

[FULL COMMITTEE PRINT]

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Union Calendar No. _____

116TH CONGRESS
1ST SESSION

H. R. _____

[Report No. __-__]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2020, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. ROYBAL-ALLARD, 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, 2020, 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, 2020, 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 \$174,916,000, of which \$20,000,000 shall be for an Om-
16 budsman for Immigration Detention as established by sec-
17 tion 105: *Provided*, That not to exceed \$45,000 shall be
18 for official reception and representation expenses.

19 MANAGEMENT DIRECTORATE

20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Management Direc-
22 torate for operations and support, \$1,194,608,000: *Pro-*
23 *vided*, That not to exceed \$2,000 shall be for official recep-
24 tion and representation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Management Direc-
3 torate for procurement, construction, and improvements,
4 \$381,298,000, of which \$157,531,000 shall remain avail-
5 able until September 30, 2022; and of which
6 \$223,767,000 shall remain available until September 30,
7 2024, to plan, acquire, design, construct, renovate, reme-
8 diate, equip, furnish, improve infrastructure, and occupy
9 buildings and facilities for the Department headquarters
10 consolidation project.

11 FEDERAL PROTECTIVE SERVICE

12 The revenues and collections of security fees credited
13 to this account shall be available until expended for nec-
14 essary expenses related to the protection of federally
15 owned and leased buildings and for the operations of the
16 Federal Protective Service.

17 INTELLIGENCE, ANALYSIS, AND OPERATIONS

18 COORDINATION

19 OPERATIONS AND SUPPORT

20 For necessary expenses of the Office of Intelligence
21 and Analysis and the Office of Operations Coordination
22 for operations and support, \$276,641,000: *Provided*, That
23 not to exceed \$3,825 shall be for official reception and
24 representation expenses and not to exceed \$2,000,000 is

1 available for facility needs associated with secure space at
2 fusion centers, including improvements to buildings.

3 OFFICE OF INSPECTOR GENERAL

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Office of Inspector
6 General for operations and support, \$195,242,000: *Pro-*
7 *vided*, That not to exceed \$300,000 may be used for cer-
8 tain confidential operational expenses, including the pay-
9 ment of informants, to be expended at the direction of the
10 Inspector General.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 101. (a) The Secretary of Homeland Security
13 shall submit a report not later than October 15, 2020,
14 to the Inspector General of the Department of Homeland
15 Security listing all grants and contracts awarded by any
16 means other than full and open competition during fiscal
17 years 2019 or 2020.

18 (b) The Inspector General shall review the report re-
19 quired by subsection (a) to assess departmental compli-
20 ance with applicable laws and regulations and report the
21 results of that review to the Committees on Appropriations
22 of the Senate and the House of Representatives not later
23 than February 15, 2021.

24 SEC. 102. The Secretary of Homeland Security shall
25 require that all contracts of the Department of Homeland

1 Security that provide award fees link such fees to success-
2 ful acquisition outcomes, which shall be specified in terms
3 of cost, schedule, and performance.

4 SEC. 103. The Secretary of Homeland Security, in
5 consultation with the Secretary of the Treasury, shall no-
6 tify the Committees on Appropriations of the Senate and
7 the House of Representatives of any proposed transfers
8 of funds available under section 9705(g)(4)(B) of title 31,
9 United States Code from the Department of the Treasury
10 Forfeiture Fund to any agency within the Department of
11 Homeland Security: *Provided*, That none of the funds
12 identified for such a transfer may be obligated until the
13 Committees on Appropriations of the Senate and the
14 House of Representatives are notified of the proposed
15 transfers: *Provided further*, That funds available under
16 such section may not be used for the construction of bor-
17 der security infrastructure.

18 SEC. 104. All official costs associated with the use
19 of Government aircraft by Department of Homeland Secu-
20 rity personnel to support official travel of the Secretary
21 and the Deputy Secretary shall be paid from amounts
22 made available for the Office of the Secretary.

1 ESTABLISHMENT OF AN IMMIGRATION DETENTION
2 OMBUDSMAN

3 SEC. 105. (a) IN GENERAL.—The Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 272) is amended by adding
5 the follow section:

6 **“SEC. 405. OMBUDSMAN FOR IMMIGRATION DETENTION.**

7 “(a) IN GENERAL.—Within the Department, there
8 shall be a position of Immigration Detention Ombudsman
9 (in this section referred to as the ‘Ombudsman’). The Om-
10 budsman shall be independent of Department agencies
11 and officers and shall report directly to the Secretary. The
12 Ombudsman shall be a senior official with a background
13 in civil rights enforcement, civil detention care and cus-
14 tody, and immigration law.

15 “(b) FUNCTIONS.—The functions of the Ombudsman
16 shall be to—

17 “(1) Establish and administer an independent,
18 neutral, and confidential process to receive, inves-
19 tigate, resolve, and provide redress, including refer-
20 ral for investigation to the Office of the Inspector
21 General, referral to U.S. Citizenship and Immigra-
22 tion Services for immigration relief, or any other ac-
23 tion determined appropriate, for cases in which De-
24 partment officers or other personnel, or contracted,
25 subcontracted, or cooperating entity personnel, are

1 found to have engaged in misconduct or violated the
2 rights of individuals in immigration detention;

3 “(2) Establish an accessible and standardized
4 process regarding complaints against any officer or
5 employee of U.S. Customs and Border Protection or
6 U.S. Immigration and Customs Enforcement, or any
7 contracted, subcontracted, or cooperating entity per-
8 sonnel, for violations of law, standards of profes-
9 sional conduct, contract terms, or policy related to
10 immigration detention;

11 “(3) Conduct unannounced inspections of de-
12 tention facilities holding individuals in federal immi-
13 gration custody, including those owned or operated
14 by units of State or local government and privately-
15 owned or operated facilities;

16 “(4) Review, examine, and make recommenda-
17 tions to address concerns or violations of contract
18 terms identified in reviews, audits, investigations, or
19 detainee interviews regarding immigration detention
20 facilities and services; and

21 “(5) Provide assistance to individuals affected
22 by potential misconduct, excessive force, or violations
23 of law or detention standards by Department of
24 Homeland Security officers or other personnel, or

1 contracted, subcontracted, or cooperating entity per-
2 sonnel.

3 “(c) ACCESS TO DETENTION FACILITIES.—The Om-
4 budsman or designated personnel of the Ombudsman,
5 shall be provided unfettered access to any location within
6 each such detention facility and shall be permitted con-
7 fidential access to any detainee at the detainee’s request
8 and any departmental records concerning such detainee.

9 “(d) COORDINATION WITH DEPARTMENT COMPO-
10 NENTS.—

11 “(1) IN GENERAL.—The Director of U.S. Immi-
12 gration and Customs Enforcement and the Commis-
13 sioner of U.S. Customs and Border Protection shall
14 each establish procedures to provide formal re-
15 sponses to recommendations submitted to such offi-
16 cials by the Ombudsman within 60 days of receiving
17 such recommendations.

18 “(2) ACCESS TO INFORMATION.—The Secretary
19 shall establish procedures to provide the Ombuds-
20 man access to all departmental records necessary to
21 execute the responsibilities of the Ombudsman under
22 subsection (b) or (c) not later than 60 days after a
23 request from the Ombudsman for such information.

1 “(e) ANNUAL REPORT.—The Ombudsman shall pre-
2 pare a report to Congress on an annual basis on its activi-
3 ties, findings, and recommendations.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 of the Homeland Security Act of 2002 is amended by
6 amending the item relating to section 405 to read as fol-
7 lows:

 “Sec. 405. Ombudsman for Immigration Detention.”.

