

[FULL COMMITTEE PRINT]

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Union Calendar No. _____

117TH CONGRESS
1ST SESSION

H. R. _____

[Report No. __-__]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2022, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

--, 2021

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

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2022, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Department of Homeland Security for the fiscal year end-
4 ing September 30, 2022, and for other purposes, namely:

5 TITLE I
6 DEPARTMENTAL MANAGEMENT, OPERATIONS,
7 INTELLIGENCE, AND OVERSIGHT
8 OFFICE OF THE SECRETARY AND EXECUTIVE
9 MANAGEMENT
10 OPERATIONS AND SUPPORT

11 For necessary expenses of the Office of the Secretary
12 and for executive management for operations and support,
13 \$233,153,000: *Provided*, That not to exceed \$30,000 shall
14 be for official reception and representation expenses.

15 FEDERAL ASSISTANCE
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Office of the Secretary
18 and for executive management for Federal assistance
19 through grants, contracts, cooperative agreements, and
20 other activities, \$35,000,000, which shall be transferred
21 to “Federal Emergency Management Agency—Federal
22 Assistance”, of which \$20,000,000 shall be for targeted
23 violence and terrorism prevention grants and of which
24 \$15,000,000 shall be for an Alternatives to Detention
25 Case Management pilot program, to remain available until

1 September 30, 2023: *Provided*, That the amounts made
2 available for the pilot program shall be awarded as de-
3 scribed in the first proviso under this heading in title I
4 of division F of Public Law 116–260 and services shall
5 be provided as described in the second and third such pro-
6 visos.

7 MANAGEMENT DIRECTORATE

8 OPERATIONS AND SUPPORT

9 For necessary expenses of the Management Direc-
10 torate for operations and support, including for the pur-
11 chase or lease of electric passenger motor vehicles,
12 \$1,653,553,000, of which \$77,500,000 shall remain avail-
13 able until September 30, 2023: *Provided*, That not to ex-
14 ceed \$2,000 shall be for official reception and representa-
15 tion expenses.

16 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

17 For necessary expenses of the Management Direc-
18 torate for procurement, construction, and improvements,
19 \$511,816,000, of which \$132,116,000 shall remain avail-
20 able until September 30, 2024; and of which
21 \$379,700,000 shall remain available until September 30,
22 2026.

23 FEDERAL PROTECTIVE SERVICE

24 The revenues and collections of security fees credited
25 to this account shall be available until expended for nec-

1 essary expenses related to the protection of federally
2 owned and leased buildings and for the operations of the
3 Federal Protective Service.

4 INTELLIGENCE, ANALYSIS, AND OPERATIONS
5 COORDINATION
6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Office of Intelligence
8 and Analysis and the Office of Operations Coordination
9 for operations and support, \$320,620,000, of which
10 \$82,620,000 shall remain available until September 30,
11 2023: *Provided*, That not to exceed \$3,825 shall be for
12 official reception and representation expenses and not to
13 exceed \$2,000,000 is available for facility needs associated
14 with secure space at fusion centers, including improve-
15 ments to buildings.

16 OFFICE OF THE INSPECTOR GENERAL
17 OPERATIONS AND SUPPORT

18 For necessary expenses of the Office of the Inspector
19 General for operations and support, \$205,359,000: *Pro-*
20 *vided*, That not to exceed \$300,000 may be used for cer-
21 tain confidential operational expenses, including the pay-
22 ment of informants, to be expended at the direction of the
23 Inspector General.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. (a) The Secretary of Homeland Security
3 shall submit a report, not later than 15 days after the
4 date of enactment of this Act, to the Inspector General
5 of the Department of Homeland Security listing all grants
6 and contracts awarded by any means other than full and
7 open competition during the fiscal year funded by this Act
8 or the prior fiscal year.

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

16 SEC. 102. Not later than 30 days after the last day
17 of each month, the Chief Financial Officer of the Depart-
18 ment of Homeland Security shall submit to the Commit-
19 tees on Appropriations of the Senate and the House of
20 Representatives a monthly budget and staffing report that
21 includes total obligations of the Department for that
22 month and for the fiscal year at the appropriation and
23 program, project, and activity levels, by the source year
24 of the appropriation.

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. (a) The Secretary of Homeland Security,
7 in consultation with the Secretary of the Treasury, shall
8 notify the Committees on Appropriations of the Senate
9 and the House of Representatives of any proposed trans-
10 fers of funds available under section 9705(g)(4)(B) of title
11 31, United States Code, from the Department of the
12 Treasury Forfeiture Fund to any agency within the De-
13 partment of Homeland Security.

14 (b) None of the funds identified for such a transfer
15 may be obligated until the Committees on Appropriations
16 of the Senate and the House of Representatives are noti-
17 fied of the proposed transfer.

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. (a) The Under Secretary for Management
24 shall submit to the Committees on Appropriations of the

1 Senate and the House of Representatives a quarterly ac-
2 quisition progress report, which shall include—

3 (1) a listing of Level 1 and Level 2 programs
4 being tracked on the Master Acquisition Oversight
5 List between Acquisition Decision Event 1 and Full
6 Operational Capability; and

7 (2) a listing of Level 1 and Level 2 programs
8 between such decision event and such operating ca-
9 pability that have been cancelled, paused, or are in
10 breach.

11 (b) For each major (Level 1 and 2) acquisition pro-
12 gram on the Master Acquisition Oversight List that has
13 at least one department-approved acquisition program
14 baseline and has not yet fully deployed all planned capa-
15 bilities, the report described in subsection (a) shall in-
16 clude—

17 (1) a narrative describing the purpose of the
18 program, including the capabilities being acquired
19 and the component(s) sponsoring the acquisition;

20 (2) the total number of increments or units to
21 be acquired, as appropriate, including a schedule
22 outlining the quantity of increments or units to be
23 procured annually until procurement is complete, as
24 appropriate;

1 (3) the Acquisition Review Board status, in-
2 cluding the current acquisition phase (by increment
3 as applicable), the date of the most recent review,
4 and a copy of the approved Acquisition Decision
5 Memorandum;

6 (4) a comparison between the Department-ap-
7 proved acquisition program baseline cost thresholds
8 and the program's current estimate amount, includ-
9 ing the confidence interval for the estimate, the fis-
10 cal years included in the estimate, and a description
11 of and rationale for any changes during the quarter;

12 (5) a comparison between the schedule goals in
13 the current Department-approved acquisition pro-
14 gram baseline, and those of the current schedule, in-
15 cluding a description of and rationale for any
16 changes during the last quarter;

17 (6) a description of current Department-ap-
18 proved acquisition program baseline performance
19 thresholds and an explanation of the extent to which
20 such goals have been reached; and

21 (7) the top 5 risks associated with the program,
22 including narrative descriptions.

23 SEC. 107. (a) No Federal funds made available to
24 the Department of Homeland Security may be obligated
25 for any pilot or demonstration program that uses more

1 than 5 full-time equivalents or costs in excess of
2 \$1,000,000 until 30 days after the date on which the Sec-
3 retary of Homeland Secretary provides the following to the
4 Committees on Appropriations of the Senate and the
5 House of Representatives for such program:

6 (1) Objectives that are well-defined and meas-
7 urable;

8 (2) An assessment methodology that details—

9 (A) the type and source of assessment
10 data;

11 (B) the methods for and frequency of col-
12 lecting such data; and

13 (C) how such data will be analyzed;

14 (3) An implementation plan, including mile-
15 stones, a cost estimate, and schedule, including an
16 end date; and

17 (4) A signed interagency agreement or memo-
18 randum of agreement for any pilot or demonstration
19 program involving the participation of more than
20 one Department of Homeland Security component or
21 that of an entity not part of such Department.

22 (b) Not later than 30 days after the date of comple-
23 tion of a pilot or demonstration program described in sub-
24 section (a), the Secretary of Homeland Security shall pro-
25 vide a report to the Committees on Appropriations of the

1 Senate and the House of Representatives detailing lessons
2 learned, actual costs, and any planned expansion or con-
3 tinuation of the pilot or demonstration program.

4 (c) For the purposes of this section, a pilot or dem-
5 onstration program is a policy implementation, study,
6 demonstration, experimental program, or trial that is a
7 small-scale, short-term experiment conducted in order to
8 evaluate feasibility, duration, costs, or adverse events, and
9 improve upon the design of an effort prior to implementa-
10 tion of a larger scale effort.

11 TITLE II

12 SECURITY, ENFORCEMENT, AND

13 INVESTIGATIONS

14 U.S. CUSTOMS AND BORDER PROTECTION

15 OPERATIONS AND SUPPORT

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of U.S. Customs and Border
18 Protection for operations and support, including the trans-
19 portation of unaccompanied minors; the provision of air
20 and marine support to Federal, State, local, and inter-
21 national agencies in the enforcement or administration of
22 laws enforced by the Department of Homeland Security;
23 at the discretion of the Secretary of Homeland Security,
24 the provision of such support to Federal, State, and local
25 agencies in other law enforcement and emergency humani-

1 tarian efforts; the purchase and lease of up to 7,500
2 (6,500 for replacement only) police-type vehicles; the pur-
3 chase, maintenance, or operation of marine vessels, air-
4 craft, and unmanned aerial systems; and contracting with
5 individuals for personal services abroad; \$13,562,809,000;
6 of which \$3,274,000 shall be derived from the Harbor
7 Maintenance Trust Fund for administrative expenses re-
8 lated to the collection of the Harbor Maintenance Fee pur-
9 suant to section 9505(c)(3) of the Internal Revenue Code
10 of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding sec-
11 tion 1511(e)(1) of the Homeland Security Act of 2002 (6
12 U.S.C. 551(e)(1)); of which \$500,000,000 shall be avail-
13 able until September 30, 2023; of which \$74,340,000 shall
14 be available until September 30, 2024; and of which such
15 sums as become available in the Customs User Fee Ac-
16 count, except sums subject to section 13031(f)(3) of the
17 Consolidated Omnibus Budget Reconciliation Act of 1985
18 (19 U.S.C. 58c(f)(3)), shall be derived from that account:
19 *Provided*, That not to exceed \$34,425 shall be for official
20 reception and representation expenses: *Provided further*,
21 That not to exceed \$150,000 shall be available for pay-
22 ment for rental space in connection with preclearance op-
23 erations: *Provided further*, That not to exceed \$2,000,000
24 shall be for awards of compensation to informants, to be
25 accounted for solely under the certificate of the Secretary

1 of Homeland Security: *Provided further*, That not to ex-
2 ceed \$5,000,000 may be transferred to the Bureau of In-
3 dian Affairs for the maintenance and repair of roads on
4 Native American reservations used by the U.S. Border Pa-
5 trol.

6 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

7 For necessary expenses of U.S. Customs and Border
8 Protection for procurement, construction, and improve-
9 ments, including procurement of marine vessels, aircraft,
10 and unmanned aerial systems, \$333,780,000, of which
11 \$261,555,000 shall remain available until September 30,
12 2024; and of which \$72,225,000 shall remain available
13 until September 30, 2026.

