

**DHS, Department of Homeland Security
Immigration & Customs Enforcement
Office of Acquisition Management
Investigations & Operations Support Dallas**

LIMITED SOURCE JUSTIFICATION

1. Identification of Agency and Contracting Activity:

The Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Division 4, Asset Forfeiture Unit (AFU) proposes to enter into a sole source task order with West Publishing Corporation (formerly known as West Government Services) under Multiple Schedule Contract (MAS) contract number GS -02F-0405D for obtaining logins for multiple users for researching and identifying people/businesses and their assets as targets of investigations. The contracting activity is the Office of Acquisition Management, Investigations & Operations Support Dallas.

2. Description of Action being Approved:

This action is to request the approval to procure database information to identify criminal suspects, businesses and assets of targets of investigations for potential arrest, seizure and forfeiture. These database services shall be obtained from West Publishing Corporation under MAS contract number GS-02F-0405D, in accordance with (IAW) FAR 8.405-6(a)(1)(i)(B). West Publishing Corporation is the only known source capable of providing the required information. This information will be used by ICE/HSI/AFU offices located not only in Washington, D.C. but also in 26 SAC offices and multiple RAC offices throughout the United States and US territories.

3. Description of Supplies or Services required to meet Agency's needs:

The total estimated value for this effort is \$13,552,038.32 (base year with four potential additional option periods of one year each.)

PERIOD	START POP	END POP	COST ESTIMATE
Base	10/1/2015	9/30/2016	\$2,452,577.40
Opt 1	10/1/2016	9/30/2017	\$2,575,206.27
Opt 2	10/1/2017	9/30/2018	\$2,703,966.58
Opt 3	10/1/2018	9/30/2019	\$2,839,164.91
Opt 4	10/1/2019	9/30/2020	\$2,981,123.16

U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), has a requirement to obtain the services of the West Publishing Corporation for continuing government access to their proprietary Consolidated Lead Evaluation and Reporting (CLEAR) database. West Publishing Corporation will provide access to information on people, places, businesses and their assets in support of criminal and asset forfeiture investigations using the

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web-based system CLEAR and My Account that allows for multiple sign-on IDs and passwords so that querying the system is not limited to any one or group of individuals.

U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), is the largest investigative agency in the U.S. Department of Homeland Security (DHS). HSI protects national security by enforcing the nation's immigration and customs laws and by investigating other criminal activities. The information provided by West Publishing Corporation, CLEAR public and proprietary records database, is necessary for the ICE HSI to fulfill its mission of conducting criminal investigations that protect the United States against terrorists and criminal organizations that threaten our safety and national security; to combat transnational criminal enterprises that seek to exploit America's legitimate trade, travel, and financial systems; and to uphold and enforce U.S. customs and immigration laws at and beyond our nation's borders. For that purpose, HSI needs an online research tool with the following unique characteristics:

- a. The database must use a matching algorithm to return search records that can identify and eliminate duplicated results.
- b. The database must allow for mobile "on the go" access.
- c. The database must compare the input search criteria and score them against all records in their data sources.
- d. The database must have the ability to construct link charts.
- e. The database must allow for multiple searches using unique criteria from both open-source as well as proprietary internal data repositories.
- f. The database must allow for Batch Requests where multiple social security numbers (SSN) and or phone numbers may be queried at one time.
- g. The database must be able to interface with FALCON Palantir systems used by HSI agents in obtaining documentation supporting active cases.
- h. The database has the ability to conform to the investigator's needs, so reports generated can be customized to an investigator or analyst case load.

4. Identification of Justification Rationale and Demonstration of proposed Contractor's unique qualifications:

The primary statutory authorities for MAS are Title III of the Federal Property and Administrative Services Act of 1949 (41 USC §§ 3102 et seq.), and Title 40 U.S.C. 501, Services for Executive Agencies.

FAR Part 8.405-6(a)(1)(i)(B) applies to this acquisition. Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized. FAR Part 8 requirements are exempt from the requirements in FAR Part 6.

The information provided by West Publishing Corporation, Consolidated Lead Evaluation And Reporting (CLEAR) public and proprietary records database is necessary for the ICE HSI, Asset Identification and Removal Groups (AIRG) whose mission is to identify and develop probable cause to seize and subsequently forfeit the assets and investments which have been acquired with the proceeds of criminal activity by individuals and/or criminal organizations that have been targeted by investigative groups. ICE HSI uses various government, public and fee-based

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database programs to locate and identify assets in order to achieve their mission. West Publishing Corporation's CLEAR database program is a vital resource for ICE HSI.

Based on the information listed below, West Publishing Corporation is the only contractor that can meet ICE HSI's requirement:

The Government's requirement is that the database must use a matching algorithm to return search records that can identify and eliminate duplicated results. West Publishing Corporation's CLEAR program uses Entity Resolution applied across results from all sources as they are returned. This maximizes the value of searching multiple sources and saving time by automating the process of record comparison.

The Government's requirement is that the database must be able to interface with FALCON Palantir systems. West Publishing Corporation's CLEAR program offers a system to system (S2S) connection that merges CLEAR public and proprietary data with Palantir analytical information to narrow in and locate persons and assets of interest.

The Government's requirement is that the database must compare the input search criteria and score them against all records in their data sources. West Publishing Corporation's CLEAR program uses a Relevant Scoring application that allows them to return the most relevant and most current records at the top of the results list.