8 **TITLE II**
9 **SECURITY, ENFORCEMENT, AND**
10 **INVESTIGATIONS**
11 **U.S. CUSTOMS AND BORDER PROTECTION**
12 **OPERATIONS AND SUPPORT**

13 For necessary expenses of U.S. Customs and Border
14 Protection for operations and support, including the trans-
15 portation of unaccompanied minor aliens; the provision of
16 air and marine support to Federal, State, and local agen-
17 cies in the enforcement or administration of laws enforced
18 by the Department of Homeland Security; at the discre-
19 tion of the Secretary of Homeland Security, the provision
20 of such support to Federal, State, and local agencies in
21 other law enforcement and emergency humanitarian ef-
22 forts; the purchase and lease of up to 7,500 (6,500 for
23 replacement only) police-type vehicles; the purchase, main-
24 tenance, or operation of marine vessels, aircraft, and un-
25 manned aerial systems; and contracting with individuals

1 for personal services abroad; \$13,114,935,000; of which
2 \$3,274,000 shall be derived from the Harbor Maintenance
3 Trust Fund for administrative expenses related to the col-
4 lection of the Harbor Maintenance Fee pursuant to section
5 9505(c)(3) of the Internal Revenue Code of 1986 (26
6 U.S.C. 9505(c)(3)) and notwithstanding section
7 1511(e)(1) of the Homeland Security Act of 2002 (6
8 U.S.C. 551(e)(1)); of which \$2,000,000,000 shall be avail-
9 able until September 30, 2021; and of which such sums
10 as become available in the Customs User Fee Account, ex-
11 cept sums subject to section 13031(f)(3) of the Consoli-
12 dated Omnibus Budget Reconciliation Act of 1985 (19
13 U.S.C. 58c(f)(3)), shall be derived from that account; and
14 of which \$91,616,000 is for additional customs officers:
15 *Provided*, That not to exceed \$34,425 shall be for official
16 reception and representation expenses: *Provided further*,
17 That not to exceed \$150,000 shall be available for pay-
18 ment for rental space in connection with preclearance op-
19 erations: *Provided further*, That not to exceed \$1,000,000
20 shall be for awards of compensation to informants, to be
21 accounted for solely under the certificate of the Secretary
22 of Homeland Security. *Provided further*, That not to ex-
23 ceed \$15,000,000 may be transferred to the Bureau of
24 Indian Affairs for the maintenance and repair of roads

1 on Native American reservations used by the U.S. Border
2 Patrol.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses of U.S. Customs and Border
5 Protection for procurement, construction, and improve-
6 ments, including procurements of marine vessels, aircraft,
7 and unmanned aerial systems, \$477,962,000, of which
8 \$449,598,000 shall remain available until September 30,
9 2022, and of which \$28,364,000 shall remain available
10 until September 30, 2024.

11 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

12 OPERATIONS AND SUPPORT

13 For necessary expenses of U.S. Immigration and
14 Customs Enforcement for operations and support, includ-
15 ing the purchase and lease of up to 3,790 (2,350 for re-
16 placement only) police-type vehicles; overseas vetted units;
17 and maintenance, minor construction, and minor leasehold
18 improvements at owned and leased facilities;
19 \$7,593,940,000; of which \$55,698,000 shall remain avail-
20 able until September 30, 2021; of which \$1,500,000 is for
21 paid apprenticeships for participants in the Human Ex-
22 ploitation Rescue Operative Child-Rescue Corps: *Provided*,
23 That not to exceed \$11,475 shall be for official reception
24 and representation expenses: *Provided further*, That not
25 to exceed \$10,000,000 shall be available until expended

1 for conducting special operations under section 3131 of
2 the Customs Enforcement Act of 1986 (19 U.S.C. 2081):
3 *Provided further*, That not to exceed \$2,000,000 shall be
4 for awards of compensation to informants, to be accounted
5 for solely under the certificate of the Secretary of Home-
6 land Security: *Provided further*, That not to exceed
7 \$11,216,000 shall be available to fund or reimburse other
8 Federal agencies for the costs associated with the care,
9 maintenance, and repatriation of smuggled aliens unlaw-
10 fully present in the United States. *Provided further*, That
11 of the funds made available under this heading,
12 \$10,000,000 shall be withheld from obligation until the
13 report required by section 209 has been made available
14 on a publicly accessible website.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of U.S. Immigration and
17 Customs Enforcement for procurement, construction, and
18 improvements, \$76,270,000, to remain available until Sep-
19 tember 30, 2022; of which not less than \$65,970,000 shall
20 be available for facilities repair and maintenance projects.

21 TRANSPORTATION SECURITY ADMINISTRATION

22 OPERATIONS AND SUPPORT

23 For necessary expenses of the Transportation Secu-
24 rity Administration for operations and support,
25 \$7,648,384,000, to remain available until September 30,

1 2021: *Provided*, That not to exceed \$7,650 shall be for
2 official reception and representation expenses: *Provided*
3 *further*, That security service fees authorized under section
4 44940 of title 49, United States Code, shall be credited
5 to this appropriation as offsetting collections and shall be
6 available only for aviation security: *Provided further*, That
7 the sum appropriated under this heading from the general
8 fund shall be reduced on a dollar-for-dollar basis as such
9 offsetting collections are received during fiscal year 2020
10 so as to result in a final fiscal year appropriation from
11 the general fund estimated at not more than
12 \$4,818,384,000.

13 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

14 For necessary expenses of the Transportation Secu-
15 rity Administration for procurement, construction, and
16 improvements, \$210,405,000, to remain available until
17 September 30, 2022.

18 RESEARCH AND DEVELOPMENT

19 For necessary expenses of the Transportation Secu-
20 rity Administration for research and development,
21 \$20,902,000, to remain available until September 30,
22 2022.

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; \$8,028,742,000; of
14 which \$340,000,000 shall be for defense-related activities;
15 of which \$24,500,000 shall be derived from the Oil Spill
16 Liability Trust Fund to carry out the purposes of section
17 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
18 2712(a)(5)); of which \$5,000,000 shall remain available
19 until September 30, 2021; and of which \$13,548,000 shall
20 remain available until September 30, 2024, for environ-
21 mental compliance and restoration: *Provided*, That not to
22 exceed \$23,000 shall be for official reception and represen-
23 tation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Coast Guard for pro-
3 curement, construction, and improvements, including aids
4 to navigation, shore facilities (including facilities at De-
5 partment of Defense installations used by the Coast
6 Guard), and vessels and aircraft, including equipment re-
7 lated thereto, \$1,972,256,000, to remain available until
8 September 30, 2024; of which \$20,000,000 shall be de-
9 rived from the Oil Spill Liability Trust Fund to carry out
10 the purposes of section 1012(a)(5) of the Oil Pollution Act
11 of 1990 (33 U.S.C. 2712(a)(5)); and of which
12 \$24,855,820 shall be derived from the Coast Guard Hous-
13 ing Fund.

14 RESEARCH AND DEVELOPMENT

15 For necessary expenses of the Coast Guard for re-
16 search and development; and for maintenance, rehabilita-
17 tion, lease, and operation of facilities and equipment;
18 \$4,949,000, to remain available until September 30, 2021,
19 of which \$500,000 shall be derived from the Oil Spill Li-
20 ability Trust Fund to carry out the purposes of section
21 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
22 2712(a)(5)): *Provided*, That there may be credited to and
23 used for the purposes of this appropriation funds received
24 from State and local governments, other public authori-
25 ties, private sources, and foreign countries for expenses

1 incurred for research, development, testing, and evalua-
2 tion.

3 RETIRED PAY

4 For retired pay, including the payment of obligations
5 otherwise chargeable to lapsed appropriations for this pur-
6 pose, payments under the Retired Serviceman's Family
7 Protection and Survivor Benefits Plans, payment for ca-
8 reer status bonuses, payment of continuation pay under
9 section 356 of title 37, United States Code, concurrent
10 receipts, combat-related special compensation, and pay-
11 ments for medical care of retired personnel and their de-
12 pendants under chapter 55 of title 10, United States Code,
13 \$1,802,309,000, to remain available until expended.

14 UNITED STATES SECRET SERVICE

15 OPERATIONS AND SUPPORT

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

1 tation of awards; conduct of behavioral research in sup-
2 port of protective intelligence and operations; payment in
3 advance for commercial accommodations as may be nec-
4 essary to perform protective functions; and payment, with-
5 out regard to section 5702 of title 5, United States Code,
6 of subsistence expenses of employees who are on protective
7 missions, whether at or away from their duty stations;
8 \$2,380,504,000; of which \$39,783,000 shall remain avail-
9 able until September 30, 2021, and of which \$6,000,000
10 shall be for a grant for activities related to investigations
11 of missing and exploited children; *Provided*, That not to
12 exceed \$19,125 shall be for official reception and represen-
13 tation expenses: *Provided further*, That not to exceed
14 \$100,000 shall be to provide technical assistance and
15 equipment to foreign law enforcement organizations in
16 criminal investigations within the jurisdiction of the
17 United States Secret Service.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the United States Secret
20 Service for procurement, construction, and improvements,
21 \$56,289,000, to remain available until September 30,
22 2022.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the United States Secret
3 Service for research and development, \$10,955,000, to re-
4 main available until September 30, 2021.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 201. Section 201 of the Department of Home-
7 land Security Appropriations Act, 2018 (division F of
8 Public Law 115–141), related to overtime compensation
9 limitations, shall apply with respect to funds made avail-
10 able in this Act in the same manner as such section ap-
11 plied to funds made available in that Act, except that “fis-
12 cal year 2020” shall be substituted for “fiscal year 2018”.

