

119TH CONGRESS
2^D SESSION

H. R. 9314

To enact a moratorium on certain Department of Homeland Security contracts relating to the use and implementation of surveillance and data analytics technologies pending public audits and reporting requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2026

Mr. GOLDMAN of New York (for himself, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mr. THANEDAR, Mrs. GRIJALVA, Mr. GARCÍA of Illinois, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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

A BILL

To enact a moratorium on certain Department of Homeland Security contracts relating to the use and implementation of surveillance and data analytics technologies pending public audits and reporting requirements, 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 Surveillance
5 Technology Moratorium Act of 2026”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COVERED CONTRACT.—The term “covered
4 contract” means any contract or agreement relating
5 to a covered surveillance technology and its use by
6 the Department of Homeland Security to identify,
7 locate, or otherwise track individuals or support or
8 inform immigration enforcement operations.

9 (2) COVERED SURVEILLANCE TECHNOLOGY.—
10 The term “covered surveillance technology” means
11 any technology, software, platform, application, or
12 service used by the Department of Homeland Secu-
13 rity that—

14 (A) collects, aggregates, analyzes, retains,
15 maps, predicts, or operationalizes personal in-
16 formation; and

17 (B) is used to identify, locate, track, or
18 otherwise support or inform immigration en-
19 forcement operations, whether civil or criminal
20 in nature, conducted by the Department, in-
21 cluding technologies involving facial recognition
22 technologies, social media monitoring, cellphone
23 location tracking, geolocation analytics, pre-
24 dictive analytics, artificial Intelligence-assisted
25 targeting, or integrated data aggregation plat-
26 forms.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of Homeland Security.

3 **SEC. 3. MORATORIUM OF COVERED CONTRACTS.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (d), no funds appropriated or otherwise made available to
6 the Department of Homeland Security may be obligated
7 or expended for—

8 (1) the award of a new covered contract,

9 (2) the renewal or extension of an existing cov-
10 ered contract,

11 (3) the exercise of an option under a covered
12 contract, or

13 (4) the expansion or modification of a covered
14 contract,

15 until the requirements under section 4 are fulfilled.

16 (b) APPLICABILITY.—This section shall apply to all
17 covered contracts entered into by—

18 (1) U.S. Immigration and Customs Enforce-
19 ment;

20 (2) U.S. Customs and Border Protection;

21 (3) United States Citizenship and Immigration
22 Services;

23 (4) the Office of Intelligence and Analysis; and

1 (5) any other Department of Homeland Secu-
2 rity component determined appropriate by the Sec-
3 retary.

4 (c) EXISTING OPERATIONS.—Nothing in this Act
5 may be construed to require the immediate termination
6 of an existing covered contract in effect, or the use by the
7 Department of Homeland Security of a covered surveil-
8 lance technology, as of the date of the enactment of this
9 Act.

10 (d) EXCEPTION.—

11 (1) IN GENERAL.—The Secretary may waive
12 subsection (a) on a case-by-case basis if the Sec-
13 retary certifies to Congress that the covered contract
14 at issue is necessary to address—

15 (A) an imminent act of violence or specific,
16 articulable threat to life or public safety; or

17 (B) a specific national security threat.

18 (2) WAIVER.—Any such waiver shall include a
19 detailed written justification submitted to Congress
20 not later than seven days after the issuance of such
21 waiver.

22 **SEC. 4. REQUIRED AUDIT AND REVIEW.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of the enactment of this Act, the Inspector General
25 of the Department of Homeland Security, in coordination

1 with the Department of Homeland Security Privacy Office
2 and the Office for Civil Rights and Civil Liberties, shall
3 conduct an audit and review of all covered surveillance
4 technologies used by the Department.

5 (b) REQUIRED CONTENTS.—The audit and review re-
6 quired under subsection (a) shall examine—

7 (1) the categories and sources of data collected,
8 compiled, or aggregated;

9 (2) whether data relating to United States citi-
10 zens is collected, retained, or analyzed;

11 (3) the use of facial recognition technologies;

12 (4) the use of commercial data brokers or te-
13 lemetry data;

14 (5) data retention and deletion practices;

15 (6) contractor access to Federal Government
16 data;

17 (7) privacy and civil liberties impacts;

18 (8) the use of technologies and information col-
19 lected in connection with lawful protest, assembly, or
20 protected speech;

21 (9) the use of technologies and information col-
22 lected in connection with immigration enforcement
23 operations;

24 (10) the accuracy and reliability of predictive or
25 probabilistic systems; and

1 (11) compliance with applicable Federal privacy
2 and civil liberties laws.

