

DEPARTMENT OF HOMELAND SECURITY
 APPROPRIATIONS BILL, 2019

SEPTEMBER 12, 2018.—Committed to the Committee of the Whole House on the
 State of the Union and ordered to be printed

Mr. YODER of Kansas, from the Committee on Appropriations,
 submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 6776]

The Committee on Appropriations submits the following report in
 explanation of the accompanying bill making appropriations for the
 Department of Homeland Security for the fiscal year ending Sep-
 tember 30, 2019.

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Overview

March 1, 2018, marked the fifteenth anniversary for the U.S. Department of Homeland Security (DHS). While DHS is the youngest

Department, it is comprised of agencies that date back to the late 1700s with a mission and footprint that stretches beyond every U.S. state and territory. The Committee's recommendation of \$58,087,000,000 in discretionary funding prioritizes the programs and activities of the Department that keep the Homeland safe by securing our borders, enhancing critical national security efforts, and responding to disasters.

The Committee's recommendation reflects smart investments that will have immediate and long-term impacts on the security of the homeland.

1. The bill includes \$5,000,000,000 for new border technology and the construction of over 200 miles of new barriers to fill critical gaps along our southwest border. This provides the Border Patrol with necessary tools to achieve operational control of our borders. Additionally, \$223,000,000 is provided to improve drug interdiction capabilities for U.S. Customs and Border Protection (CBP), including initiating efforts towards achieving 100 percent scanning of all vehicles, cargo, and pedestrians coming through southwest border land ports of entry by 2025.

2. The bill provides \$125,897,000 to support the fight against the opioid epidemic and stop the flow of illegal drugs into this country.

3. The bill provides enhancements to aviation security including an additional \$7,260,000 for 50 new Transportation Security Administration (TSA) canine teams and an increase of \$20,000,000 for new computed tomography (CT) systems to screen carry-on baggage.

4. The bill provides \$7,620,209,000, \$27,071,000 above the request for Coast Guard operations that protect our coastlines and inland waterways. Coast Guard procurement funding includes the acquisition of an HC-130J long range surveillance aircraft, two additional Fast Response Cutters for a total of six, construction for a second Offshore Patrol Cutter, and necessary post-delivery activities for the ninth National Security Cutter.

5. The bill includes \$1,153,873,000 to secure, monitor, detect, prevent, and respond to cybersecurity attacks against the entire federal government and the nation's critical infrastructure sectors, such as election infrastructure, and to advance our defenses by investing in related research and development programs.

6. The bill provides critical resources to support the Federal Emergency Management Agency's (FEMA) disaster response and recovery efforts and to improve state and local preparedness for all hazards, including \$3,356,525,000 for grants and training programs that directly support state and local governments and first responders.

Public Law 115-31 required CBP to provide a risk-based plan for improving security along the borders of the United States, including the use of personnel, fencing, other forms of tactical infrastructure, and technology. On January 4, 2018, CBP submitted their analysis, the "Border Security Improvement Plan," to the Committee. This comprehensive analysis was informed directly by the men and women on the frontlines. The plan focused on their understanding of the current border threat, how best to strengthen our

law enforcement posture at the border, and ways to increase CBP's ability to swiftly address border security risks.

As a part of this analysis, the U.S. Border Patrol (USBP) provided an overview of the capabilities needed to obtain operational control, as directed both in law and Executive Order. Specifically, USBP provided an assessment of the roughly 2,000 miles of U.S.-Mexico border through its robust requirements management process, the Capability Gap Analysis Process, to identify the need for impedance and denial capabilities to achieve operational control detailing location, types of infrastructure, and costs to execute the program. As with any law enforcement organization, it is important to ensure that agents and officers are fully equipped with the tools they need to be successful and keep their communities safe; in this instance the recommended tools, identified by the agents who know best, include both physical barriers and technology. This bill provides \$5,000,000,000 in technology and physical barriers for the most urgent areas identified by CBP.

The recommendation also includes \$223,000,000 above the request for CBP to stop the entry of illicit goods and narcotics at our ports of entry through initiating efforts to achieve 100 percent non-intrusive inspection (NII) coverage along our southwest border by 2025. CBP is currently using NII assets in a targeted approach, but the reality is that many of these drugs continue northbound through the interior of the U.S., gaining value as they reach their destination into the homeland, onto American streets, and into U.S. homes. The combination of both border infrastructure and technology will provide CBP with more of the tools it desperately needs to combat the smuggling of illicit goods, narcotics, and humans being into the country.

The United States is a nation of immigrants that values diversity and welcomes those in need. We also have an obligation to enforce the laws that protect the integrity of our borders, along with those that grant asylum to people found eligible. We cannot help every foreign national who may want or deserve it, but all individuals and families who come to our borders, including those who cross them illegally, deserve to be treated humanely and with respect while in the custody of the Department of Homeland Security. The Committee has included direction throughout this report to address these issues.

The security of our borders and the safety and well-being of those fleeing persecution abroad are both better served when asylum-seekers present their claim at a port of entry (POE). Crossing the border between the POEs is illegal, funds the ongoing operations of criminal organizations, and exposes people to unnecessary risks, with hundreds losing their lives each year attempting to traverse the harsh environments along many segments of the southern border. Throughout this bill, strong funding is included to stop the illegal entry of both humans and drugs at and between the POEs. In addition, DHS shall take appropriate steps to ensure that the United States is meeting its legal obligations, to include reminding field officers and agents about CBP's legal responsibilities to ensure that asylum seekers can enter at POEs. CBP shall notify the Committee within 24 hours of any instance when holding facility limitations or other factors impede its ability to promptly accept and

process individuals claiming credible or reasonable fear, including a description of its efforts to mitigate those limitations or factors.

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

The William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) requires cooperation between the Department of Homeland Security and the Department of Health and Human Services (HHS) to ensure the safety of Unaccompanied Alien Children (UACs). Current Memoranda of Agreement (MOAs) between the two Departments codify the intention for cooperation and outline the processes for that cooperation to protect the well-being of the UAC. The ongoing coordination between DHS and HHS has already prevented children from being placed in the care of adults with serious criminal histories that include kidnapping, murder, and human smuggling. The Department must continue to exercise due diligence while ensuring that the children are released into the safe care of a parent or sponsor as expeditiously as is possible.

At the peak of the historic disaster season in 2017, nearly 85 percent of all FEMA employees were deployed to support disasters. In the wake of this unprecedented level of disaster response activity, Congress passed three supplemental appropriations bills totaling \$49,570,000,000 to replenish FEMA's Disaster Relief Fund (DRF), supporting frontline personnel and ensuring robust response and recovery for these catastrophic events. The recommendation includes \$7,210,000,000 for the DRF to pay for ongoing, long-term recovery operations for past disasters, and to fund projected needs for future disasters in fiscal year 2019.

Congress must have access to timely, accurate information, particularly as it relates to the implementation of new policies in order to exercise appropriate oversight. The Committee directs DHS to review all guidelines associated with the release of information to Congress, the media, and the public; continue to post all policies and guidelines that may be of interest to the public on the agency's website; and continue—or expand as practicable—data collection that more effectively detects and deters abuse, strengthens accountability, and ensures the effective use of limited resources.

This bill does not include any fee increases proposed in the budget request. Budget proposals to replace discretionary funding with fee revenue place important programs at unnecessary risk when those proposals require authorizing legislation that is unlikely to be enacted. In the future, the Department is urged to advocate for sufficient discretionary funds to carry out its critical mission.

Summary

The Committee recommendation includes \$58,087,000,000, including \$51,435,000,000 within the bill's 302(b) budget allocation, and \$6,652,000,000 as a budget cap adjustment for disaster relief. Title I contains funds for departmental management activities.

Title II ensures the Department's frontline operational components have the resources to carry out effectively their security, enforcement, and investigative missions. Title III includes funds necessary to prepare for, respond to, and recover from disasters and cyberattacks on the population or the nation's critical infrastructure. Title IV supports law enforcement training; citizenship, immigration, and employment eligibility verification services; efforts to counter chemical, biological, radiological, and nuclear attacks; and research and development functions. Title V includes basic general provisions for oversight, reprogramming guidance, transfer authority, reporting requirements, and funding limitations.

**TITLE I—DEPARTMENTAL MANAGEMENT, OPERATIONS,
INTELLIGENCE, AND OVERSIGHT**

Mission

The mission of Departmental Management, Operations, Intelligence, and Oversight is to provide leadership and services to DHS components, formulate policy guidance and directives, collect and disseminate intelligence, and maintain visibility on all DHS operations. The Office of the Secretary, the executive management offices, and the Management Directorate support departmental efforts to achieve strategic goals and to deliver quality administrative support services for human resources; manage facilities, property, equipment, and other material resources; ensure safety, health, and environmental protection; and identify and track performance measurements relating to DHS missions.

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

The Office of the Secretary and Executive Management (OSEM) provides policy guidance to operating bureaus within the organization; plans and executes departmental strategies to accomplish agency objectives; and provides leadership to the Department.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$139,602,000
Budget request, fiscal year 2019	128,860,000
Recommended in the bill	139,926,000
Bill compared with:	
Appropriation, fiscal year 2018	+324,000
Budget request, fiscal year 2019	+11,066,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Office of the Secretary	\$17,874,000	\$17,784,000
Office of Policy	34,683,000	38,483,000
Office of Public Affairs	5,085,000	5,085,000
Office of Legislative Affairs	4,992,000	4,992,000
Office of Partnership and Engagement	12,656,000	14,294,000
Office of General Counsel	19,463,000	19,463,000
Office for Civil Rights and Civil Liberties	20,825,000	25,071,000
Office of the Citizenship and Immigration Services Ombudsman	5,879,000	6,200,000
Privacy Office	7,403,000	8,464,000
Total, Operations and Support	\$128,860,000	\$139,926,000

Office of the Secretary

The Committee directs the Department to continue quarterly briefings on Joint Requirements Council activities.

The Committee is closely attuned to how the heroin and opioid epidemic is challenging our emergency response capacities and overall national security. In particular, police and first responders are inundated and put at great risk. The surge in drug consumption and its ancillary effects include more than 66,000 deaths in 2017 alone and have cost the U.S. more than \$1 trillion dollars since 2001, with projected costs of another \$500,000,000,000 over the next three years. DHS is directed to brief the Committee on how the Department can offer wider support, particularly monetarily, to those who are responsible for protecting our citizens.

Not later than 30 days after the date of enactment of this Act, the Department is directed to provide a report to the Committee for fiscal year 2018, by quarter, on the total number of referrals for prosecution of individuals who illegally crossed a U.S. land border compared to the total number of apprehensions; the number of such referrals accepted by the Department of Justice (DOJ); the nationality and gender of those referred and those accepted for prosecution; the number of such individuals claiming credible or reasonable fear while in DHS or DOJ custody; and the number of such individuals who receive a positive fear determination from United States Citizenship and Immigration Services (USCIS).

The Department is directed to provide a report to the Committee, not later than 30 days after the date of enactment of this Act, on its policies related to the separation of minor children from their parents or legal guardians while in DHS custody. The report should discuss policies in effect both prior and subsequent to the implementation of Executive Order 13841, and shall include a description of any guidance to field personnel on implementation of such policies; a description of the process for reuniting families that are separated as a result of the prosecution of an adult family member; data on the number of separations during fiscal year 2018 as a result of the prosecution of a parent or legal guardian due to medical necessity, in the interest of the immediate safety of the child, or due to fraudulent family relationship or guardianship claims; a description of how DHS determines the validity of family relationship or guardianship claims; and an assessment of how that process could be improved, including the feasibility of using rapid-DNA testing with appropriate privacy protections.

The Department shall only separate a child from a parent if the parent has a criminal history, a communicable disease, or is determined to be unfit or a danger to the child. DHS is directed to ensure, when appropriate and feasible, that separated family units are reunited and transferred together prior to removal, release from CBP custody, or transfer to ICE custody. ICE is expected to ensure that individuals being transferred from CBP to ICE custody, in ICE custody, or under ICE supervision have opportunities to report family separations and to verify the status, location, and disposition of family members, and to regularly communicate with one another by phone or video conference. The Committee is aware that DHS is complying with U.S. District Court Instruction requir-

ing the federal government to pay the costs of such communications, as well as the costs of family reunification.

Recent developments in contactless fingerprinting enable rapid capture of fingerprints that can be shared interoperably with legacy fingerprinting systems. The Committee directs the Department to provide, within 60 days of the date of enactment of this Act, a briefing on the cost and feasibility of using a contactless fingerprint technology as part of the exit tracking system, including a comparison of those costs to other options for gathering the same type of biometric information.

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

Office of Policy

The Committee supports the Office of Policy’s continuation of the Immigration Data Integration Initiative, and recommends \$5,000,000 for this purpose. This initiative supports departmental efforts directed by the Committees on Appropriations in prior years based on bipartisan, bicameral concerns about the inability of the Department to provide timely reporting of border security and immigration enforcement data. Such data is important for informing component operations and for providing oversight. Specifically, the initiative will enable DHS to develop uniform immigration data standards; provide stakeholders with real- or near real-time access to relevant data; ensure that immigration records are fully linked across DHS and other federal agency data systems; and meet transparency requirements directed by the Committees on Appropriations and under recent Executive Orders and Presidential Memoranda on border security, interior enforcement, and preventing terrorist travel.

