

[FULL COMMITTEE PRINT]

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Union Calendar No. _____

115TH CONGRESS
2D SESSION

H. R. _____

[Report No. __-__]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. YODER from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Homeland Security for the fiscal year end-
6 ing September 30, 2019, and for other purposes, namely:

7 TITLE I

8 DEPARTMENTAL MANAGEMENT, OPERATIONS,
9 INTELLIGENCE, AND OVERSIGHT

10 OFFICE OF THE SECRETARY AND EXECUTIVE

11 MANAGEMENT

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Office of the Secretary
14 and for executive management for operations and support,
15 \$139,926,000: *Provided*, That not to exceed \$45,000 shall
16 be for official reception and representation expenses.

17 MANAGEMENT DIRECTORATE

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Management Direc-
20 torate for operations and support, \$845,528,000: *Pro-*
21 *vided*, That not to exceed \$2,000 shall be for official recep-
22 tion and representation expenses.

23 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

24 For necessary expenses of the Management Direc-
25 torate for procurement, construction, and improvements,

1 \$74,920,000, to remain available until September 30,
2 2021.

3 RESEARCH AND DEVELOPMENT

4 For necessary expenses of the Management Direc-
5 torate for research and development, \$2,545,000, to re-
6 main available until September 30, 2020.

7 INTELLIGENCE, ANALYSIS, AND OPERATIONS

8 COORDINATION

9 OPERATIONS AND SUPPORT

10 For necessary expenses of the Office of Intelligence
11 and Analysis and the Office of Operations Coordination
12 for operations and support, \$259,253,000, of which
13 \$77,915,000 shall remain available until September 30,
14 2020: *Provided*, That not to exceed \$3,825 shall be for
15 official reception and representation expenses.

16 OFFICE OF INSPECTOR GENERAL

17 OPERATIONS AND SUPPORT

18 For necessary expenses of the Office of Inspector
19 General for operations and support, \$162,369,000: *Pro-*
20 *vided*, That not to exceed \$300,000 may be used for cer-
21 tain confidential operational expenses, including the pay-
22 ment of informants, to be expended at the direction of the
23 Inspector General.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. (a) The Secretary of Homeland Security
3 shall submit a report not later than October 15, 2019,
4 to the Inspector General of the Department of Homeland
5 Security listing all grants and contracts awarded by any
6 means other than full and open competition during fiscal
7 years 2018 and 2019.

8 (b) The Inspector General shall review the report re-
9 quired by subsection (a) to assess departmental compli-
10 ance with applicable laws and regulations and report the
11 results of that review to the Committees on Appropriations
12 of the Senate and the House of Representatives not later
13 than February 15, 2020.

14 SEC. 102. The Secretary of Homeland Security shall
15 require that all contracts of the Department of Homeland
16 Security that provide award fees link such fees to success-
17 ful acquisition outcomes, which shall be specified in terms
18 of cost, schedule, and performance.

19 SEC. 103. The Secretary of Homeland Security, in
20 consultation with the Secretary of the Treasury, shall no-
21 tify the Committees on Appropriations of the Senate and
22 the House of Representatives of any proposed transfers
23 of funds available under section 9705(g)(4)(B) of title 31,
24 United States Code (as added by Public Law 102-393)
25 from the Department of the Treasury Forfeiture Fund to

1 any agency within the Department of Homeland Security:
2 *Provided*, That none of the funds identified for such a
3 transfer may be obligated until the Committees on Appro-
4 priations of the Senate and the House of Representatives
5 are notified of the proposed transfers.

6 SEC. 104. All official costs associated with the use
7 of Government aircraft by Department of Homeland Secu-
8 rity personnel to support official travel of the Secretary
9 and the Deputy Secretary shall be paid from amounts
10 made available for the Office of the Secretary.

11 SEC. 105. Section 107 of the Department of Home-
12 land Security Appropriations Act, 2018 (division F of
13 Public Law 115-141), related to visa overstay data, shall
14 apply in fiscal year 2019, except that the reference to
15 “this Act” shall be treated as referring to this Act, and
16 the reference to “2017” shall be treated as referring to
17 “2018”.

18 TITLE II

19 SECURITY, ENFORCEMENT, AND

20 INVESTIGATIONS

21 U.S. CUSTOMS AND BORDER PROTECTION

22 OPERATIONS AND SUPPORT

23 For necessary expenses of U.S. Customs and Border
24 Protection for operations and support, including the trans-
25 portation of unaccompanied minor aliens; the provision of

1 air and marine support to Federal, State, and local agen-
2 cies in the enforcement or administration of laws enforced
3 by the Department of Homeland Security; at the discre-
4 tion of the Secretary of Homeland Security, the provision
5 of such support to Federal, State, and local agencies in
6 other law enforcement and emergency humanitarian ef-
7 forts; the purchase and lease of up to 7,500 (6,500 for
8 replacement only) police-type vehicles; the purchase, main-
9 tenance, or operation of marine vessels, aircraft, and un-
10 manned aerial systems; and contracting with individuals
11 for personal services abroad; \$12,002,072,000; of which
12 \$3,274,000 shall be derived from the Harbor Maintenance
13 Trust Fund for administrative expenses related to the col-
14 lection of the Harbor Maintenance Fee pursuant to section
15 9505(e)(3) of the Internal Revenue Code of 1986 (26
16 U.S.C. 9505(e)(3)) and notwithstanding section
17 1511(e)(1) of the Homeland Security Act of 2002 (6
18 U.S.C. 551(e)(1)); of which \$681,441,500 shall be avail-
19 able until September 30, 2020; and of which such sums
20 as become available in the Customs User Fee Account, ex-
21 cept sums subject to section 13031(f)(3) of the Consoli-
22 dated Omnibus Budget Reconciliation Act of 1985 (19
23 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
24 *vided*, That not to exceed \$34,425 shall be for official re-
25 ception and representation expenses: *Provided further*,

1 That not to exceed \$150,000 shall be available for pay-
2 ment for rental space in connection with preclearance op-
3 erations: *Provided further*, That not to exceed \$1,000,000
4 shall be for awards of compensation to informants, to be
5 accounted for solely under the certificate of the Secretary
6 of Homeland Security.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of U.S. Customs and Border
9 Protection for procurement, construction, and improve-
10 ments, including procurements to buy marine vessels, air-
11 craft, and unmanned aerial systems, \$5,510,244,000, of
12 which \$462,022,000 shall remain available until Sep-
13 tember 30, 2021, and of which \$5,048,222,000 shall re-
14 main available until September 30, 2023.

15 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

16 OPERATIONS AND SUPPORT

17 For necessary expenses of U.S. Immigration and
18 Customs Enforcement for operations and support, includ-
19 ing the purchase and lease of up to 3,790 (2,350 for re-
20 placement only) police-type vehicles; overseas vetted units;
21 and maintenance, minor construction, and minor leasehold
22 improvements at owned and leased facilities;
23 \$7,333,079,000; of which \$6,000,000 shall remain avail-
24 able until expended for efforts to enforce laws against
25 forced child labor; of which \$33,700,000 shall remain

1 available until September 30, 2020; and of which
2 \$1,500,000 is for paid apprenticeships for participants in
3 the Human Exploitation Rescue Operative Corps: *Pro-*
4 *vided*, That not to exceed \$11,475 shall be for official re-
5 ception and representation expenses: *Provided further*,
6 That not to exceed \$10,000,000 shall be available until
7 expended for conducting special operations under section
8 3131 of the Customs Enforcement Act of 1986 (19 U.S.C.
9 2081): *Provided further*, That not to exceed \$2,000,000
10 shall be for awards of compensation to informants, to be
11 accounted for solely under the certificate of the Secretary
12 of Homeland Security: *Provided further*, That not to ex-
13 ceed \$11,216,000 shall be available to fund or reimburse
14 other Federal agencies for the costs associated with the
15 care, maintenance, and repatriation of smuggled aliens un-
16 lawfully present in the United States.

