

## Calendar No. 229

116TH CONGRESS  
1ST SESSION

# S. 2582

[Report No. 116–125]

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

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### IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2019

Mrs. CAPITO, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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## 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:

1 TITLE I  
2 DEPARTMENTAL MANAGEMENT, OPERATIONS,  
3 INTELLIGENCE, AND OVERSIGHT  
4 OFFICE OF THE SECRETARY AND EXECUTIVE  
5 MANAGEMENT  
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Office of the Secretary  
8 and for executive management for operations and support,  
9 \$160,369,000, of which \$10,000,000 shall be transferred  
10 to the Federal Emergency Management Agency for tar-  
11 geted violence and terrorism prevention grants: *Provided,*  
12 That not to exceed \$30,000 shall be for official reception  
13 and representation expenses.

14 MANAGEMENT DIRECTORATE  
15 OPERATIONS AND SUPPORT  
16 For necessary expenses of the Management Direc-  
17 torate for operations and support, \$1,174,209,000: *Pro-*  
18 *vided,* That not to exceed \$2,000 shall be for official recep-  
19 tion and representation expenses.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS  
21 For necessary expenses of the Management Direc-  
22 torate for procurement, construction, and improvements,  
23 \$41,442,000, to remain available until September 30,  
24 2022.

## 1 FEDERAL PROTECTIVE SERVICE

2 The revenues and collections of security fees credited  
3 to this account shall be available until expended for nec-  
4 essary expenses related to the protection of federally  
5 owned and leased buildings and for the operations of the  
6 Federal Protective Service.

## 7 INTELLIGENCE, ANALYSIS, AND OPERATIONS

## 8 COORDINATION

## 9 OPERATIONS AND SUPPORT

10 For necessary expenses of the Office of Intelligence  
11 and Analysis and the Office of Operations Coordination  
12 for operations and support, \$276,641,000, of which  
13 \$68,579,000 shall remain available until September 30,  
14 2021: *Provided*, That not to exceed \$3,825 shall be for  
15 official reception and representation expenses and not to  
16 exceed \$2,000,000 is available for facility needs associated  
17 with secure space at fusion centers, including improve-  
18 ments to buildings.

## 19 OFFICE OF INSPECTOR GENERAL

## 20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Office of Inspector  
22 General for operations and support, \$170,186,000: *Pro-*  
23 *vided*, That not to exceed \$300,000 may be used for cer-  
24 tain confidential operational expenses, including the pay-

1 ment of informants, to be expended at the direction of the  
2 Inspector General.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 101. Not later than 30 days after the last day  
5 of each month, the Chief Financial Officer of the Depart-  
6 ment of Homeland Security shall submit to the Commit-  
7 tees on Appropriations of the Senate and the House of  
8 Representatives a monthly budget and staffing report that  
9 includes total obligations of the Department for that  
10 month and for the fiscal year at the appropriation and  
11 program, project, and activity levels, by the source year  
12 of the appropriation.

13 SEC. 102. (a) The Secretary of Homeland Security  
14 shall submit a report not later than October 15, 2020,  
15 to the Inspector General of the Department of Homeland  
16 Security listing all grants and contracts awarded by any  
17 means other than full and open competition during fiscal  
18 years 2019 and 2020.

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

1        SEC. 103. The Secretary of Homeland Security shall  
2        require that all contracts of the Department of Homeland  
3        Security that provide award fees link such fees to success-  
4        ful acquisition outcomes, which shall be specified in terms  
5        of cost, schedule, and performance.

6        SEC. 104. The Secretary of Homeland Security, in  
7        consultation with the Secretary of the Treasury, shall no-  
8        tify the Committees on Appropriations of the Senate and  
9        the House of Representatives of any proposed transfers  
10       of funds available under section 9705(g)(4)(B) of title 31,  
11       United States Code, from the Department of the Treasury  
12       Forfeiture Fund to any agency within the Department of  
13       Homeland Security: *Provided*, That none of the funds  
14       identified for such a transfer may be obligated until the  
15       Committees on Appropriations of the Senate and the  
16       House of Representatives are notified of the proposed  
17       transfers.

18       SEC. 105. 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.

23       SEC. 106. Section 107 of the Department of Home-  
24       land Security Appropriations Act, 2018 (division F of  
25       Public Law 115–141), related to visa overstay data, shall

1 apply in fiscal year 2020, except that the reference to  
2 “this Act” shall be treated as referring to this Act, and  
3 the reference to “2017” shall be treated as referring to  
4 “2019”.

1 TITLE II  
2 SECURITY, ENFORCEMENT, AND  
3 INVESTIGATIONS  
4 U.S. CUSTOMS AND BORDER PROTECTION  
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Customs and Border  
7 Protection for operations and support, including the trans-  
8 portation of unaccompanied minor aliens; the provision of  
9 air and marine support to Federal, State, local, and inter-  
10 national agencies in the enforcement or administration of  
11 laws enforced by the Department of Homeland Security;  
12 at the discretion of the Secretary of Homeland Security,  
13 the provision of such support to Federal, State, and local  
14 agencies in other law enforcement and emergency humani-  
15 tarian efforts; the purchase and lease of up to 7,500  
16 (6,500 for replacement only) police-type vehicles; the pur-  
17 chase, maintenance, or operation of marine vessels, air-  
18 craft, and unmanned aerial systems; and contracting with  
19 individuals for personal services abroad; \$12,364,210,000;  
20 of which \$3,274,000 shall be derived from the Harbor  
21 Maintenance Trust Fund for administrative expenses re-  
22 lated to the collection of the Harbor Maintenance Fee pur-  
23 suant to section 9505(c)(3) of the Internal Revenue Code  
24 of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding sec-  
25 tion 1511(e)(1) of the Homeland Security Act of 2002 (6

1 U.S.C. 551(e)(1)); of which \$2,000,000,000 shall be avail-  
 2 able until September 30, 2021; and of which such sums  
 3 as become available in the Customs User Fee Account, ex-  
 4 cept sums subject to section 13031(f)(3) of the Consoli-  
 5 dated Omnibus Budget Reconciliation Act of 1985 (19  
 6 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*  
 7 *vided*, That not to exceed \$34,425 shall be for official re-  
 8 ception and representation expenses: *Provided further*,  
 9 That not to exceed \$150,000 shall be available for pay-  
 10 ment for rental space in connection with preclearance op-  
 11 erations: *Provided further*, That not to exceed \$2,000,000  
 12 shall be for awards of compensation to informants, to be  
 13 accounted for solely under the certificate of the Secretary  
 14 of Homeland Security.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of U.S. Customs and Border  
 17 Protection for procurement, construction, and improve-  
 18 ments, including procurements to buy marine vessels, air-  
 19 craft, and unmanned aerial systems, \$5,478,073,000, of  
 20 which \$378,480,000 shall remain available until Sep-  
 21 tember 30, 2022, and of which \$5,099,593,000 shall re-  
 22 main available until September 30, 2024.

