

119TH CONGRESS
2D SESSION

S. 2

AN ACT

To provide for reconciliation pursuant to title II of S. Con.
Res. 33.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Secure America Act”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS**

Sec. 101. U.S. Customs and Border Protection personnel.

Sec. 102. U.S. Immigration and Customs Enforcement.

Sec. 103. Border security, technology, and screening.

Sec. 104. Additional Department of Homeland Security appropriations.

TITLE II—COMMITTEE ON THE JUDICIARY

Sec. 201. U.S. Customs and Border Protection.

Sec. 202. U.S. Immigration and Customs Enforcement.

Sec. 203. Additional Department of Homeland Security appropriations.

6 **TITLE I—COMMITTEE ON HOME-**
7 **LAND SECURITY AND GOV-**
8 **ERNMENTAL AFFAIRS**

9 **SEC. 101. U.S. CUSTOMS AND BORDER PROTECTION PER-**
10 **SONNEL.**

11 (a) **PERSONNEL.**—In addition to amounts otherwise
12 available, there is appropriated to the Commissioner of
13 U.S. Customs and Border Protection for fiscal year 2026,
14 out of any money in the Treasury not otherwise appro-
15 priated, \$9,550,000,000, to remain available until Sep-
16 tember 30, 2029, to hire, pay, train, and equip Border
17 Patrol agents and Border Patrol support personnel to con-
18 duct functions other than immigration enforcement and
19 customs functions.

1 (b) RESTRICTION.—None of the funds made available
2 by subsection (a) may be used to recruit, hire, or train
3 personnel for the duties of processing coordinators after
4 October 31, 2028.

5 **SEC. 102. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.**

6 In addition to amounts otherwise available, there is
7 appropriated to the Director of U.S. Immigration and
8 Customs Enforcement for fiscal year 2026, out of any
9 money in the Treasury not otherwise appropriated,
10 \$7,450,000,000, to remain available until September 30,
11 2029, to hire, pay, train, and equip Homeland Security
12 Investigations agents and support personnel and to pro-
13 vide other necessary expenses for Homeland Security In-
14 vestigations' mission support and operations and mainte-
15 nance, of which \$108,500,000 shall be used to hire, pay,
16 and equip additional child exploitation investigators and
17 forensics analysts at the Victim Identification Laboratory
18 of the Child Exploitation Investigations Unit of Homeland
19 Security Investigations and at the Homeland Security In-
20 vestigations offices of the Special Agent in Charge to sup-
21 port the identification and rescue of victims of child sexual
22 exploitation and abuse, and to train such personnel and
23 State and local law enforcement regarding identifying vic-
24 tims of child sexual exploitation and abuse within the
25 Homeland Security Investigations Cyber Crimes Center,

1 except that funds provided in this section shall be used
2 for functions other than those related to Homeland Secu-
3 rity Investigations' immigration enforcement and customs
4 enforcement missions.

5 **SEC. 103. BORDER SECURITY, TECHNOLOGY, AND SCREEN-**
6 **ING.**

7 (a) IN GENERAL.—In addition to amounts otherwise
8 available, there is appropriated to the Commissioner of
9 U.S. Customs and Border Protection for fiscal year 2026,
10 out of any money in the Treasury not otherwise appro-
11 priated, to remain available until September 30, 2029,
12 \$3,450,000,000 for the following:

13 (1) Procurement and integration of new non-
14 intrusive inspection equipment and associated civil
15 works, including artificial intelligence, machine
16 learning, and other innovative technologies, as well
17 as other mission support, to combat the entry or exit
18 of illicit narcotics at ports of entry and along the
19 southwest, northern, and maritime borders.

20 (2) Air and Marine operations' upgrading and
21 procurement of new platforms for rapid air and ma-
22 rine response capabilities.

23 (3) Upgrades and procurement of border sur-
24 veillance technologies along the southwest, northern,
25 and maritime borders.

1 (4) Necessary expenses, including the deploy-
2 ment of technology, relating to the biometric entry
3 and exit system under section 7208 of the Intel-
4 ligence Reform and Terrorism Prevention Act of
5 2004 (8 U.S.C. 1365b).

