

**AMENDMENT TO HOMELAND SECURITY  
APPROPRIATIONS BILL  
OFFERED BY MR. YODER OF KANSAS**

In the BILL:

On page 2, line 15, strike “\$139,926,000” and insert “\$134,110,000”.

On page 2, line 20, strike “\$845,528,000” and insert “\$842,712,000”.

On page 3, line 19, strike “\$162,369,000” and insert “\$168,001,000”.

On page 24, line 5, strike “\$3,356,525,000” and insert “\$3,359,525,000”.

On page 25, line 6, strike “\$100,000,000” and insert “\$103,000,000”.

On page 25, line 13, strike “\$4,000,000” and insert “\$7,000,000”.

On page 32, line 21, strike “solely”.

At the appropriate place in the bill, insert the following:

1       “SEC. \_\_\_\_\_. None of the funds made available by this  
2 Act may be used to prevent a Member of the United States  
3 Congress from entering, for the purpose of conducting  
4 oversight, any facility in the United States used for pur-  
5 poses of detaining or otherwise housing foreign national  
6 minors, or to require Members of the United States Con-  
7 gress to coordinate through a Congressional entity for  
8 their entry into, for the purpose of conducting oversight,  
9 any facility in the United States used for purposes of de-  
10 taining or otherwise housing foreign national minors, or  
11 to make any temporary modification at any such facility  
12 that in any way alters what is observed by a visiting Mem-  
13 ber of the United States Congress, compared to what  
14 would be observed in the absence of such modification.”

In the REPORT:

On page 4, after the third full paragraph, insert the following:

“The Committee directs the Secretary to ensure that persons detained by DHS are able to make phone calls, at no cost or at a reasonable, fair market cost, to include any state, local, territorial, tribal, or private entity who is detaining such persons per an agreement with DHS. All facilities should also allow detainees to access the ICE pro bono platform provided by ICE’s phone provider that

allows for free calls to courts, consulates, and free legal service providers.”

On page 7, at the end of the third full paragraph, insert the following: “The Committee is aware that DHS is complying with U.S. District Court Instruction requiring the federal government to pay the costs of such communications, as well as the costs of family reunification.”

On page 7, before the heading “Office of Policy”, insert the following:

“The Committee directs the Department to report semiannually, beginning not later than 90 days after the date of enactment of this Act, on the activities of ICE and USCIS to implement the recommendations of OIG–16–130, including the incremental cost of those activities; FTE devoted to the effort; criteria and methodology for reviewing and making determinations on potential denaturalization cases; number of records reviewed; number of cases subject to in-depth review for potential denaturalization, including whether such were cases investigated outside the scope of the recommendations of OIG–16–130, number of cases referred to the Justice Department for denaturalization proceedings, delineated by cases that were identified by the OIG for review and those that were not so identified; countries of origin of

the individuals whose cases were subject to in-depth review and for Justice Department referral; and a compilation of the infractions underlying referrals to the Justice Department.”

On page 8, after the third paragraph under the heading “Office of Partnership and Engagement”, insert the following:

“The Committee encourages interagency coordination between DHS and other agencies when developing school safety reports.”

On page 15, strike the last sentence in the second full paragraph and insert the following:

“The increase above the request is for increased unannounced inspections of immigration detention facilities and CBP holding processing facilities. ICE shall continue to publish the results of detention facility inspections and other reports related to custody operations activities on its public website.

“As the OIG continues to conduct unannounced inspections of detention facilities, the Committee encourages the OIG to pay particular attention to the health needs of detainees.

“Within 30 days of the date of enactment of this Act, the Inspector General shall report to the Committee

on the implementation of and any interagency coordination associated with the previous policy of separating migrant families, the Executive Order issued on June 20, 2018 entitled ‘Affording Congress an Opportunity to Address Family Separation’, and efforts made to reunify families separated under the previous family separation policy.”

On page 20, before the heading “Border Security Operations”, insert the following:

“The Committee understands that it is CBP’s policy that enforcement actions at sensitive locations—including but not limited to schools, healthcare facilities, places of worship, religious or civil ceremonies or observances, and public demonstrations—should generally be avoided, and require either prior approval from an appropriate supervisory official or exigent circumstances necessitating immediate action. The policy is intended to ensure that anyone seeking to participate in activities or utilize services provide at such locations are free to do so without fear or hesitation. The Committee expects CBP to continue to follow this policy, which balances the requirement to enforce the law with the impacts that these actions may have on communities.