## 1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

## 2 OPERATIONS AND SUPPORT

3 For necessary expenses of U.S. Immigration and  
4 Customs Enforcement for operations and support, includ-  
5 ing the purchase and lease of up to 3,790 (2,350 for re-  
6 placement only) police-type vehicles; overseas vetted units;  
7 and maintenance, minor construction, and minor leasehold  
8 improvements at owned and leased facilities;  
9 \$8,338,741,000; of which \$6,000,000 shall remain avail-  
10 able until expended for efforts to enforce laws against  
11 forced child labor; of which \$46,696,000 shall remain  
12 available until September 30, 2021; of which \$1,500,000  
13 is for paid apprenticeships for participants in the Human  
14 Exploitation Rescue Operative Child-Rescue Corps; of  
15 which not less than \$15,000,000 shall be available for in-  
16 vestigation of intellectual property rights violations, in-  
17 cluding operation of the National Intellectual Property  
18 Rights Coordination Center; and of which not less than  
19 \$4,743,764,000 shall be for enforcement, detention, and  
20 removal operations, including transportation of unaccom-  
21 panied minor aliens: *Provided*, That not to exceed \$11,475  
22 shall be for official reception and representation expenses:  
23 *Provided further*, That not to exceed \$10,000,000 shall be  
24 available until expended for conducting special operations  
25 under section 3131 of the Customs Enforcement Act of

1 1986 (19 U.S.C. 2081): *Provided further*, That not to ex-  
 2 ceed \$2,000,000 shall be for awards of compensation to  
 3 informants, to be accounted for solely under the certificate  
 4 of the Secretary of Homeland Security: *Provided further*,  
 5 That not to exceed \$11,216,000 shall be available to fund  
 6 or reimburse other Federal agencies for the costs associ-  
 7 ated with the care, maintenance, and repatriation of  
 8 smuggled aliens unlawfully present in the United States.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of U.S. Immigration and  
 11 Customs Enforcement for procurement, construction, and  
 12 improvements, \$28,770,000, to remain available until Sep-  
 13 tember 30, 2022; of which not less than \$20,970,000 shall  
 14 be available for facilities repair and maintenance projects.

15 TRANSPORTATION SECURITY ADMINISTRATION

16 OPERATIONS AND SUPPORT

17 For necessary expenses of the Transportation Secu-  
 18 rity Administration for operations and support,  
 19 \$7,489,721,000, to remain available until September 30,  
 20 2021: *Provided*, That not to exceed \$7,650 shall be for  
 21 official reception and representation expenses: *Provided*  
 22 *further*, That security service fees authorized under section  
 23 44940 of title 49, United States Code, shall be credited  
 24 to this appropriation as offsetting collections and shall be  
 25 available only for aviation security: *Provided further*, That

1 the sum appropriated under this heading from the general  
2 fund shall be reduced on a dollar-for-dollar basis as such  
3 offsetting collections are received during fiscal year 2020  
4 so as to result in a final fiscal year appropriation from  
5 the general fund estimated at not more than  
6 \$4,659,721,000.

7       PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8       For necessary expenses of the Transportation Secu-  
9 rity Administration for procurement, construction, and  
10 improvements, \$210,623,000, to remain available until  
11 September 30, 2022.

12                       RESEARCH AND DEVELOPMENT

13       For necessary expenses of the Transportation Secu-  
14 rity Administration for research and development,  
15 \$22,902,000, to remain available until September 30,  
16 2021.

17                       COAST GUARD

18                       OPERATIONS AND SUPPORT

19       For necessary expenses of the Coast Guard for oper-  
20 ations and support including the Coast Guard Reserve;  
21 purchase or lease of not to exceed 25 passenger motor ve-  
22 hicles, which shall be for replacement only; purchase or  
23 lease of small boats for contingent and emergent require-  
24 ments (at a unit cost of not more than \$700,000) and  
25 repairs and service-life replacements, not to exceed a total

1 of \$31,000,000; purchase, lease, or improvements of boats  
 2 necessary for overseas deployments and activities; pay-  
 3 ments pursuant to section 156 of Public Law 97–377 (42  
 4 U.S.C. 402 note; 96 Stat. 1920); and recreation and wel-  
 5 fare; \$8,102,466,000, of which \$530,000,000 shall be for  
 6 defense-related activities, of which \$190,000,000 is des-  
 7 ignated by the Congress for Overseas Contingency Oper-  
 8 ations/Global War on Terrorism pursuant to section  
 9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
 10 Deficit Control Act of 1985 and shall be available only  
 11 if the President subsequently so designates all such  
 12 amounts and transmits such designates to the Congress;  
 13 of which \$24,500,000 shall be derived from the Oil Spill  
 14 Liability Trust Fund to carry out the purposes of section  
 15 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.  
 16 2712(a)(5)); of which \$11,000,000 shall remain available  
 17 until September 30, 2022; and of which \$20,548,000 shall  
 18 remain available until September 30, 2024, for environ-  
 19 mental compliance and restoration: *Provided*, That not to  
 20 exceed \$23,000 shall be for official reception and represen-  
 21 tation expenses.

## 22     PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

23         For necessary expenses of the Coast Guard for pro-  
 24 curement, construction, and improvements, including aids  
 25 to navigation, shore facilities (including facilities at De-

1 partment of Defense installations used by the Coast  
 2 Guard), and vessels and aircraft, including equipment re-  
 3 lated thereto, \$1,517,506,000, to remain available until  
 4 September 30, 2024, of which \$20,000,000 shall be de-  
 5 rived from the Oil Spill Liability Trust Fund to carry out  
 6 the purposes of section 1012(a)(5) of the Oil Pollution Act  
 7 of 1990 (33 U.S.C. 2712(a)(5)).

#### 8 RESEARCH AND DEVELOPMENT

9 For necessary expenses of the Coast Guard for re-  
 10 search and development; and for maintenance, rehabilita-  
 11 tion, lease, and operation of facilities and equipment;  
 12 \$4,949,000, to remain available until September 30, 2022,  
 13 of which \$500,000 shall be derived from the Oil Spill Li-  
 14 ability Trust Fund to carry out the purposes of section  
 15 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.  
 16 2712(a)(5)): *Provided*, That there may be credited to and  
 17 used for the purposes of this appropriation funds received  
 18 from State and local governments, other public authori-  
 19 ties, private sources, and foreign countries for expenses  
 20 incurred for research, development, testing, and evalua-  
 21 tion.

#### 22 RETIRED PAY

23 For retired pay, including the payment of obligations  
 24 otherwise chargeable to lapsed appropriations for this pur-  
 25 pose, payments under the Retired Serviceman's Family

1 Protection and Survivor Benefits Plans, payment for ca-  
2 reer status bonuses, payment of continuation pay under  
3 section 356 of title 37, United States Code, concurrent  
4 receipts, combat-related special compensation, and pay-  
5 ments for medical care of retired personnel and their de-  
6 pendants under chapter 55 of title 10, United States Code,  
7 \$1,802,309,000, to remain available until expended.

8 UNITED STATES SECRET SERVICE

9 OPERATIONS AND SUPPORT

10 For necessary expenses of the United States Secret  
11 Service for operations and support, including purchase of  
12 not to exceed 652 vehicles for police-type use for replace-  
13 ment only; hire of passenger motor vehicles; purchase of  
14 motorcycles made in the United States; hire of aircraft;  
15 rental of buildings in the District of Columbia; fencing,  
16 lighting, guard booths, and other facilities on private or  
17 other property not in Government ownership or control,  
18 as may be necessary to perform protective functions; con-  
19 duct of and participation in firearms matches; presen-  
20 tation of awards; conduct of behavioral research in sup-  
21 port of protective intelligence and operations; payment in  
22 advance for commercial accommodations as may be nec-  
23 essary to perform protective functions; and payment, with-  
24 out regard to section 5702 of title 5, United States Code,  
25 of subsistence expenses of employees who are on protective

1 missions, whether at or away from their duty stations;  
 2 \$2,277,110,000; of which \$39,763,000 shall remain avail-  
 3 able until September 30, 2021, and of which \$6,000,000  
 4 shall be for a grant for activities related to investigations  
 5 of missing and exploited children; and of which up to  
 6 \$9,000,000 may be for calendar year 2019 premium pay  
 7 in excess of the annual equivalent of the limitation on the  
 8 rate of pay contained in section 5547(a) of title 5, United  
 9 States Code, pursuant to section 2 of the Overtime Pay  
 10 for Protective Services Act of 2016 (5 U.S.C. 5547 note),  
 11 as amended by Public Law 115–383: *Provided*, That not  
 12 to exceed \$19,125 shall be for official reception and rep-  
 13 resentation 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.