6 (5) Enhancing border security by combating
7 drug trafficking, including fentanyl and its precursor
8 chemicals, at the southwest, northern, and maritime
9 borders.

10 (6) Necessary expenses for U.S. Customs and
11 Border Protection’s mission support and operations
12 and maintenance for functions other than those re-
13 lated to its immigration enforcement and customs
14 missions.

15 (b) RESTRICTIONS.—None of the funds made avail-
16 able under subsection (a) may be used for the procurement
17 or deployment of surveillance towers along the southwest
18 border and northern border that have not been tested and
19 accepted by U.S. Customs and Border Protection to de-
20 liver autonomous capabilities.

21 (c) DEFINITION OF AUTONOMOUS.—In this section,
22 with respect to capabilities, the term “autonomous” means
23 a system designed to apply artificial intelligence, machine
24 learning, computer vision, or other algorithms to accu-
25 rately detect, identify, classify, and track items of interest

1 in real time such that the system can make operational
2 adjustments without the active engagement of personnel
3 or continuous human command or control.

4 **SEC. 104. ADDITIONAL DEPARTMENT OF HOMELAND SECURITY**
5 **RITY APPROPRIATIONS.**

6 In addition to amounts otherwise available, there are
7 appropriated to the Secretary of Homeland Security for
8 fiscal year 2026, out of any money in the Treasury not
9 otherwise appropriated, \$2,500,000,000, to remain avail-
10 able until September 30, 2029, for the purposes provided
11 in this title.

12 **TITLE II—COMMITTEE ON THE**
13 **JUDICIARY**

14 **SEC. 201. U.S. CUSTOMS AND BORDER PROTECTION.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Commissioner of U.S. Customs and
17 Border Protection for fiscal year 2026, out of any money
18 in the Treasury not otherwise appropriated,
19 \$13,020,000,000, to remain available until September 30,
20 2029, for hiring, paying, training, and equipping U.S.
21 Customs and Border Protection agents, and the necessary
22 support staff, and to provide other necessary expenses for
23 U.S. Customs and Border Protection mission support and
24 operations and maintenance, in order to carry out immi-
25 gration enforcement activities.

1 **SEC. 202. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.**

2 In addition to amounts otherwise available, there is
3 appropriated to the Director of U.S. Immigration and
4 Customs Enforcement for fiscal year 2026, out of any
5 money in the Treasury not otherwise appropriated,
6 \$31,075,000,000, to remain available until September 30,
7 2029, for the following purposes:

8 (1) **HIRING, PAYING, AND TRAINING.**—Hiring,
9 paying, training, and equipping U.S. Immigration
10 and Customs Enforcement personnel and the per-
11 sonnel for all its directorates, including officers,
12 agents, investigators, attorneys and support staff, to
13 carry out immigration enforcement activities.

14 (2) **TRANSPORTATION.**—Funding for transpor-
15 tation costs and related costs associated with alien
16 departure or removal operations.

17 (3) **INFORMATION TECHNOLOGY.**—Funding for
18 information technology maintenance and
19 sustainment to support enforcement and removal op-
20 erations, including improvements to fee collections
21 and body-worn cameras.

22 (4) **FACILITY MAINTENANCE AND**
23 **SUSTAINMENT.**—Funding for facility maintenance
24 and sustainment to support enforcement and re-
25 moval operations.

1 (5) FLEET MAINTENANCE AND
2 SUSTAINMENT.—Funding for fleet maintenance and
3 sustainment to support enforcement and removal op-
4 erations.

5 (6) 287(G) AGREEMENTS.—Supporting coordi-
6 nation with state and local authorities by expanding,
7 facilitating, and implementing agreements under sec-
8 tion 287(g) of the Immigration and Nationality Act
9 (8 U.S.C. 1357(g)).

10 (7) OFFICE OF THE PRINCIPAL LEGAL ADVI-
11 SOR.—Hiring and paying attorneys and the nec-
12 essary support staff within the Office of the Prin-
13 cipal Legal Advisor to represent the Department in
14 immigration enforcement and removal proceedings.