13 SEC. 202. Funding made available under the head-
14 ings “U.S. Customs and Border Protection—Operations
15 and Support” and “U.S. Customs and Border Protec-
16 tion—Procurement, Construction, and Improvements”
17 shall be available for customs expenses when necessary to
18 maintain operations and prevent adverse personnel actions
19 in Puerto Rico in addition to funding provided by section
20 740 of title 48, United States Code.

21 SEC. 203. As authorized by section 601(b) of the
22 United States-Colombia Trade Promotion Agreement Im-
23 plementation Act (Public Law 112–42), fees collected
24 from passengers arriving from Canada, Mexico, or an ad-
25 jacent island pursuant to section 13031(a)(5) of the Con-

1 consolidated Omnibus Budget Reconciliation Act of 1985 (19
2 U.S.C. 58c(a)(5)) shall be available until expended.

3 SEC. 204. For an additional amount for “U.S. Cus-
4 toms and Border Protection—Operations and Support”,
5 \$31,000,000, to remain available until expended, to be re-
6 duced by amounts collected and credited to this appropria-
7 tion in fiscal year 2019 from amounts authorized to be
8 collected by section 286(i) of the Immigration and Nation-
9 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
10 Security and Rural Investment Act of 2002 (7 U.S.C.
11 8311), and section 817 of the Trade Facilitation and
12 Trade Enforcement Act of 2015 (Public Law 114–25), or
13 other such authorizing language: *Provided*, That to the ex-
14 tent that amounts realized from such collections exceed
15 \$31,000,000, those amounts in excess of \$31,000,000
16 shall be credited to this appropriation, to remain available
17 until expended.

18 SEC. 205. None of the funds made available in this
19 Act for U.S. Customs and Border Protection may be used
20 to prevent an individual not in the business of importing
21 a prescription drug (within the meaning of section 801(g)
22 of the Federal Food, Drug, and Cosmetic Act) from im-
23 porting a prescription drug from Canada that complies
24 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
25 That this section shall apply only to individuals trans-

1 porting on their person a personal-use quantity of the pre-
2 scription drug, not to exceed a 90-day supply: *Provided*
3 *further*, That the prescription drug may not be—

4 (1) a controlled substance, as defined in section
5 102 of the Controlled Substances Act (21 U.S.C.
6 802); or

7 (2) a biological product, as defined in section
8 351 of the Public Health Service Act (42 U.S.C.
9 262).

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

1 representatives within 2 business days of any request for
2 waivers of navigation and vessel-inspection laws pursuant
3 to section 501(b) of title 46, United States Code, with re-
4 spect to such transportation, and the disposition of such
5 requests.

6 SEC. 207. (a) Beginning on the date of enactment
7 of this Act, the Secretary of Homeland Security shall
8 not—

9 (1) establish, collect, or otherwise impose any
10 new border crossing fee on individuals crossing the
11 Southern border or the Northern border at a land
12 port of entry; or

13 (2) conduct any study relating to the imposition
14 of a border crossing fee.

15 (b) In this section, the term “border crossing fee”
16 means a fee that every pedestrian, cyclist, and driver and
17 passenger of a private motor vehicle is required to pay
18 for the privilege of crossing the Southern border or the
19 Northern border at a land port of entry.

20 SEC. 208. None of the funds provided under the
21 heading “U.S. Immigration and Customs Enforcement—
22 Operations and Support” may be used to continue a dele-
23 gation of law enforcement authority authorized under sec-
24 tion 287(g) of the Immigration and Nationality Act (8
25 U.S.C. 1357(g)) if the Department of Homeland Security

1 Inspector General determines that the terms of the agree-
2 ment governing the delegation of authority have been ma-
3 terially violated.

4 SEC. 209. Not later than 45 days after the date of
5 enactment of this Act, the Director of U.S. Immigration
6 and Customs Enforcement shall submit to the Committees
7 on Appropriations of the Senate and the House of Rep-
8 resentatives, and make available on a publicly accessible
9 website, a report describing agreements pursuant to sec-
10 tion 287(g) of the Immigration and Nationality Act (8
11 U.S.C. 1357(g)) which shall include —

12 (1) detailed information relating to the commu-
13 nity outreach activities of each participating jurisdic-
14 tion pursuant to such agreement, including the
15 membership and activities of any community-based
16 steering committee established by such jurisdiction;

17 (2) the number of individuals placed into re-
18 moval proceedings pursuant to each such agreement;

19 (3) data on the performance of the officers or
20 employees of a State or political subdivision thereof
21 under each such agreement, including the nation-
22 ality, level of criminality, and enforcement priority of
23 the individuals described in paragraph (2); and

24 (4) information relating to any future plans to
25 increase the number of such agreements or expand

1 the scope of such agreements through the introduc-
2 tion of new operations pursuant to such section.

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. Beginning on the date that is 90 days after
12 the date of the enactment of this Act, no Federal funds
13 may be made available by the Department of Homeland
14 Security to make payments under an indefinite delivery-
15 indefinite quantity task order contract or delivery order
16 contract or under an inter-governmental agreement or
17 service agreement for the procurement of detention serv-
18 ices unless, to the extent allowed under such contract or
19 agreement, the Secretary—

20 (1) modifies such contract or agreement to pro-
21 vide a fixed termination date; and

22 (2) removes any option or other provision per-
23 mitting the Federal Government to renew or extend
24 such contract or agreement.

1 SEC. 212. Members of the United States House of
2 Representatives and the United States Senate, including
3 the leadership; the heads of Federal agencies and commis-
4 sions, including the Secretary, Deputy Secretary, Under
5 Secretaries, and Assistant Secretaries of the Department
6 of Homeland Security; the United States Attorney Gen-
7 eral, Deputy Attorney General, Assistant Attorneys Gen-
8 eral, and the United States Attorneys; and senior mem-
9 bers of the Executive Office of the President, including
10 the Director of the Office of Management and Budget,
11 shall not be exempt from Federal passenger and baggage
12 screening.

13 SEC. 213. Any award by the Transportation Security
14 Administration to deploy explosives detection systems
15 shall be based on risk, the airport's current reliance on
16 other screening solutions, lobby congestion resulting in in-
17 creased security concerns, high injury rates, airport readi-
18 ness, and increased cost effectiveness.

19 SEC. 214. Notwithstanding section 44923 of title 49,
20 United States Code, for fiscal year 2020, any funds in
21 the Aviation Security Capital Fund established by section
22 44923(h) of title 49, United States Code, may be used
23 for the procurement and installation of explosives detec-
24 tion systems or for the issuance of other transaction agree-

1 ments for the purpose of funding projects described in sec-
2 tion 44923(a) of such title.

3 SEC. 215. None of the funds made available by this
4 Act under the heading “Coast Guard—Operations and
5 Support” shall be for expenses incurred for recreational
6 vessels under section 12114 of title 46, United States
7 Code, except to the extent fees are collected from owners
8 of yachts and credited to the appropriation made available
9 by this Act under the heading “Coast Guard—Operations
10 and Support”: *Provided*, That to the extent such fees are
11 insufficient to pay expenses of recreational vessel docu-
12 mentation under such section 12114, and there is a back-
13 log of recreational vessel applications, personnel per-
14 forming non-recreational vessel documentation functions
15 under subchapter II of chapter 121 of title 46, United
16 States Code, may perform documentation under section
17 12114.

18 SEC. 216. Without regard to the limitation as to time
19 and condition of section 503(d) of this Act, after June
20 30, up to \$10,000,000 may be reprogrammed to or from
21 the Military Pay and Allowances funding category within
22 “Coast Guard—Operations and Support” in accordance
23 with subsection (a) of section 503 of this Act.

24 SEC. 217. Notwithstanding any other provision of
25 law, the Commandant of the Coast Guard shall submit

1 to the Committees on Appropriations of the Senate and
2 the House of Representatives a future-years capital invest-
3 ment plan as described in the second proviso under the
4 heading “Coast Guard—Acquisition, Construction, and
5 Improvements” in the Department of Homeland Security
6 Appropriations Act, 2015 (Public Law 114–4), which shall
7 be subject to the requirements in the third and fourth pro-
8 visos under such heading.

9 SEC. 218. The United States Secret Service is au-
10 thorized to obligate funds in anticipation of reimburse-
11 ments from executive agencies, as defined in section 105
12 of title 5, United States Code, for personnel receiving
13 training sponsored by the James J. Rowley Training Cen-
14 ter, except that total obligations at the end of the fiscal
15 year shall not exceed total budgetary resources available
16 under the heading “United States Secret Service—Oper-
17 ations and Support” at the end of the fiscal year.

18 SEC. 219. No Federal funds made available to the
19 United States Secret Service may be made available for
20 the protection of the head of a Federal agency other than
21 the Secretary of Homeland Security: *Provided*, That the
22 Director of the United States Secret Service may enter
23 into agreements to provide such protection on a fully reim-
24 bursable basis.