14 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

15 OPERATIONS AND SUPPORT

16 For necessary expenses of U.S. Immigration and
17 Customs Enforcement for operations and support, includ-
18 ing the purchase and lease of up to 3,790 (2,350 for re-
19 placement only) police-type vehicles; overseas vetted units;
20 and maintenance, minor construction, and minor leasehold
21 improvements at owned and leased facilities;
22 \$7,820,275,000; of which not less than \$6,000,000 shall
23 remain available until expended for efforts to enforce laws
24 against forced child labor; of which \$46,696,000 shall re-
25 main available until September 30, 2023; of which not less

1 than \$1,500,000 is for paid apprenticeships for partici-
2 pants in the Human Exploitation Rescue Operative Child-
3 Rescue Corps; of which not less than \$15,000,000 shall
4 be available for investigation of intellectual property rights
5 violations, including operation of the National Intellectual
6 Property Rights Coordination Center; and of which
7 \$3,787,263,000 shall be for civil immigration enforce-
8 ment, detention, transportation of unaccompanied alien
9 minors and to effectuate the safe return of aliens or their
10 release to nonprofit organizations with capacity to provide
11 shelter and other services, and for case management serv-
12 ices, including but not limited to: mental health services;
13 human and sex trafficking screening; legal orientation pro-
14 grams; cultural orientation programs; connections to so-
15 cial services; and for individuals who will be removed, re-
16 integration services: *Provided*, That not to exceed \$11,475
17 shall be for official reception and representation expenses:
18 *Provided further*, That not to exceed \$10,000,000 shall be
19 available until expended for conducting special operations
20 under section 3131 of the Customs Enforcement Act of
21 1986 (19 U.S.C. 2081): *Provided further*, That not to ex-
22 ceed \$2,000,000 shall be for awards of compensation to
23 informants, to be accounted for solely under the certificate
24 of the Secretary of Homeland Security: *Provided further*,
25 That not to exceed \$11,216,000 shall be available to fund

1 or reimburse other Federal agencies for the costs associ-
2 ated with the care, maintenance, and repatriation of aliens
3 unlawfully present in the United States.

4 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

5 For necessary expenses of U.S. Immigration and
6 Customs Enforcement for procurement, construction, and
7 improvements, \$51,700,000, of which \$34,321,000 shall
8 remain available until September 30, 2024, and of which
9 \$17,379,000 shall remain available until September 30,
10 2026.

11 FEDERAL ASSISTANCE

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of U.S. Immigration and
14 Customs Enforcement for Federal assistance through
15 grants, contracts, cooperative agreements, and other ac-
16 tivities, \$100,000,000, to remain available until Sep-
17 tember 30, 2024, which shall be transferred to “Federal
18 Emergency Management Agency—Operations and Sup-
19 port” and be distributed to state, local, tribal, or terri-
20 torial jurisdictions or local non-profit organizations to pro-
21 vide shelter to individuals released from the custody of the
22 Department of Homeland Security and to provide accom-
23 modations in support of enrollments into an Alternatives
24 to Detention program and related Case Management serv-

1 ices, including necessary infrastructure improvements and
2 investments.

3 TRANSPORTATION SECURITY ADMINISTRATION

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Transportation Secu-
6 rity Administration for operations and support,
7 \$8,094,787,000, to remain available until September 30,
8 2023: *Provided*, That not to exceed \$7,650 shall be for
9 official reception and representation expenses: *Provided*
10 *further*, That security service fees authorized under section
11 44940 of title 49, United States Code, shall be credited
12 to this appropriation as offsetting collections and shall be
13 available only for aviation security: *Provided further*, That
14 the sum appropriated under this heading from the general
15 fund shall be reduced on a dollar-for-dollar basis as such
16 offsetting collections are received during the current fiscal
17 year so as to result in a final fiscal year appropriation
18 from the general fund estimated at not more than
19 \$5,984,787,000.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of the Transportation Secu-
22 rity Administration for procurement, construction, and
23 improvements, \$134,492,000, to remain available until
24 September 30, 2024.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Transportation Secu-
3 rity Administration for research and development,
4 \$35,532,000, to remain available until September 30,
5 2023.

6 COAST GUARD

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Coast Guard for oper-
9 ations and support including the Coast Guard Reserve;
10 purchase or lease of not to exceed 25 passenger motor ve-
11 hicles, which shall be for replacement only; purchase or
12 lease of small boats for contingent and emergent require-
13 ments (at a unit cost of not more than \$700,000) and
14 repairs and service-life replacements, not to exceed a total
15 of \$31,000,000; purchase, lease, or improvements of boats
16 necessary for overseas deployments and activities; pay-
17 ments pursuant to section 156 of Public Law 97-377 (42
18 U.S.C. 402 note; 96 Stat. 1920); and recreation and wel-
19 fare; \$9,139,070,000, of which \$530,000,000 shall be for
20 defense-related activities; of which \$24,500,000 shall be
21 derived from the Oil Spill Liability Trust Fund to carry
22 out the purposes of section 1012(a)(5) of the Oil Pollution
23 Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$5,000,000
24 shall remain available until September 30, 2024; of which
25 \$30,356,000 shall remain available until September 30,

1 2025, for environmental compliance and restoration; and
2 of which \$70,000,000 shall remain available until Sep-
3 tember 30, 2023, which shall only be available for vessel
4 depot level maintenance: *Provided*, That not to exceed
5 \$23,000 shall be for official reception and representation
6 expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Coast Guard for pro-
9 curement, construction, and improvements, including aids
10 to navigation, shore facilities (including facilities at De-
11 partment of Defense installations used by the Coast
12 Guard), and vessels and aircraft, including equipment re-
13 lated thereto, \$1,817,100,000, to remain available until
14 September 30, 2026; of which \$20,000,000 shall be de-
15 rived from the Oil Spill Liability Trust Fund to carry out
16 the purposes of section 1012(a)(5) of the Oil Pollution Act
17 of 1990 (33 U.S.C. 2712(a)(5)); and of which such sums
18 as were deposited into the Coast Guard Housing Fund
19 prior to fiscal year 2021 that remain unavailable for obli-
20 gation shall be available to carry out the purposes of sec-
21 tion 2946 of title 14, United States Code, in addition to
22 amounts otherwise available for such purposes, and shall
23 be derived from such deposits.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Coast Guard for re-
3 search and development; and for maintenance, rehabilita-
4 tion, lease, and operation of facilities and equipment;
5 \$12,476,000, to remain available until September 30,
6 2024, of which \$500,000 shall be derived from the Oil
7 Spill Liability Trust Fund to carry out the purposes of
8 section 1012(a)(5) of the Oil Pollution Act of 1990 (33
9 U.S.C. 2712(a)(5)): *Provided*, That there may be credited
10 to and used for the purposes of this appropriation funds
11 received from State and local governments, other public
12 authorities, private sources, and foreign countries for ex-
13 penses incurred for research, development, testing, and
14 evaluation.

15 RETIRED PAY

16 For retired pay, including the payment of obligations
17 otherwise chargeable to lapsed appropriations for this pur-
18 pose, payments under the Retired Serviceman's Family
19 Protection and Survivor Benefits Plans, payment for ca-
20 reer status bonuses, payment of continuation pay under
21 section 356 of title 37, United States Code, concurrent
22 receipts, combat-related special compensation, and pay-
23 ments for medical care of retired personnel and their de-
24 pendants under chapter 55 of title 10, United States Code,
25 \$1,963,519,000, to remain available until expended.

1 UNITED STATES SECRET SERVICE
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the United States Secret
4 Service for operations and support, including purchase of
5 not to exceed 652 vehicles for police-type use for replace-
6 ment only; hire of passenger motor vehicles; purchase of
7 motorcycles made in the United States; hire of aircraft;
8 rental of buildings in the District of Columbia; fencing,
9 lighting, guard booths, and other facilities on private or
10 other property not in Government ownership or control,
11 as may be necessary to perform protective functions; con-
12 duct of and participation in firearms matches; presen-
13 tation of awards; conduct of behavioral research in sup-
14 port of protective intelligence and operations; payment in
15 advance for commercial accommodations as may be nec-
16 essary to perform protective functions; and payment, with-
17 out regard to section 5702 of title 5, United States Code,
18 of subsistence expenses of employees who are on protective
19 missions, whether at or away from their duty stations;
20 \$2,518,658,000; of which \$51,621,000 shall remain avail-
21 able until September 30, 2023; of which \$6,000,000 shall
22 be for a grant for activities related to investigations of
23 missing and exploited children; and of which up to
24 \$15,000,000 may be for calendar year 2021 premium pay
25 in excess of the annual equivalent of the limitation on the

1 rate of pay contained in section 5547(a) of title 5, United
2 States Code, pursuant to section 2 of the Overtime Pay
3 for Protective Services Act of 2016 (5 U.S.C. 5547 note),
4 as amended by Public Law 115–383: *Provided*, That not
5 to exceed \$19,125 shall be for official reception and rep-
6 resentation expenses: *Provided further*, That not to exceed
7 \$100,000 shall be to provide technical assistance and
8 equipment to foreign law enforcement organizations in
9 criminal investigations within the jurisdiction of the
10 United States Secret Service.

11 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

12 For necessary expenses of the United States Secret
13 Service for procurement, construction, and improvements,
14 \$54,849,000, to remain available until September 30,
15 2024.

16 RESEARCH AND DEVELOPMENT

17 For necessary expenses of the United States Secret
18 Service for research and development, \$2,310,000, to re-
19 main available until September 30, 2023.

20 ADMINISTRATIVE PROVISIONS

21 SEC. 201. Section 201 of the Department of Home-
22 land Security Appropriations Act, 2018 (division F of
23 Public Law 115–141), related to overtime compensation
24 limitations, shall apply with respect to funds made avail-
25 able in this Act in the same manner as such section ap-

1 plied to funds made available in that Act, except that “fis-
2 cal year 2022” shall be substituted for “fiscal year 2018”.

3 SEC. 202. Funding made available under the head-
4 ings “U.S. Customs and Border Protection—Operations
5 and Support” and “U.S. Customs and Border Protec-
6 tion—Procurement, Construction, and Improvements”
7 shall be available for customs expenses when necessary to
8 maintain operations and prevent adverse personnel actions
9 in Puerto Rico and the U.S. Virgin Islands, in addition
10 to funding provided by sections 740 and 1406i of title 48,
11 United States Code.

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

19 SEC. 204. (a) For an additional amount for “U.S.
20 Customs and Border Protection—Operations and Sup-
21 port”, \$31,000,000, to remain available until expended,
22 to be reduced by amounts collected and credited to this
23 appropriation in the fiscal year funded by this Act from
24 amounts authorized to be collected by section 286(i) of
25 the Immigration and Nationality Act (8 U.S.C. 1356(i)),

1 section 10412 of the Farm Security and Rural Investment
2 Act of 2002 (7 U.S.C. 8311), and section 817 of the Trade
3 Facilitation and Trade Enforcement Act of 2015 (Public
4 Law 114–25), or other such authorizing language.

5 (b) To the extent that amounts realized from such
6 collections exceed \$31,000,000, those amounts in excess
7 of \$31,000,000 shall be credited to this appropriation, to
8 remain available until expended.

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

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

23 (2) a biological product, as defined in section
24 351 of the Public Health Service Act (42 U.S.C.
25 262).

1 SEC. 206. (a) Notwithstanding any other provision
2 of law, none of the funds provided in this or any other
3 Act shall be used to approve a waiver of the navigation
4 and vessel-inspection laws pursuant to section 501(b) of
5 title 46, United States Code, for the transportation of
6 crude oil distributed from and to the Strategic Petroleum
7 Reserve until the Secretary of Homeland Security, after
8 consultation with the Secretaries of the Departments of
9 Energy and Transportation and representatives from the
10 United States flag maritime industry, takes adequate
11 measures to ensure the use of United States flag vessels.