17 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

18 For necessary expenses of U.S. Immigration and
19 Customs Enforcement for procurement, construction, and
20 improvements, \$70,431,000, to remain available until Sep-
21 tember 30, 2021.

22 TRANSPORTATION SECURITY ADMINISTRATION

23 OPERATIONS AND SUPPORT

24 For necessary expenses of the Transportation Secu-
25 rity Administration for operations and support,

1 \$7,167,778,000, to remain available until September 30,
2 2020: *Provided*, That not to exceed \$7,650 shall be for
3 official reception and representation expenses: *Provided*
4 *further*, That security service fees authorized under section
5 44940 of title 49, United States Code, shall be credited
6 to this appropriation as offsetting collections and shall be
7 available only for aviation security: *Provided further*, That
8 the sum appropriated under this heading from the general
9 fund shall be reduced on a dollar-for-dollar basis as such
10 offsetting collections are received during fiscal year 2019
11 so as to result in a final fiscal year appropriation from
12 the general fund estimated at not more than
13 \$4,497,778,000.

14 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

15 For necessary expenses of the Transportation Secu-
16 rity Administration for procurement, construction, and
17 improvements, \$129,789,000, to remain available until
18 September 30, 2021.

19 RESEARCH AND DEVELOPMENT

20 For necessary expenses of the Transportation Secu-
21 rity Administration for research and development,
22 \$20,594,000, to remain available until September 30,
23 2020.

1 COAST GUARD

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Coast Guard, for oper-
4 ations and support, including purchase or lease of not to
5 exceed 25 passenger motor vehicles, which shall be for re-
6 placement only; purchase or lease of small boats for con-
7 tingent and emergent requirements (at a unit cost of not
8 more than \$700,000) and repairs and service-life replace-
9 ments, not to exceed a total of \$31,000,000; purchase,
10 lease, or improvements of boats necessary for overseas de-
11 ployments and activities; payments pursuant to section
12 156 of Public Law 97-377 (42 U.S.C. 402 note; 96 Stat.
13 1920); and recreation and welfare; \$7,620,209,000, of
14 which \$340,000,000 shall be for defense-related activities;
15 and of which \$24,500,000 shall be derived from the Oil
16 Spill Liability Trust Fund to carry out the purposes of
17 section 1012(a)(5) of the Oil Pollution Act of 1990 (33
18 U.S.C. 2712(a)(5)): *Provided*, That not to exceed \$23,000
19 shall be for official reception and representation expenses.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of the Coast Guard for pro-
22 curement, construction, and improvements, including aids
23 to navigation, shore facilities (including facilities at De-
24 partment of Defense installations used by the Coast
25 Guard), procurements to buy vessels and aircraft, includ-

1 ing equipment related thereto, \$1,429,750,000, to remain
2 available until September 30, 2023, of which \$20,000,000
3 shall be derived from the Oil Spill Liability Trust Fund
4 to carry out the purposes of section 1012(a)(5) of the Oil
5 Pollution Act of 1990 (33 U.S.C. 2712(a)(5)).

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the Coast Guard for re-
8 search and development; and for maintenance, rehabilita-
9 tion, lease, and operation of facilities and equipment;
10 \$19,109,000, to remain available until September 30,
11 2021, of which \$500,000 shall be derived from the Oil
12 Spill Liability Trust Fund to carry out the purposes of
13 section 1012(a)(5) of the Oil Pollution Act of 1990 (33
14 U.S.C. 2712(a)(5)): *Provided*, That there may be credited
15 to and used for the purposes of this appropriation funds
16 received from State and local governments, other public
17 authorities, private sources, and foreign countries for ex-
18 penses incurred for research, development, testing, and
19 evaluation.

20 ENVIRONMENTAL COMPLIANCE AND RESTORATION

21 For necessary expenses to carry out the environ-
22 mental compliance and restoration functions of the Coast
23 Guard under chapter 19 of title 14, United States Code,
24 \$13,429,000, to remain available until September 30,
25 2023.

1 RETIRED PAY

2 For retired pay, including the payment of obligations
3 otherwise chargeable to lapsed appropriations for this pur-
4 pose, payments under the Retired Serviceman's Family
5 Protection and Survivor Benefits Plans, payment for ca-
6 reer status bonuses, payment of continuation pay under
7 section 356 of title 37, United States Code, concurrent
8 receipts, combat-related special compensation, and pay-
9 ments for medical care of retired personnel and their de-
10 pendants under chapter 55 of title 10, United States Code,
11 \$1,739,844,000, to remain available until expended.

12 UNITED STATES SECRET SERVICE

13 OPERATIONS AND SUPPORT

14 For necessary expenses of the United States Secret
15 Service for operations and support, including purchase of
16 not to exceed 652 vehicles for police-type use for replace-
17 ment only; hire of passenger motor vehicles; purchase of
18 motoreycles made in the United States; hire of aircraft;
19 rental of buildings in the District of Columbia; fencing,
20 lighting, guard booths, and other facilities on private or
21 other property not in Government ownership or control,
22 as may be necessary to perform protective functions; con-
23 duct of and participation in firearms matches; presen-
24 tation of awards; conduct of behavioral research in sup-
25 port of protective intelligence and operations; payment in

1 advance for commercial accommodations as may be nec-
2 essary to perform protective functions; and payment, with-
3 out regard to section 5702 of title 5, United States Code,
4 of subsistence expenses of employees who are on protective
5 missions, whether at or away from their duty stations;
6 \$2,099,870,000; of which \$41,536,000 shall remain avail-
7 able until September 30, 2020, of which \$6,000,000 shall
8 be for a grant for activities related to investigations of
9 missing and exploited children: *Provided*, That not to ex-
10 ceed \$19,125 shall be for official reception and representa-
11 tion expenses: *Provided further*, That not to exceed
12 \$100,000 shall be to provide technical assistance and
13 equipment to foreign law enforcement organizations in
14 counterfeit investigations.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of the United States Secret
17 Service for procurement, construction, and improvements,
18 \$64,816,000, to remain available until September 30,
19 2021.

20 RESEARCH AND DEVELOPMENT

21 For necessary expenses of the United States Secret
22 Service for research and development, \$2,500,000, to re-
23 main available until September 30, 2020.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 201. Section 201 of the Department of Home-
3 land Security Appropriations Act, 2018 (division F of
4 Public Law 115-141), related to overtime compensation
5 limitations, shall apply with respect to funds made avail-
6 able in this Act in the same manner as such section ap-
7 plied to funds made available in that Act, except that “fis-
8 cal year 2019” shall be substituted for “fiscal year 2018”.