1 SEC. 220. For purposes of section 503(a)(3) of this
2 Act, up to \$15,000,000 may be reprogrammed within
3 “United States Secret Service—Operations and Support”.

4 SEC. 221. Funding made available in this Act for
5 “United States Secret Service—Operations and Support”
6 is available for travel of United States Secret Service em-
7 ployees on protective missions without regard to the limi-
8 tations on such expenditures in this or any other Act if
9 the Director of the United States Secret Service or a des-
10 ignee notifies the Committees on Appropriations of the
11 Senate and the House of Representatives 10 or more days
12 in advance, or as early as practicable, prior to such ex-
13 penditures.

14 SEC. 222. Not later than 90 days after the date of
15 the enactment of this Act, the Secretary of Homeland Se-
16 curity shall submit an expenditure plan for any amounts
17 made available for “U.S. Customs and Border Protec-
18 tion—Procurement, Construction, and Improvements” in
19 this Act and prior Acts to the Committees on Appropria-
20 tions of the Senate and the House of Representatives: *Pro-*
21 *vided*, That no such amounts may be obligated prior to
22 the submission of such plan.

23 SEC. 223. (a) No Federal funds may be used by the
24 Department of Homeland Security to place in detention,
25 remove, refer for a decision whether to initiate removal

1 proceedings, or initiate removal proceedings against a
2 sponsor, potential sponsor, or member of a household of
3 a sponsor or potential sponsor of an unaccompanied alien
4 child (as defined in section 462(g) of the Homeland Secu-
5 rity Act of 2002 (6 U.S.C. 279(g))) based on information
6 shared by the Secretary of Health and Human Services.

7 (b) Subsection (a) shall not apply if a background
8 check of a sponsor, potential sponsor, or member of a
9 household of a sponsor or potential sponsor reveals—

10 (1) a felony conviction or pending felony charge
11 that relates to—

12 (A) an aggravated felony (as defined in
13 section 101(a)(43) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(43)));

15 (B) child abuse;

16 (C) sexual violence or abuse; or

17 (D) child pornography;

18 (2) an association with any business that em-
19 ploys a minor who—

20 (A) is unrelated to the sponsor, potential
21 sponsor, or member of a household of a sponsor
22 or potential sponsor; and

23 (B) is—

24 (i) not paid a legal wage; or

1 (ii) unable to attend school due to the
2 employment; or

3 (3) an association with the organization or im-
4 plementation of prostitution.

5 SEC. 224. Section 226 of the Department of Home-
6 land Security Appropriations Act, 2019 (division A of
7 Public Law 116-6), related to Immigration and Customs
8 Enforcement reporting, shall continue in effect, except
9 that such section shall hereafter be applied by substituting
10 “7 days after the date of enactment of the Department
11 of Homeland Security Appropriations Act, 2020” for “90
12 days after the date of enactment of this Act”.

13 SEC. 225. (a) The amount made available under
14 “U.S. Customs and Border Protection—Procurement,
15 Construction, and Improvements”, shall be available only
16 as follows:

17 (1) \$266,906,000 is for the acquisition and de-
18 ployment of border security technologies and trade
19 and travel assets and infrastructure;

20 (2) \$28,364,000 is for facility construction and
21 improvements;

22 (3) \$15,673,000 is for mission support assets
23 and infrastructure; and

24 (4) \$167,019,000 is for integrated operations
25 assets and infrastructure.

1 (b) Not later than 180 days after the date of the en-
2 actment of this Act, the Secretary of Homeland Security
3 shall submit to the Committee on Appropriations of the
4 Senate, and the House of Representatives, and the Comp-
5 troller General of the United States an updated risk-based
6 plan for improving security along the borders of the
7 United States that includes the elements required under
8 subsection (a) of section 231 of division F of the Consoli-
9 dated Appropriations Act, 2018 (Public Law 115–141),
10 which shall be evaluated in accordance with subsection (b)
11 of such section.

12 SEC. 226. Federal funds may not be made available
13 for the construction of fencing—

14 (1) within the Santa Ana Wildlife Refuge;

15 (2) within the Bentsen-Rio Grande Valley State
16 Park;

17 (3) within La Lomita Historical park;

18 (4) within the National Butterfly Center;

19 (5) within or east of the Vista del Mar Ranch
20 tract of the Lower Rio Grande Valley National Wild-
21 life Refuge; or

22 (6) within historic cemeteries.

23 SEC. 227. (a) Notwithstanding any other provision
24 of law, no Federal funds may be used for the construction

1 of physical barriers along the southern land border of the
2 United States during fiscal year 2020.

3 (b) Subsection (a) shall not apply to amounts made
4 available for such purpose by Public Law 116-6, Public
5 Law 115-141, or Public Law 115-31.

6 SEC. 228. (a) Of the total amount made available
7 under “U.S. Immigration and Customs Enforcement—
8 Operations and Support”, \$3,930,966,000 is for Enforce-
9 ment and Removal Operations, of which—

10 (1) \$719,680,000 is for the detention and re-
11 lated care of single adult aliens in the custody of
12 U.S. Immigration and Customs Enforcement, other
13 than such aliens who were transferred to the custody
14 of such agency by U.S. Customs and Border Protec-
15 tion after being—

16 (A) determined inadmissible at a port of
17 entry; or

18 (B) apprehended within 14 days of enter-
19 ing the United States;

20 (2) \$839,537,000 is for the detention and re-
21 lated care of single adult aliens in the custody of
22 U.S. Immigration and Customs Enforcement who
23 are not described by subsection (a)(1);

24 (3) \$148,054,000 is for fugitive operations;

1 (4) \$285,104,000 is for the criminal alien pro-
2 gram; and

3 (5) \$475,471,000 is for the transportation and
4 removal program.

5 (b) If at any point before September 30, 2020, the
6 Secretary of Homeland Security determines that on any
7 date in fiscal year 2020 the anticipated total number of
8 single adult aliens described in subsection (a)(2) will ex-
9 ceed:

10 (1) the number so transferred through the com-
11 parable date in fiscal year 2016, and such deter-
12 mination is made at any point after January 1,
13 2020, and before September 30, 2020, there is ap-
14 propriated as an additional amount for “U.S. Immi-
15 gration and Customs Enforcement—Operations and
16 Support”, \$89,932,000, to become available on the
17 date of the certification of such determination in ac-
18 cordance with subsection (d), for Enforcement and
19 Removal Operations and to remain available until
20 September 30, 2024, of which—

21 (A) \$74,076,000 shall be available for the
22 purposes described in subsection (a)(2); and

23 (B) \$11,188,000 shall be available for the
24 purposes described in subsection (a)(5);

1 (2) 120 percent of the number so transferred
2 through the comparable date in fiscal year 2016,
3 and such determination is made at any point after
4 March 1, 2020, and before September 30, 2020,
5 there is appropriated as an additional amount for
6 “U.S. Immigration and Customs Enforcement—Op-
7 erations and Support”, \$89,934,000 to become
8 available on the date of the certification of such de-
9 termination in accordance with subsection (d), for
10 Enforcement and Removal Operations, of which—

11 (A) \$74,077,000 shall be available for the
12 purposes described in subsection (a)(2); and

13 (B) \$11,189,000 shall be available for the
14 purposes described in subsection (a)(5);

15 (3) 130 percent of the number so transferred
16 through the comparable date in fiscal year 2016,
17 and such determination is made at any point after
18 May 1, 2020, and before September 30, 2020, there
19 is appropriated as an additional amount for “U.S.
20 Immigration and Customs Enforcement—Operations
21 and Support”, \$58,595,000 to become available on
22 the date of the certification of such determination in
23 accordance with subsection (d), for Enforcement and
24 Removal Operations, of which—

1 (A) \$42,739,000 shall be available for the
2 purposes described in subsection (a)(2); and

3 (B) \$11,188,000 shall be available for the
4 purposes described in subsection (a)(5);

5 (4) 140 percent of the number so transferred
6 through the comparable date in fiscal year 2016,
7 and such determination is made at any point after
8 June 1, 2020, and before September 30, 2020, there
9 is appropriated as an additional amount for “U.S.
10 Immigration and Customs Enforcement—Operations
11 and Support”, \$88,712,000 to become available on
12 the date of the certification of such determination in
13 accordance with subsection (d), for Enforcement and
14 Removal Operations, of which—

15 (A) \$72,856,000 shall be available for the
16 purposes described in subsection (a)(2); and

17 (B) \$11,188,000 shall be available for the
18 purposes described in subsection (a)(5); or

19 (5) 150 percent of the number so transferred
20 through the comparable date in fiscal year 2016,
21 and such determination is made at any point after
22 August 1, 2020, and before September 30, 2020,
23 there is appropriated as an additional amount for
24 “U.S. Immigration and Customs Enforcement—Op-
25 erations and Support”, \$59,904,000 to become

1 available on the date of the certification of such de-
2 termination in accordance with subsection (d), for
3 Enforcement and Removal Operations, of which—

4 (A) \$44,048,000 shall be available for the
5 purposes described in subsection (a)(2); and

6 (B) \$11,188,000 shall be available for the
7 purposes described in subsection (a)(5).