#### 23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the United States Secret  
 25 Service for research and development, \$15,955,000, to re-

1 main available until September 30, 2021, of which up to  
2 \$5,000,000 shall be for assistance to university-based dig-  
3 ital investigation centers.

4 ADMINISTRATIVE PROVISIONS

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

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

20 SEC. 203. As authorized by section 601(b) of the  
21 United States-Colombia Trade Promotion Agreement Im-  
22 plementation Act (Public Law 112–42), fees collected  
23 from passengers arriving from Canada, Mexico, or an ad-  
24 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 2020 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. Not later than 90 days after the date of  
21 enactment of this Act, the Secretary of Homeland Security  
22 shall submit an expenditure plan for the amounts made  
23 available for “U.S. Customs and Border Protection—Pro-  
24 curement, Construction, and Improvements” to the Com-  
25 mittees on Appropriations of the Senate and the House

1 of Representatives: *Provided*, That no such amounts may  
2 be obligated prior to the submission of such plan.

3 SEC. 209. (a) Of the total amount made available  
4 under “U.S. Customs and Border Protection—Procure-  
5 ment, Construction, and Improvements”, \$5,478,073,000  
6 shall be available only as follows:

7 (1) \$5,000,000,000 is for the construction of  
8 pedestrian fencing;

9 (2) \$164,906,000 is for the acquisition and de-  
10 ployment of border security technologies and trade  
11 and travel assets and infrastructure, to include  
12 \$59,124,000 for non-intrusive inspection equipment  
13 at ports of entry; and

14 (3) \$99,593,000 is for construction and facility  
15 improvements, to include \$6,000,000 for Office of  
16 Air and Marine facilities, \$22,346,000 for Office of  
17 Field Operations facilities, and \$71,229,000 for Bor-  
18 der Patrol facility improvements.

19 (4) \$197,901,000 is for integrated operations  
20 assets and infrastructure for airframes, sensors and  
21 watercraft; and

22 (5) \$15,673,000 is for revenue modernization  
23 activities.

24 (b) The amounts designated in subsection (a)(1) shall  
25 only be available for operationally effective designs de-

1 ployed as of the date of the Consolidated Appropriations  
2 Act, 2017 (Public Law 115–31), such as currently de-  
3 ployed steel bollard designs, that prioritize agent safety.

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

15 SEC. 210. None of the funds made available by this  
16 Act or prior Acts are available for the construction of pe-  
17 destrian fencing—

- 18 (1) within the Santa Ana Wildlife Refuge;
- 19 (2) within the Bentsen-Rio Grande Valley State  
20 Park;
- 21 (3) within La Lomita Historical park;
- 22 (4) within the National Butterfly Center; or
- 23 (5) within or east of the Vista del Mar Ranch  
24 tract of the Lower Rio Grande Valley National Wild-  
25 life Refuge.

1        SEC. 211. Funds made available in this Act may be  
2 used to alter operations within the National Targeting  
3 Center of U.S. Customs and Border Protection: *Provided*,  
4 That none of the funds provided by this Act, provided by  
5 previous appropriations Acts that remain available for ob-  
6 ligation or expenditure in fiscal year 2020, or provided  
7 from any accounts in the Treasury of the United States  
8 derived by the collection of fees available to the compo-  
9 nents funded by this Act, may be used to reduce antici-  
10 pated or planned vetting operations at existing locations  
11 unless specifically authorized by a statute enacted after  
12 the date of enactment of this Act.

13        SEC. 212. Without regard to the limitation as to time  
14 and condition of section 503(d) of this Act, the Secretary  
15 may reprogram within and transfer funds to “U.S. Immi-  
16 gration and Customs Enforcement—Operations and Sup-  
17 port” as necessary to ensure the detention of aliens  
18 prioritized for removal.

19        SEC. 213. None of the funds provided under the  
20 heading “U.S. Immigration and Customs Enforcement—  
21 Operations and Support” may be used to continue a dele-  
22 gation of law enforcement authority authorized under sec-  
23 tion 287(g) of the Immigration and Nationality Act (8  
24 U.S.C. 1357(g)) if the Department of Homeland Security  
25 Inspector General determines that the terms of the agree-

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

3 SEC. 214. 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. 215. (a) None of the funds provided by this Act  
12 or any other Act, or provided from any accounts in the  
13 Treasury of the United States derived by the collection  
14 of fees available to the components funded by this Act,  
15 may be used by the Secretary of Homeland Security to  
16 place in detention, remove, refer for a decision whether  
17 to initiate removal proceedings, or initiate removal pro-  
18 ceedings against a sponsor, potential sponsor, or member  
19 of a household of a sponsor or potential sponsor of an un-  
20 accompanied alien child (as defined in section 462(g) of  
21 the Homeland Security Act of 2002 (6 U.S.C. 279(g)))  
22 based on information shared by the Secretary of Health  
23 and Human Services.

1 (b) Subsection (a) shall not apply if a background  
2 check of a sponsor, potential sponsor, or member of a  
3 household of a sponsor or potential sponsor reveals—

4 (1) a felony conviction or pending felony charge  
5 that relates to—

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

9 (B) child abuse;

10 (C) sexual violence or abuse; or

11 (D) child pornography;

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

14 (A) is unrelated to the sponsor, potential  
15 sponsor, or member of a household of a sponsor  
16 or potential sponsor; and

17 (B) is—

18 (i) not paid a legal wage; or

19 (ii) unable to attend school due to the  
20 employment; or

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

23 SEC. 216. Not later than 7 days after the date of  
24 enactment of this Act and weekly thereafter, the Director  
25 of U.S. Immigration and Customs Enforcement shall sub-

1 mit to the Committees on Appropriations of the Senate  
2 and the House of Representatives, and make available on  
3 a publicly accessible website, a report detailing—

4           (1) data on aliens detained; including average  
5       fiscal year-to-date daily populations of aliens de-  
6       tained; daily counts of the number of aliens detained  
7       as of the date of each report; total fiscal year-to-date  
8       book-ins; and average lengths of stay of aliens de-  
9       tained (including average post-determination length  
10      of stay in the case of detainees described in subpara-  
11      graph (B)) for—

12           (A) single adults and for members of fam-  
13      ily units detained in the custody of U.S. Immi-  
14      gration and Customs Enforcement,  
15      disaggregated by whether the detainees were—

16           (i) transferred to the custody of U.S.  
17      Immigration and Customs Enforcement by  
18      U.S. Customs and Border Protection after  
19      being deemed inadmissible at a port of  
20      entry or after being apprehended within 14  
21      days of entering the United States; or

22           (ii) arrested by U.S. Immigration and  
23      Customs Enforcement;

24           (B) detainees in the custody of U.S. Immi-  
25      gration and Customs Enforcement who are de-

1           terminated to have a credible or reasonable fear  
2           of—

3                   (i) persecution, as defined in section  
4                   235(b)(1)(B)(v) of the Immigration and  
5                   Nationality Act; or

6                   (ii) torture, as defined in section  
7                   208.30 of title 8, Code of Federal Regula-  
8                   tions (as in effect on January 1, 2018);

9                   (C) detainees in the custody of U.S. Immi-  
10                  gration and Customs Enforcement who have  
11                  been issued a Notice to Appear pursuant to sec-  
12                  tion 239 of the Immigration and Nationality  
13                  Act, disaggregated by single adults and mem-  
14                  bers of family units; and

15                (2) the total number of enrollees in the Alter-  
16                natives to Detention program and the average length  
17                of participation, disaggregated by—

18                   (A) single adults and family heads of  
19                   household;

20                   (B) participants in the family case man-  
21                   agement program;

22                   (C) level of supervision; and

23                   (D) the locations of supervision, by field  
24                  office.