The Government's requirement is that the database must have the ability to construct link charts. West Publishing Corporation's CLEAR program uses a Link-Chart Visualization and Mapping which allows investigators to save selected results and report data indefinitely and provides the capability of generating link charts and map views of the data.

The Government's requirement is that the database must allow for multiple searches using unique criteria. West Publishing Corporation's CLEAR program uses a Search Federation which allows investigators to enter specific search criteria once, and then returns all relevant data, regardless of the source. The CLEAR program supports search federation against both open-source and internal data repositories and includes features like entity resolution, search filtering and charting and mapping across all supported sources.

The Government's requirement is that the database must allow for Batch Requests where multiple social security numbers (SSN) and or phone numbers may be queried at one time. West Publishing Corporation's CLEAR program has proven to be the sole provider for this requirement. This capability is both time and cost saving for Worksite and Identity Benefit Fraud investigations where multiple SSN's are queried at one time vs. one at a time as other databases allow.

The Government's requirement is that the database must allow for mobile "on the go" access. West Publishing Corporation's CLEAR program provides full access to core search and report capability from mobile, wireless devices, including HTML5-supported smartphones. Available functionality includes Person, Vehicle, Watercraft and Phone searches and the National Comprehensive Report. Reports are saved automatically in My Results for later viewing.

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The Government's requirement is that the database has the ability to conform to the investigator's needs, so reports generated can be customized to an investigator or analyst case load. In CLEAR, users can create report templates by setting report preferences, identifying which sections to include, and setting the sequence in which sections are displayed. For example, customers wanting to see only the asset-related information for an individual could create an "Asset Profile" report with the sections they want included, in the order that they want. CLEAR also offers My Workspace feature which allows users to save selected results and report data indefinitely and provides the ability to generate link-chart and map views of the data. Visualizing information on multiple subjects in a link-chart view makes it easier for investigators to discern possible connections or associations between subjects/entities. The information provided by the CLEAR program enables the ICE HSI to effectively identify assets currently owned or previously owned/operated by suspect individuals and/or organizations under investigation quickly. The CLEAR program allows for the flexibility of locating suspects' assets through a multitude of search options. It also offers the ability to create custom searches so investigators can retrieve information more specific to the time of criminal activity and/or by target name.

West Publishing Corporation is the sole provider of the CLEAR program. The CLEAR program has become an invaluable investigative research tool for ICE HSI. One of the primary objectives of HSI is to identify criminal suspects and/or assets for arrest and potential seizure and forfeiture. The CLEAR program enables investigators to search nationwide for suspects and instantly retrieve a detailed amount of information on the person/business and/or their assets. The CLEAR program is very flexible and easy to use and it also allows investigators the ability to conduct custom searches. The information provided by the CLEAR program is a combination of public and proprietary records nationwide.

Based on the aforementioned, West Publishing Corporation is the only known source capable of providing the information required by ICE HSI.

5. Determination that the Order Represents the Best Value:

In accordance with FAR 8.404(d), General Services Administration (GSA) has already determined that the prices of services under Schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing. Prior to placing the order, the Contracting Officer will seek further price reductions from West Publishing Corporation's, contract GS-02F-0405D, under Special Item Number (SIN) 760 2, Multiple Award Schedule 76. Market research has shown that the services required are under this West Publishing Corporation's GSA MAS contract.

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6. Market Research

Market research was conducted with two questions in mind. First, is there another available product on the market that can meet the needs of the Government; and second, what is the best method for procurement for such a product.

There are other law enforcement databases available, but during the market research phase, no other database was found that can meet all of the requirements enumerated above. Other law enforcement databases, such as IBM's i2 COPLINK, for example, emphasize identifying and finding people, instead of identifying and finding things owned by people. Other available research databases, such as Dun and Bradstreet (D&B), are excellent for identifying businesses, their owners, and business strength; but that is only part of the investigative picture for an HSI agent. No other available commercial database includes all of the information or capabilities required by HSI agents in support of Asset Forfeiture and criminal cases.

West Publishing Corporation is the sole provider of the CLEAR program. The CLEAR program has become an invaluable investigative research tool for ICE HSI. The CLEAR program is very flexible and easy to use and it also allows investigators the ability to conduct custom searches. The information provided by the CLEAR program is a combination of public and proprietary records. While access to the CLEAR program can be obtained from both the West FSS contract as well as from Fedlink (a Library of Congress subscription source), the same pricing is available from both sources.

7. Other Facts Supporting the use of the Justification:

ICE is a member of the Treasury Executive Office for Asset Forfeiture (TEOAF), Treasury Forfeiture Fund (TFF). As such, TEOAF provides full funding from the TFF to ICE-HSI's Asset Forfeiture Unit (AFU) through the AFU's Mandatory Financial Plan, for this contract cost. Title 31 USC 9703(B)(i), specifically provides for the funding of "contract services" for TFF member agencies. In addition, AFU has requested TEOAF to provide additional funding so that OAQ-IOSD can move the period of performance of the task order off the Fiscal Year period of performance. TEOAF has denied AFU their request for the additional funding.

8. A Statement of Actions to Overcome Barriers to Competition:

The program has been advised to conduct continuous market research to identify other potential database services that can provide the support needed by HSI and AIRG in the future. Market research shall also be conducted by the CO at the end of each performance period prior to exercising any option period. Currently there are no known vendors who can provide access to CLEAR or who can duplicate the proprietary data or proprietary search capability that West Publishing Corporation provides through their CLEAR database system.