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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

# H. R. 4467

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 United States land border with Mexico, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. BRECHEEN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## 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 United States land border with Mexico, 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 “DHS Border Services  
5 Contracts Review 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 regarding active contracts for covered services of the  
12 Department awarded on or before—

13 (A) September 30, 2023, or

14 (B) the date of the enactment of this Act,  
15 whichever occurs later.

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

18 (A) The criteria used by the Department  
19 of Homeland Security to determine whether  
20 contractor personnel were necessary to assist  
21 the Department in carrying out its mission  
22 along the United States land border with Mex-  
23 ico.

24 (B) An analysis of the purpose, quantity,  
25 and location of contractor personnel to perform

1 covered services of the Department with respect  
2 to effectively—

3 (i) addressing mission needs along  
4 such border; and

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

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

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

24 (E) A strategy to improve the procurement  
25 and delivery of covered services through con-

1 tracts during the five-year period beginning on  
2 the date of the enactment of this Act to—

3 (i) achieve the best value for the De-  
4 partment through the use of full and open  
5 competition; and

6 (ii) ensure no lapse in the perform-  
7 ance of such services.

8 (F) Recommendations based on findings  
9 resulting from the analysis and assessments re-  
10 quired in subparagraphs (B) through (D).

11 (G) Any other information relating to con-  
12 tracts for covered services that the Under Sec-  
13 retary for Management determines appropriate.

14 (b) IMPLEMENTATION PLAN.—

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

22 (2) BRIEFING.—Not later than 180 days after  
23 the date on which the Under Secretary for Manage-  
24 ment submits the report required under subsection  
25 (a) and the plan required under paragraph (1) and

1 every 180 days thereafter until such plan is fully im-  
2 plemented, the Under Secretary, or the designee of  
3 the Under Secretary, shall provide a briefing to the  
4 appropriate congressional committees with respect to  
5 the status of such implementation.

6 (c) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
8 TEES.—The term “appropriate congressional com-  
9 mittees” means—

10 (A) the Committee on Homeland Security  
11 of the House of Representatives; and

12 (B) the Committee on Homeland Security  
13 and Governmental Affairs of the Senate.

14 (2) CONTRACT FOR COVERED SERVICES.—The  
15 term “contract for covered services” means a con-  
16 tract (with a total contract value of \$50,000,000 or  
17 more in 2023 constant dollars, inclusive of contract  
18 options) relating to the procurement of covered serv-  
19 ices for the Department of Homeland Security.

20 (3) COVERED SERVICES.—The term “covered  
21 services” means, with respect to the United States  
22 land border with Mexico, any service, including re-  
23 lated to border security, provided by a contractor to  
24 be used by the Department.