1        SEC. 217. 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. 218. 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. 219. 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. 220. None of the funds made available by this  
4 or any other Act may be used by the Administrator of  
5 the Transportation Security Administration to implement,  
6 administer, or enforce, in abrogation of the responsibility  
7 described in section 44903(n)(1) of title 49, United States  
8 Code, any requirement that airport operators provide air-  
9 port-financed staffing to monitor exit points from the ster-  
10 ile area of any airport at which the Transportation Secu-  
11 rity Administration provided such monitoring as of De-  
12 cember 1, 2013.

13 SEC. 221. Not later than 30 days after the submis-  
14 sion of the President's budget proposal, the Administrator  
15 of the Transportation Security Administration shall sub-  
16 mit to the Committees on Appropriations and Commerce,  
17 Science, and Transportation of the Senate and the Com-  
18 mittees on Appropriations and Homeland Security in the  
19 House of Representatives a single report that fulfills the  
20 following requirements:

21 (1) a Capital Investment Plan (CIP) that in-  
22 cludes a plan for continuous and sustained capital  
23 investment in new, and the replacement of aged,  
24 transportation security equipment;

1           (2) the 5-year technology investment plan as re-  
2       quired by section 1611 of title XVI of the Homeland  
3       Security Act of 2002, as amended by section 3 of  
4       the Transportation Security Acquisition Reform Act  
5       (Public Law 113–245); and

6           (3) the Advanced Integrated Passenger Screen-  
7       ing Technologies report as required by the Senate  
8       Report accompanying the Department of Homeland  
9       Security Appropriations Act, 2019 (S. Rpt. 115–  
10      283).

11      SEC. 222. None of the funds made available by this  
12   Act under the heading “Coast Guard—Operations and  
13   Support” shall be for expenses incurred for recreational  
14   vessels under section 12114 of title 46, United States  
15   Code, except to the extent fees are collected from owners  
16   of yachts and credited to the appropriation made available  
17   by this Act under the heading “Coast Guard—Operations  
18   and Support”: *Provided*, That to the extent such fees are  
19   insufficient to pay expenses of recreational vessel docu-  
20   mentation under such section 12114, and there is a back-  
21   log of recreational vessel applications, personnel per-  
22   forming non-recreational vessel documentation functions  
23   under subchapter II of chapter 121 of title 46, United  
24   States Code, may perform documentation under section  
25   12114.

1        SEC. 223. Without regard to the limitation as to time  
2 and condition of subsection (d) of section 503 of this Act,  
3 after June 30, up to \$10,000,000 may be reprogrammed  
4 to or from the Military Pay and Allowances funding cat-  
5 egory within “Coast Guard—Operations and Support” in  
6 accordance with subsection (a) of section 503 of this Act.

7        SEC. 224. Notwithstanding any other provision of  
8 law, the Commandant of the Coast Guard shall submit  
9 to the Committees on Appropriations of the Senate and  
10 the House of Representatives a future-years capital invest-  
11 ment plan as described in the second proviso under the  
12 heading “Coast Guard—Acquisition, Construction, and  
13 Improvements” in the Department of Homeland Security  
14 Appropriations Act, 2015 (Public Law 114–4), which shall  
15 be subject to the requirements in the third and fourth pro-  
16 visos under such heading.

17        SEC. 225. Funds made available for Overseas Contin-  
18 gency Operations/Global War on Terrorism under the  
19 heading “Coast Guard—Operations and Support” may be  
20 allocated by program, project, and activity, notwith-  
21 standing section 503 of this Act.

22        SEC. 226. None of the funds in this Act shall be used  
23 to reduce the Coast Guard’s Operations Systems Center  
24 mission or its government-employed or contract staff lev-  
25 els.

1        SEC. 227. None of the funds appropriated by this Act  
2 may be used to conduct, or to implement the results of,  
3 a competition under Office of Management and Budget  
4 Circular A-76 for activities performed with respect to the  
5 Coast Guard National Vessel Documentation Center.

6        SEC. 228. Funds made available in this Act may be  
7 used to alter operations within the Civil Engineering Pro-  
8 gram of the Coast Guard nationwide, including civil engi-  
9 neering units, facilities design and construction centers,  
10 maintenance and logistics commands, and the Coast  
11 Guard Academy, except that none of the funds provided  
12 in this Act may be used to reduce operations within any  
13 civil engineering unit unless specifically authorized by a  
14 statute enacted after the date of enactment of this Act.

15       SEC. 229. The United States Secret Service is au-  
16 thorized to obligate funds in anticipation of reimburse-  
17 ments from executive agencies, as defined in section 105  
18 of title 5, United States Code, for personnel receiving  
19 training sponsored by the James J. Rowley Training Cen-  
20 ter, except that total obligations at the end of the fiscal  
21 year shall not exceed total budgetary resources available  
22 under the heading “United States Secret Service—Oper-  
23 ations and Support” at the end of the fiscal year.

24       SEC. 230. None of the funds made available to the  
25 United States Secret Service by this Act or by previous

1 appropriations Acts may be made available for the protec-  
2 tion of the head of a Federal agency other than the Sec-  
3 retary of Homeland Security: *Provided*, That the Director  
4 of the United States Secret Service may enter into agree-  
5 ments to provide such protection on a fully reimbursable  
6 basis.

7 SEC. 231. For purposes of section 503(a)(3) of this  
8 Act, up to \$15,000,000 may be reprogrammed within  
9 “United States Secret Service—Operations and Support”.

10 SEC. 232. Funding made available in this Act for  
11 “United States Secret Service—Operations and Support”  
12 is available for travel of United States Secret Service em-  
13 ployees on protective missions without regard to the limi-  
14 tations on such expenditures in this or any other Act if  
15 the Director of the United States Secret Service or a des-  
16 ignee notifies the Committees on Appropriations of the  
17 Senate and the House of Representatives 10 or more days  
18 in advance, or as early as practicable, prior to such ex-  
19 penditures.

20 SEC. 233. (a) No funds shall be used for an agent  
21 or officer of U.S. Customs and Border Protection to re-  
22 move a child from his or her parent or legal guardian,  
23 at or near the port of entry or within 100 miles of the  
24 border of the United States, unless one of the following  
25 has occurred:

1           (1) A State court, authorized under State law,  
2           terminates the rights of a parent or legal guardian,  
3           determines that it is in the best interests of the child  
4           to be removed from his or her parent or legal guard-  
5           ian, in accordance with the Adoption and Safe Fam-  
6           ilies Act of 1997 (Public Law 105–89), or makes  
7           any similar determination that is legally authorized  
8           under State law.

9           (2) An official from the State or county child  
10          welfare agency with expertise in child trauma and  
11          development makes a best interests determination  
12          that it is in the best interests of the child to be re-  
13          moved from his or her parent or legal guardian be-  
14          cause the child is in danger of abuse or neglect at  
15          the hands of the parent or legal guardian, or is a  
16          danger to herself or others.