Office of Partnership and Engagement

The Department shall continue to provide semi-annual updates on the work of the Public Complaint and Feedback System Working Group, as described in the explanatory statement accompanying Public Law 115–141.

The Department should continue to provide assistance, as appropriate, to state police crime labs to ensure that federal requirements do not burden state resources. DHS shall continue to report annually on its use of and partnerships with state crime labs, in-

cluding funding associated with such use and partnerships, and should fully reimburse the state crime labs it uses. The Committee notes that the Department's partnerships with crime labs are particularly important in border states.

The Committee directs DHS to provide, not later than 90 days after the date of enactment of this Act, a briefing on the programs and activities of the Office of Terrorism Prevention Partnerships, including its efforts to combat domestic extremism and terrorist radicalization and recruitment.

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

The Blue Campaign, a department-wide initiative to combat human trafficking, has historically been funded through end-of-year contributions from components and detailed personnel, an approach that is not appropriate for the program's long-term sustainment. The fiscal year 2018 DHS Appropriations Act included direct funding of \$819,000 for the Blue Campaign to support dedicated personnel and to begin transitioning the program away from a reliance on component contributions. Unfortunately, the fiscal year 2019 request proposed no direct funding for the program despite continued congressional support for it. The Committee recommends \$1,638,000 in continued direct funding for personnel and directs the Secretary to sustain the program at not less than its total fiscal year 2016 level of \$5,150,000 in fiscal year 2018 and fiscal year 2019, using component contributions to cover non-personnel program costs. DHS should account for and propose full, direct funding for the program in the justification materials that accompany future budget submissions, as directed in the explanatory statement accompanying Public Law 115-31. Additionally, DHS in coordination with the Federal Aviation Administration, shall identify ways to appropriately strengthen oversight of training on human trafficking for airline personnel and explore the viability of in-person training to complement online training. The Department shall, not later than 180 days after the date of enactment of this Act, report back to the Committee with its findings.

The Committee directs the Department, within 90 days of the date of enactment of this Act, to provide a briefing on the implementation and oversight of DHS Policy Directive 047-02, related to the use of cell-site simulators by the Department and its state and local partners.

Office for Civil Rights and Civil Liberties

A total of \$25,071,000 is provided for the Office for Civil Rights and Civil Liberties (CRCL), of which at least \$750,000 is for an enhancement to the Compliance Branch. CRCL shall ensure that all individuals whose complaints it investigates receive information within 30 days of the completion of an investigation regarding the outcome of such complaints, as appropriate, including findings of fact, findings of law, and available remedies.

Office of the Citizenship and Immigration Services Ombudsman

The Office of the Citizenship and Immigration Services Ombudsman is funded above the request at \$6,200,000 and the Privacy Of-

office is funded above the request at \$8,464,000, to support the current services level of activity for both offices.

MANAGEMENT DIRECTORATE

Appropriation, fiscal year 2018	\$742,411,000
Budget request, fiscal year 2019	1,083,318,000
Recommended in the bill	922,993,000
Bill compared with:	
Appropriation, fiscal year 2018	+180,582,000
Budget request, fiscal year 2019-	- 160,325,000

Mission

The mission of the Management Directorate is to provide policy, guidance, operational oversight and support, and management solutions for the Department.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$710,297,000
Budget request, fiscal year 2019	834,704,000
Recommended in the bill	845,528,000
Bill compared with:	
Appropriation, fiscal year 2018	+135,231,000
Budget request, fiscal year 2019	+10,824,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Immediate Office of the Under Secretary for Management	\$7,730,000	\$7,730,000
Office of the Chief Readiness Support Officer	90,413,000	90,413,000
Office of the Chief Human Capital Officer	107,606,000	118,430,000
Office of the Chief Security Officer	78,868,000	78,868,000
Office of the Chief Procurement Officer	103,197,000	103,197,000
Office of the Chief Financial Officer	64,873,000	64,873,000
Office of the Chief Information Officer	382,017,000	382,017,000
Total, Operations and Support	\$834,704,000	\$845,528,000

Immediate Office of the Under Secretary for Management

With the adoption of a common appropriations structure, the Department is now poised to standardize its periods of availability (POAs) to allow for more consistent planning, programming, budgeting, and execution for three of the four major appropriation account types: Operations and Support (O&S); Procurement, Construction, and Improvements (PC&I); and Research and Development (R&D). With limited exception, the O&S accounts shall have one year of availability; the PC&I accounts shall have five years of availability for construction and three years for all other activities; and the R&D accounts shall have two years of availability. As part of the fiscal year 2020 budget request and thereafter, the Department shall thoroughly justify any necessary deviation from these POAs, to include a description of the specific negative impacts that would result from a shorter POA.

The Committee directs DHS to assess the feasibility of establishing a unified headquarters for CBP and ICE operational components in the South Texas region. This analysis shall consider whether co-location would significantly improve operational coordi-

nation, information sharing, and analytic collaboration among these DHS components. The analysis should also consider the potential for partnerships with local governments, colleges and universities, and other federal agencies to leverage resources.

The Department shall, not later than 180 days after the date of enactment of this Act, submit a report to the Committee detailing (1) internal DHS procedures to avoid the purchase of “essentially the same” items in violation of the Javits-Wagner-O’Day Act (41 U.S.C. 8501); (2) procedures for ensuring procurement officers and government purchase cardholders are trained on the requirements of the Javits-Wagner-O’Day Act; and (3) the total value of goods and services purchased through the AbilityOne Program during fiscal year 2018, delineated by product or service category.

Office of the Chief Readiness Support Officer

The Office of the Chief Readiness Support Officer (OCRSO) is directed to continue refining a DHS-wide inventory of real estate, vehicle fleets, and equipment for the purpose of establishing a table of equipment for each component of the DHS enterprise.

The Department’s Fiscal Year 2017 Field Efficiencies Report focused on the Department’s future plans to utilize OCRSO to manage the integration of mission support functions across the Department, which is actively developing regional plans to implement field efficiencies, such as real property consolidation and co-location. The Department set forth an impressive end state of a 20 percent reduction in administrative real property needs per person and the elimination of unnecessary redundancies by fiscal year 2025. The Committee directs OCRSO to provide a briefing on this implementation plan, to include associated costs and an estimated savings by fiscal year, not later than 90 days after the date of enactment of this Act.

The Committee looks forward to the briefing directed in House Report 115–239 on the Department’s comprehensive plans to systematically replace vehicles and radios, and continues to expect that additional cost and schedule details will be included in future budget submissions for each operational component.

The Committee understands that some DHS components may lack adequate facilities to accommodate the large number of firearms qualifications required for law enforcement personnel. OCRSO is directed to explore firing range solutions through field efficiencies to expand the availability of shooting range facilities across DHS components. Such solutions could include partnerships with colleges, universities, local governments, tribal organizations, and other federal agencies; or alternative approaches, such as modular firing ranges. OCRSO, in conjunction with the Department of Treasury, is directed to explore the feasibility of addressing this capability gap by using funds made available under section 9705(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund.

DHS is encouraged to work with the components to evaluate the potential benefits of next generation body armor technology for DHS law enforcement personnel, including solutions made with ultra-high molecular weight polyethylene, which may provide increased protection against a wide range of ballistic threats in a

lighter, more flexible application that enhances comfort, mobility, and safety.

Office of the Chief Human Capital Officer

The Committee continues its support for the Cyber Statutory Authority Program and the Cybersecurity Internship Program, and includes increases above the request for both programs to sustain fiscal year 2018 funding levels. The Department is directed to update the Committee not later than 180 days after the date of enactment of this Act on the status of the programs.

According to a February 2018 GAO report (GAO-18-175), DHS has taken steps to identify workforce capability gaps, but has not identified or reported to Congress on critical cybersecurity needs that align with specialty areas. The Office of the Chief Human Capital Officer is directed to provide, within 30 days of the date of enactment of this Act, a report on its efforts to identify, categorize, and assign employment codes to its cybersecurity positions, and all other efforts to satisfy requirements established by the Homeland Security Cybersecurity Workforce Assessment Act of 2014.

Office of the Chief Security Officer

The Committee remains concerned with the number of reports, briefings, and responses to requests for information that are designated by the Department as “For Official Use Only.” The Committee reminds the Department of guidance in Public Law 114-4 and the direction in House Report 113-481 to provide clear and specific justifications for such classifications.

The Committee is concerned about the Department’s compliance with Homeland Security Presidential Directive 12, *Policy for a Common Identification Standard for Federal Employees and Contractors*, which mandates a federal standard for secure and reliable forms of identification used to gain access to secure facilities where there is a potential for terrorist attack. The Committee is aware of existing technology solutions to verify access credentials in real-time that may aid in implementation of this policy, and directs DHS to review the solutions and brief the Committee not later than 90 days after the date of enactment of this Act on the results of its assessment.

Office of the Chief Procurement Officer

The Committee again directs the Department’s Chief Acquisition Officer to provide a briefing of summary ratings for all Level 1 and 2 programs and reminds the Department that this is a quarterly requirement.

Office of the Chief Financial Officer

The Department shall continue to submit obligation plans on a quarterly basis, as detailed in Public Law 114-113 and Public Law 115-31. The Office of the Chief Financial Officer (OCFO) shall require the use of a uniform obligation plan template to ensure consistency across components, which shall include quarterly spending targets for each account and PPA. Each component shall be required to report to OCFO all actual obligations and expenditures

within 20 days of the close of each quarter and OCFO shall provide the consolidated set of plans to the Committee within 30 days of the close of each quarter. OCFO will also be responsible for ensuring that components with major acquisition programs include the breakout of these programs within their quarterly plans and provide additional context to describe and justify any changes from the prior submission.

During the period of any continuing resolution, OCFO shall provide a briefing on the corresponding obligation and budget execution plan, as directed in House Report 114–215.

Office of the Chief Information Officer

In order to ensure the long-term security of technology used in secure documents issued by the Department, the Committee directs DHS to review the availability of technologies to encrypt radio-frequency identification (RFID) documents and the feasibility of upgrading and encrypting current and future RFID documents. DHS shall brief the Committee on its assessment not later than 180 days after the date of enactment of this Act.

The Committee remains concerned with the slow progress in closing DHS interoperable communications gaps and, once again, directs the Department to vigorously explore how it could leverage partnerships with local, state, tribal, and federal entities with existing interoperable communications platforms. The Office of the Chief Information Officer (OCIO) is directed to update the Committee on its findings within 90 days of the date of enactment of this Act.

The GAO has repeatedly identified software acquisition and licensing as high-risk due to significant vulnerabilities to fraud, waste, abuse, and mismanagement. The Committee notes that the Department received a failing grade for software licensing on the most recent Biannual Federal IT Acquisition Reform Act Scorecard from the House Oversight and Government Reform Committee. The Committee directs the Department to prioritize its management of software licenses, including inventory and analysis of usage, as required by the MEGABYTE Act of 2016 (Public Law 114–210).

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$29,569,000
Budget request, fiscal year 2019	246,069,000
Recommended in the bill	74,920,000
Bill compared with:	
Appropriation, fiscal year 2018	+45,351,000
Budget request, fiscal year 2019	– 171,149,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Procurement, Construction, and Improvements		
Construction and Facility Improvements	\$171,149,000	– – –
Mission Support Assets and Infrastructure	74,920,000	\$74,920,000
Total, Procurement, Construction, and Improvements	\$246,069,000	\$74,920,000

The recommendation does not include the requested \$171,149,000 for further buildout of the St. Elizabeths campus. Over the years the General Services Administration (GSA) has had numerous challenges with the limitations of restoring historic buildings, which has led to delays in the expansion of the campus. Currently, DHS and GSA are working to revise the consolidation plan to address these delays and associated cost overruns, and develop a functional and efficient construction and lease strategy. The Committee directs the Department to provide this plan with a revised schedule and updated costs not later than 90 days after the date of enactment of this Act.

The Committee commends the Department’s progress in implementing the Planning, Programming, Budgeting, and Execution (PPBE) One Number initiative, which will consolidate multiple PPBE systems into a unified, single system. One Number will better inform DHS leaders as they make important resource decisions, while improving the quality of congressional budget justification materials.

The Committee recommends \$39,000,000 for financial systems modernization (FSM), as requested.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$2,545,000
Budget request, fiscal year 2019	2,545,000
Recommended in the bill	2,545,000
Bill compared with:	
Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	---

The Committee recommends \$2,545,000, for Research and Development, as requested.

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

Appropriation, fiscal year 2018	\$245,905,000
Budget request, fiscal year 2019	253,253,000
Recommended in the bill	259,253,000
Bill compared with:	
Appropriation, fiscal year 2018	+13,348,000
Budget request, fiscal year 2019	+6,000,000

Mission

The missions supported through Intelligence, Analysis, and Operations Coordination are twofold: to equip the Homeland Security Enterprise with timely intelligence and information to keep the homeland safe, secure, and resilient; and to provide operations coordination, information sharing, situational awareness, a common operating picture, and departmental continuity.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$245,905,000
Budget request, fiscal year 2019	253,253,000
Recommended in the bill	259,253,000
Bill compared with:	
Appropriation, fiscal year 2018	+13,348,000
Budget request, fiscal year 2019	+6,000,000

Recommended adjustments to classified programs and more detailed oversight of funding for the Office of Intelligence and Anal-

ysis are addressed in the classified annex accompanying this report.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2018	\$168,000,000
Budget request, fiscal year 2019 ¹	138,369,000
Recommended in the bill	162,369,000
Bill compared with:	
Appropriation, fiscal year 2018	- 5,631,000
Budget request, fiscal year 2019	+24,000,000

¹The budget request for fiscal year 2019 proposes a directed transfer of \$24,000,000 to this account from the Disaster Relief Fund appropriation, resulting in a total requested funding level for the OIG of \$162,369,000.