8 (c) The Secretary of Homeland Security shall report
9 to the Committees on Appropriations of the Senate and
10 the House of Representatives within 30 days of the date
11 of enactment of this Act on the methodology for deter-
12 mining the anticipated custody transfers described in sub-
13 section (b) including a definition of single adult alien.

14 (d) Each additional amount described in each of sub-
15 sections (b)(1) through (b)(5) of this section shall not be
16 appropriated until the Secretary of Homeland Security
17 provides to the Committees on Appropriations of the Sen-
18 ate and the House of Representatives, before September
19 30, 2020—

20 (1) a certification that the respective condition
21 in such subsection has been met; and

22 (2) an analysis that substantiates such certifi-
23 cation.

24 (e) To the extent that the additional amounts de-
25 scribed by subsection (b) are not available for Enforce-

1 ment and Removal Operations under the conditions de-
2 scribed in subsections (a) through (d) before September
3 30, 2020, such amounts shall be appropriated as additional
4 amount for “Coast Guard—Procurement, Construction,
5 and Improvements”, to become available on September 30,
6 2020, and to remain available until September 30, 2024,
7 for shore facilities and aids to navigation: *Provided*, That
8 the Commandant of the Coast Guard shall provide a de-
9 tailed plan for the use of such funds not later than 30
10 days prior to the obligation of such funds.

11 SEC. 229. (a) Any discretionary amounts appro-
12 priated in this Act in the current fiscal year and any fiscal
13 year thereafter may be obligated for death gratuity pay-
14 ments, as authorized in subchapter II of chapter 75 of
15 title 10, United States Code.

16 (b) Subsection (a) shall only apply if an appropriation
17 for “Coast Guard — Operations and Support” is unavail-
18 able for obligation for such payments.

19 (c) Such obligations shall subsequently be recorded
20 against appropriations that become available for “Coast
21 Guard — Operations and Support”.

22 SEC. 230. Notwithstanding section 111(d) of Public
23 Law 107-71, any Transportation Security Administration
24 Determination on Transportation Security Officers and
25 Collective Bargaining in effect on January 1, 2019, and

1 any collective bargaining agreement entered into under
2 such determination(s) shall remain in full force and effect,
3 unless the Administrator issues a new or updated deter-
4 mination and the parties mutually and voluntarily enter
5 into a new collective bargaining agreement.

6 SEC. 231. (a) Not later than 30 days after the date
7 of enactment of this Act, the Secretary of Homeland Secu-
8 rity shall submit a report to the Committees on Appropria-
9 tions of the Senate and the House of Representatives on
10 the following:

11 (1) A plan to ensure access to legal counsel for
12 individuals returned to Mexico under the Migrant
13 Protection Protocols, including options for video tele-
14 conferencing;

15 (2) A plan developed in consultation with the
16 Department of State to address the safety and secu-
17 rity of such individuals;

18 (3) A plan to ensure that each such individual
19 is offered a briefing, prior to being so returned, on
20 their legal rights and obligations, which shall be in
21 their primary spoken language to the greatest extent
22 possible;

23 (4) A plan developed in consultation with the
24 Department of Justice for prioritizing the immigra-
25 tion proceedings of such individuals; and

1 (5) Policy documents that define categories of
2 vulnerable individuals who should not be so re-
3 turned, including:

4 (A) pregnant women;

5 (B) individuals identifying as lesbian, gay,
6 bisexual, or transgender; and

7 (C) mentally or physically disabled individ-
8 uals.

9 (b) For purposes of this section, Migrant Protection
10 Protocols means the actions taken by the Secretary to im-
11 plement the memorandum dated January 25, 2019 enti-
12 tled “Policy Guidance for the Implantation Implementa-
13 tion of the Migrant Protection Protocols”.

14 TITLE III
15 PROTECTION, PREPAREDNESS, RESPONSE, AND
16 RECOVERY
17 CYBERSECURITY AND INFRASTRUCTURE SECURITY
18 AGENCY
19 OPERATIONS AND SUPPORT

20 For necessary expenses of the Cybersecurity and In-
21 frastructure Security Agency for operations and support,
22 \$1,530,740,000, of which \$21,793,000 shall remain avail-
23 able until September 30, 2021: *Provided*, That not to ex-
24 ceed \$3,825 shall be for official reception and representa-
25 tion expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Cybersecurity and In-
3 frastructure Security Agency for procurement, construc-
4 tion, and improvements, \$474,041,000, to remain avail-
5 able until September 30, 2022.

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the Cybersecurity and In-
8 frastructure Security Agency for research and develop-
9 ment, \$11,431,000, to remain available until September
10 30, 2021.

11 FEDERAL EMERGENCY MANAGEMENT AGENCY

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Federal Emergency
14 Management Agency for operations and support,
15 \$1,146,686,000: *Provided*, That not to exceed \$2,250
16 shall be for official reception and representation expenses.

17 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

18 For necessary expenses of the Federal Emergency
19 Management Agency for procurement, construction, and
20 improvements, \$113,663,000, of which \$74,167,000 shall
21 remain available until September 30, 2022, and of which
22 \$39,496,000 shall remain available until September 30,
23 2024.

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 \$3,344,495,000, which shall be allocated only, notwith-
6 standing section 503(c) as follows:

7 (1) \$625,000,000 for the State Homeland Secu-
8 rity Grant Program under section 2004 of the
9 Homeland Security Act of 2002 (6 U.S.C. 605), of
10 which \$90,000,000 shall be for Operation
11 Stonegarden, \$15,000,000 shall be for Tribal Home-
12 land Security Grants under Section 2005 of the
13 Homeland Security Act of 2002 (6 U.S.C. 606), and
14 \$40,000,000 shall be for organizations (as described
15 under section 501(c)(3) of the Internal Revenue
16 Code of 1986 and exempt from tax under section
17 501(a) of such code) determined by the Secretary of
18 Homeland Security to be at high risk of a terrorist
19 attack: *Provided*, That notwithstanding subsection
20 (c)(4) of such section 2004, for fiscal year 2020, the
21 Commonwealth of Puerto Rico shall make available
22 to local and tribal governments amounts provided to
23 the Commonwealth of Puerto Rico under this para-
24 graph in accordance with subsection (c)(1) of such
25 section 2004.

1 (2) \$700,000,000 for the Urban Area Security
2 Initiative under section 2003 of the Homeland Security
3 Act of 2002 (6 U.S.C. 604), of which
4 \$50,000,000 shall be for organizations (as described
5 under section 501(e)(3) of the Internal Revenue
6 Code of 1986 and exempt from tax under section
7 501(a) of such code) determined by the Secretary of
8 Homeland Security to be at high risk of a terrorist
9 attack.

10 (3) \$110,000,000 for Public Transportation Security
11 Assistance, Railroad Security Assistance, and
12 Over-the-Road Bus Security Assistance under sections
13 1406, 1513, and 1532 of the Implementing
14 Recommendations of the 9/11 Commission Act of
15 2007 (6 U.S.C. 1135, 1163, and 1182), of which
16 \$10,000,000 shall be for Amtrak security and
17 \$2,000,000 shall be for Over-the-Road Bus Security:
18 *Provided*, That such public transportation security
19 assistance shall be provided directly to public transportation
20 agencies.

21 (4) \$110,000,000 for Port Security Grants in
22 accordance with section 70107 of title 46, United
23 States Code.

24 (5) \$750,000,000, to remain available until
25 September 30, 2021, of which \$375,000,000 shall be

1 for Assistance to Firefighter Grants and
2 \$375,000,000 shall be for Staffing for Adequate
3 Fire and Emergency Response Grants under sec-
4 tions 33 and 34 respectively of the Federal Fire Pre-
5 vention and Control Act of 1974 (15 U.S.C. 2229
6 and 2229a).

7 (6) \$375,000,000 for emergency management
8 performance grants under the National Flood Insur-
9 ance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-
10 ert T. Stafford Disaster Relief and Emergency As-
11 sistance Act (42 U.S.C. 5121), the Earthquake Haz-
12 ards Reduction Act of 1977 (42 U.S.C. 7701), sec-
13 tion 762 of title 6, United States Code, and Reorga-
14 nization Plan No. 3 of 1978 (5 U.S.C. App.).