9 SEC. 202. Funding made available under the heading
10 “U.S. Customs and Border Protection—Operations and
11 Support” and “U.S. Customs and Border Protection—
12 Procurement, Construction, and Improvements” shall be
13 available for customs expenses when necessary to maintain
14 operations and prevent adverse personnel actions in Puer-
15 to Rico in addition to funding provided by 48 U.S.C. 740.

16 SEC. 203. As authorized by section 601(b) of the
17 United States-Colombia Trade Promotion Agreement Im-
18 plementation Act (Public Law 112-42), fees collected
19 from passengers arriving from Canada, Mexico, or an ad-
20 jacent island pursuant to section 13031(a)(5) of the Con-
21 solidated Omnibus Budget Reconciliation Act of 1985 (19
22 U.S.C. 58c(a)(5)) shall be available until expended.

23 SEC. 204. For an additional amount for “U.S. Cus-
24 toms and Border Protection—Operations and Support”,
25 \$39,000,000, to remain available until expended, to be re-

1 duced by amounts collected and credited to this appropria-
2 tion in fiscal year 2019 from amounts authorized to be
3 collected by section 286(i) of the Immigration and Nation-
4 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
5 Security and Rural Investment Act of 2002 (7 U.S.C.
6 8311), and section 817 of the Trade Facilitation and
7 Trade Enforcement Act of 2015 (Public Law 114–25), or
8 other such authorizing language: *Provided*, That to the ex-
9 tent that amounts realized from such collections exceed
10 \$39,000,000, those amounts in excess of \$39,000,000
11 shall be credited to this appropriation, to remain available
12 until expended.

13 SEC. 205. None of the funds made available in this
14 Act for U.S. Customs and Border Protection may be used
15 to prevent an individual not in the business of importing
16 a prescription drug (within the meaning of section 801(g)
17 of the Federal Food, Drug, and Cosmetic Act) from im-
18 porting a prescription drug from Canada that complies
19 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
20 That this section shall apply only to individuals trans-
21 porting on their person a personal-use quantity of the pre-
22 scription drug, not to exceed a 90-day supply: *Provided*
23 *further*, That the prescription drug may not be—

1 (1) a controlled substance, as defined in section
2 102 of the Controlled Substances Act (21 U.S.C.
3 802); or

4 (2) a biological product, as defined in section
5 351 of the Public Health Service Act (42 U.S.C.
6 262).

7 SEC. 206. Notwithstanding any other provision of
8 law, none of the funds provided in this or any other Act
9 shall be used to approve a waiver of the navigation and
10 vessel-inspection laws pursuant to section 501(b) of title
11 46, United States Code, for the transportation of crude
12 oil distributed from and to the Strategic Petroleum Re-
13 serve until the Secretary of Homeland Security, after con-
14 sultation with the Secretaries of the Departments of En-
15 ergy and Transportation and representatives from the
16 United States flag maritime industry, takes adequate
17 measures to ensure the use of United States flag vessels:
18 *Provided*, That the Secretary shall notify the Committees
19 on Appropriations of the Senate and the House of Rep-
20 resentatives, the Committee on Commerce, Science, and
21 Transportation of the Senate, and the Committee on
22 Transportation and Infrastructure of the House of Rep-
23 resentatives within 2 business days of any request for
24 waivers of navigation and vessel-inspection laws pursuant
25 to section 501(b) of title 46, United States Code, with re-

1 spect to such transportation, and the disposition of such
2 requests.

3 SEC. 207. (a) None of the funds made available by
4 this Act may be used to approve, license, facilitate, author-
5 ize, or otherwise allow the trafficking or import of prop-
6 erty confiscated by the Cuban Government.

7 (b) In this section, the terms “confiscated”, “Cuban
8 Government”, “property”, and “traffic” have the mean-
9 ings given such terms in paragraphs (4), (5), (12)(A), and
10 (13), respectively, of section 4 of the Cuban Liberty and
11 Democratic Solidarity (LIBERTAD) Act of 1996 (2216
12 U.S.C. 6023).

13 SEC. 208. Without regard to the limitation as to time
14 and condition of section 503(d) of this Act, the Secretary
15 may reprogram within and transfer funds to “U.S. Immi-
16 gration and Customs Enforcement—Operations and Sup-
17 port” as necessary to ensure the detention of aliens
18 prioritized for removal.

19 SEC. 209. None of the funds provided under the
20 heading “U.S. Immigration and Customs Enforcement—
21 Operations and Support” may be used to continue a dele-
22 gation of law enforcement authority authorized under sec-
23 tion 287(g) of the Immigration and Nationality Act (8
24 U.S.C. 1357(g)) if the Department of Homeland Security
25 Inspector General determines that the terms of the agree-

1 ment governing the delegation of authority have been ma-
2 terially violated.

3 SEC. 210. None of the funds provided under the
4 heading “U.S. Immigration and Customs Enforcement—
5 Operations and Support” may be used to continue any
6 contract for the provision of detention services if the two
7 most recent overall performance evaluations received by
8 the contracted facility are less than “adequate” or the
9 equivalent median score in any subsequent performance
10 evaluation system.

11 SEC. 211. Members of the United States House of
12 Representatives and the United States Senate, including
13 the leadership; the heads of Federal agencies and commis-
14 sions, including the Secretary, Deputy Secretary, Under
15 Secretaries, and Assistant Secretaries of the Department
16 of Homeland Security; the United States Attorney Gen-
17 eral, Deputy Attorney General, Assistant Attorneys Gen-
18 eral, and the United States Attorneys; and senior mem-
19 bers of the Executive Office of the President, including
20 the Director of the Office of Management and Budget,
21 shall not be exempt from Federal passenger and baggage
22 screening.

23 SEC. 212. Any award by the Transportation Security
24 Administration to deploy explosives detection systems
25 shall be based on risk, the airport’s current reliance on

1 other screening solutions, lobby congestion resulting in in-
2 creased security concerns, high injury rates, airport readi-
3 ness, and increased cost effectiveness.

4 SEC. 213. Notwithstanding section 44923 of title 49,
5 United States Code, for fiscal year 2019, any funds in
6 the Aviation Security Capital Fund established by section
7 44923(h) of title 49, United States Code, may be used
8 for the procurement and installation of explosives detec-
9 tion systems or for the issuance of other transaction agree-
10 ments for the purpose of funding projects described in sec-
11 tion 44923(a) of such title.

12 SEC. 214. None of the funds made available by this
13 Act under the heading “Coast Guard—Operations and
14 Support” shall be for expenses incurred for recreational
15 vessels under section 12114 of title 46, United States
16 Code, except to the extent fees are collected from owners
17 of yachts and credited to the appropriation made available
18 by this Act under the heading “Coast Guard—Operations
19 and Support”: *Provided*, That to the extent such fees are
20 insufficient to pay expenses of recreational vessel docu-
21 mentation under such section 12114, and there is a back-
22 log of recreational vessel applications, personnel per-
23 forming non-recreational vessel documentation functions
24 under subchapter II of chapter 121 of title 46, United

1 States Code, may perform documentation under section
2 12114.

3 SEC. 215. Without regard to the limitation as to time
4 and condition of section 503(d) of this Act, after June
5 30, up to \$10,000,000 may be reprogrammed to or from
6 the Military Pay and Allowances funding category within
7 “Coast Guard—Operations and Support” in accordance
8 with subsection (a) of section 503 of this Act.