Mission

The DHS Office of Inspector General (OIG) conducts and supervises independent audits, investigations, and inspections of the programs and operations of DHS, and recommends ways for DHS to carry out its responsibilities in the most effective, efficient, and economical manner possible. The OIG is charged with deterring, identifying, and addressing fraud, abuse, mismanagement, and waste of taxpayer funds invested in DHS.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$168,000,000
Budget request, fiscal year 2019 ¹	138,369,000
Recommended in the bill	162,369,000
Bill compared with:	
Appropriation, fiscal year 2018	- 5,631,000
Budget request, fiscal year 2019	+24,000,000

¹The budget request for fiscal year 2019 proposes a directed transfer of \$24,000,000 to this account from the Disaster Relief Fund appropriation, resulting in a total requested funding level for the OIG of \$162,369,000.

The Committee recommends \$162,369,000 for Operations and Support, which includes direct funding of \$24,000,000 that was proposed in the budget request as a transfer from the FEMA Disaster Relief Fund. The Committee notes that the OIG also received \$25,000,000 in supplemental funding in the Bipartisan Budget Act of 2018 (Public Law 115–123), prior to the enactment of the fiscal year 2018 Consolidated Appropriations Act, to provide oversight of major disasters that occurred in 2017.

The Committee directs the OIG to review ICE’s implementation and oversight of the 287(g) program, including training, data collection, civil liberties protections, and complaint processes. The increase above the request is for increased unannounced inspections of immigration detention facilities and CBP holding processing facilities. ICE shall continue to publish the results of detention facility inspections and other reports related to custody operations activities on its public website.

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

Within 30 days of the date of enactment of this Act, the Inspector General shall report to the Committee on the implementation of and any interagency coordination associated with the previous policy of separating migrant families, the Executive Order issued on June 20, 2018 entitled “Affording Congress an Opportunity to Ad-

dress Family Separation,” and efforts made to reunify families separated under the previous family separation policy.

TITLE I—ADMINISTRATIVE PROVISIONS—THIS ACT

Section 101. The Committee continues a provision regarding grants or contracts awarded by means other than full and open competition and requires the Inspector General to review them and report the results to the Committees.

Section 102. The Committee continues a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 103. The Committee continues and modifies a provision requiring the Secretary, in conjunction with the Secretary of Treasury, to notify the Committees of any proposed transfers from the Department of Treasury Forfeiture Fund to any agency at DHS.

Section 104. The Committee continues and modifies a provision related to official costs of the Secretary and Deputy Secretary.

Section 105. The Committee continues by reference a provision requiring the Secretary to submit a report on visa overstay data and to post border security metrics on its website.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

Appropriation, fiscal year 2018	\$14,017,522,000
Budget request, fiscal year 2019	14,225,132,000
Recommended in the bill	17,776,257,000
Bill compared with:	
Appropriation, fiscal year 2018	+3,758,735,000
Budget request, fiscal year 2019	+3,551,125,000

Mission

The mission of U.S. Customs and Border Protection (CBP) is to enforce laws regarding the admission of foreign-born persons into the United States, facilitate the flow of legitimate trade and travel, and ensure all persons and cargo enter the U.S. legally and safely through official checkpoints at ports of entry.

Recommendation

With the exception of marijuana, over 80 percent of all drugs seized on the southwest border are interdicted at the ports of entry (POEs), yet only a small number of vehicles are scanned for contraband with non-intrusive inspection (NII) equipment. As the next step in efforts to expand detection capabilities, CBP is planning to assess and deploy multi-lane NII platforms that can safely automate the inspection process in the primary inspection lanes at land POEs.

To accelerate these efforts, the recommendation includes \$223,000,000 above the request, to include \$182,000,000 for the procurement of technology to initiate a five-year plan to screen 100 percent of all vehicles that cross the southwest border and \$41,000,000 to hire 140 canine teams and seven additional CBP officers to assist in screening. The funding level supports the continued operational assessment and requirements development process

for this effort. The combination of NII equipment, canine teams, and well-trained, highly skilled officers will allow CBP to combat the entry of illicit goods, narcotics, and humans being smuggled into the country, and end the exploitation of our southwest land POEs.

CBP is directed to update the multi-year strategic plan directed in the explanatory statement accompanying Public Law 115–141, not later than 90 days after the date of enactment of this Act, to account for this additional funding. CBP is also directed to brief the Committee on the results of the ongoing pilots upon their completion. This briefing shall include an assessment of each platform’s ability to increase vehicle inspection throughput at the ports without impacting primary operations for commercial and privately owned vehicles. CBP is further directed to update the Committee on the obligation of funds for NII acquisition as a part of the required quarterly obligation plans directed in title I of this report. The Committee expects any procurement of technology to be competitively awarded.

Because they are often smuggled or mailed in small amounts, opioids, such as fentanyl, are extremely difficult for CBP to detect. To address this challenge, the recommendation includes \$108,897,000 above the request for enhancements at international mail facilities (IMFs) and along high-risk drug pathways, including: \$9,797,000 for the hiring of 56 scientists and chemists at IMFs and field lab locations; \$1,600,000 for 20 additional mission and operations support staff; \$2,500,000 for field lab equipment; \$10,000,000 for the National Targeting Center’s (NTC) counter network capabilities; \$25,000,000 for port of entry technologies, to include the Border Security Deployment Program (BSDP) and license plate readers; \$40,000,000 for X-ray systems and hand-held detection systems for IMFs and express consignment facilities (ECFs); and \$20,000,000 for automated barcode reader technology to identify targeted packages at IMFs. CBP is directed to update the Committee on the obligation of these funds as a part of the required quarterly obligation plans directed in title I of this report.

The Committee understands CBP is currently developing plans to provide medical and mental health screening, triage, and referral services by specialized personnel to support unaccompanied children in USBP custody in high volume southwest border locations, and recommends an additional \$3,700,000 to continue this effort. The Committee is also concerned by the trauma experienced by children and their relatives, including parents, aunts, uncles, and grandparents, who have entered the United States fleeing violence, and makes available \$3,000,000 to provide on-site mental health services for children and their families at CBP facilities in southwest border locations, along with mental health training to officers and other personnel by mental health professionals specializing in trauma treatment.

The Committee remains aware of continued staffing shortages at our land, sea, and air POEs, to include IMFs and ECFs. While the current resource allocation model states that CBP requires over 26,815 officers for existing requirements at the POEs, the President’s discretionary budget makes no significant attempt to mitigate this gap. These critical shortages impact trade and travel across all types of POEs, to include airports, bridges, cruise ship

terminals and international rail crossings. To address these concerns, the recommendation includes funding for over 370 new CBP Officers above the request.

The southwest border is vast, with varied terrain ranging from the winding Rio Grande River to rugged mountains and dry desert. Temperatures can reach well beyond 100 degrees during the day in the summer months followed by cold temperatures at night. CBP shall continue its policies and activities that help protect people who have illegally entered the United States from the dangers inherent in crossing this terrain, including the prohibition on any activity by agents that could damage water and food caches and continued support for initiatives focused on increasing migration safety, such as the placement and maintenance of rescue beacons. While the Committee awaits the results of the rescue beacon survey and assessment detailed in House Report 115–239, the bill includes \$1,000,000 for additional rescue beacons.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$11,485,164,000
Budget request, fiscal year 2019	12,119,643,000
Recommended in the bill	12,002,072,000
Bill compared with:	
Appropriation, fiscal year 2018	+516,908,000
Budget request, fiscal year 2019	– 117,571,000

The fiscal year 2019 President’s budget request assumed \$157,000,000 in revenue collections available to CBP through the redirection of the Electronic System for Travel Authorization (ESTA) surcharge fee that currently supports Brand USA, a public-private partnership that promotes travel to the United States by foreign visitors. The Committee notes that the 2014 reauthorization of the Brand USA surcharge extends through fiscal year 2020; any change to the current program would require the enactment of new authorization legislation that is not under the jurisdiction of this Committee.

The recommendation supports the full cost of annualizing the salaries and benefits of staff CBP currently expects to hire during fiscal year 2018. In addition, the recommendation includes partial-year funding for new positions that were proposed in the fiscal year 2018 budget request but for which appropriations were not provided in the fiscal year 2018 Appropriations Act.

Increases above the request include: \$10,000,000 for innovation technology; \$1,000,000 for rescue beacons; \$18,500,000 for Border Patrol hiring bonuses for personnel at remote locations and stations with the highest attrition; \$17,500,000 for technology upgrades to the Mobile Surveillance Capability (MSC) system and for an Unmanned Aerial Systems (UAS) demonstration; \$1,000,000 for Carrizo cane control efforts; \$23,492,000 to annualize the cost of CBP officers hired in fiscal year 2018; \$35,565,000 for new CBP officers; \$13,800,000 for the new National Vetting Center; \$5,000,000 for the Automated Targeting System (ATS) to focus on trade efforts; and \$31,000,000 for increased Air and Marine Operations (AMO) flying hours.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Border Security Operations		
U.S. Border Patrol		
Operations	\$3,987,892,000	\$3,843,187,000
Assets and Support	708,952,000	654,917,000
Office of Training and Development	82,263,000	55,124,000
Subtotal, Border Security Operations	4,779,107,000	4,553,228,000
Trade and Travel Operations		
Office of Field Operations		
Domestic Operations	2,780,958,000	3,007,928,000
International Operations	156,669,000	144,667,000
Targeting Operations	253,492,000	261,737,000
Assets and Support	876,866,000	902,174,000
Office of Trade	272,118,000	252,715,000
Office of Training and Development	47,268,000	47,268,000
Subtotal, Trade and Travel Operations	4,387,371,000	4,616,489,000
Integrated Operations		
Air and Marine Operations		
Operations	310,176,000	331,287,000
Assets and Support	531,231,000	531,231,000
Air and Marine Operations Center	45,846,000	37,812,000
Office of International Affairs	44,244,000	39,636,000
Office of Intelligence	64,696,000	66,049,000
Office of Training and Development	5,633,000	6,010,000
Operations Support	109,762,000	107,416,000
Subtotal, Integrated Operations	1,111,588,000	1,119,441,000
Mission Support		
Enterprise Services	1,508,632,000	1,468,758,000
(Harbor Maintenance Trust Fund)	(3,274,000)	(3,274,000)
Office of Professional Responsibility	224,871,000	187,651,000
Executive Leadership and Oversight	108,074,000	106,505,000
Subtotal, Mission Support	1,841,577,000	1,762,914,000
Adjustments to Pay Assumptions	---	-50,000,000
Total, Operations and Support	\$12,119,643,000	\$12,002,072,000

The Committee looks forward to a briefing on a comprehensive, multi-year recruitment and retention strategy, as directed in the explanatory statement accompanying Public Law 115–141. To further address Border Patrol agent retention, the recommendation includes \$18,500,000 for targeted bonuses specifically focused on personnel assigned to hard-to-fill locations and locations with significant attrition. Not later than 60 days after the date of enactment of this Act, CBP shall brief the Committee on the policy and execution plans for these targeted bonuses.

The Committee continues to urge the development of a staffing model to inform the hiring of Border Patrol agents and AMO personnel. As directed in the explanatory statement accompanying Public Law 115–141, CBP shall continue to brief the Committee quarterly on its progress toward the development of a comprehensive assessment of CBP-wide capability gaps, to include personnel.

Also as directed in the explanatory statement accompanying Public Law 115–141, CBP shall continue to post to its website a combined table of CBP interdictions of currency and major categories of drugs, delineated by seizures at and between the POEs, and at checkpoints.

Section 231 of division F of Public Law 115–141 requires the Secretary to submit to the Committee, by September 19, 2018, a risk-based plan for improving security along the borders of the United

States, including the use of personnel, fencing, other forms of tactical infrastructure, and technology. The Committee looks forward to receiving that plan and expects it to inform future budget requests.

CBP recently announced that it was beginning a six-month testing period at nine field sites for its Incident-Driven Video Recording Systems program, which will combine body worn cameras, vehicle mounted cameras, and fixed cameras in operational environments along the U.S. land border, at and between POEs, and at international airports and seaports. CBP is directed to provide a briefing to the Committee on the results of the pilot upon its completion and assessment, including details on lessons learned for policy, privacy, and resource requirements.

As previously directed in House Report 115-239, CBP shall continue to report to the Committee the following: the number of detainees held by CBP for more than 48 and 72 hours, respectively; allegations related to employee corruption and use of force abuses; and checkpoint, transportation checks, and roving patrol stop operations.