12 (b) The Secretary shall notify the Committees on Ap-
13 propriations of the Senate and the House of Representa-
14 tives, the Committee on Commerce, Science, and Trans-
15 portation of the Senate, and the Committee on Transpor-
16 tation and Infrastructure of the House of Representatives
17 within 2 business days of any request for waivers of navi-
18 gation and vessel-inspection laws pursuant to section
19 501(b) of title 46, United States Code, with respect to
20 such transportation, and the disposition of such requests.

21 SEC. 207. (a) Beginning on the date of enactment
22 of this Act, the Secretary of Homeland Security shall
23 not—

24 (1) establish, collect, or otherwise impose any
25 new border crossing fee on individuals crossing the

1 Southern border or the Northern border at a land
2 port of entry; or

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

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

10 SEC. 208. (a) Not later than 90 days after the date
11 of enactment of this Act, the Secretary of Homeland Secu-
12 rity shall submit an expenditure plan for any amounts
13 made available for “U.S. Customs and Border Protec-
14 tion—Procurement, Construction, and Improvements” in
15 this Act and prior Acts to the Committees on Appropria-
16 tions of the Senate and the House of Representatives.

17 (b) No such amounts may be obligated prior to the
18 submission of such plan.

19 SEC. 209. Section 211 of the Department of Home-
20 land Security Appropriations Act, 2021 (division F of
21 Public Law 116–260), prohibiting the use of funds for the
22 construction of fencing in certain areas, shall apply with
23 respect to funds made available in this Act in the same
24 manner as such section applied to funds made available
25 in that Act.

1 SEC. 210. (a) Funding made available under the
2 headings “U.S. Customs and Border Protection—Oper-
3 ations and Support” and “U.S. Immigration and Customs
4 Enforcement—Operations and Support” may be used to
5 provide or reimburse third-parties for the provision of
6 COVID-19 testing and shelter for the purpose of voluntary
7 isolation of persons encountered by U.S. Customs and
8 Border Protection after entering the United States along
9 the southwest border and deemed inadmissible under sec-
10 tion 212(a) of the Immigration and Nationality Act (8
11 U.S.C. 1182(a)).

12 (b) Such testing and shelter shall be provided imme-
13 diately after such persons leave Department of Homeland
14 Security custody.

15 (c) For purposes of this section, funds may only be
16 used in States or jurisdictions that do not have an agree-
17 ment with the Federal government for the provision or re-
18 imbursement of such services.

19 SEC. 211. (a) Notwithstanding any other provision
20 of law, the Commissioner of U.S. Customs and Border
21 Protection may use up to \$100,000,000 of amounts ref-
22 erenced in section 230(a) of division F of the Consolidated
23 Appropriations Act, 2018 (Public Law 115–141), section
24 230(a)(1) of division A of the Consolidated Appropriations
25 Act, 2019 (Public Law 116–6), section 209(a)(1) of divi-

1 sion D of the Consolidated Appropriations Act, 2020
2 (Public Law 116–93), and section 210 of division F of
3 the Consolidated Appropriations Act, 2021 (Public Law
4 116–260) for mitigation activities, including land acqui-
5 sion, related to the construction of border barriers on Fed-
6 eral lands.

7 (b) Amounts described in subsection (a) may be
8 transferred to the Bureau of Land Management, the
9 United States Fish and Wildlife Service, the United States
10 Forest Service, and the National Park Service for the pur-
11 poses described in such subsection.

12 (c) The Commissioner shall submit a notification to
13 the Committees on Appropriations of the Senate and the
14 House of Representatives prior to the obligation of the
15 amounts described in this section.

16 SEC. 212. (a) No Federal funds may be used to con-
17 tinue a delegation of law enforcement authority authorized
18 under section 287(g) of the Immigration and Nationality
19 Act (8 U.S.C. 1357(g))—

20 (1) for the investigation or apprehension func-
21 tions described in paragraph (1) of such section;

22 (2) if the Department of Homeland Security In-
23 spector General determines that the terms of the
24 agreement governing the delegation of authority
25 have been materially violated; or

1 (3) if the Department of Homeland Security
2 Office for Civil Rights and Civil Liberties or the
3 U.S. Immigration and Customs Enforcement Office
4 of Professional Responsibility determines that the
5 participating jurisdiction has violated the civil rights
6 or liberties of an individual who was subsequently
7 the subject of immigration enforcement activity dele-
8 gated under the authority described in this section.

9 (b) Subsection (a)(3) shall not apply if the Secretary
10 of Homeland Security determines that the violation is not
11 part of a pattern or practice of civil rights or liberties vio-
12 lations or that sufficient subsequent remediation steps
13 have been taken to prevent future such violations.

14 SEC. 213. (a) None of the funds provided under the
15 heading “U.S. Immigration and Customs Enforcement—
16 Operations and Support” may be used to continue any
17 contract for the provision of detention services if the two
18 most recent overall performance evaluations received by
19 the contracted facility are less than “adequate” or the
20 equivalent median score in any subsequent performance
21 evaluation system.

22 (b) The performance evaluations referenced in sub-
23 section (a) shall be conducted by the U.S. Immigration
24 and Customs Enforcement Office of Professional Respon-
25 sibility.

1 SEC. 214. The reports required to be submitted under
2 section 216 of the Department of Homeland Security Ap-
3 propriations Act, 2021 (division F of Public Law 116–
4 260) shall continue to be submitted semimonthly during
5 the fiscal year funded by this Act and each matter re-
6 quired to be included in such report by such section 216
7 shall apply in the same manner and to the same extent
8 during the period described in this section.

9 SEC. 215. The terms and conditions of section 217
10 of the Department of Homeland Security Appropriations
11 Act, 2020 (division D of Public Law 116–93) shall apply
12 to this Act.

13 SEC. 216. No Federal funds may be used to place
14 in detention, remove, refer for a decision whether to ini-
15 tiate removal proceedings, or initiate removal proceedings
16 against any individual—

17 (1) based on information provided to a Federal
18 employee or contractor related to facilitating the
19 sponsorship of an unaccompanied alien child (as de-
20 fined in section 462(g) of the Homeland Security
21 Act of 2002 (6 U.S.C. 279(g))) or the reunification
22 of such child with a family member; or

23 (2) based on information gathered in therapy
24 sessions conducted while in the care of the Office of

1 Refugee Resettlement of the Department of Health
2 and Human Services.

3 SEC. 217. (a) Not later than 30 days after the date
4 of enactment of this Act, the Secretary of Homeland Secu-
5 rity shall—

6 (1) ensure that individuals in the custody of the
7 Department of Homeland Security who are placed
8 into proceedings under section 240 of the Immigra-
9 tion and Nationality Act (8 U.S.C. 1229a) have, at
10 a minimum—

11 (A) daily telephonic, video, or in-person ac-
12 cess to legal counsel, including prospective legal
13 counsel, in a setting that allows for private con-
14 sultation;

15 (B) opportunities for prospective pro-bono
16 legal counsel to be accessible to such individ-
17 uals; and

18 (C) meaningful opportunities to consult
19 with legal counsel prior to required appearances
20 for such proceedings; and

21 (2) implement a program to conduct a Know
22 Your Rights presentation, provided by a nonprofit
23 organization or an entity that provides pro-bono
24 legal counsel, to be made available to all individuals
25 prior to any asylum-based interview or proceeding

1 who are placed into expedited removal proceedings
2 under section 235 of the Immigration and Nation-
3 ality Act (8 U.S.C. 1225(b)(1)) and indicate an in-
4 tention to apply for asylum or a fear of persecution.

5 (b) Not later than 30 days after the date of enact-
6 ment of this Act, the Secretary and the Officer for Civil
7 Rights and Civil Liberties shall each certify to the Com-
8 mittees on Appropriations of the Senate and the House
9 of Representatives as to whether the requirements under
10 subsection (a) have been met.

11 SEC. 218. No Federal funds may be used for the de-
12 tention or removal of any individual who has a dem-
13 onstrated bona fide or prima facie eligibility for—

14 (1) an application under section 101(a)(15)(T),
15 101(a)(15)(U), 106, 240A(b)(2), or 244(a)(3) (as in
16 effect on March 31, 1997) of the Immigration and
17 Nationality Act; or

18 (2) a self-petition pursuant to the Violence
19 Against Women Act, as defined in section
20 101(a)(51) of the Immigration and Nationality Act,
21 with a pending application for relief under a provi-
22 sion referred to in one of the subparagraphs (A)
23 through (G) of such section, or section
24 101(a)(27)(J) of such Act.

1 SEC. 219. (a) Not later than 30 days after the date
2 of enactment of this Act, the Secretary of Homeland Secu-
3 rity shall approve a segmented risk classification assess-
4 ment process, developed by U.S. Immigration and Cus-
5 toms Enforcement that includes a determination as to
6 whether a detained individual is—

- 7 (1) a flight risk;
8 (2) a public safety threat; or
9 (3) a national security threat.

10 (b) The process described in subsection (a) shall be
11 developed only with the review of, and concurrence by, the
12 Officer for Civil Rights and Civil Liberties and the Immi-
13 gration Detention Ombudsman.

14 (c) Following approval of the assessment process in
15 subsection (a), U.S. Immigration and Customs Enforce-
16 ment shall conduct a risk classification for each detained
17 individual held in custody for at least 14 days, to be com-
18 pleted within 20 days of such individual being taken into
19 custody, and make an individualized, documented custody
20 determination that shall include the option to release such
21 individual from custody, notwithstanding section 236(c) of
22 the Immigration and Nationality Act (8 U.S.C. 1226(c)).

23 (d) Determinations based on the assessment process
24 described in subsection (a) shall be recorded and reviewed

1 on a monthly basis by the Office of the Immigration De-
2 tention Ombudsman.

3 (e) In the case of an individual who self-identifies as
4 transgender—

5 (1) the custody determination described in sub-
6 section (c) shall be completed within 10 days of such
7 individual being taken into custody;

8 (2) such person shall only be detained in a fa-
9 cility that is contractually obligated to meet, at a
10 minimum, the requirements described in Attachment
11 1 of the June 19, 2015, U.S. Immigration and Customs
12 Enforcement memorandum entitled, “Further
13 Guidance Regarding the Care of Transgender Indi-
14 viduals” unless such person declines placement in
15 such a facility after being informed of the oppor-
16 tunity to do so.

17 (f) Not later than 30 days after the date of enactment
18 of this Act, the Director of U.S. Immigration and Customs
19 Enforcement shall provide the Committees on Appropria-
20 tions of the Senate and the House of Representatives the
21 defined metrics used to make such assessments.

22 SEC. 220. (a) None of the funds provided under the
23 heading “U.S. Immigration and Customs Enforcement—
24 Operations and Support” may be used to engage in civil
25 immigration enforcement activities, such as arrests, deten-

1 tions, removals, or the processing or issuance of charging
2 documents, using Homeland Security Investigations per-
3 sonnel or resources, absent probable cause that the indi-
4 vidual facing such enforcement action has committed a
5 criminal offense not solely related to migration or immi-
6 gration status.