9 SEC. 216. Notwithstanding any other provision of
10 law, the Commandant of the Coast Guard shall submit
11 to the Committees on Appropriations of the Senate and
12 the House of Representatives a future-years capital invest-
13 ment plan as described in the second proviso under the
14 heading “Coast Guard—Acquisition, Construction, and
15 Improvements” in the Department of Homeland Security
16 Appropriations Act, 2015 (Public Law 114–4), which shall
17 be subject to the requirements in the third and fourth pro-
18 visos under such heading.

19 SEC. 217. The United States Secret Service is au-
20 thorized to obligate funds in anticipation of reimburse-
21 ments from Federal agencies and entities, as defined in
22 section 105 of title 5, United States Code, for personnel
23 receiving training sponsored by the James J. Rowley
24 Training Center, except that total obligations at the end
25 of the fiscal year shall not exceed total budgetary re-

1 sources available under the heading “United States Secret
2 Service—Operations and Support” at the end of the fiscal
3 year.

4 SEC. 218. None of the funds made available to the
5 United States Secret Service by this Act or by previous
6 appropriations Acts may be made available for the protec-
7 tion of the head of a Federal agency other than the Sec-
8 retary of Homeland Security: *Provided*, That the Director
9 of the United States Secret Service may enter into agree-
10 ments to provide such protection on a fully reimbursable
11 basis.

12 SEC. 219. For purposes of section 503(a)(3) of this
13 Act, up to \$15,000,000 may be reprogrammed within
14 “United States Secret Service—Operations and Support”.

15 SEC. 220. Funding made available in this Act for
16 “United States Secret Service—Operations and Support”
17 is available for travel of United States Secret Service em-
18 ployees on protective missions without regard to the limi-
19 tations on such expenditures in this or any other Act if
20 the Director of the United States Secret Service or a des-
21 ignee notifies the Committees on Appropriations of the
22 Senate and the House of Representatives 10 or more days
23 in advance, or as early as practicable, prior to such ex-
24 penditures.

1 SEC. 221. Not later than 90 days after the date of
2 the enactment of this Act, the Secretary of Homeland Se-
3 curity shall submit an expenditure plan for the amounts
4 made available for “U.S. Customs and Border Protec-
5 tion—Procurement, Construction, and Improvements” to
6 the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate: *Provided*, That no such
8 amounts may be obligated without prior approval of the
9 plan by such Committees.

10 TITLE III
11 PROTECTION, PREPAREDNESS, RESPONSE, AND
12 RECOVERY

13 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
14 OPERATIONS AND SUPPORT

15 For necessary expenses of the National Protection
16 and Programs Directorate for operations and support,
17 \$1,550,112,000, of which \$18,650,000 shall remain avail-
18 able until September 30, 2020: *Provided*, That not to ex-
19 ceed \$3,825 shall be for official reception and representa-
20 tion expenses.

21 FEDERAL PROTECTIVE SERVICE

22 The revenues and collections of security fees credited
23 to this account shall be available until expended for nec-
24 essary expenses related to the protection of federally

1 owned and leased buildings and for the operations of the
2 Federal Protective Service.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses of the National Protection
5 and Programs Directorate for procurement, construction,
6 and improvements, \$367,964,000, to remain available
7 until September 30, 2021.

8 RESEARCH AND DEVELOPMENT

9 For necessary expenses of the National Protection
10 and Programs Directorate for research and development,
11 \$16,486,000, to remain available until September 30,
12 2020.

13 FEDERAL EMERGENCY MANAGEMENT AGENCY

14 OPERATIONS AND SUPPORT

15 For necessary expenses of the Federal Emergency
16 Management Agency for operations and support,
17 \$1,057,599,000: *Provided*, That not to exceed \$2,250
18 shall be for official reception and representation expenses.

19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of the Federal Emergency
21 Management Agency for procurement, construction, and
22 improvements, \$103,349,000, to remain available until
23 September 30, 2021.

1 FEDERAL ASSISTANCE

2 For activities of the Federal Emergency Management
3 Agency for Federal assistance through grants, contracts,
4 cooperative agreements, and other activities,
5 \$3,356,525,000, which shall be allocated as follows:

6 (1) \$538,000,000 for the State Homeland Secu-
7 rity Grant Program under section 2004 of the
8 Homeland Security Act of 2002 (6 U.S.C. 605), of
9 which \$85,000,000 shall be for Operation
10 Stonegarden, and \$10,000,000 shall be for organiza-
11 tions (as described under section 501(c)(3) of the
12 Internal Revenue Code of 1986 and exempt from tax
13 under such 501(a) of such code) determined by the
14 Secretary of Homeland Security to be at high risk
15 of a terrorist attack: *Provided*, That notwithstanding
16 subsection (c)(4) of such section 2004, for fiscal
17 year 2019, the Commonwealth of Puerto Rico shall
18 make available to local and tribal governments
19 amounts provided to the Commonwealth of Puerto
20 Rico under this paragraph in accordance with sub-
21 section (c)(1) of such section 2004.

22 (2) \$661,000,000 for the Urban Area Security
23 Initiative under section 2003 of the Homeland Secu-
24 rity Act of 2002 (6 U.S.C. 604), of which
25 \$50,000,000 shall be for organizations (as described

1 under section 501(c)(3) of the Internal Revenue
2 Code of 1986 and exempt from tax under section
3 501(a) of such code) determined by the Secretary of
4 Homeland Security to be at high risk of a terrorist
5 attack.

6 (3) \$100,000,000 for Public Transportation Se-
7 curity Assistance, Railroad Security Assistance, and
8 Over-the-Road Bus Security Assistance under sec-
9 tions 1406, 1513, and 1532 of the Implementing
10 Recommendations of the 9/11 Commission Act of
11 2007 (6 U.S.C. 1135, 1163, and 1182), of which
12 \$10,000,000 shall be for Amtrak security and
13 \$4,000,000 shall be for Over-the-Road Bus Security:
14 *Provided*, That such public transportation security
15 assistance shall be provided directly to public trans-
16 portation agencies.

17 (4) \$100,000,000 for Port Security Grants in
18 accordance with section 70107 of title 46, United
19 States Code.

20 (5) \$700,000,000, to remain available until
21 September 30, 2020, of which \$350,000,000 shall be
22 for Assistance to Firefighter Grants and
23 \$350,000,000 shall be for Staffing for Adequate
24 Fire and Emergency Response Grants under sec-
25 tions 33 and 34 respectively of the Federal Fire Pre-

1 vention and Control Act of 1974 (15 U.S.C. 2229
2 and 2229a).

3 (6) \$350,000,000 for emergency management
4 performance grants under the National Flood Insur-
5 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
6 Stafford Disaster Relief and Emergency Assistance
7 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
8 duction Act of 1977 (42 U.S.C. 7701), section 762
9 of title 6, United States Code, and Reorganization
10 Plan No. 3 of 1978 (5 U.S.C. App.).