The Committee notes that CBP is taking steps to improve the efficiency and effectiveness of its automated cargo processing system for tractor-trailers crossing the nation's land borders, including a proof-of-concept pilot at the World Trade Bridge POE in Laredo, Texas. The Committee urges CBP to continue to prioritize these activities and directs CBP to provide a briefing on its efforts to improve automated commercial cargo processing at land POEs not later than 60 days after the date of enactment of this Act. The Committee encourages CBP to leverage the concept of operations for the World Trade Bridge proof-of-concept pilot to make concurrent investments in technology and screening processes that would maximize the flow of commercial cargo through U.S. Border Patrol checkpoints, particularly the checkpoint located on I-35 North; the Committee notes that if this checkpoint were a POE, it would be the fourth busiest one for commercial vehicles.

The Committee directs CBP to provide regular updates on its progress in addressing the recommendations identified in GAO-17-765T, related to the management of surveillance technology plans and programs; GAO-17-618, related to trade enforcement planning; and GAO-18-119, related to data quality and effectiveness of Border Patrol surveillance technology.

In an effort to enhance CBP mission integration, the Commissioner directed the creation of a working group in 2017 to improve coordination between AMO and the USBP. The Commissioner recently approved the working group's recommendations, which are now being implemented, including: the establishment of a small UAS program of record managed by USBP; the initiation of an 18-month maritime pilot program allowing unrestricted USBP maritime operations and expanding the Supplemental Vessel Crewmember Program, which allows Border Patrol agents to augment the activity of AMO vessels operating on the Great Lakes; and the establishment of executive councils, consisting of the Commissioner and the leadership of AMO and USBP, who meet regularly to discuss the Border Patrol's flight hour requirements and AMO's ability to meet them. The Committee supports these efforts and directs CBP to provide regular updates on them.

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

The Committee encourages the Department to utilize its authority to accept donations from the private sector, nongovernmental organizations, and other groups independent of the federal government, including medical goods and services, school supplies, toys, clothing, and any other items intended to promote the wellbeing of alien children in the custody of CBP.

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

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

The Committee commends the Department's efforts to help facilitate the development of common or complementary approaches with Mexico in areas of mutual, including facilitating the cross-border transit of low-risk cargo and passengers and combatting cross-border violence and criminal networks. The Committee encourages the Department, in cooperation with the Department of State, to continue these efforts with the new Mexican administration and to explore new opportunities for cooperation, such as through the establishment of a cross-border working group, and to report back to the Committee within 90 days of the date of enactment of this Act on progress made in this regard.

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

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

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

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

Border Security Operations

Following the completion of multi-year pilot efforts for the control of Carrizo cane along the Rio Grande River in Texas, CBP and the U.S. Department of Agriculture plan to initiate a long term Carrizo cane control program in fiscal year 2018 that will employ both mechanical topping and the use of biological control agents. The recommendation includes an increase of \$1,000,000, for a total of \$2,000,000, to accelerate these efforts in fiscal year 2019. CBP should continue to coordinate with the Texas State Soil and Water Conservation Board and other stakeholders on control efforts. The Committee directs CBP to provide updates on the performance of this program with regard to increased visibility, biomass reduction, and miles of river treated.

The Committee directs CBP to provide a briefing not later than 90 days after the date of enactment of this Act, on the operational evaluation of acoustic hailing device equipment, including pilot and demonstration projects in the Imperial Beach and Calexico Border Patrol stations.

The Committee encourages CBP to explore options to integrate Small Unmanned Aerial Systems (sUAS) with MSC to allow for the distribution of real-time aerial surveillance data to agents in the field and to expand the surveillance capability of the MSC platform. Of the funds made available under this heading, not less than \$2,500,000 shall be used to conduct a technical demonstration to develop the requirements and concept of operations for the integration of sUAS with MSC.

Border Patrol sector chiefs often have the most comprehensive understanding of the challenges faced in their geographic area of responsibility. The Committee encourages all state, local, tribal, and federal law enforcement agencies working in the southwest border region to collaborate and operationally coordinate, when feasible, with sector chiefs in their respective geographical regions.

Within 90 days of the date of enactment of this Act, CBP shall brief the Committee on its search and rescue efforts for fiscal year

2018, as detailed in House Report 115–239, with a particular emphasis on the Border Patrol’s policies, methodology, and oversight related to how migrant deaths are counted. Additionally, the Committee continues to direct CBP to report the death of any individual in CBP custody, in the temporary custody of other law enforcement agencies on behalf of CBP, or subsequent to the use of force by CBP personnel within 24 hours, including relevant details regarding the circumstances of the fatality.

Trade and Travel Operations

The Committee recommends \$13,800,000 to support the initial stand-up costs for the National Vetting Center, to include a case management tool, ATS software enhancements, and 20 new positions. Additionally, \$5,000,000 is provided to enhance ATS information integration in support of more effective identification of high-risk trade patterns and entities.

While the Office of Field Operation’s (OFO) resource allocation model has greatly improved its ability to make informed staffing decisions, the Committee understands that CBP must routinely update the model to account for new trade and travel data and to address any newly identified gaps, including airport expansions. Any modifications to the model shall be described in future budget submissions. To avoid law enforcement and security sensitivities, CBP is encouraged to provide staffing requirements at the field office level. Additionally, not later than 60 days after the date of enactment of this Act, CBP shall brief the Committee on resource shortfalls on the northern and southern borders compared to levels prescribed by the resource allocation model for rail crossings and POEs in the land, air, and sea environments, including cruise ship terminals.

The Committee recognizes the need for uniform application and enforcement of coastwise laws across the nation. CBP shall devote not less than \$1,000,000 to its Jones Act Division of Enforcement.

The duty drawback program, including the Accelerated Payment privilege, is an important export-promotion tool for U.S. manufacturers, exporters, and workers. Accelerated Payment claims must meet all applicable legal requirements for a complete claim using the calculation methodology that is established by CBP regulation. The Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA) significantly changed the circumstances under which drawback can be claimed, and required the development of a new drawback calculation methodology to be codified in an updated regulation. The Committee understands that review of the proposed regulation has taken a significant amount of time, but TFTEA was explicit in requiring that the regulations for determining the calculation of amounts refunded as drawback be prescribed within two years of the date of enactment, or February 24, 2018. The Committee finds the lack of progress towards meeting this statutory requirement to be unacceptable, particularly because it undermines the one-year transition period for allowing drawback claims under both the new and old rule, which is set to expire on February 24, 2019. Therefore, the Committee directs DHS, Treasury, and OMB to take immediate steps to: (1) expedite the completion of the regulation; (2) provide the Committee and the Committee on Ways and Means with an anticipated completion timeline; and (3) provide up-

dates to the Committee and the Committee on Ways and Means every 60 days on progress until the completion and release of the regulation.

The Committee directs CBP to provide a detailed expenditure plan for biometric exit activities within 90 days of the date of enactment of this Act, as directed in House Report 114–668.

Following a number of CBP litigation setbacks, settlements, and administrative errors, CBP determined that a number of companies received incorrect payments of collected duties under the Continued Dumping and Subsidy Offset Act (CDSOA). CBP has now directed domestic companies that received incorrect payments to return those payments, which the Committee believes poses an unfair burden on them. CBP is directed to determine the impact of such repayments on U.S. producers and to notify the Committee prior to recouping such payments or reducing future payments. The Committee further directs CBP to develop strategies that will allow for more accurate CDSOA payments in the future.

After the bombing of the Alfred P. Murrah Federal Building in Oklahoma City in 1995, the Interagency Security Committee (ISC) was established to create safety standards for federal buildings. Those standards play a crucial role in keeping federal employees safe today. Consistent with ISC standards, the Committee encourages CBP to work closely with local governments to grant reasonable requests for easements and other accommodations to encourage pedestrian and bicycle traffic in congested urban environments without jeopardizing the safety of the federal workforce.

The Committee encourages CBP to work with U.S. Citizenship and Immigration Services to provide lawful permanent residents who arrive at POEs with information about the naturalization process and to encourage them to apply for citizenship.

Our nation's air, land, and sea POE facilities are in need of improvements and modernization to enhance and improve the Department's efforts to secure our borders and facilitate legitimate travel, trade, and commerce. The Committee directs the Department to submit a report that details its prioritization of POE infrastructure capital investment projects, the methods and models used to determine prioritization, and an overview of Public-Private Partnership agreements.

Within 90 days of the date of enactment of this Act, CBP shall update for fiscal year 2019 the report on overtime for CBP officers described in House Report 115–239. In addition, CBP is directed to continue working with the U.S. Department of Agriculture to better leverage existing staff to address the agriculture inspection workload, such as through the authorization of additional work hours or dual certification, and to report back to the Committee on its efforts within 90 days of the date of enactment of this Act.

The Committee remains concerned that the agency has adopted a policy that disallows drawback claims under section 1313(j)(2) for refund of taxes imposed on certain imported products. As noted in House Report 114–668, CBP is required to refund any duties, taxes, and fees imposed on imported products if they are later exported or destroyed, or if commercially interchangeable products manufactured in the United States are subsequently exported. Additionally, CBP is expected to comply with the direction in the ex-

planatory statement accompanying Public Law 115–141 with respect to drawbacks.

Consistent with House Report 114–668, the Committee strongly encourages CBP to give priority consideration to an application for POE status to any user fee airport that served at least 75,000 deplaned international passengers in the previous calendar year.

The recommendation includes not less than \$25,000,000 for upgrades to POE technology, to include the BSDP and license plate reader technology.

CBP should continue to provide regular updates on its public website regarding progress in implementing recommendations from GAO–16–542, related to anti-dumping and countervailing duties, and on the status of implementing the requirements of Executive Order 13785, *Establishing Enhanced Collection and Enforcement of Antidumping and Countervailing Duties and Violation of Trade and Customs Laws*.

The Committee is concerned by the continued ability of international drug traffickers to import significant quantities of deadly narcotics by exploiting vulnerabilities in our mail systems. The establishment of Advance Electronic Data (AED) targeting capabilities at five IMFs is a positive step, and CBP should quickly expand the program to additional facilities. CBP is directed to keep the Committee updated on the staffing and technological resources needed to more effectively interdict illicit drugs channeled through IMFs and ECFs.

CBP is directed to continue working with Great Lakes seaports, cruise vessel operators, and other stakeholders to develop a cruise passenger clearance plan, and shall continue using mobile onboard passenger clearance technology until such time as that plan has been implemented. The Committee looks forward to receiving the briefing on this issue required by the explanatory statement accompanying Public Law 115–141.

The Committee directs CBP to provide a report not later than 90 days after the date of enactment of this Act on its implementation of current law with respect to parole for vessel lightering activities, to include import and export of crude oil in ship-to-ship transfer operations.

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

Integrated Operations

In order to increase surveillance capabilities on the southwest border, the Committee recommends an additional \$31,000,000 for increased AMO flight hours. These funds may be used for increased aircrew personnel; support staffing; contract pilots for training or surge operations; equipment upgrades; training; maintenance; fuel; and spares. Not later than 30 days after the date of enactment of this Act, AMO shall brief the Committee on execution plans for the funds, to include potential out-year resource requirements and the number of flight hours that can be achieved with the funding.

The Committee recommends \$37,812,000 for the Air and Marine Operations Center to reflect more accurate staffing needs based on fiscal year 2018 hiring.

The Committee notes that CBP uses an oversight framework and procedures that ensure that the use of its UAS is in compliance with privacy and civil liberty laws and standards. To effectively monitor such compliance, the Committee expects DHS to track the number of times these systems are used along the border, in a maritime environment, or in support of state, local, and tribal law enforcement entities, and directs DHS to make this information publicly available.

Mission Support

As CBP continues to struggle to onboard new agents and officers, the Committee again encourages CBP to use exhibitions of the Border Patrol Pistol Teams as a recruitment tool, particularly if paired with the establishment of a marksmanship program.

The Committee understands that CBP is carrying out a Southern Border Threat Assessment to help inform future border security investments, including the appropriate mix of personnel, technology, and infrastructure. To accelerate the efficient acquisition of border security technologies and maximize industry expertise, the Committee urges the Department and CBP to explore and expand the use of rapid and non-traditional acquisition tools, such as Other Transaction Authority and innovative commercial solutions authority provided under section 880 of Public Law 114–328.

In addition, the Committee believes that DHS and CBP would benefit from early collaboration with industry stakeholders on the analysis of border security requirements, identification of available technologies, design of technology and system architectures, measurement of investment effectiveness, and selection of acquisition strategies. To that end, the Committee urges DHS and CBP to encourage industry efforts to establish consortia through which industry participants could collaborate to better inform CBP’s border security requirements and provide more effective border security solutions. To the extent that existing authorities constrain the ability to contract with such consortia, DHS is directed to provide technical assistance to the Committee to identify statutory changes required to facilitate such contracting.