17          (3) The Chief Patrol Agent or the Area Port  
18          Director in their official and undelegated capacity,  
19          authorizes separation upon the recommendation by  
20          an agent or officer of U.S. Customs and Border Pro-  
21          tection, based on a finding that—

22                (A) the child is a victim of trafficking or  
23                is at significant risk of becoming a victim of  
24                trafficking;

1 (B) there is a strong likelihood that the  
2 adult is not the parent or legal guardian of the  
3 child;

4 (C) the child is in danger of abuse or ne-  
5 glect at the hands of the parent or legal guard-  
6 ian, or is a danger to themselves or others; or

7 (D) other reasons recognized under the  
8 preliminary injunction in *Ms. L v. ICE* and  
9 agreed upon between the Department of Home-  
10 land Security, the Department of Health and  
11 Human Services, and the American Civil Lib-  
12 erties Union including:

13 (i) criminal history; and

14 (ii) communicable diseases.

15 (b) No funds shall be used to remove a child from  
16 a parent or legal guardian solely for the policy goal of de-  
17 terring individuals from migrating to the United States  
18 or for the policy goal of promoting compliance with civil  
19 immigration laws.

1 TITLE III  
2 PROTECTION, PREPAREDNESS, RESPONSE, AND  
3 RECOVERY  
4 CYBERSECURITY AND INFRASTRUCTURE SECURITY  
5 AGENCY  
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Cybersecurity and In-  
8 frastructure Security Agency for operations and support,  
9 \$1,579,917,000, of which \$18,650,000 shall remain avail-  
10 able until September 30, 2021: *Provided*, That not to ex-  
11 ceed \$3,825 shall be for official reception and representa-  
12 tion expenses.

13 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS  
14 For necessary expenses of the Cybersecurity and In-  
15 frastructure Security Agency for procurement, construc-  
16 tion, and improvements, \$428,052,000, to remain avail-  
17 able until September 30, 2022.

18 RESEARCH AND DEVELOPMENT  
19 For necessary expenses of the Cybersecurity and In-  
20 frastructure Security Agency for research and develop-  
21 ment, \$9,431,000, to remain available until September 30,  
22 2021.

## 1       FEDERAL EMERGENCY MANAGEMENT AGENCY

## 2                       OPERATIONS AND SUPPORT

3       For necessary expenses of the Federal Emergency  
4 Management Agency for operations and support,  
5 \$1,124,190,000: *Provided*, That not to exceed \$2,250  
6 shall be for official reception and representation expenses.

## 7       PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8       For necessary expenses of the Federal Emergency  
9 Management Agency for procurement, construction, and  
10 improvements, \$131,863,000, of which \$74,167,000 shall  
11 remain available until September 30, 2022, and of which  
12 \$57,696,000 shall remain available until September 30,  
13 2024.

## 14                       FEDERAL ASSISTANCE

15       For activities of the Federal Emergency Management  
16 Agency for Federal assistance through grants, contracts,  
17 cooperative agreements, and other activities,  
18 \$2,948,012,000, which shall be allocated as follows:

19               (1) \$525,000,000 for the State Homeland Secu-  
20 rity Grant Program under section 2004 of the  
21 Homeland Security Act of 2002 (6 U.S.C. 605), of  
22 which \$90,000,000 shall be for Operation  
23 Stonegarden, \$15,000,000 shall be for Tribal Home-  
24 land Security Grants under section 2005 of the  
25 Homeland Security Act of 2002 (6 U.S.C. 606), and

1       \$10,000,000 shall be for organizations (as described  
2       under section 501(c)(3) of the Internal Revenue  
3       Code of 1986 and exempt from tax under section  
4       501(a) of such code) determined by the Secretary of  
5       Homeland Security to be at high risk of a terrorist  
6       attack: *Provided*, That notwithstanding subsection  
7       (c)(4) of such section 2004, for fiscal year 2020, the  
8       Commonwealth of Puerto Rico shall make available  
9       to local and tribal governments amounts provided to  
10      the Commonwealth of Puerto Rico under this para-  
11      graph in accordance with subsection (c)(1) of such  
12      section 2004.

13           (2) \$600,000,000 for the Urban Area Security  
14      Initiative under section 2003 of the Homeland Secu-  
15      rity Act of 2002 (6 U.S.C. 604), of which  
16      \$50,000,000 shall be for organizations (as described  
17      under section 501(c)(3) of the Internal Revenue  
18      Code of 1986 and exempt from tax under section  
19      501(a) of such code) determined by the Secretary of  
20      Homeland Security to be at high risk of a terrorist  
21      attack.

22           (3) \$100,000,000 for Public Transportation Se-  
23      curity Assistance, Railroad Security Assistance, and  
24      Over-the-Road Bus Security Assistance under sec-  
25      tions 1406, 1513, and 1532 of the Implementing

1 Recommendations of the 9/11 Commission Act of  
2 2007 (6 U.S.C. 1135, 1163, and 1182), of which  
3 \$10,000,000 shall be for Amtrak security and  
4 \$2,000,000 shall be for Over-the-Road Bus Security:  
5 *Provided*, That such public transportation security  
6 assistance shall be provided directly to public trans-  
7 portation agencies.

8 (4) \$100,000,000 for Port Security Grants in  
9 accordance with section 70107 of title 46, United  
10 States Code.

11 (5) \$710,000,000, to remain available until  
12 September 30, 2021, of which \$355,000,000 shall be  
13 for Assistance to Firefighter Grants and  
14 \$355,000,000 shall be for Staffing for Adequate  
15 Fire and Emergency Response Grants under sec-  
16 tions 33 and 34 respectively of the Federal Fire Pre-  
17 vention and Control Act of 1974 (15 U.S.C. 2229  
18 and 2229a).

19 (6) \$355,000,000 for emergency management  
20 performance grants under the National Flood Insur-  
21 ance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-  
22 ert T. Stafford Disaster Relief and Emergency As-  
23 sistance Act (42 U.S.C. 5121), the Earthquake Haz-  
24 ards Reduction Act of 1977 (42 U.S.C. 7701), sec-

tion 762 of title 6, United States Code, and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.).

(7) \$147,531,000 for necessary expenses for Flood Hazard Mapping and Risk Analysis, in addition to and to supplement any other sums appropriated under the National Flood Insurance Fund, and such additional sums as may be provided by States or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)), to remain available until expended.

(8) \$10,000,000 for Regional Catastrophic Preparedness Grants.

(9) \$10,000,000 for Rehabilitation of High Hazard Potential Dams under section 8A of the National Dam Safety Program Act (33 U.S.C. 467f–2).

(10) \$120,000,000 for the emergency food and shelter program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331), to remain available until expended: *Provided*, That not to exceed 3.5 percent shall be for total administrative costs.

(11) \$270,481,000 to sustain current operations for training, exercises, technical assistance, and other programs.