11 (7) \$249,200,000 for the National Predisaster
12 Mitigation Fund under section 203 of the Robert T.
13 Stafford Disaster Relief and Emergency Assistance
14 Act (42 U.S.C. 5133), to remain available until ex-
15 pended.

16 (8) \$262,531,000 for necessary expenses for
17 Flood Hazard Mapping and Risk Analysis, in addi-
18 tion to and to supplement any other sums appro-
19 priated under the National Flood Insurance Fund,
20 and such additional sums as may be provided by
21 States or other political subdivisions for cost-shared
22 mapping activities under section 1360(f)(2) of the
23 National Flood Insurance Act of 1968 (42 U.S.C.
24 4101(f)(2)), to remain available until expended.

1 (9) \$120,000,000 for the emergency food and
2 shelter program under title III of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C. 11331),
4 to remain available until expended: *Provided*, That
5 not to exceed 3.5 percent shall be for total adminis-
6 trative costs.

7 (10) \$275,794,000 to sustain current oper-
8 ations for training, exercises, technical assistance,
9 and other programs.

10 DISASTER RELIEF FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses in carrying out the Robert
13 T. Stafford Disaster Relief and Emergency Assistance Act
14 (42 U.S.C. 5121 et seq.), \$7,210,000,000, to remain avail-
15 able until expended, of which \$6,652,000,000 shall be for
16 major disasters declared pursuant to the Robert T. Staf-
17 ford Disaster Relief and Emergency Assistance Act (42
18 U.S.C. 5121 et seq.) and is designated by the Congress
19 as being for disaster relief pursuant to section
20 251(b)(2)(D) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, of which up to \$3,000,000
22 may be transferred to the Disaster Assistance Direct Loan
23 Program for administrative expenses to carry out the pro-
24 gram as authorized by section 417 of the Robert T. Staf-

1 ford Disaster Relief and Emergency Assistance Act (42
2 U.S.C. 5184).

3 NATIONAL FLOOD INSURANCE FUND

4 For activities under the National Flood Insurance
5 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
6 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
7 Biggert-Waters Flood Insurance Reform Act of 2012
8 (Public Law 112–141, 126 Stat. 916), and the Home-
9 owner Flood Insurance Affordability Act of 2014 (Public
10 Law 113–89; 128 Stat. 1020), \$201,691,000, to remain
11 available until September 30, 2020, which shall be derived
12 from offsetting amounts collected under section 1308(d)
13 of the National Flood Insurance Act of 1968 (42 U.S.C.
14 4015(d)); of which \$13,784,000 shall be available for mis-
15 sion support associated with flood management; and of
16 which \$187,907,000 shall be available for flood plain man-
17 agement and flood mapping: *Provided*, That any addi-
18 tional fees collected pursuant to section 1308(d) of the
19 National Flood Insurance Act of 1968 (42 U.S.C.
20 4015(d)) shall be credited as offsetting collections to this
21 account, to be available for flood plain management and
22 flood mapping: *Provided further*, That in fiscal year 2019,
23 no funds shall be available from the National Flood Insur-
24 ance Fund under section 1310 of the National Flood In-
25 surance Act of 1968 (42 U.S.C. 4017) in excess of—

1 (1) \$176,304,000 for operating expenses and
2 salaries and expenses associated with flood insurance
3 operations;

4 (2) \$1,123,000,000 for commissions and taxes
5 of agents;

6 (3) such sums as are necessary for interest on
7 Treasury borrowings; and

8 (4) \$175,000,000, which shall remain available
9 until expended, for flood mitigation actions and for
10 flood mitigation assistance under section 1366 of the
11 National Flood Insurance Act of 1968 (42 U.S.C.
12 4104e), notwithstanding sections 1366(e) and
13 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):
14 *Provided further*, That the amounts collected under section
15 102 of the Flood Disaster Protection Act of 1973 (42
16 U.S.C. 4012a) and section 1366(e) of the National Flood
17 Insurance Act of 1968 shall be deposited in the National
18 Flood Insurance Fund to supplement other amounts speci-
19 fied as available for section 1366 of the National Flood
20 Insurance Act of 1968, notwithstanding section 102(f)(8),
21 section 1366(e), and paragraphs (1) through (3) of section
22 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
23 4104d(b)(1)–(3)): *Provided further*, That total administra-
24 tive costs shall not exceed 4 percent of the total appropria-
25 tion: *Provided further*, That up to \$5,000,000 is available

1 to carry out section 24 of the Homeowner Flood Insurance
2 Affordability Act of 2014 (42 U.S.C. 4033).

3 ADMINISTRATIVE PROVISIONS

4 SEC. 301. Notwithstanding section 2008(a)(12) of
5 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
6 or any other provision of law, not more than 5 percent
7 of the amount of a grant made available in paragraphs
8 (1) through (4) under “Federal Emergency Management
9 Agency—Federal Assistance”, may be used by the grantee
10 for expenses directly related to administration of the
11 grant.

12 SEC. 302. Applications for grants under the heading
13 “Federal Emergency Management Agency—Federal As-
14 sistance”, for paragraphs (1) through (4), shall be made
15 available to eligible applicants not later than 60 days after
16 the date of enactment of this Act, eligible applicants shall
17 submit applications not later than 80 days after the grant
18 announcement, and the Administrator of the Federal
19 Emergency Management Agency shall act within 65 days
20 after the receipt of an application.

21 SEC. 303. Under the heading “Federal Emergency
22 Management Agency—Federal Assistance”, for grants
23 under paragraphs (1) through (4), the Administrator of
24 the Federal Emergency Management Agency shall brief
25 the Committees on Appropriations of the Senate and the

1 House of Representatives 5 full business days in advance
2 of announcing publicly the intention of making an award.

3 SEC. 304. Under the heading “Federal Emergency
4 Management Agency—Federal Assistance”, for grants
5 under paragraphs (1) and (2), the installation of commu-
6 nications towers is not considered construction of a build-
7 ing or other physical facility.

8 SEC. 305. The reporting requirements in paragraphs
9 (1) and (2) under the heading “Federal Emergency Man-
10 agement Agency—Disaster Relief Fund” in the Depart-
11 ment of Homeland Security Appropriations Act, 2015
12 (Public Law 114–4) shall be applied in fiscal year 2019
13 with respect to budget year 2020 and current fiscal year
14 2019, respectively—

15 (1) in paragraph (1) by substituting “fiscal
16 year 2020” for “fiscal year 2016”; and

17 (2) in paragraph (2) by inserting “business”
18 after “fifth”.

19 SEC. 306. In making grants under the heading “Fire-
20 fighter Assistance Grants”, the Secretary may grant waiv-
21 ers from the requirements in subsections (a)(1)(A),
22 (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section
23 34 of the Federal Fire Prevention and Control Act of 1974
24 (15 U.S.C. 2229a).

1 SEC. 307. The aggregate charges assessed during fis-
2 cal year 2019, as authorized in title III of the Depart-
3 ments of Veterans Affairs and Housing and Urban Devel-
4 opment, and Independent Agencies Appropriations Act,
5 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
6 cent of the amounts anticipated by the Department of
7 Homeland Security to be necessary for its Radiological
8 Emergency Preparedness Program for the next fiscal year:
9 *Provided*, That the methodology for assessment and collec-
10 tion of fees shall be fair and equitable and shall reflect
11 costs of providing such services, including administrative
12 costs of collecting such fees: *Provided further*, That such
13 fees shall be deposited in a Radiological Emergency Pre-
14 paredness Program account as offsetting collections and
15 will become available for authorized purposes on October
16 1, 2019, and remain available until expended.