To improve oversight on the execution of funding for personnel, the Committee directs CBP to submit a report not later than 15 days after the end of each month on staffing numbers, to include gains and losses by pay period during the month.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$2,281,357,000
Budget request, fiscal year 2019	1,841,548,000
Recommended in the bill	5,510,244,000
Bill compared with:	
Appropriation, fiscal year 2018	+3,228,887,000
Budget request, fiscal year 2019	+3,668,696,000

The Committee includes the following increases above the request: \$3,273,696,000 for border infrastructure; \$3,000,000 for Cross Border Tunnel Threats; \$10,000,000 for continued efforts on innovative towers; \$40,000,000 for the Remote Video Surveillance System; \$10,000,000 for sUAS, to include nano-UAS; \$16,000,000 for linear ground detection capabilities; \$182,000,000 for NII to increase vehicle and cargo scanning on the southern border;

\$40,000,000 for X-ray systems and hand-held detection systems for IMFs and ECFs; \$20,000,000 for automated barcode reader technology to identify targeted packages at IMFs; \$15,000,000 for Automated Commercial Environment enhancements for collections and post core development; \$30,000,000 for one additional multi-role enforcement aircraft, to include a VADER sensor; and \$29,000,000 for one additional large-scale UAS, to include a ground station and an associated VADER sensor.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Procurement, Construction, and Improvement		
Border Security Assets and Infrastructure	\$1,647,304,000	\$5,000,000,000
Trade and Travel Assets and Infrastructure	44,237,000	301,237,000
Integrated Operations Assets and Infrastructure		
Airframes and Sensors	83,241,000	142,241,000
Construction and Facility Improvements	48,222,000	48,222,000
Mission Support Assets and Improvements	18,544,000	18,544,000
Subtotal, Procurement, Construction, and Improvements	\$1,841,548,000	\$5,510,244,000

CBP is to be commended for pursuing innovative technologies that improve situational awareness and operational control of our border. The Committee notes efforts to pilot a technology platform east of San Diego that combines smart object detection sensors with machine learning and computer vision capabilities, which should improve the assessment and classification of perimeter threats along the border and enable the more efficient deployment of CBP resources. Based on the results of the initial pilot, the Committee encourages CBP to pursue additional deployments along the northern and southern borders.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Appropriation, fiscal year 2018	\$7,075,874,000
Budget request, fiscal year 2019	8,291,530,000
Recommended in the bill	7,403,510,000
Bill compared with:	
Appropriation, fiscal year 2018	+327,636,000
Budget request, fiscal year 2019	- 888,020,000

Mission

U.S. Immigration and Customs Enforcement (ICE) enforces federal laws governing border control, customs, trade, and immigration to promote homeland security and public safety.

Homeland Security Investigations (HSI) is responsible for disrupting and dismantling transnational criminal threats facing the United States. HSI special agents also conduct national security investigations targeting violations of the nation's customs and immigration laws.

Enforcement and Removal Operations (ERO) enforces the nation's immigration laws by identifying and apprehending removable aliens, detaining apprehended individuals when necessary, and removing them from the United States in a manner consistent with legal processes and procedures.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$6,993,975,000
Budget request, fiscal year 2019	8,221,099,000
Recommended in the bill	7,333,079,000
Bill compared with:	
Appropriation, fiscal year 2018	+339,104,000
Budget request, fiscal year 2019	-888,020,000

The recommendation includes funding for over 400 additional personnel and for 44,000 detention beds, an increase of 3,480 beds above the 2018 enacted level. The recommendation does not assume the requested \$207,000,000 in Immigration Examination User Fee revenue to help offset costs for eligible activities in this account due to concerns with the impact to U.S. Citizenship and Immigration Services (USCIS) operations and the growing backlog in applications for immigration benefits.

The following increases are included above the request: \$10,000,000 to sustain fiscal year 2018 enhancements for the Child Exploitation Investigations Unit and the Angel Watch Center; \$9,200,000 for the Human Exploitation Rescue Operative (HERO) Corps program, of which \$1,500,000 is for paid apprenticeships and \$1,000,000 is for an increase of eight Computer Forensics Analysts (CFA) for the Child Victim Identification Program; \$10,000,000 for the Victim Assistance Program; \$1,300,000 for an interoperable, nationwide information sharing platform; \$2,000,000 for upgrades to the Sexual Offender Registration and Notification Act exchange portal; \$7,000,000 for the Biometric Identification Migration Alert Program (BITMAP); \$21,000,000 for the Visa Security Program; \$3,000,000 for self-service kiosks that facilitate check-ins by individuals on the non-detained docket; and \$28,000,000 for 19,000 more daily Alternatives to Detention (ATD) participants.

The Committee directs ICE, with CBP, USCIS, and the Office of the Chief Financial Officer to provide the Committee with regular updates on apprehensions, the average daily population (ADP) in ICE detention, asylum claims, the number of prosecution referrals to DOJ, and the number of referrals accepted by DOJ. These updates should also include information on how the Department is executing its current year and fiscal year 2019 funding compared to the enacted appropriations levels.

The Committee reminds the Department and ICE that while Public Law 115-141 provides authority to address unanticipated detention needs within the Operations and Support appropriation, they must carefully consider the budgetary impacts of any new enforcement policies prior to their implementation.

The Committee is concerned by the trauma that has been suffered by children and their relatives, including parents, aunts, uncles, and grandparents, entering into the United States, many of whom are fleeing violence. The Committee provides \$3,000,000 to provide on-site mental health services for children and their families and mental health training to officers and staff by mental health professionals specializing in trauma treatment at ICE detention facilities.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Homeland Security Investigations		
Domestic Investigations	\$1,385,777,000	\$1,621,594,000
International Investigations	150,691,000	180,997,000
Intelligence	73,799,000	74,794,000
Subtotal, Homeland Security Investigations	1,610,267,000	1,877,385,000
Enforcement and Removal Operations		
Custody Operations	3,520,476,000	3,050,447,000
Fugitive Operations	255,864,000	149,384,000
Criminal Alien Program	619,109,000	290,321,000
Alternatives to Detention	184,446,000	213,142,000
Transportation and Removal Program	511,058,000	408,056,000
Subtotal, Enforcement and Removal Operations	5,090,953,000	4,111,350,000
Mission Support	1,214,436,000	1,086,730,000
Office of the Principal Legal Advisor	305,443,000	257,614,000
Total, Operations and Support	\$8,221,099,000	\$7,333,079,000

The Committee fully supports ICE's efforts to enhance public safety in the interior of the United States through the enforcement of immigration laws and believes doing so strengthens the security of the nation. To that end, the bill includes funding for additional personnel and detention beds. The Committee expects ICE to continue to prioritize the apprehension and removal of criminal aliens and those individuals who pose a risk to national security and public safety, as described in Executive Order 13768.

In the execution of these activities, ICE should ensure that field personnel, including ERO officers, are appropriately trained on all agency policies and procedures involving detained parents and legal guardians, including ICE's directive on the Detention and Removal of Alien Parents or Legal Guardians and time of arrest protocols to minimize harm to children.

Additionally, the Committee understands it is ICE's policy that enforcement actions at sensitive locations—identified as schools, healthcare facilities, places of worship, religious or civil ceremonies or observances, and public demonstrations—should generally be avoided, and require either prior approval from an appropriate supervisory official or exigent circumstances necessitating immediate action. The policy is intended to ensure that anyone seeking to participate in activities or utilize services provided at such locations are free to do so without fear or hesitation. The Committee expects ICE to continue to follow this policy, which balances the requirement to enforce the law with the impacts that these actions may have on communities.

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

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

The Committee notes with concern the detention of members of religious minorities from Iraq, particularly the Iraqi Chaldean Christian community, by Immigration and Customs Enforcement for possible deportation. Congress and the Department of State have recognized that a genocide has been committed against

Chaldeans and other religious minorities in Iraq. The Committee recommends that ICE refrain from prioritizing the deportation of people who will be subject to violent persecution and death in their countries of origin.

Homeland Security Investigations

The recommendation includes \$12,000,000 to sustain fiscal year 2018 enhancements for the Child Exploitation Investigations Unit, the Angel Watch Center, and the Computer Forensics Analyst (CFA) pilot. The Committee notes that the pilot is intended to provide career advancement options for existing HERO personnel, not new HERO graduates. An additional \$1,500,000 is made available for paid apprenticeships for HERO Child Rescue Corps participants during the field portion of their apprenticeships, and an additional \$1,000,000 is provided for an increase of eight CFAs for the Child Victim Identification Program. Additionally, \$2,000,000 is provided for upgrades to the Sexual Offender Registration and Notification Act exchange portal.

Within the total, not less than \$1,300,000 is provided to support an interoperable, nationwide information sharing platform related to the relationships of gang members, the identification of trafficking routes, and federal coordination between ICE, CBP, and DOJ.

ICE plays a critical role in investigating criminal organizations that traffic individuals into and within the United States. The Committee encourages ICE to work with appropriate nonprofit organizations and victim service providers to improve the training of ICE officers in the field to assist in the identification of human trafficking victims and provide appropriate referrals to victim service organizations.

The Committee recommends an increase of \$10,000,000 for the HSI Victim Assistance Program for additional Victim Assistance Specialists (VAS), Forensic Interview Specialists, and related personnel, in addition to the program's base funding level of \$7,653,893. These additional resources are intended to ensure that HSI's victim assistance capability is commensurate with that of other federal law enforcement agencies, and will enable the placement of a VAS with every human trafficking task force in which HSI participates.

The total includes not less than \$305,000 for promoting public awareness of the child pornography tip line and not less than \$15,770,000 for investigations of forced labor law violations, to include forced child labor. ICE is directed to continue to submit an annual report on expenditures and performance metrics associated with forced labor law enforcement activities.

The Committee supports not less than \$15,000,000 for intellectual property law enforcement through the work of HSI and the National Intellectual Property Rights (IPR) Coordination Center, and directs ICE to ensure that the National IPR Center is properly staffed to facilitate continued enforcement actions against the theft of U.S. intellectual property, particularly online, as required in Public Law 114–125. Based on a new wave of digital copyright piracy involving devices and software that connect consumers' televisions directly to copyright-theft sites, the Committee directs ICE

to increase investigations and enforcement to thwart illicit streaming involving media boxes and televisions.

The recommendation includes \$20,000,000 for the Biometric Identification Migration Alert Program (BITMAP), \$7,000,000 above the request. Not later than 60 days after the date of enactment of this Act, DHS shall brief the Committee on the execution of the additional funding and on BITMAP efforts and expansion.

Within the total for International Investigations, the Committee recommends \$65,000,000 for the Visa Security Program, \$5,000,000 above the fiscal year 2018 enacted level and \$21,000,000 above the request, to continue the expansion of the program. Not later than 60 days after the date of enactment of this Act, ICE shall brief the Committee on expansion plans and on efforts to implement the recommendations in GAO-18-314, *Actions Needed to Strengthen Performance Management and Planning for Expansion of DHS's Visa Security Program*.

Within 90 days of the date of enactment of this Act, ICE is directed to brief the Committee on its plan and schedule for completing its ongoing evaluation of the potential use of body worn cameras in its field enforcement activities. The Committee notes that CBP has conducted studies on their use of body worn cameras and encourages ICE to coordinate with CBP on lessons learned.

Enforcement and Removal Operations

The Committee recommends an increase of \$35,000,000 above the budget request for the ATD program, and directs ICE to prioritize ATD participation for vulnerable populations, including families. Within the total, \$28,000,000 shall be for additional capacity in the current ATD program and \$7,000,000 shall be for the first year of a five-year family case management pilot program (FCMP) that leverages holistic case management strategies to improve participant compliance with immigration court adjudication obligations. The pilot shall include an annual average of not fewer than 1,000 head of household participants ICE should use lessons learned from the February 2018 *Family Case Management Close-out Report* to inform the design and implementation of this new pilot, and shall brief the Committee prior to initiating the pilot.

Funding provided under Custody Operations supports the hiring of additional personnel, including personnel to help manage the increased number of ATD participants and participants in the FCMP.

The Committee directs GAO to provide to the Committee an annual review of the FCMP pilot, with a particular focus on the design, implementation, performance, and costs of the pilot when compared to a "control population" of ATD participants that receive traditional case management support. ICE is strongly encouraged to consult with GAO on best practices for the design, implementation, and evaluation of pilot programs prior to the initiation of this pilot.

Additionally, ICE is directed to work with the Department of Justice to better prioritize the adjudication of the cases of families, such as enrolling families on ATD, including the FCMP, onto the detained docket, which should ensure that their cases would be heard just as quickly as if they were in detention. While the immigration adjudication process for families enrolled in ATD has historically taken years, the process could be significantly shortened

if the immigration courts were to make the adjudication of family cases a top priority.

ICE shall continue to report and/or make public the following, as detailed in House Report 115–239, and shall follow the previously directed timeframes unless otherwise specified:

—Semi-annual update on UACs who age out while in ORR custody.

—Secure Communities report.

—Requirements related to detention facility inspections; death in custody reporting, with subsequent reporting to be released within 90 days of the initial report unless additional time is required for redacting personally identifiable information; access to facilities; detainee locator information; changes to the current detention facility category and inspection framework; and compliance with the 2011 Performance Based National Detention Standards (PBNDS 2011) and Prison Rape Elimination Act requirements.

—Weekly Rate of Operations for Custody Operations.

The Department shall continue to submit data on the deportation of parents of U.S.-born children semiannually, as in prior years, and shall also report on removals of honorably discharged members of the armed services. Additionally, the Committee directs ICE to provide a semi-annual report to the Committee detailing the number of individuals, by field office, who are detained by ICE for removal from the United States but are subsequently determined to be U.S. Citizens, along with the average and median lengths of stay in detention for such individuals. The report should also describe ICE's process for adjudicating claims of U.S. citizenship by individuals it arrests for removal from the United States; major impediments to more quickly resolving such claims; and ICE's efforts to mitigate those impediments. The report shall also include details on the number of DACA recipients detained. The first report is due within 90 days of the date of enactment of this Act.