## DISASTER RELIEF FUND

1  
2 For necessary expenses in carrying out the Robert  
3 T. Stafford Disaster Relief and Emergency Assistance Act  
4 (42 U.S.C. 5121 et seq.), \$17,826,684,000, to remain  
5 available until expended: *Provided*, That of the amount  
6 provided under this heading, \$17,352,000,000 shall be for  
7 major disasters declared pursuant to the Robert T. Staf-  
8 ford Disaster Relief and Emergency Assistance Act (42  
9 U.S.C. 5121 et seq.) and is designated by the Congress  
10 as being for disaster relief pursuant to section  
11 251(b)(2)(D) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985: *Provided further*, That  
13 \$250,000,000 of the amounts provided under this heading  
14 in this Act shall be derived from unobligated balances  
15 from prior year appropriations available under this head-  
16 ing: *Provided further*, That none of the amounts derived  
17 from unobligated balances in the previous proviso shall be  
18 from amounts that were designated by the Congress as  
19 being for an emergency requirement pursuant to a Con-  
20 current Resolution on the budget or section  
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985 or as being for disaster relief  
23 pursuant to section 251(b)(2)(D) of the Balanced Budget  
24 and Emergency Deficit Control Act of 1985.

## 1 NATIONAL FLOOD INSURANCE FUND

2 For activities under the National Flood Insurance  
3 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster  
4 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the  
5 Biggert-Waters Flood Insurance Reform Act of 2012  
6 (Public Law 112–141, 126 Stat. 916), and the Home-  
7 owner Flood Insurance Affordability Act of 2014 (Public  
8 Law 113–89; 128 Stat. 1020), \$206,166,000, to remain  
9 available until September 30, 2021, which shall be derived  
10 from offsetting amounts collected under section 1308(d)  
11 of the National Flood Insurance Act of 1968 (42 U.S.C.  
12 4015(d)); of which \$13,906,000 shall be available for mis-  
13 sion support associated with flood management; and of  
14 which \$192,260,000 shall be available for flood plain man-  
15 agement and flood mapping: *Provided*, That any addi-  
16 tional fees collected pursuant to section 1308(d) of the  
17 National Flood Insurance Act of 1968 (42 U.S.C.  
18 4015(d)) shall be credited as offsetting collections to this  
19 account, to be available for flood plain management and  
20 flood mapping: *Provided further*, That in fiscal year 2020,  
21 no funds shall be available from the National Flood Insur-  
22 ance Fund under section 1310 of the National Flood In-  
23 surance Act of 1968 (42 U.S.C. 4017) in excess of—

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

4           (2) \$1,151,000,000 for commissions and taxes  
5           of agents;

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

8           (4) \$175,000,000, which shall remain available  
9           until expended, for flood mitigation actions and for  
10          flood mitigation assistance under section 1366 of the  
11          National Flood Insurance Act of 1968 (42 U.S.C.  
12          4104c), notwithstanding sections 1366(e) and  
13          1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

14       *Provided further*, That the amounts collected under section  
15       102 of the Flood Disaster Protection Act of 1973 (42  
16       U.S.C. 4012a) and section 1366(e) of the National Flood  
17       Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be de-  
18       posited in the National Flood Insurance Fund to supple-  
19       ment other amounts specified as available for section 1366  
20       of the National Flood Insurance Act of 1968, notwith-  
21       standing section 102(f)(8), section 1366(e) of the National  
22       Flood Insurance Act of 1968, and paragraphs (1) through  
23       (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8),  
24       4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total  
25       administrative costs shall not exceed 4 percent of the total

1 appropriation: *Provided further*, That up to \$5,000,000 is  
 2 available to carry out section 24 of the Homeowner Flood  
 3 Insurance Affordability Act of 2014 (42 U.S.C. 4033).

#### 4 ADMINISTRATIVE PROVISIONS

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

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

22 SEC. 303. Under the heading “Federal Emergency  
 23 Management Agency—Federal Assistance”, for grants  
 24 under paragraphs (1) through (4), (8), and (9), the Ad-  
 25 ministrator of the Federal Emergency Management Agen-

1 cy shall brief the Committees on Appropriations of the  
2 Senate and the House of Representatives 5 full business  
3 days in advance of announcing publicly the intention of  
4 making an award.

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

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

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

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

21 SEC. 306. The aggregate charges assessed during fis-  
22 cal year 2020, as authorized in title III of the Depart-  
23 ments of Veterans Affairs and Housing and Urban Devel-  
24 opment, and Independent Agencies Appropriations Act,  
25 1999 (42 U.S.C. 5196e), shall not be less than 100 per-

1 cent of the amounts anticipated by the Department of  
2 Homeland Security to be necessary for its Radiological  
3 Emergency Preparedness Program for the next fiscal year:  
4 *Provided*, That the methodology for assessment and collec-  
5 tion of fees shall be fair and equitable and shall reflect  
6 costs of providing such services, including administrative  
7 costs of collecting such fees: *Provided further*, That such  
8 fees shall be deposited in a Radiological Emergency Pre-  
9 paredness Program account as offsetting collections and  
10 will become available for authorized purposes on October  
11 1, 2020, and remain available until expended.

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

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

6 For necessary expenses of U.S. Citizenship and Im-  
7 migration Services for operations and support of the E-  
8 Verify Program, \$121,586,000.

9 FEDERAL LAW ENFORCEMENT TRAINING CENTERS  
10 OPERATIONS AND SUPPORT

11 For necessary expenses of the Federal Law Enforce-  
12 ment Training Centers for operations and support, includ-  
13 ing the purchase of not to exceed 117 vehicles for police-  
14 type use and hire of passenger motor vehicles, and services  
15 as authorized by section 3109 of title 5, United States  
16 Code, \$304,586,000, of which \$61,391,000 shall remain  
17 available until September 30, 2021: *Provided*, That not  
18 to exceed \$7,180 shall be for official reception and rep-  
19 resentation expenses.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of the Federal Law Enforce-  
22 ment Training Centers for procurement, construction, and  
23 improvements, \$46,349,000, to remain available until Sep-  
24 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 \$294,715,000, of which \$162,633,000 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 \$415,688,000, 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 \$171,826,000: *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, \$118,988,000, 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 \$69,181,000, 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 SEC. 401. Notwithstanding any other provision of  
14 law, funds otherwise made available to U.S. Citizenship  
15 and Immigration Services may be used to acquire, operate,  
16 equip, and dispose of up to 5 vehicles, for replacement  
17 only, for areas where the Administrator of General Serv-  
18 ices does not provide vehicles for lease: *Provided*, That the  
19 Director of U.S. Citizenship and Immigration Services  
20 may authorize employees who are assigned to those areas  
21 to use such vehicles to travel between the employees' resi-  
22 dences and places of employment.

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

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

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

14       SEC. 404. (a) Of the funds deposited into the Immi-  
15 gration Examinations Fee Account, up to \$10,000,000  
16 may be allocated by U.S. Citizenship and Immigration  
17 Services in fiscal year 2020 for the purpose of providing  
18 an Immigrant Integration grants program.

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

24       SEC. 405. Of the funds deposited into the Immigra-  
25 tion Examinations Fee Account, not to exceed \$3,825 may

1 be allocated by U.S. Citizenship and Immigration Services  
2 in fiscal year 2020 for the purpose of official reception  
3 and representation expenses.

4 SEC. 406. The Director of the Federal Law Enforce-  
5 ment Training Centers is authorized to distribute funds  
6 to Federal law enforcement agencies for expenses incurred  
7 participating in training accreditation.

8 SEC. 407. The Federal Law Enforcement Training  
9 Accreditation Board, including representatives from the  
10 Federal law enforcement community and non-Federal ac-  
11 creditation experts involved in law enforcement training,  
12 shall lead the Federal law enforcement training accredita-  
13 tion process to continue the implementation of measuring  
14 and assessing the quality and effectiveness of Federal law  
15 enforcement training programs, facilities, and instructors.