17 SEC. 308. None of the funds in this or any other Act
18 may be used to deny continued rental assistance under
19 section 408 of the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. 5174) to an indi-
21 vidual or household solely on the basis of income.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TRAINING, AND
3 SERVICES

4 U.S. CITIZENSHIP AND IMMIGRATION SERVICES
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Citizenship and Im-
7 migration Services for operations and support of the E-
8 Verify Program, \$109,081,000.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of U.S. Citizenship and Im-
11 migration Services for procurement, construction, and im-
12 provements of the E-Verify Program, \$22,838,000, to re-
13 main available until September 30, 2021.

14 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Federal Law Enforce-
17 ment Training Centers for operations and support, includ-
18 ing the purchase of not to exceed 117 vehicles for police-
19 type use and hire of passenger motor vehicles, and services
20 as authorized by section 3109 of title 5, United States
21 Code, \$254,774,000, of which \$58,191,000 shall remain
22 available until September 30, 2020: *Provided*, That not
23 to exceed \$7,180 shall be for official reception and rep-
24 resentation expenses.

1 SCIENCE AND TECHNOLOGY DIRECTORATE

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Science and Tech-
4 nology Directorate for operations and support, including
5 the purchase or lease of not to exceed 5 vehicles,
6 \$304,408,000, of which \$166,350,000 shall remain avail-
7 able until September 30, 2020: *Provided*, That not to ex-
8 ceed \$10,000 shall be for official reception and representa-
9 tion expenses.

10 RESEARCH AND DEVELOPMENT

11 For necessary expenses of the Science and Tech-
12 nology Directorate for research and development,
13 \$497,751,000, to remain available until September 30,
14 2020.

15 COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

16 OPERATIONS AND SUPPORT

17 For necessary expenses of the Countering Weapons
18 of Mass Destruction Office for operations and support,
19 \$214,264,0000: *Provided*, That not to exceed \$2,250 shall
20 be for official reception and representation expenses.

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of the Countering Weapons
23 of Mass Destruction Office for procurement, construction,
24 and improvements, \$74,896,000, to remain available until
25 September 30, 2021.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Countering Weapons
3 of Mass Destruction Office for research and development,
4 \$80,443,000, to remain available until September 30,
5 2021.

6 FEDERAL ASSISTANCE

7 For necessary expenses of the Countering Weapons
8 of Mass Destruction Office for Federal assistance through
9 grants, contracts, cooperative agreements, and other ac-
10 tivities, \$64,663,000, to remain available until September
11 30, 2021.

12 ADMINISTRATIVE PROVISIONS

13 SEC. 401. Notwithstanding any other provision of
14 law, funds otherwise made available to U.S. Citizenship
15 and Immigration Services may be used to acquire, operate,
16 equip, and dispose of up to 5 vehicles, for replacement
17 only, for areas where the Administrator of General Serv-
18 ices does not provide vehicles for lease: *Provided*, That the
19 Director of U.S. Citizenship and Immigration Services
20 may authorize employees who are assigned to those areas
21 to use such vehicles to travel between the employees' resi-
22 dences and places of employment.

23 SEC. 402. None of the funds made available in this
24 Act may be used by U.S. Citizenship and Immigration
25 Services to grant an immigration benefit unless the results

1 of background checks required by law to be completed
2 prior to the granting of the benefit have been received by
3 U.S. Citizenship and Immigration Services, and the re-
4 sults do not preclude the granting of the benefit.

5 SEC. 403. None of the funds appropriated by this Act
6 may be used to process or approve a competition under
7 Office of Management and Budget Circular A-76 for serv-
8 ices provided by employees (including employees serving
9 on a temporary or term basis) of U.S. Citizenship and Im-
10 migration Services of the Department of Homeland Secu-
11 rity who are known as Immigration Information Officers,
12 Immigration Service Analysts, Contact Representatives,
13 Investigative Assistants, or Immigration Services Officers.

14 SEC. 404. (a) Notwithstanding section 1356(n) of
15 title 8, United States Code, of the funds deposited into
16 the Immigration Examinations Fee Account, up to
17 \$10,000,000 may be allocated by U.S. Citizenship and Im-
18 migration Services in fiscal year 2019 for the purpose of
19 providing an Immigrant Integration grants program.

20 (b) None of the funds made available to U.S. Citizen-
21 ship and Immigration Services for grants for immigrant
22 integration under subsection (a) may be used to provide
23 services to aliens who have not been lawfully admitted for
24 permanent residence.

1 SEC. 405. The Director of the Federal Law Enforce-
2 ment Training Centers is authorized to distribute funds
3 to Federal law enforcement agencies for expenses incurred
4 participating in training accreditation.

5 SEC. 406. The Federal Law Enforcement Training
6 Accreditation Board, including representatives from the
7 Federal law enforcement community and non-Federal ac-
8 creditation experts involved in law enforcement training,
9 shall lead the Federal law enforcement training accredita-
10 tion process to continue the implementation of measuring
11 and assessing the quality and effectiveness of Federal law
12 enforcement training programs, facilities, and instructors.

13 SEC. 407. (a) There is to be established a “Federal
14 Law Enforcement Training Centers—Procurement, Con-
15 struction, and Improvements” appropriations account for
16 planning, operational development, engineering, and pur-
17 chases prior to sustainment and for information tech-
18 nology-related procurement, construction, and improve-
19 ments, including non-tangible assets of the Federal Law
20 Enforcement Training Centers.

21 (b) The Director of the Federal Law Enforcement
22 Training Centers may accept transfers to the account
23 “Federal Law Enforcement Training Centers—Procure-
24 ment, Construction, and Improvements” from Govern-
25 ment agencies requesting the construction of special use

1 facilities, as authorized by the Economy Act (31 U.S.C.
2 1535(b)): *Provided*, That the Federal Law Enforcement
3 Training Centers maintain administrative control and
4 ownership upon completion of such facilities.

5 SEC. 408. The functions of the Federal Law Enforce-
6 ment Training Centers instructor staff shall be classified
7 as inherently governmental for the purpose of the Federal
8 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
9 note).

10 SEC. 409. Section 538(a) of division D of the Consoli-
11 dated Appropriations Act, 2012 (Public Law 112-74) is
12 amended —

13 (1) By striking “through public sale”; and

14 (2) By striking “requirements.” and by inserting
15 “requirements: *Provided*, That the sale of Plum Is-
16 land property and assets complies with the require-
17 ments for asset disposition described in chapter 5 of
18 subtitle I of title 40, United States Code.”

1 TITLE V
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 501. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 502. Subject to the requirements of section 503
8 of this Act, the unexpended balances of prior appropria-
9 tions provided for activities in this Act may be transferred
10 to appropriation accounts for such activities established
11 pursuant to this Act, may be merged with funds in the
12 applicable established accounts, and thereafter may be ac-
13 counted for as one fund for the same time period as origi-
14 nally enacted.