7 (b) For purposes of this section, criminal offenses
8 solely related to migration or immigration status include
9 any offense for which penalties may be imposed pursuant
10 to sections 243, 264, 266(a) or (b), 275, or 276 of the
11 Immigration and Nationality Act.

12 SEC. 221. Not later than 180 days after the date of
13 enactment of this Act, allowances to individuals held in
14 custody under the immigration laws for work performed
15 may not be less than the rates established under para-
16 graph (1) of section 6703 of title 41, United States Code.

17 SEC. 222. Members of the United States House of
18 Representatives and the United States Senate, including
19 the leadership; the heads of Federal agencies and commis-
20 sions, including the Secretary, Deputy Secretary, Under
21 Secretaries, and Assistant Secretaries of the Department
22 of Homeland Security; the United States Attorney Gen-
23 eral, Deputy Attorney General, Assistant Attorneys Gen-
24 eral, and the United States Attorneys; and senior mem-
25 bers of the Executive Office of the President, including

1 the Director of the Office of Management and Budget,
2 shall not be exempt from Federal passenger and baggage
3 screening.

4 SEC. 223. Any award by the Transportation Security
5 Administration to deploy explosives detection systems
6 shall be based on risk, the airport's current reliance on
7 other screening solutions, lobby congestion resulting in in-
8 creased security concerns, high injury rates, airport readi-
9 ness, and increased cost effectiveness.

10 SEC. 224. Notwithstanding section 44923 of title 49,
11 United States Code, for the fiscal year funded by this Act,
12 any funds in the Aviation Security Capital Fund estab-
13 lished by section 44923(h) of title 49, United States Code,
14 may be used for the procurement and installation of explo-
15 sives detection systems or for the issuance of other trans-
16 action agreements for the purpose of funding projects de-
17 scribed in section 44923(a) of such title.

18 SEC. 225. Not later than 30 days after the submis-
19 sion of the President's budget proposal, the Administrator
20 of the Transportation Security Administration shall sub-
21 mit to the Committees on Appropriations and Commerce,
22 Science, and Transportation of the Senate and the Com-
23 mittees on Appropriations and Homeland Security in the
24 House of Representatives a single report that fulfills the
25 following requirements:

1 (1) a Capital Investment Plan that includes a
2 plan for continuous and sustained capital investment
3 in new, and the replacement of aged, transportation
4 security equipment;

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

10 (3) the Advanced Integrated Passenger Screen-
11 ing Technologies report as required by the Senate
12 Report accompanying the Department of Homeland
13 Security Appropriations Act, 2019 (Senate Report
14 115–283).

15 SEC. 226. (a) None of the funds made available by
16 this Act under the heading “Coast Guard—Operations
17 and Support” shall be for expenses incurred for rec-
18 reational vessels under section 12114 of title 46, United
19 States Code, except to the extent fees are collected from
20 owners of yachts and credited to the appropriation made
21 available by this Act under the heading “Coast Guard—
22 Operations and Support”.

23 (b) To the extent such fees are insufficient to pay
24 expenses of recreational vessel documentation under such
25 section 12114, and there is a backlog of recreational vessel

1 applications, personnel performing non-recreational vessel
2 documentation functions under subchapter II of chapter
3 121 of title 46, United States Code, may perform docu-
4 mentation under section 12114.

5 SEC. 227. Without regard to the limitation as to time
6 and condition of subsection (d) of section 503 of this Act,
7 after June 30, in accordance with the notification require-
8 ment described in subsection (b) of such section, up to
9 the following amounts may be reprogrammed within
10 “Coast Guard—Operations and Support”—

11 (1) \$10,000,000 to or from the “Military Pay”
12 funding category; and

13 (2) \$10,000,000 between the “Field Oper-
14 ations” funding subcategories.

15 SEC. 228. Notwithstanding any other provision of
16 law, the Commandant of the Coast Guard shall submit
17 to the Committees on Appropriations of the Senate and
18 the House of Representatives a future-years capital invest-
19 ment plan as described in the second proviso under the
20 heading “Coast Guard—Acquisition, Construction, and
21 Improvements” in the Department of Homeland Security
22 Appropriations Act, 2015 (Public Law 114–4), which shall
23 be subject to the requirements in the third and fourth pro-
24 visos under such heading.

1 SEC. 229. Of the funds made available for defense-
2 related activities under the heading “Coast Guard—Oper-
3 ations and Support”, up to \$190,000,000 that are used
4 for enduring overseas missions in support of the global
5 fight against terrorism may be reallocated by program,
6 project, and activity, notwithstanding section 503 of this
7 Act.

8 SEC. 230. Amounts deposited into the Coast Guard
9 Housing Fund in the fiscal year funded by this Act shall
10 be available until expended to carry out the purposes of
11 section 2946 of title 14, United States Code, and shall
12 be in addition to funds otherwise available for such pur-
13 poses.

14 SEC. 231. The United States Secret Service is au-
15 thorized to obligate funds in anticipation of reimburse-
16 ments from executive agencies, as defined in section 105
17 of title 5, United States Code, for personnel receiving
18 training sponsored by the James J. Rowley Training Cen-
19 ter, except that total obligations at the end of the fiscal
20 year shall not exceed total budgetary resources available
21 under the heading “United States Secret Service—Oper-
22 ations and Support” at the end of the fiscal year.

23 SEC. 232. (a) None of the funds made available to
24 the United States Secret Service by this Act or by previous
25 appropriations Acts may be made available for the protec-

1 tion of the head of a Federal agency other than the Sec-
2 retary of Homeland Security.

3 (b) The Director of the United States Secret Service
4 may enter into agreements to provide such protection on
5 a fully reimbursable basis.

6 SEC. 233. For purposes of subsections (a) and (b)
7 of section 503 this Act, up to \$15,000,000 may be repro-
8 grammed within “United States Secret Service—Oper-
9 ations and Support”.

10 SEC. 234. 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. 235. (a) Amounts made available to U.S. Cus-
21 toms and Border Protection and U.S. Immigration and
22 Customs Enforcement in this Act under the heading “Op-
23 erations and Support”, by transfer pursuant to the
24 Coronavirus Aid, Relief, and Economic Security Act (Pub-
25 lic Law 116–136), or pursuant to any other provision of

1 law for enforcement of the immigration laws that remain
2 available for obligation in the fiscal year funded by this
3 Act may be used for the reunification of children separated
4 from a parent or legal guardian at the United States-Mex-
5 ico border, including the provision of shelter, temporary
6 housing, subsistence expenses, transportation, medical
7 care, access to legal services, and such other assistance
8 or relief for separated families that the Secretary deter-
9 mines necessary to accomplish reunification.

10 (b) Funds made available pursuant to this section
11 shall be used solely to support the reunification of sepa-
12 rated families.

13 (c) Each amount repurposed by this section that was
14 previously designated by the Congress as an emergency
15 requirement pursuant to the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985 or a concurrent resolu-
17 tion on the budget is designated by the Congress as an
18 emergency requirement pursuant to section 1(f) of H. Res.
19 467 as engrossed in the House of Representatives on June
20 14, 2021.

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 \$1,927,750,000, of which \$28,293,000, shall remain avail-
10 able until September 30, 2023: *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, \$467,167,000, to remain avail-
17 able until September 30, 2024: *Provided*, That of the
18 funds made available under this heading, \$100,000,000
19 shall be withheld from obligation until the Director sub-
20 mits the first plan described in section 304 of this Act.

21 RESEARCH AND DEVELOPMENT

22 For necessary expenses of the Cybersecurity and In-
23 frastructure Security Agency for research and develop-
24 ment, \$7,431,000, to remain available until September 30,
25 2023.

1 CYBERSECURITY RESPONSE AND RECOVERY FUND

2 For necessary expenses of the Cybersecurity and In-
3 frastructure Security Agency for cyber response and re-
4 covery, \$20,000,000, to remain available until expended:
5 *Provided*, That such amounts shall be used to provide sup-
6 port to critical infrastructure, including through the provi-
7 sion of services, technology, or capabilities, with or without
8 reimbursement, to respond to or recover from a significant
9 cyber incident as defined in Presidential Policy Directive
10 41: *Provided further*, That such support may include the
11 provision of assistance to private entities and State, local,
12 territorial, and tribal governments in responding to or re-
13 covering from a significant cyber incident: *Provided fur-*
14 *ther*, That amounts appropriated under this heading shall
15 be available only upon a determination by the President
16 that additional resources are needed for the purposes
17 under this heading: *Provided further*, That amounts made
18 available under this heading shall be in addition to any
19 other amounts available for such purposes.

20 FEDERAL EMERGENCY MANAGEMENT AGENCY

21 OPERATIONS AND SUPPORT

22 For necessary expenses of the Federal Emergency
23 Management Agency for operations and support,
24 \$1,262,966,000: *Provided*, That not to exceed \$2,250
25 shall be for official reception and representation expenses.

1 \$90,000,000 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 the fiscal year fund-
8 ed by this Act, the Commonwealth of Puerto Rico
9 shall make available to local and tribal governments
10 amounts provided to the Commonwealth of Puerto
11 Rico under this paragraph in accordance with sub-
12 section (c)(1) of such section 2004.

13 (2) \$705,000,000 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 \$90,000,000 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) \$110,000,000 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 \$3,000,000 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) \$110,000,000 for Port Security Grants in
9 accordance with section 70107 of title 46, United
10 States Code.

11 (5) \$740,000,000, to remain available until
12 September 30, 2023, of which \$370,000,000 shall be
13 for Assistance to Firefighter Grants and
14 \$370,000,000 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) \$365,000,000 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-

1 tion 762 of title 6, United States Code, and Reorga-
2 nization Plan No. 3 of 1978 (5 U.S.C. App.).

3 (7) \$275,500,000 for necessary expenses for
4 Flood Hazard Mapping and Risk Analysis, in addi-
5 tion to and to supplement any other sums appro-
6 priated under the National Flood Insurance Fund,
7 and such additional sums as may be provided by
8 States or other political subdivisions for cost-shared
9 mapping activities under section 1360(f)(2) of the
10 National Flood Insurance Act of 1968 (42 U.S.C.
11 4101(f)(2)), to remain available until expended.

12 (8) \$12,000,000 for Regional Catastrophic Pre-
13 paredness Grants.

14 (9) \$12,000,000 for Rehabilitation of High
15 Hazard Potential Dams under section 8A of the Na-
16 tional Dam Safety Program Act (33 U.S.C. 467f-2).

17 (10) \$140,000,000 for the emergency food and
18 shelter program under title III of the McKinney-
19 Vento Homeless Assistance Act (42 U.S.C. 11331),
20 to remain available until expended: *Provided*, That
21 not to exceed 3.5 percent shall be for total adminis-
22 trative costs.

23 (11) \$151,916,686 for community project fund-
24 ing grants, which shall be for the purposes, and the
25 amounts, specified in the table entitled “Community

1 Project Funding” under this heading in the report
2 accompanying this Act, of which—

3 (A) \$150,000 is for a nonprofit security
4 grant under sections 2003 and 2004 of the
5 Homeland Security Act of 2002 (6 U.S.C. 604
6 and 605);

7 (B) \$21,399,403 is for emergency oper-
8 ations center grants under section 614 of the
9 Robert T. Stafford Disaster Relief and Emer-
10 gency Assistance Act (42 U.S.C. 6196c);

11 (C) \$127,867,283 is for pre-disaster miti-
12 gation grants under section 203 of the Robert
13 T. Stafford Disaster Relief and Emergency As-
14 sistance Act (42 U.S.C. 5133(e), notwith-
15 standing subsections (f), (g), and (l) of that
16 section (42 U.S.C. 5133(f), (g), (l)); and

17 (D) \$2,500,000 shall be transferred to
18 “Federal Emergency Management Agency—Op-
19 erations and Support”, to manage and admin-
20 ister community project funding grants.