16 SEC. 408. The Director of the Federal Law Enforce-  
17 ment Training Centers may accept transfers to the ac-  
18 count established by section 407(a) of division F of the  
19 Consolidated Appropriations Act, 2018 (Public Law 115–  
20 141) from Government agencies requesting the construc-  
21 tion of special use facilities, as authorized by the Economy  
22 Act (31 U.S.C. 1535(b)): *Provided*, That the Federal Law  
23 Enforcement Training Centers maintain administrative  
24 control and ownership upon completion of such facilities.

## GENERAL PROVISIONS

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

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act,  
provided by previous appropriations Acts to the compo-  
nents in or transferred to the Department of Homeland  
Security that remain available for obligation or expendi-  
ture in fiscal year 2020, or provided from any accounts  
in the Treasury of the United States derived by the collec-

1 tion of fees available to the components funded by this  
2 Act, shall be available for obligation or expenditure  
3 through a reprogramming of funds that—

4 (1) creates or eliminates a program, project, or  
5 activity, or increases funds for any program, project,  
6 or activity for which funds have been denied or re-  
7 stricted by the Congress;

8 (2) contracts out any function or activity pres-  
9 ently performed by Federal employees or any new  
10 function or activity proposed to be performed by  
11 Federal employees in the President's budget pro-  
12 posal for fiscal year 2020 for the Department of  
13 Homeland Security;

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

17 (4) reduces funding for any program, project,  
18 or activity, or numbers of personnel, by 10 percent  
19 or more; or

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

24 (b) Subsection (a) shall not apply if the Committees  
25 on Appropriations of the Senate and the House of Rep-

1 representatives are notified at least 15 days in advance of  
2 such reprogramming.

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

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

19       (e) The notification thresholds and procedures set  
20 forth in subsections (a), (b), (c), and (d) shall apply to  
21 any use of deobligated balances of funds provided in pre-  
22 vious Department of Homeland Security Appropriations  
23 Acts that remain available for obligation in the current  
24 year.

1       (f) Notwithstanding subsection (c), the Secretary of  
2 Homeland Security may transfer to the fund established  
3 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-  
4 priations available to the Department of Homeland Secu-  
5 rity: *Provided*, That the Secretary shall notify the Com-  
6 mittees on Appropriations of the Senate and the House  
7 of Representatives at least 5 days in advance of such  
8 transfer.

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

18       SEC. 505. Except as otherwise specifically provided  
19 by law, not to exceed 50 percent of unobligated balances  
20 remaining available at the end of fiscal year 2020, as re-  
21 corded in the financial records at the time of a reprogram-  
22 ming notification, but not later than June 30, 2021, from  
23 appropriations for “Operations and Support” for fiscal  
24 year 2020 in this Act shall remain available through Sep-  
25 tember 30, 2021, in the account and for the purposes for

1 which the appropriations were provided: *Provided*, That  
2 prior to the obligation of such funds, a notification shall  
3 be submitted to the Committees on Appropriations of the  
4 Senate and the House of Representatives in accordance  
5 with section 503 of this Act.

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

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

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

22 (2) awarding a task or delivery order requiring  
23 an obligation of funds in an amount greater than  
24 \$10,000,000 from multi-year Department of Home-  
25 land Security funds;

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

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

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

13 (c) A notification under this section—

14 (1) may not involve funds that are not available  
15 for obligation; and

16 (2) shall include the amount of the award; the  
17 fiscal year for which the funds for the award were  
18 appropriated; the type of contract; and the account  
19 from which the funds are being drawn.

20 SEC. 508. Notwithstanding any other provision of  
21 law, no agency shall purchase, construct, or lease any ad-  
22 ditional facilities, except within or contiguous to existing  
23 locations, to be used for the purpose of conducting Federal  
24 law enforcement training without advance notification to  
25 the Committees on Appropriations of the Senate and the

1 House of Representatives, except that the Federal Law  
2 Enforcement Training Centers is authorized to obtain the  
3 temporary use of additional facilities by lease, contract,  
4 or other agreement for training that cannot be accommo-  
5 dated in existing Centers' facilities.

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

14 SEC. 510. Sections 520, 522, and 530 of the Depart-  
15 ment of Homeland Security Appropriations Act, 2008 (di-  
16 vision E of Public Law 110–161; 121 Stat. 2073 and  
17 2074) shall apply with respect to funds made available in  
18 this Act in the same manner as such sections applied to  
19 funds made available in that Act.

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

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

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

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

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

17       SEC. 516. None of the funds appropriated or other-  
18 wise made available in this or any other Act may be used  
19 to transfer, release, or assist in the transfer or release to  
20 or within the United States, its territories, or possessions  
21 Khalid Sheikh Mohammed or any other detainee who—

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

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

4           SEC. 517. None of the funds made available in this  
5   Act may be used for first-class travel by the employees  
6   of agencies funded by this Act in contravention of sections  
7   301–10.122 through 301–10.124 of title 41, Code of Fed-  
8   eral Regulations.

9           SEC. 518. None of the funds made available in this  
10   Act may be used to employ workers described in section  
11   274A(h)(3) of the Immigration and Nationality Act (8  
12   U.S.C. 1324a(h)(3)).

13          SEC. 519. Notwithstanding any other provision of  
14   this Act, none of the funds appropriated or otherwise  
15   made available by this Act may be used to pay award or  
16   incentive fees for contractor performance that has been  
17   judged to be below satisfactory performance or perform-  
18   ance that does not meet the basic requirements of a con-  
19   tract.

20          SEC. 520. None of the funds appropriated or other-  
21   wise made available by this Act may be used by the De-  
22   partment of Homeland Security to enter into any Federal  
23   contract unless such contract is entered into in accordance  
24   with the requirements of subtitle I of title 41, United  
25   States Code, or chapter 137 of title 10, United States

1 Code, and the Federal Acquisition Regulation, unless such  
2 contract is otherwise authorized by statute to be entered  
3 into without regard to the above referenced statutes.

4 SEC. 521. (a) The funds appropriated to the Depart-  
5 ment of Homeland Security in this Act for “Operations  
6 and Support” shall be hereby reduced, as determined by  
7 the Chief Financial Officer, by a total of \$33,000,000 to  
8 realize administrative savings, including savings from re-  
9 quirements, supplies, or materials that were funded by the  
10 Department using fiscal year 2019 appropriations for con-  
11 tracts with periods of performance in fiscal year 2020.

12 (b) Funds may only be reduced for the respective ap-  
13 propriations from amounts identified in the budget appen-  
14 dix, as modified by the report accompanying this Act, by  
15 object classes 25.1, 25.2, 25.3, and 26.2.

16 (c) No funds may be reduced from amounts provided  
17 under the following headings and activities:

18 (1) “Cybersecurity and Infrastructure Security  
19 Agency—Operations and Support”;

20 (2) “Coast Guard—Operations and Support”  
21 for defense-related activities; and

22 (3) “Federal Emergency Management Agen-  
23 cy—Operations and Support” for National Con-  
24 tinuity Programs in the Preparedness and Protec-  
25 tion program, project, and activity.

1       (d) No amounts may be reduced from amounts that  
2 were designated by the Congress for Overseas Contingency  
3 Operations/Global War on Terrorism or as an emergency  
4 requirement pursuant to a concurrent resolution on the  
5 budget or section 251(b)(2)(A) of the Balanced Budget  
6 and Emergency Deficit Control Act of 1985 or from  
7 amounts that were designated by the Congress as being  
8 for disaster relief pursuant to section 251(b)(2)(D) of the  
9 Balanced Budget and Emergency Deficit Control Act of  
10 1985.

11       (e) The Secretary shall submit a notification to the  
12 Committees on Appropriations of the Senate and the  
13 House of Representatives specifying the account and  
14 amount of each reduction made pursuant to this section.