3 **SEC. 5. PUBLIC REPORTING REQUIREMENTS.**

4 (a) PUBLIC REPORT.—Not later than 60 days after
5 completion of the audit and review required under section
6 4, the Secretary shall publish an unclassified and publicly
7 available report containing—

8 (1) a list of all covered surveillance technologies
9 currently used by Department of Homeland Secu-
10 rity;

11 (2) the names of all contractors providing such
12 technologies;

13 (3) a description of the capabilities and pur-
14 poses of each such technology;

15 (4) all privacy and civil liberties impact assess-
16 ments relating to the use of such technologies;

17 (5) an assessment of the impacts of the use of
18 such technology on civil immigration enforcement
19 operations;

20 (6) all data sources used by such technologies;

21 (7) all policies governing the retention, sharing,
22 and deletion of collected information; and

23 (8) a description of any agreements, policies, or
24 practices that govern the sharing of information uti-

1 lized by covered surveillance technologies between
2 the Department of Homeland Security and—

3 (A) other Federal agencies;

4 (B) any State, local, Tribal, or territorial
5 government; or

6 (C) any private sector entity.

7 (b) REDACTIONS.—Any redactions in the report re-
8 quired under subsection (a) shall be limited solely to infor-
9 mation the disclosure of which would create a specific and
10 identifiable harm to national security. Any such redaction
11 shall be accompanied by a written justification relating
12 thereto, and shall be reviewed by the Inspector General
13 of the Department of Homeland Security.

14 **SEC. 6. CONDITIONS FOR END OF MORATORIUM.**

15 The moratorium under section 3 shall terminate only
16 after the later of—

17 (1) the audit required under section 4 is com-
18 pleted;

19 (2) the public report required under section 5
20 is published; and

21 (3) the elapse of 90 days after the Secretary
22 provides to Congress a report specifying—

23 (A) the implementation by the Department
24 of Homeland Security of necessary safeguards

1 to ensure compliance with all applicable con-
2 stitutional, statutory, and privacy protections;

3 (B) the legal authorities relied upon by the
4 Secretary for the procurement, deployment, and
5 use of covered surveillance technologies; and

6 (C) all internal memoranda, policy direc-
7 tives, or guidance, and other records relied
8 upon by the Department in authorizing or gov-
9 erning the use of covered surveillance tech-
10 nologies.

11 **SEC. 7. ANNUAL REPORTING AFTER MORATORIUM.**

12 (a) IN GENERAL.—Not later than one year after the
13 termination of the moratorium under section 3 and annu-
14 ally thereafter, the Secretary shall submit to Congress and
15 publish on a publicly available website of the Department
16 of Homeland Security an unclassified report on the De-
17 partment’s use of covered surveillance technologies.

18 (b) REQUIRED CONTENTS.—Each report under sub-
19 section (a) shall include the following:

20 (1) A current list of all covered surveillance
21 technologies in use, and an identification of the con-
22 tractors providing from which such technologies have
23 been procured.

1 (2) Information relating to any new covered
2 contracts entered into during the immediately pre-
3 ceding year.

4 (3) A description of any changes to data reten-
5 tion, sharing, or deletion policies.

6 (4) A summary of privacy and civil liberties in-
7 cidents or complaints and the resolution of such inci-
8 dents and complaints.

9 (5) Information relating to any waivers issued
10 under section 3(d) during the immediately preceding
11 year.

12 (6) An assessment of continued compliance with
13 applicable constitutional, statutory, and privacy pro-
14 tections.

15 (c) REDACTIONS.—Any redactions in a report re-
16 quired under subsection (a) shall be limited solely to infor-
17 mation the disclosure of which would create a specific and
18 identifiable harm to national security. Any such redaction
19 shall be accompanied by a written justification relating
20 thereto, and shall be reviewed by the Inspector General
21 of the Department of Homeland Security.

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