15 SEC. 503. (a) None of the funds provided by this Act,
16 provided by previous appropriations Acts to the compo-
17 nents in or transferred to the Department of Homeland
18 Security that remain available for obligation or expendi-
19 ture in fiscal year 2019, or provided from any accounts
20 in the Treasury of the United States derived by the collec-
21 tion of fees available to the components funded by this
22 Act, shall be available for obligation or expenditure
23 through a reprogramming of funds that—

24 (1) creates or eliminates a program, project, or
25 activity, or increases funds for any program, project,

1 or activity for which funds have been denied or re-
2 stricted by the Congress;

3 (2) contracts out any function or activity pres-
4 ently performed by Federal employees or any new
5 function or activity proposed to be performed by
6 Federal employees in the President's budget pro-
7 posal for fiscal year 2019 for the Department of
8 Homeland Security;

9 (3) augments funding for existing programs,
10 projects, or activities in excess of \$5,000,000 or 10
11 percent, whichever is less;

12 (4) reduces funding for any program, project,
13 or activity, or numbers of personnel, by 10 percent
14 or more; or

15 (5) results from any general savings from a re-
16 duction in personnel that would result in a change
17 in funding levels for programs, projects, or activities
18 as approved by the Congress.

19 (b) Subsection (a) shall not apply if the Committees
20 on Appropriations of the Senate and the House of Rep-
21 resentatives are notified at least 15 days in advance of
22 such reprogramming.

23 (c) Up to 5 percent of any appropriation made avail-
24 able for the current fiscal year for the Department of
25 Homeland Security by this Act or provided by previous

1 appropriations Acts may be transferred between such ap-
2 propriations if the Committees on Appropriations of the
3 Senate and the House of Representatives are notified at
4 least 30 days in advance of such transfer, but no such
5 appropriation, except as otherwise specifically provided,
6 shall be increased by more than 10 percent by such trans-
7 fer.

8 (d) Notwithstanding subsections (a), (b), and (c), no
9 funds shall be reprogrammed within or transferred be-
10 tween appropriations based upon an initial notification
11 provided after June 30, except in extraordinary cir-
12 cumstances that imminently threaten the safety of human
13 life or the protection of property.

14 (e) The notification thresholds and procedures set
15 forth in subsections (a), (b), (c), and (d) shall apply to
16 any use of deobligated balances of funds provided in pre-
17 vious Department of Homeland Security Appropriations
18 Acts.

19 (f) Notwithstanding subsection (c), the Secretary of
20 Homeland Security may transfer to the fund established
21 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
22 priations available to the Department of Homeland Secu-
23 rity: *Provided*, That the Secretary shall notify the Com-
24 mittees on Appropriations of the Senate and the House

1 of Representatives at least 5 days in advance of such
2 transfer.

3 SEC. 504. Section 504 of the Department of Home-
4 land Security Appropriations Act, 2017 (division F of
5 Public Law 115–31), related to the operations of a work-
6 ing capital fund, shall apply with respect to funds made
7 available in this Act in the same manner as such section
8 applied to funds made available in that Act.

9 SEC. 505. Except as otherwise specifically provided
10 by law, not to exceed 50 percent of unobligated balances
11 remaining available at the end of fiscal year 2019, as re-
12 corded in the financial records at the time of a reprogram-
13 ming notification, but not later than June 30, 2020, from
14 appropriations for “Operations and Support” for fiscal
15 year 2019 in this Act shall remain available through Sep-
16 tember 30, 2020, in the account and for the purposes for
17 which the appropriations were provided: *Provided*, That
18 prior to the obligation of such funds, a notification shall
19 be submitted to the Committees on Appropriations of the
20 Senate and the House of Representatives in accordance
21 with section 503 of this Act.

22 SEC. 506. Funds made available by this Act for intel-
23 ligence activities are deemed to be specifically authorized
24 by the Congress for purposes of section 504 of the Na-
25 tional Security Act of 1947 (50 U.S.C. 414) during fiscal

1 year 2019 until the enactment of an Act authorizing intel-
2 ligence activities for fiscal year 2019.

3 SEC. 507. (a) The Secretary of Homeland Security,
4 or the designee of the Secretary, shall notify the Commit-
5 tees on Appropriations of the Senate and the House of
6 Representatives at least 3 full business days in advance
7 of—

8 (1) making or awarding a grant allocation,
9 grant, contract, other transaction agreement, or task
10 or delivery order on a Department of Homeland Se-
11 curity multiple award contract, or to issue a letter
12 of intent totaling in excess of \$1,000,000;

13 (2) awarding a task or delivery order requiring
14 an obligation of funds in an amount greater than
15 \$10,000,000 from multi-year Department of Home-
16 land Security funds;

17 (3) making a sole-source grant award; or

18 (4) announcing publicly the intention to make
19 or award items under paragraph (1), (2), or (3), in-
20 cluding a contract covered by the Federal Acquisi-
21 tion Regulation.

22 (b) If the Secretary of Homeland Security determines
23 that compliance with this section would pose a substantial
24 risk to human life, health, or safety, an award may be
25 made without notification, and the Secretary shall notify

1 the Committees on Appropriations of the Senate and the
2 House of Representatives not later than 5 full business
3 days after such an award is made or letter issued.

4 (c) A notification under this section—

5 (1) may not involve funds that are not available
6 for obligation; and

7 (2) shall include the amount of the award; the
8 fiscal year for which the funds for the award were
9 appropriated; the type of contract; and the account
10 from which the funds are being drawn.

11 SEC. 508. Notwithstanding any other provision of
12 law, no agency shall purchase, construct, or lease any ad-
13 ditional facilities, except within or contiguous to existing
14 locations, to be used for the purpose of conducting Federal
15 law enforcement training without advance notification to
16 the Committees on Appropriations of the Senate and the
17 House of Representatives, except that the Federal Law
18 Enforcement Training Centers is authorized to obtain the
19 temporary use of additional facilities by lease, contract,
20 or other agreement for training that cannot be accommo-
21 dated in existing Centers facilities.

22 SEC. 509. None of the funds appropriated or other-
23 wise made available by this Act may be used for expenses
24 for any construction, repair, alteration, or acquisition
25 project for which a prospectus otherwise required under

1 chapter 33 of title 40, United States Code, has not been
2 approved, except that necessary funds may be expended
3 for each project for required expenses for the development
4 of a proposed prospectus.

5 SEC. 510. Sections 520, 522, and 530 of the Depart-
6 ment of Homeland Security Appropriations Act, 2008 (di-
7 vision E of Public Law 110–161; 121 Stat. 2073 and
8 2074) shall apply with respect to funds made available in
9 this Act in the same manner as such sections applied to
10 funds made available in that Act.

11 SEC. 511. None of the funds made available in this
12 Act may be used in contravention of the applicable provi-
13 sions of the Buy American Act: *Provided*, That for pur-
14 poses of the preceding sentence, the term “Buy American
15 Act” means chapter 83 of title 41, United States Code.

16 SEC. 512. None of the funds made available in this
17 Act may be used to amend the oath of allegiance required
18 by section 337 of the Immigration and Nationality Act
19 (8 U.S.C. 1448).

20 SEC. 513. None of the funds provided or otherwise
21 made available in this Act shall be available to carry out
22 section 872 of the Homeland Security Act of 2002 (6
23 U.S.C. 452) unless explicitly authorized by the Congress.