15       SEC. 522. (a) None of the funds made available in  
16 this Act may be used to maintain or establish a computer  
17 network unless such network blocks the viewing,  
18 downloading, and exchanging of pornography.

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

23       SEC. 523. None of the funds made available in this  
24 Act may be used by a Federal law enforcement officer to  
25 facilitate the transfer of an operable firearm to an indi-

1   vidual if the Federal law enforcement officer knows or sus-  
2   pects that the individual is an agent of a drug cartel unless  
3   law enforcement personnel of the United States continu-  
4   ously monitor or control the firearm at all times.

5       SEC. 524. None of the funds made available in this  
6   Act may be used to pay for the travel to or attendance  
7   of more than 50 employees of a single component of the  
8   Department of Homeland Security, who are stationed in  
9   the United States, at a single international conference un-  
10   less the Secretary of Homeland Security, or a designee,  
11   determines that such attendance is in the national interest  
12   and notifies the Committees on Appropriations of the Sen-  
13   ate and the House of Representatives within at least 10  
14   days of that determination and the basis for that deter-  
15   mination: *Provided*, That for purposes of this section the  
16   term “international conference” shall mean a conference  
17   occurring outside of the United States attended by rep-  
18   resentatives of the United States Government and of for-  
19   eign governments, international organizations, or non-  
20   governmental organizations: *Provided further*, That the  
21   total cost to the Department of Homeland Security of any  
22   such conference shall not exceed \$500,000.

23       SEC. 525. None of the funds made available in this  
24   Act may be used to reimburse any Federal department

1 or agency for its participation in a National Special Secu-  
2 rity Event.

3 SEC. 526. None of the funds made available to the  
4 Department of Homeland Security by this or any other  
5 Act may be obligated for any structural pay reform that  
6 affects more than 100 full-time positions or costs more  
7 than \$5,000,000 in a single year before the end of the  
8 30-day period beginning on the date on which the Sec-  
9 retary of Homeland Security submits to Congress a notifi-  
10 cation that includes—

11 (1) the number of full-time positions affected by  
12 such change;

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

16 (3) justification for such change; and

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

20 SEC. 527. (a) Any agency receiving funds made avail-  
21 able in this Act shall, subject to subsections (b) and (c),  
22 post on the public website of that agency any report re-  
23 quired to be submitted by the Committees on Appropria-  
24 tions of the Senate and the House of Representatives in

1 this Act, upon the determination by the head of the agency  
2 that it shall serve the national interest.

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

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

6 (2) the report contains proprietary information.

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

12 SEC. 528. (a) Funding provided in this Act for “Op-  
13 erations and Support” may be used for minor procure-  
14 ment, construction, and improvements.

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

18 SEC. 529. None of the funds made available by this  
19 Act may be obligated or expended to implement the Arms  
20 Trade Treaty until the Senate approves a resolution of  
21 ratification for the Treaty.

22 SEC. 530. The authority provided by section 532 of  
23 the Department of Homeland Security Appropriations  
24 Act, 2018 (Public Law 115–141) regarding primary and

1 secondary schooling of dependents shall continue in effect  
2 during fiscal year 2020.

3 SEC. 531. (a) Section 831 of the Homeland Security  
4 Act of 2002 (6 U.S.C. 391) shall be applied—

5 (1) In subsection (a), by substituting “Sep-  
6 tember 30, 2020,” for “September 30, 2017,”; and

7 (2) In subsection (c)(1), by substituting “Sep-  
8 tember 30, 2020,” for “September 30, 2017”.

9 (b) The Secretary of Homeland Security, under the  
10 authority of section 831 of the Homeland Security Act of  
11 2002 (6 U.S.C. 391(a)), may carry out prototype projects  
12 under section 2371b of title 10, United States Code, and  
13 the Secretary shall perform the functions of the Secretary  
14 of Defense as prescribed.

15 (c) The Secretary of Homeland Security under sec-  
16 tion 831 of the Homeland Security Act of 2002 (6 U.S.C.  
17 391(d)) may use the definition of nontraditional govern-  
18 ment contractor as defined in section 2371b(e) of title 10,  
19 United States Code.

20 SEC. 532. None of the funds made available by this  
21 Act may be used to prevent a Member of Congress from  
22 entering, for the purpose of conducting oversight, any fa-  
23 cility operated by or for the Department of Homeland Se-  
24 curity used to detain or otherwise house alien minors, or  
25 to make any temporary modification at any such facility

1 that in any way alters what is observed by a visiting Mem-  
2 ber of Congress, compared to what would be observed in  
3 the absence of such modification.

4 SEC. 533. (a) Except as provided in subsection (b),  
5 none of the funds made available in this Act may be used  
6 to place restraints on a woman in the custody of the De-  
7 partment of Homeland Security (including during trans-  
8 port, in a detention facility, or at an outside medical facil-  
9 ity) who is pregnant or in post-delivery recuperation.

10 (b) Subsection (a) shall not apply with respect to a  
11 pregnant woman if—

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

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

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

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

24 (c) If a pregnant woman is restrained pursuant to  
25 subsection (b), only the safest and least restrictive re-

1   straints, as determined by the appropriate medical profes-  
2   sional treating the woman, may be used. In no case may  
3   restraints be used on a woman who is in active labor or  
4   delivery, and in no case may a pregnant woman be re-  
5   strained in a face-down position with four-point restraints,  
6   on her back, or in a restraint belt that constricts the area  
7   of the pregnancy. A pregnant woman who is immobilized  
8   by restraints shall be positioned, to the maximum extent  
9   feasible, on her left side.

10       SEC. 534. None of the funds made available by this  
11   Act may be used to destroy any document, recording, or  
12   other record pertaining to any potential sexual assault or  
13   abuse perpetrated against any individual held in the cus-  
14   tody of the Department of Homeland Security.

15       SEC. 535. Within 60 days of any budget submission  
16   for the Department of Homeland Security for fiscal year  
17   2021 that assumes revenues or proposes a reduction from  
18   the previous year based on user fees proposals that have  
19   not been enacted into law prior to the submission of the  
20   budget, the Secretary of Homeland Security shall provide  
21   the Committees on Appropriations of the Senate and the  
22   House of Representatives specific reductions in proposed  
23   discretionary budget authority commensurate with the  
24   revenues assumed in such proposals in the event that they  
25   are not enacted prior to October 1, 2020.

## (RESCISSION)

1  
2 SEC. 536. Of the funds appropriated to the Depart-  
3 ment of Homeland Security, the following funds are here-  
4 by rescinded from the following accounts and programs  
5 in the specified amounts: *Provided*, That no amounts may  
6 be rescinded from amounts that were designated by the  
7 Congress as an emergency requirement pursuant to a con-  
8 current resolution on the budget or the Balanced Budget  
9 and Emergency Deficit Control Act of 1985 (Public Law  
10 99–177):

11 (1) \$4,000,000 from “Customs and Border  
12 Protection—Construction” account 70X0532.

13 (2) \$20,000,000 from Public Law 115–141  
14 under the heading “Customs and Border Protec-  
15 tion— Procurement, Construction, and Improve-  
16 ments”.

17 (3) \$5,000,000 from Public Law 115–141  
18 under the heading “Coast Guard—Research, Devel-  
19 opment, Test, and Evaluation”.

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



Calendar No. 229

116TH CONGRESS  
1ST Session

**S. 2582**

[Report No. 116-125]

**A BILL**

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

SEPTEMBER 26, 2019

Read twice and placed on the calendar