ICE should ensure that operators of family detention facilities do not prevent co-sleeping by parents and their young children, which can be a source of comfort to children in unfamiliar circumstances.

Section 287(g) of the Immigration and Nationality Act authorizes ICE to enter into memoranda of understanding with state and local law enforcement entities, through which ICE delegates limited authority to enforce federal immigration laws within their jurisdictions under ICE's direct supervision. These agreements serve as an extension of the Criminal Alien Program by directly supporting ICE's efforts to determine the immigration status of individuals taken into custody by local law enforcement in the course of their normal law enforcement duties. With the implementation of Executive Order 13768, *Enhancing Public Safety in the Interior of the United States*, the number of agreements has increased from 31 to 78, with additional agreements coming on line in the coming months. The Committee supports ICE's efforts to increase the number of state and local law enforcement entities participating in the 287(g) program in order to identify criminal aliens and recommends the requested level of \$75,520,000 to support the 287(g) program, which is \$51,200,000 more than the fiscal year 2018 level.

ICE is required to continue its regular use of steering committees for each jurisdiction, including the participation of external stake-

holders, to monitor the performance and oversight of 287(g)-designated officers, and shall also continue to provide an annual 287(g) report, as detailed in House Report 115–239, which should also describe any plans for future expansion of or changes to the use of its 287(g) authority.

The Committee also expects ICE, the Office of Inspector General (OIG), and the Office for Civil Rights and Civil Liberties to continue providing rigorous oversight of the 287(g) program, and directs ICE to notify the Committee prior to implementing any significant changes to the program, including any changes to training requirements, data collection, or selection criteria.

Due to the high up-front costs associated with expanding ICE-owned Service Processing Centers, the Committee urges that increases to detention capacity during fiscal year 2019 be achieved through an expansion of private sector contracts, Inter-governmental Service Agreements (IGSA), and Inter-governmental Agreements (IGA).

ICE shall provide a report to the Committee, not later than 90 days after the date of enactment of this Act, identifying for each detention contract, IGSA, or IGA the detention standards under which it is inspected and the status of its compliance with Prison Rape Elimination Act (PREA) standards; all fiscal year 2018 costs by category, as appropriate; and the number of authorized and average number of on-board medical and mental health personnel, if any, during the fiscal year. In addition, the Director of ICE shall continue to report to the Committees at least 30 days in advance of entering into any new or significantly modified detention contract or other detention agreement that does not meet or exceed the Performance-Based National Detention Standards 2011, as revised in 2016. Each report shall include a justification for why such contract or agreement requires different standards.

According to ICE, 89 percent of its ADP in detention is housed in facilities that are contractually required to comply with either DHS PREA standards or Department of Justice PREA standards. Under PREA, DHS is required to bring detention facilities into compliance when entering into any new, renewed, or substantively modified detention contracts. Because detention contracts are of an indefinite duration, however, ICE has been unable to provide a schedule under which PREA standards will apply to 100 percent of its detention facilities. Within 30 days of the date of enactment of this Act, ICE is directed to provide an estimate to the Committee for the cost of bringing the remaining detention facilities into compliance with PREA standards by the end of fiscal year 2019.

Within 30 days of the date of enactment of this Act, ICE is directed to brief the Committee on its progress in implementing the five recommendations made by the OIG in its recent report on detention standards (OIG–18–67). In addition, the Committee directs GAO to follow-up on the OIG report by examining ICE’s management and oversight of detention facilities, including the extent to which DHS has (1) effective mechanisms in place to monitor compliance with applicable detention facility standards, including implementation of corrective actions; and (2) effective processes in place for obtaining and addressing complaints from aliens in detention facilities. GAO shall provide a preliminary briefing to the

Committee on its findings within 180 days of the date of enactment of this Act.

Individuals detained in ICE detention facilities can voluntarily participate in work programs at those facilities, doing jobs such as cooking, laundry, and providing janitorial services. The Committee is aware of reports, however, that some detainees have been pressured to perform such work and were penalized if they refused. The OIG is directed to review ICE policies and oversight of contract detention facilities related to detainee work programs, with a particular focus on how ICE can ensure that such work is strictly voluntary.

The Committee directs ICE to make public the following statistics, to be updated monthly: the average bond amount for detainees; the percentage of detainees released after paying a bond; the average length of detention for individuals who are released on bond; and the average length of detention for individuals offered release on bond who remain in detention because they do not pay the bond.

ICE is directed to continue to provide performance reports to the Committee on the ATD program, as described in House Report 114–668. The analysis should also include ATD enrollment by field office, type of supervision, and arresting agency, as well as the average length of enrollment by type of supervision. In addition, the report shall include ICE guidance for referral, placement, escalation, and de-escalation decisions in ATD programs.

The Committee directs ICE to incorporate access to “know your rights” presentations at the point of enrollment for all ATD programming, and to explore opportunities to work with community based organizations that directly provide case management services, including referrals to services already available in the community that are associated with higher ATD compliance rates.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$81,899,000
Budget request, fiscal year 2019	70,431,000
Recommended in the bill	70,431,000
Bill compared with:	
Appropriation, fiscal year 2018	– 11,468,000
Budget request, fiscal year 2019	– – –

The Committee recommends \$70,431,000, for Procurement, Construction, and Improvements, as requested.

TRANSPORTATION SECURITY ADMINISTRATION

Appropriation, fiscal year 2018	\$7,395,355,000
Budget request, fiscal year 2019	7,236,173,000
Recommended in the bill	7,318,161,000
Bill compared with:	
Appropriation, fiscal year 2018	– 77,194,000
Budget request, fiscal year 2019	+81,988,000

Mission

The Transportation Security Administration (TSA) is charged with protecting U.S. transportation systems, while ensuring the freedom of movement of people and commerce.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$7,207,851,000
Budget request, fiscal year 2019	7,075,950,000
Recommended in the bill	7,167,778,000
Bill compared with:	
Appropriation, fiscal year 2018	- 40,073,000
Budget request, fiscal year 2019	+91,828,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Aviation Screening Operations		
Screening Workforce		
Screening Partnership Program	\$181,382,000	\$181,382,000
Screener Personnel, Compensation, and Benefits	3,191,783,000	3,294,783,000
Screener Training and Other	218,738,000	218,738,000
Airport Management	647,541,000	647,541,000
Canines	152,226,000	161,686,000
Screening Technology Maintenance	382,927,000	382,927,000
Secure Flight	113,882,000	113,882,000
Subtotal, Aviation Screening Operations	4,888,479,000	5,000,939,000
Other Operations and Enforcement		
Inflight Security		
Federal Air Marshals	779,210,000	755,578,000
Federal Flight Deck Officer and Crew Training	19,539,000	22,539,000
Aviation Regulation	171,905,000	171,905,000
Air Cargo	103,572,000	103,572,000
Intelligence and TSOC	79,524,000	79,524,000
Surface Programs	73,818,000	73,818,000
Vetting Programs	52,770,000	52,770,000
Subtotal, Other Operations and Enforcement	1,280,338,000	1,259,706,000
Mission Support	907,133,000	907,133,000
Total, Operations and Support (gross)	7,075,950,000	7,167,778,000
Aviation Passenger Security Fees (offsetting collections)	- 2,670,000,000	- 2,670,000,000
Passenger Security Fee Increase (offsetting collections) (legislative proposal)	- 520,000,000	- - -
Total, Operations and Support (net)	\$3,885,950,000	\$4,497,778,000

Aviation Screening Operations

The recommendation restores full funding to maintain TSA staffing at existing airport exit lanes, as required by law. The recommendation also includes an increase of 360 FTE to enable TSA to support continued growth in air travel.

The recommendation includes an increase of \$7,260,000 above the request to begin to hire, train, certify, and deploy 50 new canine teams, and an increase of \$2,200,000 above the request to continue to support TSA's establishment of a certified canine cargo screening program. Not later than 90 days after the date of enactment of this Act, TSA shall brief the Committee on the implementation status of the third party canine program, including expected industry participation and projected resource requirements to administer the program in fiscal year 2020 and future years. The Committee directs TSA to include funding in future budget requests to support continued implementation of the program.

Not later than 60 days after the date of enactment of this Act, TSA shall brief the Committee on the feasibility of establishing a

program through which the agency would develop standards and an approved vendor list of certified third party canine providers for use by TSA and trusted aviation stakeholders at passenger checkpoints and passenger baggage screening.

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

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

The DCA Access Standard Security Program (DASSP) requires all general aviation aircraft operators to follow security measures in order to fly in and out of Ronald Reagan Washington National Airport. Not later than 30 days after the date of enactment of this Act, TSA is directed to brief the Committee on the program, including current security standards and the process by which TSA assesses risk to ensure security requirements are commensurate with current threats.

The Committee is aware that TSA is currently implementing a pilot passenger screening initiative at the Los Angeles International Airport (LAX). The intent of the pilot is to reduce disruption and distraction at security checkpoints resulting from the presence of high-profile passengers, which often attract large crowds, by screening such passengers through an alternative checkpoint at a non-public terminal. The two-year pilot was initiated in 2017 and is currently scheduled to end in mid-2019. TSA should continue to work closely with LAX to divert additional populations, such as flight crews, to the pilot screening checkpoint if such action maximizes the overall efficiency of TSA resources, maintains a high level of security, and reduces wait times for all passengers. TSA is directed to provide regular updates to the Committee on the performance of the pilot, and to brief the Committee on its evaluation of the pilot upon its conclusion. Should TSA require any additional authorities in order to address the challenge of high-profile passengers at LAX or other airports over the long term, it should provide recommendations for such authorities to the Committee and to the House Committee on Homeland Security.

TSA should review its methodology for the deployment of stand-alone explosives detection systems to determine whether to consider additional factors such as customer service, airline logistics, existing belt system design, exclusive airline use areas, and recent infrastructure investment that may contribute to an airport's requirement for these systems.

Other Operations and Enforcement

The recommendation includes an increase of \$3,000,000 above the request for the Federal Flight Deck Officer and Flight Crew Training (FFDO) program to establish additional training capacity at a location that is more conducive to pilot participation.

The Committee directs TSA to provide a briefing not later than 60 days after the date of enactment of this Act on a plan for a new FFDO training center, including a timeline for the facility to become operational; projected costs to sustain operations at the new

facility, including consideration of the potential consolidation of training from other sites; and projected increases in FFDO enrollment, training, and recertification.

Not later than 120 days after the date of enactment of this Act, TSA, in consultation with other appropriate DHS components and public and private stakeholders, shall make available a framework for establishing operations centers to promote interagency response and coordination at federalized airports, including suggestions for establishing a formalized concept of operations and recommendations on how to accommodate the necessary resources, including physical work space, information technology, and telecommunications for such operations centers, depending on the categorization of the federalized airport.

Not later than 180 days after the date of enactment of this Act, TSA shall provide a report on the compliance of airports with subsection (a) of section 3 of the Gerardo Hernandez Airport Security Act (Public Law 114–50) related to security plans, including a description of the extent to which the individualized security plans required under that section address the plan elements listed in subsection (b).

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

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$167,314,000
Budget request, fiscal year 2019	139,629,000
Recommended in the bill	129,789,000
Bill compared with:	
Appropriation, fiscal year 2018	– 37,525,000
Budget request, fiscal year 2019	– 9,840,000

The recommendation includes an increase of \$20,000,000 above the request to accelerate the procurement and installation of computed tomography (CT) equipment at airport checkpoints to provide enhanced detection capabilities for carry-on baggage. Combined with the requested amount, the total funding level will enable TSA to deploy approximately 240 CT systems.

The Committee is aware of recent developments in the Technology Infrastructure Modernization (TIM) program that support a decision to discontinue further development spending for a new TIM NextGen system. Therefore, the recommendation does not include requested funding to continue development in fiscal year 2019. TSA shall brief the Committee on the revised full operating capability for the TIM program upon approval by the Acquisition Review Board.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Procurement, Construction, and Improvements		
Aviation Screening Infrastructure		
Checkpoint Support	\$74,422,000	\$94,422,000
Checked Baggage	35,367,000	35,367,000

	Budget Request	Recommended
Infrastructure for Other Operations		
Vetting Programs	29,840,000	---
Total, Procurement, Construction, and Improvements	\$139,629,000	\$129,789,000

Within 90 days of the date of enactment of this Act, TSA shall initiate a pilot at one or more U.S. airports to evaluate enhanced object recognition software that utilizes deep machine learning algorithms, using existing carry-on baggage screening technology. The pilot should examine the capability to detect prohibited items, including firearms, sharp objects, prohibited tools, and other dangerous items; be able to adapt to emergent threats; be compatible with next generation systems currently under evaluation by the TSA; and consider cost effectiveness, to include the effect of false alarm rates on the screening process.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$20,190,000
Budget request, fiscal year 2019	20,594,000
Recommended in the bill	20,594,000
Bill compared with:	
Appropriation, fiscal year 2018	+404,000
Budget request, fiscal year 2019	---

Not later than 90 days after the date of enactment of this Act, TSA shall brief the Committee on Innovation Task Force initiatives to develop, test, and deploy innovative security solutions.