21 (12) \$293,600,000 to sustain current oper-
22 ations for training, exercises, technical assistance,
23 and other programs.

1 DISASTER RELIEF FUND

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.), \$18,799,000,000, to remain
5 available until expended, shall be for major disasters de-
6 clared pursuant to the Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
8 and is designated by the Congress as being for disaster
9 relief pursuant to section 1(g) of H. Res. 467 of the 117th
10 Congress as engrossed in the House of Representatives on
11 June 14, 2021.

12 NATIONAL FLOOD INSURANCE FUND

13 For activities under the National Flood Insurance
14 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
15 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
16 Biggert-Waters Flood Insurance Reform Act of 2012
17 (Public Law 112–141, 126 Stat. 916), and the Home-
18 owner Flood Insurance Affordability Act of 2014 (Public
19 Law 113–89; 128 Stat. 1020), \$214,706,000, to remain
20 available until September 30, 2023, which shall be derived
21 from offsetting amounts collected under section 1308(d)
22 of the National Flood Insurance Act of 1968 (42 U.S.C.
23 4015(d)); of which \$15,706,000 shall be available for mis-
24 sion support associated with flood management; and of
25 which \$199,000,000 shall be available for flood plain man-

1 agement and flood mapping: *Provided*, That any addi-
2 tional fees collected pursuant to section 1308(d) of the
3 National Flood Insurance Act of 1968 (42 U.S.C.
4 4015(d)) shall be credited as offsetting collections to this
5 account, to be available for flood plain management and
6 flood mapping: *Provided further*, That in the fiscal year
7 funded by this Act, no funds shall be available from the
8 National Flood Insurance Fund under section 1310 of the
9 National Flood Insurance Act of 1968 (42 U.S.C. 4017)
10 in excess of—

11 (1) \$197,393,000 for operating expenses and
12 salaries and expenses associated with flood insurance
13 operations;

14 (2) \$876,743,000 for commissions and taxes of
15 agents;

16 (3) such sums as are necessary for interest on
17 Treasury borrowings; and

18 (4) \$175,000,000, which shall remain available
19 until expended, for flood mitigation actions and for
20 flood mitigation assistance under section 1366 of the
21 National Flood Insurance Act of 1968 (42 U.S.C.
22 4104c), notwithstanding sections 1366(e) and
23 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

24 *Provided further*, That the amounts collected under section
25 102 of the Flood Disaster Protection Act of 1973 (42

1 U.S.C. 4012a) and section 1366(e) of the National Flood
2 Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be de-
3 posited in the National Flood Insurance Fund to supple-
4 ment other amounts specified as available for section 1366
5 of the National Flood Insurance Act of 1968, notwith-
6 standing section 102(f)(8), section 1366(e) of the National
7 Flood Insurance Act of 1968, and paragraphs (1) through
8 (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8),
9 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total
10 administrative costs shall not exceed 4 percent of the total
11 appropriation: *Provided further*, That up to \$5,000,000 is
12 available to carry out section 24 of the Homeowner Flood
13 Insurance Affordability Act of 2014 (42 U.S.C. 4033).

14 ADMINISTRATIVE PROVISIONS

15 SEC. 301. (a) Funds made available under the head-
16 ing “Cybersecurity and Infrastructure Security Agency—
17 Operations and Support” may be made available for the
18 necessary expenses of carrying out the competition speci-
19 fied in section 2(e) of Executive Order No. 13870 (May
20 2, 2019), including the provision of monetary and non-
21 monetary awards for Federal civilian employees and mem-
22 bers of the uniformed services, the necessary expenses for
23 the honorary recognition of any award recipients, and ac-
24 tivities to encourage participation in the competition, in-
25 cluding promotional items.

1 (b) Any awards made pursuant to this section shall
2 be of the same type and amount as those authorized under
3 sections 4501 through 4505 of title 5, United States Code.

4 SEC. 302. (a) The Under Secretary for Management
5 shall submit, concurrent with the budget of the President
6 that is submitted to Congress pursuant to section 1105(a)
7 of title 31, United States Code, a report on the unfunded
8 priorities for the Cybersecurity and Infrastructure Secu-
9 rity Agency.

10 (b) The report under this section shall specify, for
11 each such unfunded priority—

12 (1) a summary description, including the objec-
13 tives to be achieved if such priority is funded
14 (whether in whole or in part);

15 (2) the description, including the objectives to
16 be achieved if such priority is funded (whether in
17 whole or in part);

18 (3) account information, including the following
19 (as applicable):

20 (A) appropriation account; and

21 (B) program, project, or activity name;

22 and

23 (4) the additional number of full-time or part-
24 time positions to be funded as part of such priority.

1 (c) In this section, the term “unfunded priority”, in
2 the case of a fiscal year, means a requirement that—

3 (1) is not funded in the budget referred to in
4 subsection (a);

5 (2) is necessary to fulfill a requirement associ-
6 ated with an operational or contingency plan for the
7 Department; and

8 (3) would have been recommended for funding
9 through the budget referred to in subsection (a) if—

10 (A) additional resources had been available
11 for the budget to fund the requirement;

12 (B) the requirement has emerged since the
13 budget was formulated; or

14 (C) the requirement is necessary to sustain
15 prior-year investments.

16 SEC. 303. The Cybersecurity and Infrastructure Se-
17 curity Agency shall provide to the Committees on Appro-
18 priations of the Senate and the House of Representatives
19 monthly reports to be submitted not later than the tenth
20 business day following the end of each month, on the sta-
21 tus of funds made available under the heading “Cyberse-
22 curity and Infrastructure Security Agency—Cyber Re-
23 sponse and Recovery Fund”, including an accounting of
24 the most recent funding allocation estimates, obligations,
25 expenditures, and unobligated funds, delineated by signifi-

1 cant cyber incident as defined in Presidential Policy Direc-
2 tive 41.

3 SEC. 304. (a) Notwithstanding any other provision
4 of law, the Director of the Cybersecurity and Infrastruc-
5 ture Security Agency shall provide to the Committees on
6 Appropriations of the Senate and the House of Represent-
7 atives a plan, including a classified annex as necessary,
8 to be submitted not later than 120 days after the date
9 of enactment of this Act and to be updated annually there-
10 after and submitted concurrent with the budget of the
11 President that is submitted to Congress pursuant to sec-
12 tion 1105(a) of title 31, United States Code, detailing doc-
13 umented, capability-specific federal civilian executive
14 branch department and agency cybersecurity investment
15 requirements delineated by each such department and
16 agency.

17 (b) The plan under this section shall specify for each
18 such requirement—

19 (1) a description, including—

20 (A) the capabilities intended to be deliv-
21 ered;

22 (B) the security gains such capabilities will
23 yield; and

24 (C) the nexus of such capabilities to cyber-
25 security;

1 (2) funding status as of the date of the report
2 including any unobligated balances from any prior
3 year appropriation;

4 (3) if such requirement is funded—

5 (A) a deployment schedule, or lifecycle
6 management plan, as appropriate; and

7 (B) the funding source, by account;

8 (4) whether such requirement is proposed to be
9 funded in the budget referred to in subsection (a)
10 and if so, the funding source; and

11 (5) the relative priority within each agency for
12 any requirement for which funds are not currently
13 available.

14 (c) The plan required by this section shall not include
15 investment requirements for any department or agency for
16 which the Cybersecurity and Infrastructure Security
17 Agency has not obligated nor has a plan to obligate fund-
18 ing to further such department's or agency's cybersecurity
19 capabilities.

20 SEC. 305. Notwithstanding section 2008(a)(12) of
21 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
22 or any other provision of law, not more than 5 percent
23 of the amount of a grant made available in paragraphs
24 (1) through (4) under “Federal Emergency Management
25 Agency—Federal Assistance”, may be used by the grantee

1 for expenses directly related to administration of the
2 grant.

3 SEC. 306. Applications for grants under the heading
4 “Federal Emergency Management Agency—Federal As-
5 sistance”, for paragraphs (1) through (4), shall be made
6 available to eligible applicants not later than 60 days after
7 the date of enactment of this Act, eligible applicants shall
8 submit applications not later than 80 days after the grant
9 announcement, and the Administrator of the Federal
10 Emergency Management Agency shall act within 65 days
11 after the receipt of an application.

12 SEC. 307. Under the heading “Federal Emergency
13 Management Agency—Federal Assistance”, for grants
14 under paragraphs (1) through (4), (8), and (9), the Ad-
15 ministrator of the Federal Emergency Management Agen-
16 cy shall brief the Committees on Appropriations of the
17 Senate and the House of Representatives 5 full business
18 days in advance of announcing publicly the intention of
19 making an award.

20 SEC. 308. Under the heading “Federal Emergency
21 Management Agency—Federal Assistance”, for grants
22 under paragraphs (1) and (2), the installation of commu-
23 nications towers is not considered construction of a build-
24 ing or other physical facility.

1 SEC. 309. The reporting requirements in paragraphs
2 (1) and (2) under the heading “Federal Emergency Man-
3 agement Agency—Disaster Relief Fund” in the Depart-
4 ment of Homeland Security Appropriations Act, 2015
5 (Public Law 114–4) shall be applied in the fiscal year
6 funded by this Act with respect to the fiscal year after
7 the fiscal year funded by this Act and the fiscal year fund-
8 ed by this Act, respectively —

9 (1) in paragraph (1) by substituting “the fiscal
10 year after the fiscal year funded by this Act” for
11 “the budget year” and for “fiscal year 2016”; and

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

14 SEC. 310. In making grants under the heading “Fed-
15 eral Emergency Management Agency—Federal Assist-
16 ance”, for Staffing for Adequate Fire and Emergency Re-
17 sponse grants, the Administrator of the Federal Emer-
18 gency Management Agency may grant waivers from the
19 requirements in subsections (a)(1)(A), (a)(1)(B),
20 (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the
21 Federal Fire Prevention and Control Act of 1974 (15
22 U.S.C. 2229a).

23 SEC. 311. (a) Of the amount made available by sec-
24 tion 4005 of the American Rescue Plan Act of 2021 (Pub-
25 lic Law 117–2)—

1 (1) up to \$500,000,000, in addition to any
2 amounts set aside pursuant to section 203(i) of the
3 Robert T. Stafford Disaster Relief and Emergency
4 Assistance Act (42 U.S.C. 5133(i)), shall be avail-
5 able for the Building Resilient Infrastructure and
6 Communities grant program to mitigate the effects
7 of climate change; and

8 (2) \$14,000,000 shall be transferred to the De-
9 partment of Homeland Security Office of Inspector
10 General for oversight of the obligation of funds
11 made available under such section 4005.

12 (b) Of the unobligated balances in “Department of
13 Homeland Security—Federal Emergency Management
14 Agency—Disaster Relief Fund” that were not previously
15 specified in statute as being available for major disasters
16 declared pursuant to the Robert T. Stafford Disaster Re-
17 lief and Emergency Assistance Act (42 U.S.C. 5121 et
18 seq.) and were previously designated as an emergency re-
19 quirement pursuant to the Balanced Budget and Emer-
20 gency Deficit Control Act of 1985 or a concurrent resolu-
21 tion on the budget, \$500,000,000 shall be available only
22 for costs associated with major disasters declared pursu-
23 ant to such Act.