15 (7) \$263,000,000 for necessary expenses for
16 Flood Hazard Mapping and Risk Analysis, in addi-
17 tion to and to supplement any other sums appro-
18 priated under the National Flood Insurance Fund,
19 and such additional sums as may be provided by
20 States or other political subdivisions for cost-shared
21 mapping activities under section 1360(f)(2) of the
22 National Flood Insurance Act of 1968 (42 U.S.C.
23 4101(f)(2)), to remain available until expended.

24 (8) \$130,000,000 for the emergency food and
25 shelter program under title III of the McKinney-

1 Vento Homeless Assistance Act (42 U.S.C. 11331),
2 to remain available until expended: *Provided*, That
3 not to exceed 3.5 percent shall be for total adminis-
4 trative costs.

5 (9) \$281,495,000 for training, exercises, tech-
6 nical assistance, and other programs.

7 DISASTER RELIEF FUND

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses in carrying out the Robert
10 T. Stafford Disaster Relief and Emergency Assistance Act
11 (42 U.S.C. 5121 et seq.), \$14,549,684,000, to remain
12 available until expended: *Provided*, That of the amount
13 provided under this heading, \$14,075,000,000 shall be for
14 major disasters declared pursuant to the Robert T. Staf-
15 ford Disaster Relief and Emergency Assistance Act (42
16 U.S.C. 5121 et seq.) and is designated by the Congress
17 as being for disaster relief pursuant to section
18 251(b)(2)(D) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985: *Provided further*, That
20 \$250,000,000 of the amount provided under this heading
21 shall be derived from unobligated balances from prior year
22 appropriations available under this heading: *Provided fur-*
23 *ther*, That none of the amounts derived from unobligated
24 balances in the previous proviso shall be from amounts
25 that were designated by the Congress as being for an

1 emergency requirement pursuant to a Concurrent Resolu-
2 tion on the budget or section 251(b)(2)(A)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985
4 or as being for disaster relief pursuant to section
5 251(b)(2)(D) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 NATIONAL FLOOD INSURANCE FUND

8 For activities under the National Flood Insurance
9 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
10 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
11 Biggert-Waters Flood Insurance Reform Act of 2012
12 (Public Law 112–141, 126 Stat. 916), and the Home-
13 owner Flood Insurance Affordability Act of 2014 (Public
14 Law 113–89; 128 Stat. 1020), \$206,166,000, to remain
15 available until September 30, 2021, which shall be derived
16 from offsetting amounts collected under section 1308(d)
17 of the National Flood Insurance Act of 1968 (42 U.S.C.
18 4015(d)); of which \$13,906,000 shall be available for mis-
19 sion support associated with flood management; and of
20 which \$192,260,000 shall be available for flood plain man-
21 agement and flood mapping: *Provided*, That any addi-
22 tional fees collected pursuant to section 1308(d) of the
23 National Flood Insurance Act of 1968 (42 U.S.C.
24 4015(d)) shall be credited as offsetting collections to this
25 account, to be available for flood plain management and

1 flood mapping: *Provided further*, That in fiscal year 2020,
2 no funds shall be available from the National Flood Insur-
3 ance Fund under section 1310 of the National Flood In-
4 surance Act of 1968 (42 U.S.C. 4017) in excess of—

5 (1) \$192,439,000 for operating expenses and
6 salaries and expenses associated with flood insurance
7 operations;

8 (2) \$1,151,000,000 for commissions and taxes
9 of agents;

10 (3) such sums as are necessary for interest on
11 Treasury borrowings; and

12 (4) \$175,000,000, which shall remain available
13 until expended, for flood mitigation actions and for
14 flood mitigation assistance under section 1366 of the
15 National Flood Insurance Act of 1968 (42 U.S.C.
16 4104c), notwithstanding sections 1366(e) and
17 1310(a)(7) of such Act (42 U.S.C. 4104c(e),
18 4017)(a)(7):

19 *Provided further*, That the amounts collected under section
20 102 of the Flood Disaster Protection Act of 1973 (42
21 U.S.C. 4012a) and section 1366(e) of the National Flood
22 Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be de-
23 posited in the National Flood Insurance Fund to supple-
24 ment other amounts specified as available for section 1366
25 of the National Flood Insurance Act of 1968, notwith-

1 standing subsection (f)(8) of section 102 of the Flood Dis-
2 aster Protection Act of 1973, section 1366(e) of the Na-
3 tional Flood Insurance Act of 1968, and paragraphs (1)
4 through (3) of section 1367(b) of such Act (42 U.S.C.
5 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided fur-*
6 *ther*, That total administrative costs shall not exceed 4
7 percent of the total appropriation: *Provided further*, That
8 up to \$5,000,000 shall be available to carry out section
9 24 of the Homeowner Flood Insurance Affordability Act
10 of 2014 (42 U.S.C. 4033).

11 ADMINISTRATIVE PROVISIONS

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

20 SEC. 302. Applications for grants under the heading
21 “Federal Emergency Management Agency—Federal As-
22 sistance”, for paragraphs (1) through (4), shall be made
23 available to eligible applicants not later than 60 days after
24 the date of enactment of this Act, eligible applicants shall
25 submit applications not later than 80 days after the grant

1 announcement, and the Administrator of the Federal
2 Emergency Management Agency shall act within 65 days
3 after the receipt of an application.

4 SEC. 303. Under the heading “Federal Emergency
5 Management Agency—Federal Assistance”, for grants
6 under paragraphs (1) through (4), the Administrator of
7 the Federal Emergency Management Agency shall brief
8 the Committees on Appropriations of the Senate and the
9 House of Representatives 5 full business days in advance
10 of announcing publicly the intention of making an award.

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

16 SEC. 305. The reporting requirements in paragraphs
17 (1) and (2) under the heading “Federal Emergency Man-
18 agement Agency—Disaster Relief Fund” in the Depart-
19 ment of Homeland Security Appropriations Act, 2015
20 (Public Law 114–4) shall be applied in fiscal year 2020
21 with respect to budget year 2021 and current fiscal year
22 2020, respectively—

23 (1) in paragraph (1) by substituting “fiscal
24 year 2021” for “fiscal year 2016”; and

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

3 SEC. 306. (a) In making grants under the heading
4 “Federal Emergency Management Agency — Federal As-
5 sistance”, for Staffing for Adequate Fire and Emergency
6 Response grants, the Secretary may grant waivers from
7 the requirements in subsections (a)(1)(A), (a)(1)(B),
8 (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the
9 Federal Fire Prevention and Control Act of 1974 (15
10 U.S.C. 2229a).

11 (b) For grants made under the heading “Federal
12 Emergency Management Agency — Firefighter Assistance
13 Grants” in division F of Public Law 114-113, the Sec-
14 retary may extend the period of performance described in
15 subsection (a)(1)(B) of such section 34 for up to one addi-
16 tional year.

17 (c) For purposes of subsection (b) –

18 (1) subsections (a)(1)(E)(iii) and (c)(4)(C) of
19 such section 34 shall also apply to such additional
20 year of such period of performance; and

21 (2) the authority provided shall only apply to
22 any such grant award that remains open on the date
23 of enactment of this Act.

24 SEC. 307. The aggregate charges assessed during fis-
25 cal year 2019, as authorized in title III of the Depart-

1 ments of Veterans Affairs and Housing and Urban Devel-
2 opment, and Independent Agencies Appropriations Act,
3 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
4 cent of the amounts anticipated by the Department of
5 Homeland Security to be necessary for its Radiological
6 Emergency Preparedness Program for the next fiscal year:
7 *Provided*, That the methodology for assessment and collec-
8 tion of fees shall be fair and equitable and shall reflect
9 costs of providing such services, including administrative
10 costs of collecting such fees: *Provided further*, That such
11 fees shall be deposited in a Radiological Emergency Pre-
12 paredness Program account as offsetting collections and
13 will become available for authorized purposes on October
14 1, 2020, and remain available until expended.

15 TITLE IV

16 RESEARCH, DEVELOPMENT, TRAINING, AND 17 SERVICES

18 U.S. CITIZENSHIP AND IMMIGRATION SERVICES

19 OPERATIONS AND SUPPORT

20 For necessary expenses of U.S. Citizenship and Im-
21 migration Services for operations and support
22 \$170,655,000; of which \$123,522,000 shall be for the E-
23 Verify Program; of which \$11,271,000 shall be for the Of-
24 fice of Citizenship; and of which \$35,862,000 shall be for

1 the Systematic Alien Verification for Entitlements pro-
2 gram.

