  
24 the end-item manufacturer of such a covered  
25 item—

1           “(i) is an entity registered with the  
2           System for Award Management (or suc-  
3           cessor system) administered by the General  
4           Services Administration; and

5           “(ii) is in compliance with ISO  
6           9001:2015 of the International Organiza-  
7           tion for Standardization (or successor  
8           standard) or a standard determined appro-  
9           priate by the Secretary to ensure the qual-  
10          ity of products and adherence to applicable  
11          statutory and regulatory requirements.

12          “(C) Each supplier of such a covered item  
13          with an insignia (such as any patch, badge, or  
14          emblem) and each supplier of such an insignia,  
15          if such covered item with such insignia or such  
16          insignia, as the case may be, is not produced,  
17          applied, or assembled in the United States,  
18          shall—

19                 “(i) store such covered item with such  
20                 insignia or such insignia in a locked area;

21                 “(ii) report any pilferage or theft of  
22                 such covered item with such insignia or  
23                 such insignia occurring at any stage before  
24                 delivery of such covered item with such in-  
25                 signia or such insignia; and

1           “(iii) destroy any such defective or  
2 unusable covered item with insignia or in-  
3 signia in a manner established by the Sec-  
4 retary, and maintain records, for three  
5 years after the creation of such records, of  
6 such destruction that include the date of  
7 such destruction, a description of the cov-  
8 ered item with insignia or insignia de-  
9 stroyed, the quantity of the covered item  
10 with insignia or insignia destroyed, and the  
11 method of destruction.

12           “(2) WAIVER.—

13           “(A) IN GENERAL.—In the case of a na-  
14 tional emergency declared by the President  
15 under the National Emergencies Act (50 U.S.C.  
16 1601 et seq.) or a major disaster declared by  
17 the President under section 401 of the Robert  
18 T. Stafford Disaster Relief and Emergency As-  
19 sistance Act (42 U.S.C. 5170), the Secretary  
20 may waive a requirement in subparagraph (A),  
21 (B) or (C) of paragraph (1) if the Secretary de-  
22 termines there is an insufficient supply of a  
23 covered item that meets the requirement.

24           “(B) NOTICE.—Not later than 60 days  
25 after the date on which the Secretary deter-

1           mines a waiver under subparagraph (A) is nec-  
2           essary, the Secretary shall provide to the Com-  
3           mittee on Homeland Security and Govern-  
4           mental Affairs and the Committee on Appro-  
5           priations of the Senate and the Committee on  
6           Homeland Security, the Committee on Over-  
7           sight and Reform, and the Committee on Ap-  
8           propriations of the House of Representatives  
9           notice of such determination, which shall in-  
10          clude—

11                   “(i) identification of the national  
12                   emergency or major disaster declared by  
13                   the President;

14                   “(ii) identification of the covered item  
15                   for which the Secretary intends to issue  
16                   the waiver; and

17                   “(iii) a description of the demand for  
18                   the covered item and corresponding lack of  
19                   supply from contractors able to meet the  
20                   criteria described in subparagraph (B) or  
21                   (C) of paragraph (1).

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

1           “(d) REPORT.—Not later than 1 year after the date  
2 of enactment of this section and annually thereafter, the  
3 Secretary shall provide to the Committee on Homeland Se-  
4 curity, the Committee on Oversight and Reform, and the  
5 Committee on Appropriations of the House of Representa-  
6 tives, and the Committee on Homeland Security and Gov-  
7 ernmental Affairs and the Committee on Appropriations  
8 of the Senate a briefing on instances in which vendors  
9 have failed to meet deadlines for delivery of covered items  
10 and corrective actions taken by the Department in re-  
11 sponse to such instances.

12           “(e) EFFECTIVE DATE.—This section applies with  
13 respect to a contract entered into by the Department or  
14 any frontline operational component on or after the date  
15 that is 180 days after the date of enactment of this sec-  
16 tion.”.

17           (b) STUDY.—

18           (1) IN GENERAL.—Not later than 18 months  
19 after the date of enactment of this Act, the Sec-  
20 retary of Homeland Security shall submit to the  
21 Committee on Homeland Security and Governmental  
22 Affairs of the Senate and the Committee on Home-  
23 land Security of the House of Representatives a  
24 study of the adequacy of uniform allowances pro-  
25 vided to employees of frontline operational compo-

1 nents (as defined in section 836 of the Homeland  
2 Security Act of 2002, as added by subsection (a)).

3 (2) REQUIREMENTS.—The study conducted  
4 under paragraph (1) shall—

5 (A) be informed by a Department-wide  
6 survey of employees from across the Depart-  
7 ment of Homeland Security who receive uni-  
8 form allowances that seeks to ascertain what, if  
9 any, improvements could be made to the cur-  
10 rent uniform allowances and what, if any, im-  
11 pacts current allowances have had on employee  
12 morale and retention;

13 (B) assess the adequacy of the most recent  
14 increase made to the uniform allowance for first  
15 year employees; and

16 (C) consider increasing by 50 percent, at  
17 minimum, the annual allowance for all other  
18 employees.

19 (c) ADDITIONAL REPORT.—

20 (1) IN GENERAL.—Not later than 180 days  
21 after the date of enactment of this Act, the Sec-  
22 retary of Homeland Security shall provide a report  
23 with recommendations on how the Department of  
24 Homeland Security could procure additional items



1 from domestic sources and bolster the domestic sup-  
2 ply chain for items related to national security to—

3 (A) the Committee on Homeland Security  
4 and Governmental Affairs and the Committee  
5 on Appropriations of the Senate; and

6 (B) the Committee on Homeland Security,  
7 the Committee on Oversight and Reform, and  
8 the Committee on Appropriations of the House  
9 of Representatives.

10 (2) CONTENTS.—The report required under  
11 paragraph (1) shall include the following:

12 (A) A review of the compliance of the De-  
13 partment of Homeland Security with the re-  
14 quirements under section 604 of title VI of divi-  
15 sion A of the American Recovery and Reinvest-  
16 ment Act of 2009 (6 U.S.C. 453b) to buy cer-  
17 tain items related to national security interests  
18 from sources in the United States.

19 (B) An assessment of the capacity of the  
20 Department of Homeland Security to procure  
21 the following items from domestic sources:

22 (i) Personal protective equipment and  
23 other items necessary to respond to a pan-  
24 demic such as that caused by COVID–19.

1 (ii) Helmets that provide ballistic pro-  
2 tection and other head protection and com-  
3 ponents.

4 (iii) Rain gear, cold weather gear, and  
5 other environmental and flame resistant  
6 clothing.

7 (d) CLERICAL AMENDMENT.—The table of contents  
8 in section 1(b) of the Homeland Security Act of 2002  
9 (Public Law 107–296; 116 Stat. 2135) is amended by in-  
10 serting after the item relating to section 835 the following:

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