24 (c) Each amount repurposed pursuant to subsection
25 (b) that was previously designated by the Congress as an

1 emergency requirement pursuant to the Balanced Budget
2 and Emergency Deficit Control Act of 1985 or a concur-
3 rent resolution on the budget is designated by the Con-
4 gress as an emergency requirement pursuant to section
5 1(f) of H. Res. 467 as engrossed in the House of Rep-
6 resentatives on June 14, 2021.

7 SEC. 312. (a) The aggregate charges assessed during
8 the fiscal year funded by this Act, as authorized in title
9 III of the Departments of Veterans Affairs and Housing
10 and Urban Development, and Independent Agencies Ap-
11 propriations Act, 1999 (42 U.S.C. 5196e), shall not be
12 less than 100 percent of the amounts anticipated by the
13 Department of Homeland Security to be necessary for its
14 Radiological Emergency Preparedness Program for the
15 fiscal year after the fiscal year funded by this Act.

16 (b) The methodology for assessment and collection of
17 such fees shall be fair and equitable and shall reflect costs
18 of providing such services, including administrative costs
19 of collecting such fees.

20 (c) Such fees shall be deposited in a Radiological
21 Emergency Preparedness Program account as offsetting
22 collections and will become available for authorized pur-
23 poses on the first day of the fiscal year after the fiscal
24 year funded by this Act, and remain available until ex-
25 pended.

1 SEC. 313. In making grants under the heading “Fed-
2 eral Emergency Management Agency—Federal Assist-
3 ance”, for Assistance to Firefighter Grants, the Adminis-
4 trator of the Federal Emergency Management Agency
5 may waive subsection (k) of section 33 of the Federal Fire
6 Prevention and Control Act of 1974 (15 U.S.C. 2229).

7 TITLE IV

8 RESEARCH, DEVELOPMENT, TRAINING, AND
9 SERVICES

10 U.S. CITIZENSHIP AND IMMIGRATION SERVICES

11 OPERATIONS AND SUPPORT

12 For necessary expenses of U.S. Citizenship and Im-
13 migration Services for operations and support, including
14 for the E-Verify Program, application processing, the re-
15 duction of backlogs within asylum, field, and service center
16 offices, and support of the refugee program;
17 \$459,504,000, of which \$87,619,000 shall remain avail-
18 able until September 30, 2023: *Provided*, That such
19 amounts shall be in addition to any other amounts made
20 available for such purposes, and shall not be construed to
21 require any reduction of any fee described in section
22 286(m) of the Immigration and Nationality Act (8 U.S.C.
23 1356(m)): *Provided further*, That not to exceed \$10,000
24 shall be for official reception and representation expenses.

1 FEDERAL ASSISTANCE

2 For necessary expenses of U.S. Citizenship and Im-
3 migration Services for Federal assistance for the Citizen-
4 ship and Integration Grant Program, \$15,000,000.

5 FEDERAL LAW ENFORCEMENT TRAINING CENTERS

6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Federal Law Enforce-
8 ment Training Centers for operations and support, includ-
9 ing the purchase of not to exceed 117 vehicles for police-
10 type use and hire of passenger motor vehicles, and services
11 as authorized by section 3109 of title 5, United States
12 Code, \$322,436,000, of which \$61,618,000 shall remain
13 available until September 30, 2023: *Provided*, That not
14 to exceed \$7,180 shall be for official reception and rep-
15 resentation expenses.

16 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

17 For necessary expenses of the Federal Law Enforce-
18 ment Training Centers for procurement, construction, and
19 improvements, \$33,200,000, to remain available until Sep-
20 tember 30, 2026, for acquisition of necessary additional
21 real property and facilities, construction and ongoing
22 maintenance, facility improvements and related expenses
23 of the Federal Law Enforcement Training Centers.

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 \$310,590,000, of which \$180,112,000 shall remain avail-
7 able until September 30, 2023: *Provided*, That not to ex-
8 ceed \$10,000 shall be for official reception and representa-
9 tion expenses.

10 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

11 For necessary expenses of the Science and Tech-
12 nology Directorate for procurement, construction, and im-
13 provements, \$8,859,000, to remain available until Sep-
14 tember 30, 2026.

15 RESEARCH AND DEVELOPMENT

16 For necessary expenses of the Science and Tech-
17 nology Directorate for research and development,
18 \$510,954,000, to remain available until September 30,
19 2024.

20 COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

21 OPERATIONS AND SUPPORT

22 For necessary expenses of the Countering Weapons
23 of Mass Destruction Office for operations and support,
24 \$162,200,000, of which \$35,606,000 shall remain avail-
25 able until September 30, 2023: *Provided*, That not to ex-

1 ceed \$2,250 shall be for official reception and representa-
2 tion expenses.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses of the Countering Weapons
5 of Mass Destruction Office for procurement, construction,
6 and improvements, \$76,604,000, to remain available until
7 September 30, 2024.

8 RESEARCH AND DEVELOPMENT

9 For necessary expenses of the Countering Weapons
10 of Mass Destruction Office for research and development,
11 \$65,709,000, to remain available until September 30,
12 2024.

13 FEDERAL ASSISTANCE

14 For necessary expenses of the Countering Weapons
15 of Mass Destruction Office for Federal assistance through
16 grants, contracts, cooperative agreements, and other ac-
17 tivities, \$132,948,000, to remain available until Sep-
18 tember 30, 2024.

19 ADMINISTRATIVE PROVISIONS

20 SEC. 401. (a) Notwithstanding any other provision
21 of law, funds otherwise made available to U.S. Citizenship
22 and Immigration Services may be used to acquire, operate,
23 equip, and dispose of up to 5 vehicles, for replacement
24 only, for areas where the Administrator of General Serv-
25 ices does not provide vehicles for lease.

1 (b) The Director of U.S. Citizenship and Immigration
2 Services may authorize employees who are assigned to
3 those areas to use such vehicles to travel between the em-
4 ployees' residences and places of employment.

5 SEC. 402. 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. 403. The terms and conditions of section 403
15 of the Department of Homeland Security Appropriations
16 Act, 2020 (division D of Public Law 116-93) shall apply
17 to this Act.

18 SEC. 404. Notwithstanding the seventh proviso under
19 the heading "Immigration and Naturalization Service—
20 Salaries and Expenses" in Public Law 105-119 (relating
21 to FD-258 fingerprint cards), or any other provision of
22 law, any Federal funds made available to U.S. Citizenship
23 and Immigration Services may be used for the collection
24 and use of biometrics taken at a U.S. Citizenship and Im-
25 migration Services Application Support Center that is

1 overseen virtually by U.S. Citizenship and Immigration
2 Services personnel using appropriate technology.

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

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

15 SEC. 407. (a) The Director of the Federal Law En-
16 forcement Training Centers may accept transfers to its
17 “Procurement, Construction, and Improvements” account
18 from Government agencies requesting the construction of
19 special use facilities, as authorized by the Economy Act
20 (31 U.S.C. 1535(b)).

21 (b) Such transfers may include funds from the Immi-
22 gration Examinations Fee Account described in section
23 286(m) of the Immigration and Nationality Act (8 U.S.C.
24 1356(m)) that the Director of U.S. Citizenship and Immi-

1 gration Services determines are necessary to support U.S.
2 Citizenship and Immigration Services training programs.

3 (c) The Federal Law Enforcement Training Centers
4 shall maintain administrative control and ownership upon
5 completion of such facilities.

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

11 TITLE V

12 GENERAL PROVISIONS

13 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

14 SEC. 501. No part of any appropriation contained in
15 this Act shall remain available for obligation beyond the
16 fiscal year funded by this Act unless expressly so provided
17 herein.

18 SEC. 502. Subject to the requirements of section 503
19 of this Act, the unexpended balances of prior appropria-
20 tions provided for activities in this Act may be transferred
21 to appropriation accounts for such activities established
22 pursuant to this Act, may be merged with funds in the
23 applicable established accounts, and thereafter may be ac-
24 counted for as one fund for the same time period as origi-
25 nally enacted.

1 SEC. 503. (a) None of the funds provided by this Act,
2 or provided for the fiscal year funded by this Act from
3 any accounts in the Treasury of the United States derived
4 from the collection of fees available to the components
5 funded by this Act, shall be available for—

6 (1) any obligation that—

7 (A) creates or eliminates a program,
8 project, or activity; or

9 (B) contracts out any function presently
10 performed by Federal employees or any new
11 function proposed to be performed by Federal
12 employees in the President's budget, submitted
13 pursuant to section 1105(a) of title 31, United
14 States Code, and accompanying justification
15 materials for the fiscal year funded by this Act;
16 or

17 (2) a reprogramming of funds that—

18 (A) augments funding for any program,
19 project, or activity in excess of \$5,000,000 or
20 10 percent, whichever is less; or

21 (B) reduces funding for any program,
22 project, or activity, or numbers of personnel, by
23 10 percent or more.

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 obligation or reprogramming, respectively.

3 (c) Up to 5 percent of any appropriation made avail-
4 able to the Department of Homeland Security by this Act
5 may be transferred between appropriations to address un-
6 foreseeable, exigent requirements or circumstances if the
7 Committees on Appropriations of the Senate and the
8 House of Representatives are notified at least 30 days in
9 advance of such transfer, except that—

10 (1) no such appropriation shall be augmented
11 by more than 10 percent by such transfer unless
12 otherwise specifically provided in this Act; and

13 (2) no funding may be transferred from an ap-
14 propriation that is designated by the Congress as
15 being for—

16 (A) an emergency requirement pursuant to
17 a concurrent resolution on the budget; or

18 (B) disaster relief pursuant to a concur-
19 rent resolution on the budget.

20 (d) Notwithstanding subsections (b) and (c), no funds
21 shall be obligated for any purpose described in subsection
22 (a) and no funds shall be transferred between appropria-
23 tions based upon an initial notification provided after June
24 30, except—

25 (1) as otherwise provided in this Act; or

1 (2) when the Secretary provides a written jus-
2 tification and certifies in writing to the Committees
3 on Appropriations of the Senate and the House of
4 Representatives that such action is necessary due to
5 extraordinary circumstances that imminently threat-
6 en the safety of human life or the protection of
7 property.

8 (e) An appropriation made available to the Depart-
9 ment of Homeland Security by this Act may not be used
10 for a purpose proposed in the President's budget, sub-
11 mitted pursuant to section 1105(a) of title 31, United
12 States Code, and accompanying justification materials for
13 the fiscal year funded by this Act if the explanatory state-
14 ment accompanying this Act explicitly directs that such
15 appropriation is not available for such purpose.

16 (f) The notification procedure set forth in subsection
17 (b) shall apply to the obligation of—

18 (1) Procurement, Construction, and Improve-
19 ments funding in this Act for any purpose that was
20 not—

21 (A) proposed in the President's budget
22 proposal, submitted pursuant to section 1105(a)
23 of title 31, United States Code, and accom-
24 panying justification materials for the fiscal
25 year funded by this Act; or

1 (B) explicitly described in this Act or the
2 explanatory statement accompanying this Act;
3 and

4 (2) Operations and Support funding to estab-
5 lish or eliminate any office or other functional unit
6 affecting more than 10 full-time personnel equiva-
7 lents.

