



**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304**

J&A-26-0003

Pursuant to the requirements of the Competition in Contracting Act (CICA) as implemented by the Federal Acquisition Regulation (FAR) 6.103 (FAR Class Deviation 25-11) and in accordance with the requirements of FAR 6.104 (FAR Class Deviation 25-11), the justification for the use of the statutory authority under FAR 6.103 (FAR Class Deviation 25-11) is justified by the following facts and rationale required under FAR 6.104-1 (FAR Class Deviation 25-11)

1. Agency and Contracting Activity.

The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Acquisition Management, proposes to enter into a contract on behalf of the ICE Health Service Corps (IHSC) on a basis of other than full and open competition.

2. Nature and/or description of the action being approved.

(a) Type of action: Firm Fixed Price

(b) Amount of the current J&A: [REDACTED]

(c) Brief Description: IHSC requires a management system for claims processing along with third party administrator support to receive, adjudicate, process, and pay healthcare claims as well as manage accounting for all financial services, customer service support, and manual claims entry support.

Acentra Health, LLC
1600 Tysons Blvd., Ste 1000
McLean, Virginia, 22102-4859

3. Description of Supplies/Services.

IHSC is responsible for providing health care services to illegal aliens (IAs) and requires ongoing support to process medical claims to reimburse community providers for this care. This support, which was historically provided by the Veteran's Administration Financial Services Center (VAFSC) on behalf of ICE and CBP¹, [REDACTED]

However, the VA's medical claims support was abruptly terminated on October 3, 2025. This termination has created an emergency as it has compromised ICE and CBP's ability to adjudicate claims or reimburse medical providers. As such, ICE has an unusual and compelling need to rapidly re-instate third party administrator support so IAs can continue receiving offsite care. This requirement will provide up to twelve months of support at an estimated total cost of [REDACTED]. A letter contract is being pursued in accordance with FAR 16.603, with definitization to occur at a later date. This J&A is for purposes of both the

¹ [REDACTED] IHSC responsibilities are to "...provide administrative services, oversight, and contractual support to process medical claims for the treatment of ICE and CBP detained non-citizens."



JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304

letter contract necessary for immediate acquisition of the services and the ultimate definitization thereof.

4. Identification of statutory authority permitting other than full and open competition.

The statutory authority permitting other than full and open competition is 41 U.S.C. § 3304(a)(2) as implemented by the FAR Subpart 6.103-2 (FAR Class Deviation 25-11) entitled "Unusual and compelling urgency."

Note: This action is not a requirement which facilitates the response to or recovery from a natural disaster, act of terrorism, or other man-made disaster. The period of performance will not exceed one year, in accordance with FAR 6.103(c)(2) (FAR Class Deviation 25-11), or exceed the time necessary to meet the unusual and compelling requirements of the work to be performed under the contract or the time necessary for ICE to enter into another contract for the required services using competitive procedures. A letter contract is being immediately pursued in accordance with FAR Subpart 16.603, to be definitized at a later time.

5. Demonstration that the nature of the acquisition requires use of the authority cited.

IHSC is responsible for providing health care services to illegal aliens (IAs) that are detained in detention facilities across the country. IHSC is required to ensure IAs in custody receive proper care such as medical, dental, and behavioral health both in person and telehealth environments and is responsible for detention standards compliance oversight. When an IA's healthcare needs cannot be met at the detention facility, they are sent to local hospitals, clinics, etc. for treatment. This medical care is provided within the IHSC healthcare system, greater than 200 detention facilities, as well as by approximately 3,000 community-based providers and local hospitals in the IHSC Provider Network. Additionally on behalf of CBP, IHSC administers the claims processing for emergency care, medical clearance providers and retail pharmacy services. Currently, approximately 300,000 claims are processed annually for ICE and CBP IA care.

Historically, all claim processing support was provided by the VAFSC through a Service Level Agreement (SLA) with ICE. ICE has maintained this SLA with the VAFSC since 2002. The agreement facilitated the payment of medical and dental bills charged by offsite healthcare providers that treated IAs in ICE and CBP custody, such as specialists and hospitals. This agreement also covered pharmacy acquisitions, phone interpreter services, air and ground non-emergent medical transport, tuberculosis screening chest x-rays and purchase of specific durable medical supplies and equipment. [REDACTED]

Then, on October 3rd, 2025, the VA abruptly and instantly terminated the SLA with ICE. With immediate termination, ICE now has no mechanism to facilitate the services listed above. The SLA termination has severely hindered the DHS mission and has affected all ICE detention housing operations currently in place relating to the provision and payment of community provider specialty and hospital care, dental care, retail pharmacy prescriptions, durable medical equipment, and tuberculosis screening via chest x-ray. IHSC is also not able to support CBP in the provision and payment of offsite care.



JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304

The VA's sudden termination has created an unusual and compelling situation because ICE's ability to pay for medically necessary offsite care has been compromised since ICE has no system in place to process or pay medical claims. It is an absolute emergency for ICE to immediately procure claims processing support because lack of this support will delay critical medical care for IAs such as dialysis, prenatal care, oncology, chemotherapy, etc. Due to the criticality of this medical care, it is imperative that ICE instantly restore medical claims processing support to ensure there is a mechanism in place to facilitate IA care and reimburse providers to prevent any further medical complications or loss of life. Offsite providers who are not paid timely may not accept new patients or continue to provide vital care and services. This could reduce current and future provider participation in the IHSC community provider network which is central to the success of the ICE and CBP missions.

Pursuant to FAR 6.103-2(b) (FAR Class Deviation 25-11): the agency need for the services is so unusual and compelling that providing full and open competition would result in unacceptable delays and seriously injure the Government. There is clearly an unusual and compelling urgency to restore services as the health, welfare, and lives of IAs in ICE and CBP custody are significantly at risk. At this time, due to the urgency of the situation and lives at risk, it is not practicable to request proposals from several sources. Acentra Health, LLC (Acentra) currently provides the same claims processing system utilized by the VAFSC and therefore has direct experience with IHSC's business rules and requirements enabling the fastest restoration of services. As such, the government will only request a proposal from one source, Acentra, as they can restore support quickly. However, if Acentra is unable to fulfill these services immediately, a proposal will be requested from other sources who have expressed interest in the requirement.

This letter contract will be for a period of 12 months. During this time period, ICE will be able to continue services, finalize a strategic vision for medical claims processing under program management, increase the resources required to take on such a program, and compete a new requirement. Given the nationwide scope, it is expected at least two months for program management strategy, six months for a competition, and three months for transition to ensure a smooth transition for medical claims at IHSC.

6. Description of efforts made to ensure that offers are solicited from as many potential sources as is practicable.

OAQ intends to publicize this requirement, **prior to award**, as required by subpart 5.202 by posting a notice on sam.gov.



**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304**

The proposed contract action is made under the conditions described in 6.103-2 (FAR Class Deviation 25-11) and the government would be seriously injured if the agency complies with the time periods specified in 5.203.

7. Determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The contracting officer determines that the anticipated price(s) will be fair and reasonable based on comparison to historical prices paid for same or similar services.

8. Description of market research.

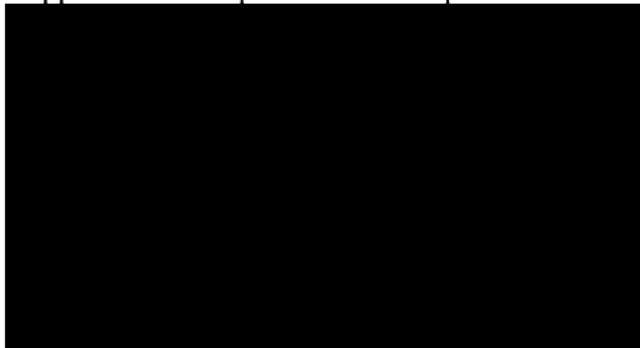
Prior to the abrupt termination of VAFSC support, ICE posted a Request for Information (RFI) to the System for Award Management (SAM) for an all-inclusive effort which included the above-described services along with pharmaceutical and pharmacy benefit manager (PBM) support. While several vendors expressed interest and could potentially provide support, competing the requirement at this time will significantly delay services. A formal competition will take months and proper medical care for IAs cannot wait. These services are urgently and immediately needed to ensure IAs receive proper medical care and prevent any loss of life.

9. Any other facts supporting the use of other than full and open competition.

Not applicable.

10. A listing of the sources, if any that expressed, in writing, an interest in the acquisition.

As previously noted, ICE published an RFI for an all-inclusive effort which included the above support. The companies below expressed interest:



11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for supplies or services required.



JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304

ICE is actively performing all acquisition activities relating to competitively awarding a contract for the above-described services. Once award is made, ICE will have support in place which will eliminate the need for any subsequent urgent and compelling justifications.

After award of this action, DHS intends to post the approved/signed justification pursuant to 6.301(FAR Class Deviation 25-11).



**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
41 U.S.C. 3304**

12. Contracting Officer's Certification.

I certify that the data supporting the recommended use of other than full and open competition is accurate and complete to the best of my knowledge and belief.

[Redacted Signature]

Contracting Officer

13. Technical/Requirements Personnel Certification.

I certify this requirement meets the Government's minimum need and that the supporting data, which forms a basis for this justification, is complete and accurate.

[Redacted Signature]

Technical Representative/COR

14. Approval.

[Redacted Signature]

[Redacted Signature]

Competition Advocate

Date

**ALBERT J
DAINTON**

Digitally signed by ALBERT J
DAINTON
Date: 2025.10.16 07:37:04 -04'00'

Albert Dainton
Head of Contracting Activity

Date

SARAH T GREEN

Digitally signed by SARAH T GREEN
Date: 2025.10.17 14:17:57 -04'00'

Sarah Green
Deputy Chief Procurement Officer

Date