1 SEC. 514. None of the funds made available in this
2 Act may be used for planning, testing, piloting, or devel-
3 oping a national identification card.

4 SEC. 515. Any official that is required by this Act
5 to report or to certify to the Committees on Appropria-
6 tions of the Senate and the House of Representatives may
7 not delegate such authority to perform that act unless spe-
8 cifically authorized herein.

9 SEC. 516. None of the funds appropriated or other-
10 wise made available in this or any other Act may be used
11 to transfer, release, or assist in the transfer or release to
12 or within the United States, its territories, or possessions
13 Khalid Sheikh Mohammed or any other detainee who—

14 (1) is not a United States citizen or a member
15 of the Armed Forces of the United States; and

16 (2) is or was held on or after June 24, 2009,
17 at the United States Naval Station, Guantanamo
18 Bay, Cuba, by the Department of Defense.

19 SEC. 517. None of the funds made available in this
20 Act may be used for first-class travel by the employees
21 of agencies funded by this Act in contravention of sections
22 301–10.122 through 301–10.124 of title 41, Code of Fed-
23 eral Regulations.

24 SEC. 518. None of the funds made available in this
25 Act may be used to employ workers described in section

1 274A(h)(3) of the Immigration and Nationality Act (8
2 U.S.C. 1324a(h)(3)).

3 SEC. 519. Notwithstanding any other provision of
4 this Act, none of the funds appropriated or otherwise
5 made available by this Act may be used to pay award or
6 incentive fees for contractor performance that has been
7 judged to be below satisfactory performance or perform-
8 ance that does not meet the basic requirements of a con-
9 tract.

10 SEC. 520. None of the funds appropriated or other-
11 wise made available by this Act may be used by the De-
12 partment of Homeland Security to enter into any Federal
13 contract unless such contract is entered into in accordance
14 with the requirements of subtitle I of title 41, United
15 States Code, or chapter 137 of title 10, United States
16 Code, and the Federal Acquisition Regulation, unless such
17 contract is otherwise authorized by statute to be entered
18 into without regard to the above referenced statutes.

19 SEC. 521. (a) None of the funds made available in
20 this Act may be used to maintain or establish a computer
21 network unless such network blocks the viewing,
22 downloading, and exchanging of pornography.

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, tribal, or local law

1 enforcement agency or any other entity carrying out crimi-
2 nal investigations, prosecution, or adjudication activities.

3 SEC. 522. None of the funds made available in this
4 Act may be used by a Federal law enforcement officer to
5 facilitate the transfer of an operable firearm to an indi-
6 vidual if the Federal law enforcement officer knows or sus-
7 pects that the individual is an agent of a drug cartel unless
8 law enforcement personnel of the United States continu-
9 ously monitor or control the firearm at all times.

10 SEC. 523. None of the funds made available in this
11 Act may be used to pay for the travel to or attendance
12 of more than 50 employees of a single component of the
13 Department of Homeland Security, who are stationed in
14 the United States, at a single international conference un-
15 less the Secretary of Homeland Security, or a designee,
16 determines that such attendance is in the national interest
17 and notifies the Committees on Appropriations of the Sen-
18 ate and the House of Representatives within at least 10
19 days of that determination and the basis for that deter-
20 mination: *Provided*, That for purposes of this section the
21 term “international conference” shall mean a conference
22 occurring outside of the United States attended by rep-
23 resentatives of the United States Government and of for-
24 eign governments, international organizations, or non-
25 governmental organizations: *Provided further*, That the

1 total cost to the Department of Homeland Security of any
2 such conference shall not exceed \$500,000.

3 SEC. 524. None of the funds made available in this
4 Act may be used to reimburse any Federal department
5 or agency for its participation in a National Special Secu-
6 rity Event.

7 SEC. 525. None of the funds made available to the
8 Department of Homeland Security by this or any other
9 Act may be obligated for any structural pay reform that
10 affects more than 100 full-time positions or costs more
11 than \$5,000,000 in a single year before the end of the
12 30-day period beginning on the date on which the Sec-
13 retary of Homeland Security submits to Congress a notifi-
14 cation that includes—

15 (1) the number of full-time positions affected by
16 such change;

17 (2) funding required for such change for the
18 current year and through the Future Years Home-
19 land Security Program;

20 (3) justification for such change; and

21 (4) an analysis of compensation alternatives to
22 such change that were considered by the Depart-
23 ment.

24 SEC. 526. (a) Any agency receiving funds made avail-
25 able in this Act shall, subject to subsections (b) and (c),

1 post on the public website of that agency any report re-
2 quired to be submitted by the Committees on Appropria-
3 tions of the Senate and the House of Representatives in
4 this Act, upon the determination by the head of the agency
5 that it shall serve the national interest.

6 (b) Subsection (a) shall not apply to a report if—

7 (1) the public posting of the report com-
8 promises homeland or national security; or

9 (2) the report contains proprietary information.

10 (c) The head of the agency posting such report shall
11 do so only after such report has been made available to
12 the Committees on Appropriations of the Senate and the
13 House of Representatives for not less than 45 days except
14 as otherwise specified in law.

15 SEC. 527. (a) Funding provided in this Act for “Op-
16 erations and Support” may be used for minor procure-
17 ment, construction, and improvements.

18 (b) For purposes of subsection (a), “minor” refers
19 to end items with a unit cost of \$250,000 or less for per-
20 sonal property, and \$2,000,000 or less for real property.

21 SEC. 528. None of the funds made available by this
22 Act may be obligated or expended to implement the Arms
23 Trade Treaty until the Senate approves a resolution of
24 ratification for the Treaty.

1 SEC. 529. The authority provided by section 532 of
2 the Department of Homeland Security Appropriations
3 Act, 2018 (Public Law 115–141) regarding primary and
4 secondary schooling of dependents shall continue in effect
5 during fiscal year 2019.

6 SEC. 530. (a) For an additional amount for “Federal
7 Emergency Management Agency—Federal Assistance”,
8 \$41,000,000, to remain available until September 30,
9 2020, exclusively for providing reimbursement of extraor-
10 dinary law enforcement personnel costs for protection ac-
11 tivities directly and demonstrably associated with any resi-
12 dence of the President that is designated or identified to
13 be secured by the United States Secret Service.

14 (b) Subsections (b) through (f) of section 534 of the
15 Department of Homeland Security Appropriations Act,
16 2018 (Public Law 115–141), shall be applied with respect
17 to amounts made available by subsection (a) of this section
18 by substituting “October 1, 2019” for “October 1, 2018”
19 and “October 1, 2018” for “October 1, 2017”.

20 SPENDING REDUCTION ACCOUNT

21 SEC. 531. The amount by which the applicable alloca-
22 tion of new budget authority made by the Committee on
23 Appropriations of the House of Representatives under sec-
24 tion 302(b) of the Congressional Budget Act of 1974 ex-
25 ceeds the amount of proposed new budget authority is \$0.

1 This Act may be cited as the “Department of Home-
2 land Security Appropriations Act, 2019”.

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[FULL COMMITTEE PRINT]

Union Calendar No. _____

115TH CONGRESS
2^D SESSION

H. R. _____

[Report No. _ - _]

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, and for other purposes.

_____, 2008

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed