

110TH CONGRESS
1ST SESSION

H. R. 1686

To amend the Homeland Security Act to require that uniforms, protective gear, badges, and identification cards of personnel be manufactured in the United States.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2007

Mr. ETHERIDGE (for himself, Mr. ROGERS of Alabama, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act to require that uniforms, protective gear, badges, and identification cards of personnel be manufactured in the United States.

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 Secure American Federal Equipment Pro-
6 curement Act—DHS SAFE Procurement Act”.

1 **SEC. 2. REQUIREMENT THAT UNIFORMS, PROTECTIVE**
2 **GEAR, BADGES, AND IDENTIFICATION CARDS**
3 **OF HOMELAND SECURITY PERSONNEL BE**
4 **MANUFACTURED IN THE UNITED STATES.**

5 (a) IN GENERAL.—Subtitle D of title VIII of the
6 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
7 is amended by adding at the end the following new section:

8 **“SEC. 836. REQUIREMENT THAT CERTAIN ARTICLES PRO-**
9 **CURED FOR DEPARTMENT PERSONNEL BE**
10 **MANUFACTURED IN THE UNITED STATES.**

11 “(a) REQUIREMENT.—Except as provided in section
12 (c), funds appropriated or otherwise available to the De-
13 partment may not be used for the procurement of an arti-
14 cle described in section (b) if the item is not manufactured
15 in the United States.

16 “(b) COVERED ARTICLES.—An article referred to in
17 subsection (a) is any of the following articles procured for
18 personnel of the Department:

19 “(1) Uniforms.

20 “(2) Protective gear.

21 “(3) Badges or other insignia indicating the
22 rank, office, or position of personnel.

23 “(4) Identification cards.

24 “(c) AVAILABILITY EXCEPTION.—Subsection (a)
25 does not apply to the extent that the Secretary determines
26 that satisfactory quality and sufficient quantity of the ar-

1 ticle cannot be procured as and when needed at United
2 States market prices. If such a determination is made with
3 respect to an article, the Secretary shall—

4 “(1) notify the Committee on Homeland Secu-
5 rity of the House of Representatives and the Com-
6 mittee on Homeland Security and Governmental Af-
7 fairs of the Senate within 7 days after making the
8 determination; and

9 “(2) include in that notification a certification
10 that manufacturing the article outside the United
11 States does not pose a risk to the national security
12 of the United States, as well as a detailed expla-
13 nation of the steps any facility outside the United
14 States that is manufacturing the article will be re-
15 quired to take to ensure that the materials, patterns,
16 logos, designs, or any other element used in or for
17 the article are not misappropriated.

18 “(d) OTHER EXCEPTIONS.—Subsection (a) does not
19 apply to—

20 “(1) acquisitions at or below the micro-purchase
21 threshold (as defined in section 32 of the Office of
22 Federal Procurement Policy Act (41 U.S.C. 428));
23 or

24 “(2) acquisitions outside the United States for
25 use outside of the United States.

1 “(e) RELATIONSHIP TO WAIVER UNDER TRADE
2 AGREEMENTS ACT OF 1979.—Subsection (a) shall apply
3 notwithstanding any waiver under section 301 of the
4 Trade Agreements Act of 1979 (19 U.S.C. 2511).”.

5 (b) CONFORMING AMENDMENT.—The table of con-
6 tents of the Homeland Security Act of 2002 is amended
7 by adding after the item relating to section 835 the fol-
8 lowing new item:

“826. Requirement that certain articles procured for Department personnel be
manufactured in the United States.”.

9 (c) APPLICABILITY.—The amendments made by this
10 section take effect 120 days after the date of the enact-
11 ment of this Act and apply to any contract entered into
12 on or after that date for the procurement of items to which
13 such amendments apply.

○