“The Committee encourages the Department to utilize its authority to accept donations from the private

sector, nongovernmental organizations, and other groups independent of the federal government, including medical goods and services, school supplies, toys, clothing, and any other items intended to promote the wellbeing of alien children in the custody of CBP.

“To the extent practicable, and so long as it is appropriate and in the best interest of the children involved, in cases where U.S. Customs and Border Protection is responsible for the custody of siblings who are unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))), the Commissioner shall place such siblings in the same facility.

“U.S. Border Patrol Sector Chiefs shall play a primary role in determining the type and location of all tactical infrastructure, such as physical barriers, roads, communication towers, surveillance towers, or other tactical infrastructure and technology to be deployed in their area of responsibility. The Committee encourages Sector Chiefs to consult State and local elected officials and other stakeholders during the decision making process.

“The Committee commends the Department’s efforts to help facilitate the development of common or complementary approaches with Mexico in areas of mutual, including facilitating the cross-border transit of low-

risk cargo and passengers and combatting cross-border violence and criminal networks. The Committee encourages the Department, in cooperation with the Department of State, to continue these efforts with the new Mexican administration and to explore new opportunities for cooperation, such as through the establishment of a cross-border working group, and to report back to the Committee within 90 days of the date of enactment of this Act on progress made in this regard.

“The Committee is concerned with reports that transnational criminal organizations may combine narcotics and humans in illicit smuggling attempts, thereby endangering the lives of individuals being smuggled. The Committee directs the Department to work with its federal law enforcement partners to ensure that the enforcement of anti-drug and anti-smuggling laws is carried out in a manner protective of human life and safety. In particular, DHS should work to prevent the passage of any vehicle through a checkpoint or port of entry for purposes of a controlled delivery by another law enforcement agency if the vehicle may contain individuals being smuggled under unsafe conditions, such as the smuggling of one or more individuals in a confined or non-air conditioned space.

“The Committee encourages CBP to explore the feasibility of allowing older firearms being cycled out of CBP inventories to be purchased by other law enforcement agencies, along with whether any additional authorities would be necessary for this approach, as a way of partially offsetting the costs of new, replacement firearms.

“The Committee encourages CBP to collaborate with the Science and Technology Directorate to explore a demonstration of building-scale, direct potable water reuse capabilities for on-site sustainable water at CBP Forward Operating Bases (FOB). A deployable and easy-to-use on-site, wastewater treatment system that minimizes energy and water usage would improve the security of U.S. Border Patrol agents, while reducing costs and environmental impacts by avoiding the need to transport fresh water to the FOBs.

“The Committee directs DHS to coordinate with the Department of Justice to facilitate the availability of courtroom space within immigration detention facilities along the U.S.-Mexico border to accommodate the appointment of additional immigration judges, as necessary to provide for a more timely adjudication of asylum claims and reduce the immigration court backlog while ensuring that due process is observed.”



On page 22, in the first paragraph, strike the last sentence and insert the following:

“The Committee further directs CBP to develop strategies that will allow for more accurate CDSOA payments in the future.”

On page 23, before the heading “Integrated Operations”, insert the following:

“The Committee expects CBP to work with seaports, cruise vessel operators, and other stakeholders to determine the appropriate number of CBP officers that need to be deployed at seaports to properly and efficiently handle the clearance of cruise passengers.”

On page 27, before the heading “Homeland Security Investigations”, insert the following:

“The Committee directs ICE’s Office of Detention Oversight to conduct unannounced inspections of all ICE family residential centers at least twice per year, with the results of each inspection promptly published on ICE’s website.

“The Committee directs the Department to make any form required to be signed by a detained person to be written in both English and Spanish.”

On page 29, in the second full paragraph before the last sentence, insert: “The report shall also include details on the number of DACA recipients detained.”

On page 32, at the end of the second full paragraph under the heading “Aviation Screening Operations”, insert the following:

“Not later than 60 days after the date of enactment of this Act, TSA shall brief the Committee on the feasibility of establishing a program through which the agency would develop standards and an approved vendor list of certified third party canine providers for use by TSA and trusted aviation stakeholders at passenger checkpoints and passenger baggage screening.

“The Committee directs that TSA provide a report not later than 60 days after the date of enactment of this Act on the agency’s plans for identifying 3D-printed guns at passenger screening checkpoints.

“The Committee directs that TSA coordinate with ICE to facilitate the passenger screening of parents who lack valid identification documents and are attempting to reunite with their children through use of the Identity Verification Call Center.”