COAST GUARD

Appropriation, fiscal year 2018	\$12,107,724,000
Budget request, fiscal year 2019	11,438,201,000
Recommended in the bill *	11,021,701,000
Bill compared with:	
Appropriation, fiscal year 2018	- 1,086,023,000
Budget request, fiscal year 2019	- 416,500,000

*In addition, the bill includes a directed transfer of \$95,000,000 to the Coast Guard from prior year Science and Technology—Research and Development unobligated balances for long lead time materials for a National Security Cutter.

Mission

The Coast Guard is the principal federal agency charged with maritime safety, security, and stewardship. The Coast Guard is a military, multi-mission, maritime service within DHS and one of the nation’s five armed services. The core roles of the Coast Guard are to protect the public, the environment, and U.S. economic and security interests in any maritime region in which those interests may be at risk, including international waters and America’s coasts, ports, and inland waterways. Both the Arctic and the Antarctic regions fall within the scope of Coast Guard responsibilities.

Recommendation

The bill adopts new appropriations accounts for the Coast Guard, as proposed in the budget request, which more closely align its funding structure with that of the rest of the Department. For purposes of consistency, fiscal year 2018 enacted levels are displayed using the new appropriations accounts in the following manner: “Operating Expenses” is now displayed as “Operations and Sup-

port”; “Acquisition, Construction, and Improvements” is now displayed as “Procurement, Construction, and Improvements”; and “Research, Development, Test, and Evaluation” is now displayed as “Research and Development”. Activities funded within the “Reserve Training” account are realigned to the “Operations and Support” account starting in fiscal year 2019. The recommendation does not reflect the proposed realignment of “Environmental, Compliance, and Restoration” (EC&R) functions into the O&S account, because the current authorization for these functions (14 U.S.C. 692) requires any funding appropriated for them to be transferred into an EC&R account, regardless of the account in which such funds are appropriated.

OPERATIONS & SUPPORT

Appropriation, fiscal year 2018 ¹	\$7,373,313,000
Budget request, fiscal year 2019 ²	7,593,138,000
Recommended in the bill ³	7,620,209,000
Bill compared with:	
Appropriation, fiscal year 2018	+246,896,000
Budget request, fiscal year 2019	+27,071,000

¹Includes funding for Operating Expenses and the Global War on Terrorism (GWOT)/Overseas Contingency Operations (OCO).

²Funding for the Coast Guard related to GWOT/OCO is requested under Navy, Operations and Maintenance.

³Does not include funding for GWOT/OCO.

The Operations & Support (O&S) appropriation funds the Coast Guard’s 11 statutory missions and other activities in support of DHS and national priorities. The O&S appropriation funds military and civilian Coast Guard personnel, as well as the operation and maintenance of new and existing Coast Guard fleets, equipment, facilities, and programs. The appropriation also includes funding for Reserve Training.

Similar to the other Armed Services, the Coast Guard must maintain military readiness in order to meet its mission requirements. Within 180 days of enactment of this Act, the Coast Guard is directed to report to the Committee on any lost operational time due to unplanned maintenance or supply shortfalls for cutters, aircraft, and boats, as well as the current operations and support (O&S) maintenance backlog for cutters, aircraft, shore facilities, and information technology systems, including the operational impact of this backlog.

The Committee recommends \$7,620,209,000 for O&S, \$27,071,000 above the request to fund additional full-time equivalents, increase child care subsidy benefits, fund an independent analysis of the current and projected air and sea fleet requirements, and address rising costs for fuel and rent. Also included in this amount is \$1,000,000 to equip the Fast Response Cutter fleet with hailing and acoustic laser light tactical systems. A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations & Support		
Military Pay and Allowances	\$3,851,095,000	\$3,868,095,000
Civilian Pay and Benefits	929,385,000	929,385,000
Training and Recruiting	187,991,000	188,338,000
Operating Funds and Unit Level Maintenance	907,894,000	929,747,000
Centrally Managed Accounts	143,641,000	151,941,000
Intermediate and Depot Level Maintenance	1,442,048,000	1,435,048,000

	Budget Request	Recommended
Reserve Training	117,655,000	117,655,000
Environmental Compliance and Restoration	13,429,000	— — —
Total, Operations & Support	\$7,593,138,000	\$7,620,209,000

In April, the Coast Guard and the Department of Defense (DoD) announced a partnership to integrate the Coast Guard into the Military Health System (MHS) GENESIS electronic health record (EHR). The health and safety of Coast Guard men and women are a priority for this Committee, and adoption of an EHR will provide for the seamless flow of patient information.

The Committee directs the Coast Guard to continue to provide an annual report within 90 days after the date of enactment of this Act, on the number of expedited requests for transfer made by victims of sexual assault during the prior fiscal year, including the number of applications denied and a description of the rationale for each denied request. The report shall also include the number of service members served by the Special Victim Counsel program during the same period.

The Committee is aware of the extraordinary demands made on members of the Coast Guard and their families. Access to child care is critical to supporting Coast Guard families, particularly for those assigned to remote Coast Guard stations and high cost-of-living areas. The recommendation includes an increase above the request of \$2,000,000 to increase child care subsidy availability to not less than \$6,900,000. The Committee looks forward to reviewing the results of the child care survey that was required in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2018.

The Committee is concerned that illegal, unreported, and unregulated (IUU) fishing accounts for billions in losses for the global fishing industry and about the ties that IUU fishing has with piracy, drug trafficking, human trafficking, and slavery. The Committee directs the USCG to submit a plan for a one-year pilot program, not later than the submission of the budget request for Fiscal Year 2020, for implementing an innovative and multi-technology system that facilitates increased monitoring capability; provides enforcement-quality data and intelligence; and maximizes the real-time response of surface-based enforcement assets.

The Committee is concerned about the risks posed by natural disasters, including tsunamis, to USCG stations. The Committee directs the USCG to identify natural disaster risks and develop a plan to mitigate the identified risks and improve the resiliency of USCG stations.

The Commandant of the Coast Guard is directed to provide to the Committee not later than one year after the date of enactment of this Act, a report that examines the number and type of Coast Guard assets required to meet the Service's current and foreseeable needs in accordance with the Service's statutory missions. The report shall include, but not be limited to, an assessment of the required number and types of cutters and aircraft for current and planned asset acquisitions. The report shall specifically address regional mission requirements in the Western Hemisphere, including the Polar regions, support provided to Combatant Commanders,

and trends in illicit activity and illegal migration. In order to provide an impartial assessment, the recommendation includes an increase of \$3,300,000 for the report to be prepared by a Federally Funded Research and Development Center experienced in similar examinations.

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

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

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

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$2,694,745,000
Budget request, fiscal year 2019	1,886,750,000
Recommended in the bill *	1,429,750,000
Bill compared with:	
Appropriation, fiscal year 2018	– 1,264,995,000
Budget request, fiscal year 2019	– 457,000,000

*In addition, the bill includes a directed transfer of \$95,000,000 to the Coast Guard from prior year Science and Technology—Research and Development unobligated balances for long lead time materials for a National Security Cutter.

Procurement, Construction, and Improvements (PC&I) provides for the procurement, construction, rehabilitation, and improvement of vessels, aircraft, shore facilities, aids to navigation (ATON) systems and facilities, and command, control, communications, and computer systems and related equipment.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Procurement, Construction, and Improvements		
Vessels		
Survey and Design-Vessels and Boats	\$500,000	\$500,000
In-Service Vessel Sustainment	63,250,000	63,250,000
National Security Cutter *	65,000,000	140,000,000
Offshore Patrol Cutter	400,000,000	400,000,000
Fast Response Cutter	240,000,000	340,000,000
Cutter Boats	5,000,000	5,000,000
Polar Ice Breaking Vessel	750,000,000	---
Inland Waterways and Western Rivers Cutter	5,000,000	5,000,000
Polar Sustainment	15,000,000	15,000,000
Subtotal, Vessels	1,543,750,000	968,750,000

	Budget Request	Recommended
Aircraft		
HC-144 Conversion/Sustainment	17,000,000	17,000,000
HC-27J Conversion/Sustainment	80,000,000	80,000,000
HC-130J Acquisition/Conversion/Sustainment	--	105,000,000
HH-65 Conversion/Sustainment	20,000,000	28,000,000
MH-60T Sustainment	25,000,000	25,000,000
Small Unmanned Aircraft Systems	6,000,000	6,000,000
Subtotal, Aircraft	148,000,000	261,000,000
Other Acquisition Programs		
Other Equipment and Systems	3,500,000	3,500,000
Program Oversight and Management	20,000,000	20,000,000
C4ISR	23,300,000	23,300,000
CG-Logistics Information Management System (CG-LIMS)	13,200,000	13,200,000
Subtotal, Other Acquisition Programs	60,000,000	60,000,000
Shore Facilities and Aids to Navigation		
Major Construction; Housing; ATON; and Survey and Design	30,000,000	35,000,000
Major Acquisition Systems Infrastructure	100,000,000	100,000,000
Minor Shore	5,000,000	5,000,000
Subtotal, Shore Facilities and Aids to Navigation	135,000,000	140,000,000
Subtotal, Procurement, Construction, and Improvements	\$1,886,750,000	\$1,429,750,000

*In addition, the bill includes a directed transfer of \$95,000,000 to the Coast Guard from prior year Science and Technology—Research and Development unobligated balances for long lead time materials for a National Security Cutter.

The Coast Guard is directed to continue to brief the Committee quarterly on all major acquisitions, consistent with the direction in the explanatory statement accompanying Public Law 114-4.

Vessels

Polar Ice Breaking Vessel. The Committee recognizes that Polar icebreakers are essential to securing the nation's security and economic interests in the Polar regions. While the recommendation does not include the requested funding for the construction of a new Polar icebreaker, the Committee plans to work with the Coast Guard to determine what is needed in fiscal year 2019 to advance this program. The Coast Guard's existing operational icebreaking fleet consists of just one heavy icebreaker, the *POLAR STAR*, which entered into service in 1976. The Coast Guard has testified that it will need to sustain the *POLAR STAR* beyond two years after delivery of the first of the new class of icebreakers to ensure mission readiness, thus the Committee recommends \$15,000,000, as requested. The Committee looks forward to the updated cost estimate for the *POLAR STAR*'s service life extension project (SLEP) that is anticipated this summer.

National Security Cutter (NSC). The Consolidated Appropriations Act, 2018 (Public Law 115-141) provided \$1,241,000,000 for the NSC program, which included funds for construction of the tenth and eleventh NSC, a contrast from the historic approach of funding construction for one NSC per fiscal year. The Committee's fiscal year 2019 recommendation includes \$140,000,000 for the NSC program, \$75,000,000 more than requested. Included in this amount is an additional \$75,000,000 above the request to continue support of Post Delivery Activities (PDA) for the seventh through ninth hulls and other program-wide activities.

Offshore Patrol Cutter (OPC). The recommendation includes \$400,000,000 for the OPC program, as requested, to fund construc-

tion of the second OPC, long lead time materials for the third, and program management costs.

Fast Response Cutter (FRC). The recommendation provides \$340,000,000 for six FRCs, four for the current program of record, as requested, and two to continue replacement of the 110-foot Island Class Cutters supporting U.S. Central Command in Southwest Asia. The Committee strongly encourages the Coast Guard to transition the 110-foot patrol boats supporting U.S. Central Command in Southwest Asia to FRCs in the most expedient manner possible, and to update the Committee of any changes to its FRC deployment strategy. The Committee understands the current patrol boats are well past their service life and wants to ensure the Coast Guard men and women serving in this challenging area of operations have the right equipment necessary to meet these evolving threats.

Aircraft

HC-130J Acquisition/Conversion/Sustainment. The recommendation provides \$105,000,000 for one HC-130J aircraft, which funds the production and missionization of the sixteenth aircraft, advancing the Coast Guard's acquisition program goal of 22 HC-130J aircraft.

MH-60T Sustainment. The Committee recommends \$25,000,000 for the MH-60T SLEP, as requested. The Committee supports efforts to sustain the Coast Guard's MH-60T aircraft. Not later than 180 days after the date of enactment of this Act, the Coast Guard is directed to complete its alternatives analysis on options for extending the lifespan of MH-60T aircraft. The analysis should focus on options with long term benefits that reduce production and technical risk. The Committee is aware that the Coast Guard MH-60T fleet currently has more flight hours per aircraft than any other H-60 fleet and does not support developmental options. The Committee directs the Coast Guard to choose a sustainment strategy that is proven to be safe and reliable to ensure the fleet can be sustained until it is recapitalized in conjunction with the Department of Defense's Future Vertical Lift program.

HH-65 Conversion/Sustainment. The recommendation provides \$28,000,000 for the HH-65 program, \$8,000,000 above the request to fund both the planned avionics upgrades and the costs associated with the SLEP. The USCG will save on labor costs by completing both projects concurrently during the normal depot maintenance cycle, which will also reduce the risk of these aircraft reaching the maximum 20,000 hours prior to undergoing SLEP.

