

110TH CONGRESS  
1ST SESSION

# H. R. 3695

To prohibit an increase in the number of private security contractors performing security functions with respect to Operation Iraqi Freedom.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2007

Mr. HALL of New York (for himself, Ms. HOOLEY, Mr. McDERMOTT, Mr. BISHOP of New York, Mr. JOHNSON of Georgia, Mr. VAN HOLLEN, and Mr. HINCHEY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit an increase in the number of private security contractors performing security functions with respect to Operation Iraqi Freedom.

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 “Freeze Private Con-  
5 tractors in Iraq Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The Committee on Oversight and Govern-  
2           ment Reform of the House of Representatives found  
3           in a hearing on February 7, 2007 that private secu-  
4           rity contractors operating in Iraq had cost the Fed-  
5           eral Government almost \$4,000,000,000.

6           (2) In an April 2007 report, the Government  
7           Accountability Office found that “military com-  
8           manders and contract oversight personnel do not re-  
9           ceive sufficient training to effectively manage con-  
10          tracts and contractors in Iraq”.

11          (3) Tens of thousands of foreign private secu-  
12          rity contractors, many heavily armed, are working in  
13          Iraq and are extremely unpopular among Iraqis.

14          (4) During the course of its military involve-  
15          ment in Iraq, the United States has for the first  
16          time in its history depended on contractors to pro-  
17          vide extensive security in a hostile environment.

18          (5) The extensive use of contractors in Iraq has  
19          made it difficult to conduct proper oversight and has  
20          significantly increased the risk of fraud, abuse, and  
21          preventable acts of violence, and has outsourced pro-  
22          tecting Americans in Iraq to private companies.

1 **SEC. 3. PROHIBITION ON INCREASING THE NUMBER OF**  
2 **PRIVATE SECURITY CONTRACTORS IN IRAQ.**

3 A covered agency may not enter into a covered con-  
4 tract if the award of the contract would result in an in-  
5 crease in the number of personnel performing security  
6 functions with respect to Operation Iraqi Freedom under  
7 covered contracts with that agency greater than the num-  
8 ber of personnel performing such functions under such  
9 contracts with that agency on September 1, 2007.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) **COVERED CONTRACT.**—The term “covered  
13 contract” means—

14 (A) a prime contract awarded by an agen-  
15 cy, if the work to be performed under the con-  
16 tract includes security functions;

17 (B) a subcontract at any tier under any  
18 prime contract awarded by an agency, if the  
19 work to be performed under the subcontract in-  
20 cludes security functions; or

21 (C) a task order issued under a task or de-  
22 livery order contract entered into by an agency,  
23 if the work to be performed under the task  
24 order includes security functions.

25 (2) **SECURITY FUNCTIONS.**—The term “security  
26 functions”, with respect to activities carried out

1 under a contract in a theater in which the United  
2 States is engaged in a contingency operation,  
3 means—

4 (A) any activities for which personnel are  
5 allowed to carry weapons in the performance of  
6 the contract;

7 (B) the performance of—

8 (i) convoy security;

9 (ii) guarding vital facilities and per-  
10 sonnel; or

11 (iii) tactical security work; or

12 (C) any other activity in support of the  
13 contingency operation, as determined by the  
14 theater security contract coordinating officer.

15 (3) COVERED AGENCY.—The term “covered  
16 agency” means any of the following:

17 (A) The Department of State.

18 (B) The Department of Defense.

19 (C) The United States Agency for Inter-  
20 national Development.

21 (4) CONTINGENCY OPERATION.—The term  
22 “contingency operation” has the meaning given the  
23 term in section 101(13) of title 10, United States  
24 Code.

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