On page 34, after the first full paragraph, insert the following:

“As recommended by the Aviation Security Advisory Committee in 2015, TSA is encouraged to assess the benefits of establishing an air cargo security division within the agency that is responsible for carrying out all policy related to air cargo and providing stakeholders with a central interface at the agency on all matters related to air cargo security.”

On page 37, before the heading “PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS”, insert the following:

“The Committee recognizes the Coast Guard Academy’s current efforts to recruit and retain a diverse and highly qualified Corps through programs like Eclipse Week, and encourages further expansion of these efforts, particularly through implementing the recommendations of the 2017 Equity Scorecard.

“The Committee urges the Coast Guard to expand existing Partnership in Education programs, and use up to \$1,000,000 of the funds provided to help buildout efforts in cooperation with museums, schools, and other nontraditional classroom settings and on limnology and oceanographic programs that support Science, Technology, Engineering, and Mathematics education through regional headquarters, and consider expanding these programs with minority-serving institutions.

“The Committee reminds the Coast Guard of its finding that the location of the Maryland Wind Energy Area poses ‘unacceptable navigational safety risks’. The Committee urges the Coast Guard to take any and all steps to ensure the navigational safety for maritime traffic off the coast of Maryland, including but not limited to the designation of fairways and traffic separation schemes identified as priorities in the Coast Guard Atlantic Coast Port Access Route Study.”

On page 46, after the first full paragraph, insert the following:

“Given that elections infrastructure—election and voting systems, products, and service vendors and related supply-chain participants—have been designated as part of the nation’s critical infrastructure, DHS has a significant role in assisting state and local election officials as they prepare for federal elections. The Committee appreciates that DHS is working to provide that assistance and that there is an ongoing OIG investigation to examine the status of that work. To aid the Committee in its oversight function, the GAO shall examine how DHS is implementing its key responsibilities in overseeing protection of the elections critical infrastructure subsector and the reported benefits and challenges of such efforts.”

On page 46, at the beginning of the second full paragraph, strike “Further, t” and insert “T”.

On page 54, after the first full paragraph, insert the following:

“In addition to its ‘natural valley’ method for analyzing and mapping flood hazards, for coastal areas, FEMA should consider an approach, including dynamic, two-dimensional modeling or methods, that would be technically sound, credible, and cost-effective, and that would provide results that more precisely reflect the flood risk in coastal areas impacted by levees.”

On page 55, before the heading “NATIONAL FLOOD INSURANCE FUND”, insert the following:

“The Committee notes the release of the 2017 Hurricane Season FEMA After-Action Report and remains concerned about the response to Hurricane Maria in Puerto Rico. Within 90 days of the date of enactment of this Act, the Committee directs the OIG to review the response and recovery effort to Hurricane Maria. The OIG shall make recommendations for improvements in the future including improvements to FEMA’s response to appeals for housing assistance resulting in increasing the number of persons in need receiving assistance.

“As noted in the 2017 Hurricane Season FEMA After-Action Report, FEMA faced staffing shortages and logistical challenges in the tracking, moving, and delivery of resources to Puerto Rico and the U.S. Virgin Islands during the lead up and response to Hurricanes Maria and Irma. These challenges were in part due to response plans that were at least five years old for both locations. The Committee directs FEMA to work with states and territories to more frequently update response plans, make the necessary revisions to the National Response Framework and the Response Federal Interagency Operational Plan, and report back to the Committee within 90 days of the date of enactment of this Act on its progress. FEMA is further directed to brief the Committee on its disaster workforce review, as recommended in the 2017 Hurricane Season After-Action, to include incident management, incident support, and mission essential functions.

“Within 90 days of the date of enactment of this Act, the Inspector General shall conduct an audit of contracts subject to FEMA reimbursement for the removal of debris resulting from Hurricane Irma, and shall report to the Committee on the results of such audit, including a determination of whether the services could have been provided at lower taxpayer cost.”

On page 56, in the third paragraph, strike “solely”.

On page 56, in the table under the heading “U.S. CITIZENSHIP AND IMMIGRATION SERVICES”, strike “132,919,000” and insert “131,919,000”.

On page 62, strike the last paragraph and insert the following instead:

“The Committee is pleased that S&T has been engaged in a three-year binational research and development pilot. The recommendation includes \$2,000,000 for continuation of this pilot. The pilot should continue its focus on border security, maritime security, biometrics, cybersecurity, and video analytics among other topics. Within 180 days of the enactment of this act, S&T shall provide a report to the Committee on the results of each grant awarded through the pilot and on any commercialization or transition to practice that has resulted from the pilot’s projects.”