8 (g) The notification thresholds and procedures set
9 forth in subsections (b), (c), (d), and (f) shall apply to
10 any use of de-obligated funds provided in previous Depart-
11 ment of Homeland Security Appropriations Acts that re-
12 main available for obligation.

13 (h) For purposes of this section—

14 (1) The term “program, project, or activity”
15 means each item—

16 (A) listed under an appropriation account
17 or fee funded program account for which an
18 amount is specified in the detailed funding table
19 located at the end of the explanatory statement
20 accompanying this Act; or

21 (B) for which the explanatory statement
22 accompanying this Act specifies a funding
23 amount, except for amounts identified in a
24 funding table other than that described in sub-
25 paragraph (A);

1 (2) The term “reprogramming of funds” means
2 a reduction to or augmentation of a funding amount
3 specified in the explanatory statement accompanying
4 this Act for a program, project, or activity; and

5 (3) The term “unforeseeable, exigent require-
6 ments or circumstances” means those requirements
7 or circumstances—

8 (A) about which the Department of Home-
9 land Security became aware after the date of
10 enactment of this Act; and

11 (B) for which an inability to obligate
12 transferred funds would result in a significant
13 increase in costs to the Federal government in
14 subsequent fiscal years or seriously compromise
15 needed departmental capabilities, as determined
16 by the Secretary and certified in the notifica-
17 tion required under subsection (c).

18 (i) Unless otherwise provided in this Act, funding
19 designated in the explanatory statement accompanying
20 this Act as being for a “program, project, or activity” is
21 not available for the purposes of any other such “program,
22 project, or activity”.

23 SEC. 504. (a) Section 504 of the Department of
24 Homeland Security Appropriations Act, 2017 (division F
25 of Public Law 115–31), related to the operations of a

1 working capital fund, shall apply with respect to funds
2 made available in this Act in the same manner as such
3 section applied to funds made available in that Act.

4 (b) Funds from such working capital fund may be
5 obligated and expended in anticipation of reimbursements
6 from components of the Department of Homeland Secu-
7 rity.

8 SEC. 505. (a) Except as otherwise specifically pro-
9 vided by law, not more than 75 percent of the unobligated
10 balances of amounts provided in this Act for “Operations
11 and Support” that remain available at the end of the fiscal
12 year funded by this Act, as recorded in the financial
13 records at the time of a notification described in sub-
14 section (b) but not later than June 30 of the fiscal year
15 after the fiscal year funded by this Act, shall remain avail-
16 able, of which—

17 (1) not more than 67 percent shall remain
18 available, in the account and for the purposes for
19 which the appropriations were provided, through
20 September 30 of the fiscal year after the fiscal year
21 funded by this Act; and

22 (2) not more than 33 percent shall be trans-
23 ferred to and merged with the Department of Home-
24 land Security “Information Technology Moderniza-
25 tion Fund”, as authorized by section 1077(b)(1) of

1 title X of division A of the National Defense Author-
2 ization Act for Fiscal Year 2018 (Public Law 115–
3 91), and shall remain available through the end of
4 the third fiscal year after the fiscal year in which
5 the transfer is made.

6 (b) The Secretary of Homeland Security shall submit
7 a notification to the Committees on Appropriations of the
8 Senate and the House of Representatives at least 15 days
9 in advance of the obligation or transfer of balances de-
10 scribed in subsections (a)(1) or (2), respectively.

11 SEC. 506. (a) Funds made available by this Act for
12 intelligence activities are deemed to be specifically author-
13 ized by the Congress for purposes of section 504 of the
14 National Security Act of 1947 (50 U.S.C. 414) during the
15 fiscal year funded by this Act until the enactment of an
16 Act authorizing intelligence activities for such fiscal year.

17 (b) Amounts described in subsection (a) made avail-
18 able for “Intelligence, Analysis, and Operations Coordina-
19 tion—Operations and Support” that exceed the amounts
20 in such authorization for such account shall be transferred
21 to “Management Directorate—Operations and Support”.

22 SEC. 507. (a) The Secretary of Homeland Security,
23 or the designee of the Secretary, shall notify the Commit-
24 tees on Appropriations of the Senate and the House of

1 Representatives at least 3 full business days in advance
2 of—

3 (1) making or awarding a grant allocation or
4 grant in excess of \$1,000,000;

5 (2) making or awarding a contract, other trans-
6 action agreement, or task or delivery order on a De-
7 partment of Homeland Security multiple award con-
8 tract, or to issue a letter of intent totaling in excess
9 of \$4,000,000;

10 (3) awarding a task or delivery order requiring
11 an obligation of funds in an amount greater than
12 \$10,000,000 from multi-year Department of Home-
13 land Security funds;

14 (4) making a sole-source grant award; or

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

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

1 (c) A notification under this section—

2 (1) may not involve funds that are not available
3 for obligation; and

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

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

19 SEC. 509. None of the funds appropriated or other-
20 wise made available by this Act may be used for expenses
21 for any construction, repair, alteration, or acquisition
22 project for which a prospectus otherwise required under
23 chapter 33 of title 40, United States Code, has not been
24 approved, except that necessary funds may be expended

1 for each project for required expenses for the development
2 of a proposed prospectus.

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

9 SEC. 511. (a) None of the funds made available in
10 this Act may be used in contravention of the applicable
11 provisions of the Buy American Act.

12 (b) For purposes of subsection (a), the term “Buy
13 American Act” means chapter 83 of title 41, United
14 States Code.

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

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

24 (b) Subsection (a) shall not apply to—

1 (1) the use of such section 872 to establish an
2 office within the Office of the Secretary that shall,
3 for departmental workforce health, safety, and med-
4 ical functions and activities—

5 (A) develop departmental policies;

6 (B) establish standards;

7 (C) provide technical assistance;

8 (D) conduct oversight; and

9 (E) serve as the primary liaison and coor-
10 dinator; and

11 (2) the reallocation to an office established
12 under paragraph (1) of—

13 (A) the position and responsibilities of the
14 Chief Medical Officer and related personnel
15 from the Countering Weapons of Mass Destruc-
16 tion Office;

17 (B) the personnel, functions, and respon-
18 sibilities related to departmental workforce
19 health and medical activities from the Under
20 Secretary for Management as authorized in sec-
21 tion 710 of the Homeland Security Act, and re-
22 lated safety activities; and

23 (C) the responsibility of carrying out the
24 program authorized by section 528 of the
25 Homeland Security Act and related personnel.

1 (c) The Secretary of Homeland Security may transfer
2 funds made available in this Act under the headings
3 “Management Directorate” and “Countering Weapons of
4 Mass Destruction Office” consistent with the establish-
5 ment of the office and the reallocations of functions, posi-
6 tions, and responsibilities described in subsection (b).

7 (d) The Secretary shall submit a notification to the
8 Committees on Appropriations of the Senate and the
9 House of Representatives, the Committee on Homeland
10 Security of the House of Representatives, and the Home-
11 land Security and Governmental Affairs Committee of the
12 Senate at least 15 days prior to the establishment of the
13 office described in subsection (b).

14 (e) The functions of the office described in subsection
15 (b) shall not include chemical, biological, radiological, and
16 nuclear programs of the Countering Weapons of Mass De-
17 struction Office and the transfer of funds described in sub-
18 section (c) shall not include funding appropriated for such
19 programs.

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

23 SEC. 515. Any official that is required by this Act
24 to report or to certify to the Committees on Appropria-
25 tions of the Senate and the House of Representatives may

1 not delegate such authority to perform that act unless spe-
2 cifically authorized herein.

3 SEC. 516. None of the funds made available in this
4 Act may be used for first-class travel by the employees
5 of agencies funded by this Act in contravention of sections
6 301–10.122 through 301–10.124 of title 41, Code of Fed-
7 eral Regulations.

8 SEC. 517. Notwithstanding any other provision of
9 this Act, none of the funds appropriated or otherwise
10 made available by this Act may be used to pay award or
11 incentive fees for contractor performance that has been
12 judged to be below satisfactory performance or perform-
13 ance that does not meet the basic requirements of a con-
14 tract.

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

24 SEC. 519. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

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

14 SEC. 521. (a) None of the funds made available in
15 this Act may be used to pay for the travel to or attendance
16 of more than 50 employees of a single component of the
17 Department of Homeland Security, who are stationed in
18 the United States, at a single international conference un-
19 less the Secretary of Homeland Security, or a designee,
20 determines that such attendance is in the national interest
21 and notifies the Committees on Appropriations of the Sen-
22 ate and the House of Representatives within at least 10
23 days of that determination and the basis for that deter-
24 mination.

1 (b) For purposes of this section the term “inter-
2 national conference” shall mean a conference occurring
3 outside of the United States attended by representatives
4 of the United States Government and of foreign govern-
5 ments, international organizations, or nongovernmental
6 organizations.

7 (c) The total cost to the Department of Homeland
8 Security of any such conference shall not exceed \$500,000.

9 (d) Employees who attend a conference virtually
10 without travel away from their permanent duty station
11 shall not be counted for purposes of this section, and the
12 prohibition contained in this section shall not apply to pay-
13 ments for the costs of attendance for such employees.

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

18 SEC. 523. (a) None of the funds made available to
19 the Department of Homeland Security by this or any other
20 Act may be obligated for any structural pay reform that
21 affects more than 100 full-time positions or costs more
22 than \$5,000,000 in a single year before the end of the
23 30-day period beginning on the date on which the Sec-
24 retary of Homeland Security submits to Congress a notifi-
25 cation that includes—

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

3 (2) funding required for such change for the
4 fiscal year funded by this Act and through the Fu-
5 ture Years Homeland Security Program;

6 (3) justification for such change; and

7 (4) an analysis of compensation alternatives to
8 such change that were considered by the Depart-
9 ment.

10 (b) Subsection (a) shall not apply to such change if—

11 (1) it was proposed in the President's budget
12 proposal for the fiscal year funded by this Act; and

13 (2) funds for such change have not been explic-
14 itly denied or restricted in this Act or in the explan-
15 atory statement accompanying this Act.

16 SEC. 524. (a) Any agency receiving funds made avail-
17 able in this Act shall, subject to subsections (b) and (c),
18 post on the public website of that agency any report re-
19 quired to be submitted by the Committees on Appropria-
20 tions of the Senate and the House of Representatives in
21 this Act, upon the determination by the head of the agency
22 that it shall serve the national interest.

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

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

1 (2) the report contains proprietary information.

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

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

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

13 SEC. 526. The authority provided by section 532 of
14 the Department of Homeland Security Appropriations
15 Act, 2018 (Public Law 115–141) regarding primary and
16 secondary schooling of dependents shall continue in effect
17 during the fiscal year funded by this Act.

18 SEC. 527. (a) Section 831 of the Homeland Security
19 Act of 2002 (6 U.S.C. 391) shall be applied—

20 (1) In subsection (a), by substituting “Sep-
21 tember 30, 2022,” for “September 30, 2017,”; and

22 (2) In subsection (c)(1), by substituting “Sep-
23 tember 30, 2022,” for “September 30, 2017”.