15 (8) OPERATION AND MAINTENANCE.—Nec-
16 essary expenses for U.S. Immigration and Customs
17 Enforcement’s mission support, including awards,
18 and operations and maintenance for its immigration
19 enforcement functions.

20 (9) OPERATIONS BY U.S. IMMIGRATION AND
21 CUSTOMS ENFORCEMENT TO ARREST RELEASED
22 COVERED UNLAWFUL ALIENS.—

23 (A) IN GENERAL.—Not less than
24 \$350,000,000 for U.S. Immigration and Cus-
25 toms Enforcement for necessary expenses, in

1 accordance with existing law, of detainer man-
2 agement, detainer issuance, custodial transfer,
3 release monitoring, transportation, and arrests
4 of covered unlawful aliens encountered in juris-
5 dictions that are not qualified cooperating juris-
6 dictions, except that no Indian tribal govern-
7 ment shall be treated as a jurisdiction that is
8 not a qualified cooperating jurisdiction for pur-
9 poses of this subparagraph.

10 (B) QUALIFIED COOPERATING JURISDIC-
11 TION DEFINED.—In this paragraph, the term
12 “qualified cooperating jurisdiction” means a
13 State or political subdivision of a State that, as
14 of the date of the enactment of this Act—

15 (i) is party to a written agreement in
16 effect under section 287(g) of the Immi-
17 gration and Nationality Act (8 U.S.C.
18 1357(g)); or

19 (ii) has in effect, and has filed with
20 the Secretary in such form and manner as
21 the Secretary may prescribe, a certification
22 that such State or political subdivision is
23 in compliance with section 642 of the Ille-
24 gal Immigration Reform and Immigrant
25 Responsibility Act of 1996 (8 U.S.C.

1 1373) and section 434 of the Personal Re-
2 sponsibility and Work Opportunity Rec-
3 onciliation Act of 1996 (8 U.S.C. 1644).

4 (C) LIMITATION ON USE OF FUNDS.—

5 None of the funds appropriated pursuant to
6 this paragraph may be used, except as required
7 by existing law, to release, parole, place on al-
8 ternatives to detention, transport for purposes
9 of release, or otherwise facilitate the release
10 into the community of any covered unlawful
11 alien encountered.

12 (D) COVERED UNLAWFUL ALIEN DE-
13 FINED.—In this paragraph, the term “covered
14 unlawful alien” means an adult alien who—

15 (i) is described in section 236(c)(1) of
16 the Immigration and Nationality Act (8
17 U.S.C. 1226(c)(1));

18 (ii) is inadmissible under section
19 212(a)(2) of such Act (8 U.S.C.
20 1182(a)(2));

21 (iii) is deportable under section
22 237(a)(2) of such Act (8 U.S.C.
23 1227(a)(2));

24 (iv) following an arrest, charge, book-
25 ing, or conviction for a criminal offense

1 under Federal, State, or local law, other
2 than a minor traffic offense, is the subject
3 of an immigration detainer, notice request,
4 or custody-transfer request issued by the
5 Department of Homeland Security pursu-
6 ant to section 236, 241(a), or 287 of such
7 Act (8 U.S.C. 1226, 1231(a), or 1357); or
8 (v) has been charged with or convicted
9 of an offense described in section 275 or
10 276 of such Act (8 U.S.C. 1325 or 1326).

11 **SEC. 203. ADDITIONAL DEPARTMENT OF HOMELAND SECU-**
12 **RITY APPROPRIATIONS.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Secretary of Homeland Security for
15 fiscal year 2026, out of any money in the Treasury not
16 otherwise appropriated, \$2,500,000,000, to remain avail-
17 able until September 30, 2029, for the purposes provided
18 in this title or in paragraph (3) or (7) of section 100051
19 of Public Law 119–21.

Passed the Senate June 5 (legislative day, June 4),
2026.

Attest:

Secretary.

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To provide for reconciliation pursuant to title II of
S. Con. Res. 33.