3 FEDERAL ASSISTANCE

4 For necessary expenses of U.S. Citizenship and Im-
5 migration Services for Federal assistance for the Citizen-
6 ship and Integration Grant Program, \$10,000,000.

7 FEDERAL LAW ENFORCEMENT TRAINING CENTERS

8 OPERATIONS AND SUPPORT

9 For necessary expenses of the Federal Law Enforce-
10 ment Training Centers for operations and support, includ-
11 ing the purchase of not to exceed 117 vehicles for police-
12 type use and hire of passenger motor vehicles, and services
13 as authorized by section 3109 of title 5, United States
14 Code, \$308,803,000, of which \$46,349,000 shall remain
15 available until September 30, 2021: *Provided*, That not
16 to exceed \$7,180 shall be for official reception and rep-
17 resentation expenses.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Federal Law Enforce-
20 ment Training Centers for procurement, construction, and
21 improvements, \$59,288,000, to remain available until Sep-
22 tember 30, 2024.

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 \$314,672,000, of which \$171,232,000 shall remain avail-
7 able until September 30, 2021: *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 \$351,008,000, to remain available until September 30,
14 2022.

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 \$180,620,000: *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, \$121,988,000, to remain available
25 until September 30, 2022.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Countering Weapons
3 of Mass Destruction Office for research and development,
4 \$67,681,000, to remain available until September 30,
5 2022.

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, 2022.

12 ADMINISTRATIVE PROVISIONS

13 (INCLUDING TRANSFER OF FUNDS)

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

24 SEC. 402. None of the funds appropriated by this Act
25 may be used to process or approve a competition under

1 Office of Management and Budget Circular A-76 for serv-
2 ices provided by employees (including employees serving
3 on a temporary or term basis) of U.S. Citizenship and Im-
4 migration Services of the Department of Homeland Secu-
5 rity who are known as Immigration Information Officers,
6 Immigration Service Analysts, Contact Representatives,
7 Investigative Assistants, or Immigration Services Officers.

8 SEC. 403. The Director of the Federal Law Enforce-
9 ment Training Centers is authorized to distribute funds
10 to Federal law enforcement agencies for expenses incurred
11 participating in training accreditation.

12 SEC. 404. The Federal Law Enforcement Training
13 Accreditation Board, including representatives from the
14 Federal law enforcement community and non-Federal ac-
15 creditation experts involved in law enforcement training,
16 shall lead the Federal law enforcement training accredita-
17 tion process to continue the implementation of measuring
18 and assessing the quality and effectiveness of Federal law
19 enforcement training programs, facilities, and instructors.

20 SEC. 405. The Director of the Federal Law Enforce-
21 ment Training Centers may accept transfers to the ac-
22 count established by section 407(a) of division F of the
23 Consolidated Appropriations Act, 2018 (Public Law 115-
24 141) from Government agencies requesting the construc-
25 tion of special use facilities, as authorized by the Economy

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

4 SEC. 406. The functions of the Federal Law Enforce-
5 ment Training Centers instructor staff shall be classified
6 as inherently governmental for purposes of the Federal
7 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
8 note).

9 SEC. 407. None of the funds deposited into the Immi-
10 gration Examinations Fee Account, as described in section
11 1356(m) of title 8, United States Code, may be trans-
12 ferred to or made available for the use of U.S. Immigra-
13 tion and Customs Enforcement.

14 TITLE V

15 GENERAL PROVISIONS

16 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

20 SEC. 502. Subject to the requirements of section 503
21 of this Act, the unexpended balances of prior appropria-
22 tions provided for activities in this Act may be transferred
23 to appropriation accounts for such activities established
24 pursuant to this Act, may be merged with funds in the
25 applicable established accounts, and thereafter may be ac-

1 counted for as one fund for the same time period as origi-
2 nally enacted.

3 SEC. 503. (a) None of the funds provided by this Act,
4 provided by previous appropriations Acts to the compo-
5 nents in or transferred to the Department of Homeland
6 Security that remain available for obligation or expendi-
7 ture in fiscal year 2020, or provided from any accounts
8 in the Treasury of the United States derived by the collec-
9 tion of fees available to the components funded by this
10 Act, shall be available for obligation or expenditure
11 through a reprogramming of funds that—

12 (1) creates or eliminates a program, project, or
13 activity, or increases funds for any program, project,
14 or activity for which funds have been denied or re-
15 stricted by the Congress;

16 (2) contracts out any function or activity pres-
17 ently performed by Federal employees or any new
18 function or activity proposed to be performed by
19 Federal employees in the President's budget pro-
20 posal for fiscal year 2020 for the Department of
21 Homeland Security;

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

1 (4) reduces funding for any program, project,
2 or activity, or numbers of personnel, by 10 percent
3 or more; or

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

8 (b) Subsection (a) shall not apply if the Committees
9 on Appropriations of the Senate and the House of Rep-
10 resentatives are notified at least 15 days in advance of
11 such reprogramming.

12 (c) Up to 5 percent of any appropriation made avail-
13 able for the current fiscal year for the Department of
14 Homeland Security by this Act or provided by previous
15 appropriations Acts may be transferred between such ap-
16 propriations if the Committees on Appropriations of the
17 Senate and the House of Representatives are notified at
18 least 30 days in advance of such transfer, but no such
19 appropriation, except as otherwise specifically provided,
20 shall be increased by more than 10 percent by such trans-
21 fer.

22 (d) Notwithstanding subsections (a), (b), and (c), no
23 funds shall be reprogrammed within or transferred be-
24 tween appropriations based upon an initial notification
25 provided after June 30, except in extraordinary cir-

1 cumstances that imminently threaten the safety of human
2 life or the protection of property.

3 (e) The notification thresholds and procedures set
4 forth in subsections (a), (b), (c), and (d) shall apply to
5 any use of deobligated balances of funds provided in pre-
6 vious Department of Homeland Security Appropriations
7 Acts that remain available for obligation in the current
8 year.

9 (f) Subsection (c) shall not apply to “U.S. Immigra-
10 tion and Customs Enforcement — Operations and Sup-
11 port” for Enforcement and Removal Operations.

12 SEC. 504. Section 504 of the Department of Home-
13 land Security Appropriations Act, 2017 (division F of
14 Public Law 115–31), related to the operations of a work-
15 ing capital fund, shall apply with respect to funds made
16 available in this Act in the same manner as such section
17 applied to funds made available in that Act: *Provided*,
18 That funds from such working capital fund may be obli-
19 gated and expended in anticipation of reimbursements
20 from departmental components

21 SEC. 505. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2020, as re-
24 corded in the financial records at the time of a reprogram-
25 ming notification, but not later than June 30, 2021, from

1 appropriations for “Operations and Support” for fiscal
2 year 2020 in this Act shall remain available through Sep-
3 tember 30, 2021, in the account and for the purposes for
4 which the appropriations were provided: *Provided*, That
5 prior to the obligation of such funds, a notification shall
6 be submitted to the Committees on Appropriations of the
7 Senate and the House of Representatives in accordance
8 with section 503 of this Act.

9 SEC. 506. Funds made available by this Act for intel-
10 ligence activities are deemed to be specifically authorized
11 by the Congress for purposes of section 504 of the Na-
12 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
13 year 2020 until the enactment of an Act authorizing intel-
14 ligence activities for fiscal year 2020.

15 SEC. 507. (a) The Secretary of Homeland Security,
16 or the designee of the Secretary, shall notify the Commit-
17 tees on Appropriations of the Senate and the House of
18 Representatives at least 3 full business days in advance
19 of—

20 (1) making or awarding a grant allocation,
21 grant, contract, other transaction agreement, or task
22 or delivery order on a Department of Homeland Se-
23 curity multiple award contract, or to issue a letter
24 of intent totaling in excess of \$1,000,000;

1 (2) awarding a task or delivery order requiring
2 an obligation of funds in an amount greater than
3 \$10,000,000 from multi-year Department of Home-
4 land Security funds;

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

6 (4) announcing publicly the intention to make
7 or award items under paragraph (1), (2), or (3), in-
8 cluding a contract covered by the Federal Acquisi-
9 tion Regulation.

10 (b) If the Secretary of Homeland Security determines
11 that compliance with this section would pose a substantial
12 risk to human life, health, or safety, an award may be
13 made without notification, and the Secretary shall notify
14 the Committees on Appropriations of the Senate and the
15 House of Representatives not later than 5 full business
16 days after such an award is made or letter issued.

17 (c) A notification under this section—

18 (1) may not involve funds that are not available
19 for obligation; and

20 (2) shall include the amount of the award; the
21 fiscal year for which the funds for the award were
22 appropriated; the type of contract; and the account
23 from which the funds are being drawn.

24 SEC. 508. Notwithstanding any other provision of
25 law, no agency shall purchase, construct, or lease any ad-

ditional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without advance notification to the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Centers is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Centers facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. Sections 520 and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provi-

1 sions of the Buy American Act: *Provided*, That for pur-
2 poses of the preceding sentence, the term “Buy American
3 Act” means chapter 83 of title 41, United States Code.

4 SEC. 512. None of the funds made available in this
5 Act may be used to amend the oath of allegiance required
6 by section 337 of the Immigration and Nationality Act
7 (8 U.S.C. 1448).

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

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

15 SEC. 515. Any official that is required by this Act
16 to report or to certify to the Committees on Appropria-
17 tions of the Senate and the House of Representatives may
18 not delegate such authority to perform that act unless spe-
19 cifically authorized herein.

20 SEC. 516. None of the funds made available in this
21 Act may be used for first-class travel by the employees
22 of agencies funded by this Act in contravention of sections
23 301–10.122 through 301–10.124 of title 41, Code of Fed-
24 eral Regulations.

1 SEC. 517. Notwithstanding any other provision of
2 this Act, none of the funds appropriated or otherwise
3 made available by this Act may be used to pay award or
4 incentive fees for contractor performance that has been
5 judged to be below satisfactory performance or perform-
6 ance that does not meet the basic requirements of a con-
7 tract.

8 SEC. 518. None of the funds appropriated or other-
9 wise made available by this Act may be used by the De-
10 partment of Homeland Security to enter into any Federal
11 contract unless such contract is entered into in accordance
12 with the requirements of subtitle I of title 41, United
13 States Code, or chapter 137 of title 10, United States
14 Code, and the Federal Acquisition Regulation, unless such
15 contract is otherwise authorized by statute to be entered
16 into without regard to the above referenced statutes.

17 SEC. 519. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

21 (b) Nothing in subsection (a) shall limit the use of
22 funds necessary for any Federal, State, tribal, or local law
23 enforcement agency or any other entity carrying out crimi-
24 nal investigations, prosecution, or adjudication activities.

1 SEC. 520. None of the funds made available in this
2 Act may be used by a Federal law enforcement officer to
3 facilitate the transfer of an operable firearm to an indi-
4 vidual if the Federal law enforcement officer knows or sus-
5 pects that the individual is an agent of a drug cartel unless
6 law enforcement personnel of the United States continu-
7 ously monitor or control the firearm at all times.

8 SEC. 521. None of the funds made available in this
9 Act may be used to pay for the travel to or attendance
10 of more than 50 employees of a single component of the
11 Department of Homeland Security, who are stationed in
12 the United States, at a single international conference un-
13 less the Secretary of Homeland Security, or a designee,
14 determines that such attendance is in the national interest
15 and notifies the Committees on Appropriations of the Sen-
16 ate and the House of Representatives within at least 10
17 days of that determination and the basis for that deter-
18 mination: *Provided*, That for purposes of this section the
19 term “international conference” shall mean a conference
20 occurring outside of the United States attended by rep-
21 resentatives of the United States Government and of for-
22 eign governments, international organizations, or non-
23 governmental organizations: *Provided further*, That the
24 total cost to the Department of Homeland Security of any
25 such conference shall not exceed \$500,000.

1 SEC. 522. None of the funds made available in this
2 Act may be used to reimburse any Federal department
3 or agency for its participation in a National Special Secu-
4 rity Event.

5 SEC. 523. None of the funds made available to the
6 Department of Homeland Security by this or any other
7 Act may be obligated for any structural pay reform that
8 affects more than 100 full-time positions or costs more
9 than \$5,000,000 in a single year before the end of the
10 30-day period beginning on the date on which the Sec-
11 retary of Homeland Security submits to Congress a notifi-
12 cation that includes—

13 (1) the number of full-time positions affected by
14 such change;

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

18 (3) justification for such change; and

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

22 SEC. 524. (a) Any agency receiving funds made avail-
23 able in this Act shall, subject to subsections (b) and (c),
24 post on the public website of that agency any report re-
25 quired to be submitted by the Committees on Appropria-

1 tions of the Senate and the House of Representatives in
2 this Act, upon the determination by the head of the agency
3 that it shall serve the national interest.

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

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

7 (2) the report contains proprietary information.

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

13 SEC. 525. (a) Funding provided in this Act for “Op-
14 erations and Support” may be used for minor procure-
15 ment, construction, and improvements.

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

19 SEC. 526. The authority provided by section 532 of
20 the Department of Homeland Security Appropriations
21 Act, 2018 (Public Law 115–141) regarding primary and
22 secondary schooling of dependents shall continue in effect
23 during fiscal year 2020.

24 SEC. 527. (a) For an additional amount for “Federal
25 Emergency Management Agency—Federal Assistance”,

1 \$41,000,000, to remain available until September 30,
2 2021, exclusively for providing reimbursement of extraor-
3 dinary law enforcement personnel costs for protection ac-
4 tivities directly and demonstrably associated with any resi-
5 dence of the President that is designated or identified to
6 be secured by the United States Secret Service.

7 (b) Subsections (b) through (f) of section 534 of the
8 Department of Homeland Security Appropriations Act,
9 2018 (Public Law 115–141), shall be applied with respect
10 to amounts made available by subsection (a) of this section
11 by substituting “October 1, 2020” for “October 1, 2018”
12 and “October 1, 2019” for “October 1, 2017”.

13 SEC. 528. None of the funds made available to the
14 Department of Homeland Security may be used to prevent
15 a Member of Congress or a designated employee of the
16 United States House of Representatives or the United
17 States Senate of such Member from entering, for the pur-
18 pose of conducting oversight and upon a request made at
19 least 24 hours in advance, any facility operated by or for
20 the Department of Homeland Security used to detain or
21 otherwise house aliens, or to make any temporary modi-
22 fication at any such facility that in any way alters what
23 is observed by a visiting Member of Congress, compared
24 to what would be observed in the absence of such modifica-
25 tion.

1 SEC. 529. (a) Except as provided in subsection (b),
2 none of the funds made available to the Department of
3 Homeland Security may be used to place restraints on a
4 woman in the custody of the Department of Homeland Se-
5 curity (including during transport, in a detention facility,
6 or at an outside medical facility) who is pregnant or in
7 post-delivery recuperation.

8 (b) Subsection (a) shall not apply with respect to a
9 pregnant woman if—

10 (1) an appropriate official of the Department of
11 Homeland Security makes an individualized deter-
12 mination that the woman—

13 (A) is a serious flight risk, and such risk
14 cannot be prevented by other means; or

15 (B) poses an immediate and serious threat
16 to harm herself or others that cannot be pre-
17 vented by other means; or

18 (2) a medical professional responsible for the
19 care of the pregnant woman determines that the use
20 of therapeutic restraints is appropriate for the med-
21 ical safety of the woman.

22 (c) If a pregnant woman is restrained pursuant to
23 subsection (b), only the safest and least restrictive re-
24 straints, as determined by the appropriate medical profes-
25 sional treating the woman, may be used. In no case may

1 Congress as an emergency requirement pursuant to a con-
2 current resolution on the budget or the Balanced Budget
3 and Emergency Deficit Control Act of 1985 (Public Law
4 99–177):

5 (1) \$20,000,000 from Public Law 115-141
6 under the heading “Customs and Border Protection
7 — Procurement, Construction and Improvement”.

8 (2) \$601,000,000 from Public Law 116-6 under
9 the heading “Customs and Border Protection —
10 Procurement, Construction, and Improvement”.

11 (3) \$10,000,000 from “Customs and Border
12 Protection — Automation Modernization” account
13 70X0531.

14 (4) \$10,000,000 from “Customs and Border
15 Protection — Border Security, Fencing, Infrastruc-
16 ture, and Technology” account 70X0533.

17 (5) \$4,000,000 from “Customs and Border
18 Protection — Construction” account 70X0532.

19 (6) \$500,000 from Public Law 114-113 under
20 the heading “Coast Guard — Acquisition, Construc-
21 tion, and Improvements”.

22 (7) \$6,000,000 from Public Law 115-31 under
23 the heading “Coast Guard — Acquisition, Construc-
24 tion and Improvements”.

1 (8) \$5,000,000 from Public Law 115-141 under
2 the heading “Coast Guard — Research, Develop-
3 ment, Test, and Evaluation”.

4

5 This Act may be cited as the “Department of Home-
6 land Security Appropriations Act, 2020”.

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[FULL COMMITTEE PRINT]

Union Calendar No. _____

116TH CONGRESS
1ST Session

H. R. _____

[Report No. _- _]

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2020, and for other purposes.

_____, 2008

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