24 (b) The Secretary of Homeland Security, under the
25 authority of section 831 of the Homeland Security Act of

1 2002 (6 U.S.C. 391(a)), may carry out prototype projects
2 under section 2371b of title 10, United States Code, and
3 the Secretary shall perform the functions of the Secretary
4 of Defense as prescribed.

5 (c) The Secretary of Homeland Security under sec-
6 tion 831 of the Homeland Security Act of 2002 (6 U.S.C.
7 391(d)) may use the definition of nontraditional govern-
8 ment contractor as defined in section 2371b(e) of title 10,
9 United States Code.

10 SEC. 528. (a) None of the funds appropriated or oth-
11 erwise made available to the Department of Homeland Se-
12 curity by this Act may be used to prevent any of the fol-
13 lowing persons from entering, for the purpose of con-
14 ducting oversight, any facility operated by or for the De-
15 partment of Homeland Security used to detain or other-
16 wise house aliens, or to make any temporary modification
17 at any such facility that in any way alters what is observed
18 by a visiting member of Congress or such designated em-
19 ployee, compared to what would be observed in the absence
20 of such modification:

21 (1) a Member of Congress; or

22 (2) an employee of the United States House of
23 Representatives or the United States Senate des-
24 igned by such a Member for the purposes of this
25 section.

1 (b) Nothing in this section may be construed to re-
2 quire a Member of Congress to provide prior notice of the
3 intent to enter a facility described in subsection (a) for
4 the purpose of conducting oversight.

5 (c) With respect to individuals described in subsection
6 (a)(2), the Department of Homeland Security may require
7 that a request be made at least 24 hours in advance of
8 an intent to enter a facility described in subsection (a).

9 SEC. 529. (a) Except as provided in subsection (b),
10 none of the funds made available in this Act may be used
11 to place restraints on a woman in the custody of the De-
12 partment of Homeland Security (including during trans-
13 port, in a detention facility, or at an outside medical facil-
14 ity) who is pregnant or in post-delivery recuperation.

15 (b) Subsection (a) shall not apply with respect to a
16 pregnant woman if—

17 (1) an appropriate official of the Department of
18 Homeland Security makes an individualized deter-
19 mination that the woman—

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

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

1 (2) a medical professional responsible for the
2 care of the pregnant woman determines that the use
3 of therapeutic restraints is appropriate for the med-
4 ical safety of the woman.

5 (c) If a pregnant woman is restrained pursuant to
6 subsection (b), only the safest and least restrictive re-
7 straints, as determined by the appropriate medical profes-
8 sional treating the woman, may be used. In no case may
9 restraints be used on a woman who is in active labor or
10 delivery, and in no case may a pregnant woman be re-
11 strained in a face-down position with four-point restraints,
12 on her back, or in a restraint belt that constricts the area
13 of the pregnancy. A pregnant woman who is immobilized
14 by restraints shall be positioned, to the maximum extent
15 feasible, on her left side.

16 SEC. 530. (a) None of the funds made available by
17 this Act may be used to destroy any document, recording,
18 or other record pertaining to any—

19 (1) death of,

20 (2) potential sexual assault or abuse per-
21 petrated against, or

22 (3) allegation of abuse, criminal activity, or dis-
23 ruption committed by

24 an individual held in the custody of the Department of
25 Homeland Security.

1 (b) The records referred to in subsection (a) shall be
2 made available, in accordance with applicable laws and
3 regulations, and Federal rules governing disclosure in liti-
4 gation, to an individual who has been charged with a
5 crime, been placed into segregation, or otherwise punished
6 as a result of an allegation described in paragraph (3),
7 upon the request of such individual.

8 SEC. 531. Section 519 of division F of Public Law
9 114–113, regarding a prohibition on funding for any posi-
10 tion designated as a Principal Federal Official, shall apply
11 with respect to any Federal funds in the same manner
12 as such section applied to funds made available in that
13 Act.

14 SEC. 532. (a) Not later than 30 days after the date
15 of enactment of this Act and updated semi-monthly during
16 this fiscal year and thereafter, the Secretary shall make
17 available a report on a publicly accessible website in a
18 downloadable, searchable, and sortable format that in-
19 cludes not less than the previous 12 months of data, as
20 of the last date of each such reporting period, on all re-
21 quests to any law enforcement component of the Depart-
22 ment of Homeland Security for law enforcement support
23 in the form of personnel, aircraft, equipment, or any other
24 assets, which shall include each of the following for each
25 requesting entity:

1 (1) The name of the entity.

2 (2) The purposes for which support is re-
3 requested.

4 (3) The numbers of personnel and the cat-
5 egories and numbers of assets requested.

6 (4) The duration of the requested support.

7 (5) Whether the requested support was pro-
8 vided.

9 (6) The departmental official who approved pro-
10 viding such support.

11 (7) The dates and descriptions of any support
12 provided.

13 (8) The cost of providing such support.

14 (9) Whether the support is subject to reim-
15 bursement by the requesting entity.

16 (b) The reporting requirements in subsection (a) shall
17 apply to requests from—

18 (1) Non-Federal law enforcement entities; and

19 (2) Federal law enforcement entities, including
20 other such entities of the Department of Homeland
21 Security.

22 (c) No Federal funds may be obligated for such sup-
23 port to a non-Federal entity related to a mass gathering
24 or protest event unless approved in advance by the Sec-
25 retary of Homeland Security or the Secretary's designee.

1 (d) The Secretary shall notify the Committees on Ap-
2 propriations of the Senate and the House of Representa-
3 tives not more than 24 hours after the approval of the
4 support described in subsection (c).

5 SEC. 533. No Federal funds may be used by the De-
6 partment of Homeland Security to deny any benefit, appli-
7 cation for admission, or protection available to an indi-
8 vidual under the Immigration and Nationality Act (8
9 U.S.C. 1101 et. seq.) on the sole basis of any event, con-
10 duct, finding, admission, history of addiction or abuse, ar-
11 rest, juvenile adjudication, or conviction related to can-
12 nabis possession, consumption, or use.

13 SEC. 534. (a) For an additional amount for “U.S.
14 Customs and Border Protection—Procurement, Construc-
15 tion, and Improvements”, \$655,000,000, to remain avail-
16 able until expended for construction and modernization of
17 land port of entry facilities.

18 (b) Not later than 180 days after the completion of
19 the construction or modernization of facilities funded in
20 this section, the Administrator of the U.S. General Serv-
21 ices Administration shall transfer ownership of such facili-
22 ties to the Commissioner of U.S. Customs and Border
23 Protection.

24 (c) Section 503(c) of this Act shall not apply to
25 the additional amount made available in this section.

1 (RESCISSIONS OF FUNDS)

2 SEC. 535. 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) \$21,650 from the unobligated balances
12 available in the “Office of the Executive Secretary—
13 Operations and Support” account (70 X 0100).

14 (2) \$1,810 from the unobligated balances avail-
15 able in the “Office of the Undersecretary for Man-
16 agement” account (70 X 0112).

17 (3) \$12,628,523 from the unobligated balances
18 available in the “Management Directorate—Office of
19 the Chief Information Officer and Operations” ac-
20 count (70 X 0113).

21 (4) \$8,456 from the unobligated balances avail-
22 able in Treasury Account Fund Symbol 70 X 0504,
23 “Immigration and Customs Enforcement, Border
24 and Transportation Security, INS”.

1 (5) \$503 from the unobligated balances avail-
2 able in Treasury Account Fund Symbol 70 X 8598,
3 “U.S. Immigration and Customs Enforcement, Vio-
4 lent Crime Reduction Program”.

5 (6) \$7,006 from the unobligated balances avail-
6 able in Treasury Account Fund Symbol 70 X 0508,
7 “Transportation Security Administration, Ex-
8 penses”.

9 (7) \$11,412 from the unobligated balances
10 available in the “Transportation Security Adminis-
11 tration—Federal Air Marshals” account (70 X
12 0541).

13 (8) \$311 from the unobligated balances avail-
14 able in the “Transportation Security Administra-
15 tion—Surface Transportation Security” account (70
16 X 0551).

17 (9) \$5,308,328 from the unobligated balances
18 available in the “Transportation Security Adminis-
19 tration—Intelligence and Vetting” account (70 X
20 0557).

21 (10) \$1.41 from the unobligated balances avail-
22 able in the “Transportation Security Administra-
23 tion—Research and Development” account (70 X
24 0553).

1 (11) \$322,105 from the unobligated balances
2 available in the “Transportation Security Adminis-
3 tration—Transportation Security Support” account
4 (70 X 0554).

5 (12) \$457,920 from the unobligated balances
6 available in Treasury Account Fund Symbol 70 X
7 0900, “Cybersecurity and Infrastructure Security
8 Agency, Operating Expenses”.

9 (13) \$199,690 from the unobligated balances
10 available in the “Federal Emergency Management
11 Agency—State and Local Programs” account (70 X
12 0560).

13 (14) \$1,670 from the unobligated balances
14 available in the “Federal Emergency Management
15 Agency—Administrative and Regional Operations,
16 Emergency Preparedness and Response” account
17 (70 X 0712).

18 (15) \$115,138 from the unobligated balances
19 available in the “Federal Emergency Management
20 Agency—Operations and Support” account (70 X
21 0700).

22 (16) \$1,243,822 from the unobligated balances
23 available in Treasury Account Fund Symbol 70 X
24 0300, “U.S. Citizenship and Immigration Services,
25 Operations and Support”.

1 (17) \$350,656 from the unobligated balances
2 available in the “Countering Weapons of Mass De-
3 struction Office—Research and Development” ac-
4 count (70 X 0860).

5 (18) \$3,000,000 from the unobligated balances
6 available in the “Federal Emergency Management
7 Agency—National Predisaster Mitigation Fund” ac-
8 count (70 X 0716).

9 (19) \$65,000,000 from Public Law 116–6
10 under the heading “Coast Guard—Procurement,
11 Construction, and Improvements”.

12 (20) \$24,339,000 from the unobligated bal-
13 ances available in the “U.S. Customs and Border
14 Protection—Border Security Fencing, Infrastruc-
15 ture, and Technology” account (70 X 0533).

16 (21) \$10,000,000 from Public Law 116–260
17 under the heading “U.S. Customs and Border Pro-
18 tection—Procurement, Construction, and Improve-
19 ments”.

20 (22) \$6,161,000 from the unobligated balances
21 available in the “U.S. Customs and Border Protec-
22 tion—Procurement, Construction, and Improve-
23 ments” account (70 X 0532).

1 (23) \$4,500,000 from Public Law 115–141
2 under the heading “U.S. Customs and Border Pro-
3 tection—Construction and Facility Improvements”.

4 (24) \$6,999 from the unobligated balances
5 available in the “U.S. Customs and Border Protec-
6 tion—Operations and Support” account (70 X
7 0530).

8 (25) \$2,168,776,000 from the unobligated prior
9 year balances from “U.S. Customs and Border Pro-
10 tection—Procurement, Construction, and Improve-
11 ments”.

12 (26) \$21,000,000 from Public Law 115–141
13 under the heading “Coast Guard—Acquisition, Con-
14 struction, and Improvements”.

15 This Act may be cited as the “Department of Home-
16 land Security Appropriations Act, 2022”.

[FULL COMMITTEE PRINT]

Union Calendar No. _____

117TH CONGRESS
1ST Session

H. R. _____

[Report No. _ - _]

A BILL

Making appropriations for the Department of
Homeland Security for the fiscal year ending
September 30, 2022, and for other purposes.