Shore Facilities and Aids to Navigation

Major Construction; Housing; ATON; and Survey & Design. The recommendation includes \$5,000,000 above the request to address station facility requirements identified on the Coast Guard's Unfunded Priority List.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$29,141,000
Budget request, fiscal year 2019	19,109,000
Recommended in the bill	19,109,000
Bill compared with:	
Appropriation, fiscal year 2018	- 10,032,000
Budget request, fiscal year 2019	---

Research and Development (R&D) funding sustains critical Coast Guard mission capabilities through applied research, testing, development, and evaluation programs. Several R&D programs include partnerships with other DHS components, DoD, and other federal and private research organizations.

The Committee is aware that the U.S. Navy has an ongoing program to develop and field advanced ballistic shielding on Crew Served Weapon Stations that will provide increased protection at lower weight with high durability in the marine environment. The Committee encourages the Coast Guard to assess whether this protection system is appropriate for Coast Guard vessels.

The Coast Guard is directed to brief the Committee not later than 90 days after the date of enactment of this Act with an update on the results of the examination, for which up to \$5,000,000 was provided in the fiscal year 2018 DHS Appropriations Act, on whether the Coast Guard's heavy icebreaking requirements can be met by existing vessels using short-term procurement strategies.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriation, fiscal year 2018	\$13,397,000
Budget request, fiscal year 2019	---
Recommended in the bill	13,429,000
Bill compared with:	
Appropriation, fiscal year 2018	+32,000
Budget request, fiscal year 2019	+13,429,000

The Environmental Compliance and Restoration appropriation provides funding for environmental cleanup, sustainment, and restoration of current and former contaminated Coast Guard facilities. Additionally, it funds engineering remedies on Coast Guard assets for the purpose of obtaining or restoring compliance with environmental laws and preventing contamination and environmental damage.

The Committee recommends \$13,429,000 for EC&R. The funding level for these activities is the same as the amount requested; however, the recommendation continues funding in the EC&R account instead of the requested realignment into the O&S account.

HEALTH CARE FUND CONTRIBUTION ¹

Appropriation, fiscal year 2018	\$204,136,000
Budget request, fiscal year 2019	199,360,000
Recommended in the bill	199,360,000
Bill compared with:	
Appropriation, fiscal year 2018	- 4,776,000
Budget request, fiscal year 2019	---

¹This is a permanent indefinite discretionary appropriation.

The Health Care Fund Contribution accrues the Coast Guard's military Medicare-eligible health benefit contribution to the DoD Medicare-Eligible Retiree Health Care Fund. Contributions are for

future Medicare-eligible retirees, as well as retiree dependents and their potential survivors.

RETIRED PAY

Appropriation, fiscal year 2018	\$1,676,117,000
Budget request, fiscal year 2019	1,739,844,000
Recommended in the bill	1,739,844,000
Bill compared with:	
Appropriation, fiscal year 2018	+63,727,000
Budget request, fiscal year 2019	---

The Retired Pay appropriation provides payments as identified under the Retired Serviceman's Family Protection and Survivor Benefits Plans and other retired personnel entitlements identified under prior-year National Defense Authorization Acts. This appropriation also includes funding for medical care of retired personnel and their dependents.

UNITED STATES SECRET SERVICE

Appropriation, fiscal year 2018	\$2,006,524,000
Budget request, fiscal year 2019	2,151,624,000
Recommended in the bill	2,167,186,000
Bill compared with:	
Appropriation, fiscal year 2018	+160,662,000
Budget request, fiscal year 2019	+15,562,000

Mission

The United States Secret Service (USSS) has statutory authority to carry out two primary missions: protecting the nation's leaders and investigating financial and electronic crimes. The Secret Service protects and investigates threats against the President and Vice President, their families, visiting heads of state, and other designated individuals; protects the White House, the Vice President's Residence, foreign missions, and certain other facilities within Washington, D.C.; and coordinates the security at National Special Security Events (NSSEs). The Secret Service also investigates violations of laws relating to counterfeiting of obligations and securities of the United States; financial crimes, including access device fraud, financial institution fraud, identity theft, and computer fraud; and computer-based attacks on financial, banking, and telecommunications infrastructure. In addition, the agency provides support for investigations related to missing and exploited children.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$1,915,794,000
Budget request, fiscal year 2019	2,084,308,000
Recommended in the bill	2,099,870,000
Bill compared with:	
Appropriation, fiscal year 2018	+184,076,000
Budget request, fiscal year 2019	+15,562,000

Within the total amount provided, the Committee recommends that \$41,536,000 remain available until September 30, 2020, of which \$6,782,000 is for the James J. Rowley Training Center; \$10,754,000 is for Operational Mission Support (OMS); and \$18,000,000 is for protective travel. As directed in House Report 115-239, USSS should continue to work towards obligating all of

its Operations and Support funding during the fiscal year, including projects supported by OMS.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Protective Operations		
Protection of Persons and Facilities	\$747,201,000	\$747,201,000
Protective Countermeasures	55,309,000	55,309,000
Protective Intelligence	48,239,000	48,239,000
Presidential Campaigns and National Special Security Events	28,500,000	28,500,000
Subtotal, Protective Operations	879,249,000	879,249,000
Field Operations		
Domestic and International Field Operations	627,687,000	628,471,000
Support for Missing and Exploited Children Investigations	6,000,000	6,000,000
Support for Computer Forensics Training	4,000,000	18,778,000
Subtotal, Field Operations	637,687,000	653,249,000
Basic and In-Service Training and Professional Development	101,854,000	101,854,000
Mission Support	465,518,000	465,518,000
Total, Operations and Support	\$2,084,308,000	\$2,099,870,000

The recommendation includes \$18,778,000 for continued support of the National Computer Forensics Institute (NCFI), which is \$14,778,000 above the request. The NCFI provides electronic crimes investigation training to state and local law enforcement officers, prosecutors, and judges who are nominated for participation by USSS field offices. The recommendation also includes \$8,366,000 for support of missing and exploited children investigations, of which \$2,366,000 is for forensic and investigative support and \$6,000,000, as requested, is for a grant related to investigations.

For fiscal years 2016 through 2018, Congress appropriated nearly \$45,000,000 to the Secret Service to refresh National Capital Region radio equipment. The recommendation includes \$3,494,000, as requested, for sustainment of the newly-deployed equipment.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$90,480,000
Budget request, fiscal year 2019	64,816,000
Recommended in the bill	64,816,000
Bill compared with:	
Appropriation, fiscal year 2018	- 25,664,000
Budget request, fiscal year 2019	- - -

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Procurement, Construction, and Improvements		
Protection Assets and Infrastructure	\$52,971,000	\$52,971,000
Operational Communications/Information Technology	8,845,000	8,845,000
Construction and Facility Improvements	3,000,000	3,000,000
Total, Procurement, Construction, and Improvements	\$64,816,000	\$64,816,000

The Secret Service shall brief the Committee not later than 90 days after the date of enactment of this Act on the recapitalization

of fully armored vehicles, including a schedule for production and delivery of replacement vehicles.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$250,000
Budget request, fiscal year 2019	2,500,000
Recommended in the bill	2,500,000
Bill compared with:	
Appropriation, fiscal year 2018	+2,250,000
Budget request, fiscal year 2019	---

TITLE II—ADMINISTRATIVE PROVISIONS—THIS ACT

Section 201. The Committee continues by reference a provision regarding overtime compensation.

Section 202. The Committee continues a provision allowing CBP to sustain or increase operations in Puerto Rico with appropriated funds.

Section 203. The Committee continues a provision regarding the availability of COBRA fee revenue.

Section 204. The Committee continues a provision allowing CBP access to certain reimbursements for preclearance activities.

Section 205. The Committee continues a provision regarding the importation of prescription drugs by an individual for personal use.

Section 206. The Committee continues a provision regarding waivers of the Jones Act.

Section 207. The Committee continues a provision prohibiting funds from being used by DHS to approve, license, facilitate, authorize, or allow the trafficking or import of property confiscated by the Cuban Government.

Section 208. The Committee continues a provision allowing the Secretary to reprogram funds within and transfer funds to “U.S. Immigration and Customs Enforcement—Operations and Support” to ensure the detention of aliens prioritized for removal.

Section 209. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” for the 287(g) program if the terms of the agreement governing the delegation of authority have been materially violated.

Section 210. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” to contract for detention services if the facility receives less than “adequate” ratings in two consecutive performance evaluations.

Section 211. The Committee continues a provision clarifying that certain elected and appointed officials are not exempt from federal passenger and baggage screening.

Section 212. The Committee continues a provision directing the deployment of explosives detection systems based on risk and other factors.

Section 213. The Committee continues a provision authorizing TSA to use funds from the Aviation Security Capital Fund for the procurement and installation of explosives detection systems or for other purposes authorized by law.

Section 214. The Committee continues a provision prohibiting funds made available by this Act under the heading “Coast

Guard—Operations and Support” for recreational vessel expenses, except to the extent fees are collected from owners of yachts and credited to this appropriation.

Section 215. The Committee continues a provision allowing up to \$10,000,000 to be reprogrammed to or from Military Pay and Allowances within “Coast Guard—Operations and Support”.

Section 216. The Committee continues a provision requiring submission of a future-years capital investment plan.

Section 217. The Committee continues a provision allowing the Secret Service to obligate funds in anticipation of reimbursement for personnel receiving training.

Section 218. The Committee continues a provision prohibiting funds made available to the Secret Service for the protection of the head of a federal agency other than the Secretary of Homeland Security, except where the Director has entered into a reimbursable agreement for such protection services.

Section 219. The Committee continues a provision allowing the reprogramming of funds within “United States Secret Service—Operations and Support”.

Section 220. The Committee continues a provision allowing for funds made available for “United States Secret Service—Operations and Support” to be available for travel of employees on protective missions without regard to limitations on such expenditures in this or any other Act after notification to the Committees on Appropriation.

Section 221. The Committee includes a new provision requiring the submission of an expenditure plan for funds made available for “U.S. Customs and Border Protection—Procurement, Construction, and Improvements”, and prohibiting the obligation of funds without prior approval of the plan by the Committees on Appropriations.

Section 222. The Committee includes a provision providing an additional \$1,000,000 for “Coast Guard—Operations and Support”.

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

Appropriation, fiscal year 2018	\$1,911,402,000
Budget request, fiscal year 2019	1,821,151,000
Recommended in the bill	1,934,562,000
Bill compared with:	
Appropriation, fiscal year 2018	+23,160,000
Budget request, fiscal year 2019	+113,411,000

Mission

The National Protection and Programs Directorate (NPPD) is responsible for enhancing the security of the nation’s physical and cyber infrastructure and interoperable communications systems; preventing terrorism and enhancing security; safeguarding and securing cyberspace; and strengthening national preparedness and resilience. Secure and resilient infrastructure is essential for national security, economic vitality, and public health and safety.

Recommendation

The Committee is concerned about the increasing frequency of advanced persistent threats targeting critical infrastructure sectors in the United States. Within 60 days of the date of enactment of this Act, the Department is directed to brief the Committee on the status of implementing the recommendations of the 2017 report of the National Infrastructure Advisory Council, *Securing Cyber Assets: Addressing Urgent Cyber Threats to Critical Infrastructure*.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$1,482,165,000
Budget request, fiscal year 2019	1,470,340,000
Recommended in the bill	1,550,112,000
Bill compared with:	
Appropriation, fiscal year 2018	+67,947,000
Budget request, fiscal year 2019	+79,772,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Operations and Support		
Cybersecurity		
Cyber Readiness and Response	\$224,396,000	\$259,775,000
Cyber Infrastructure Resilience	30,059,000	38,259,000
Federal Cybersecurity	458,600,000	462,200,000
Subtotal, Cybersecurity	713,055,000	760,234,000
Infrastructure Protection		
Infrastructure Capacity Building	129,182,000	138,953,000
Infrastructure Security Compliance	76,853,000	76,853,000
Subtotal, Infrastructure Protection	206,035,000	215,806,000
Emergency Communications		
Emergency Communications Preparedness	51,785,000	53,785,000
Priority Telecommunications Services	63,911,000	63,911,000
Subtotal, Emergency Communications	115,696,000	117,696,000
Integrated Operations		
Cyber and Infrastructure Analysis	44,683,000	60,950,000
Critical Infrastructure Situational Awareness	23,429,000	27,984,000
[Defense]	(21,320,000)	(25,465,000)
Stakeholder Engagement and Requirements	45,127,000	45,127,000
[Defense]	(40,614,000)	(40,614,000)
Strategy, Policy, and Plans	13,931,000	13,931,000
[Defense]	(9,194,000)	(9,194,000)
Subtotal, Integrated Operations	127,170,000	147,992,000
Office of Biometric Identity Management		
Identity and Screening Program Operations	69,590,000	69,590,000
IDENT/Homeland Advanced Recognition Technology	160,691,000	160,691,000
Subtotal, Office of Biometric Identity Management	230,281,000	230,281,000
Mission Support	78,103,000	78,103,000
[Defense]	(24,212,000)	(24,212,000)
Total, Operations and Support	\$1,470,340,000	\$1,550,112,000

Cybersecurity

Cyber Readiness and Response. The Committee recommends \$259,775,000 for Cyber Readiness and Response, \$35,379,000 above the request, of which \$29,379,000 is to continue investing in the

Election Infrastructure Security Initiative (EISI) and \$6,000,000 is to increase cybersecurity services for the non-election critical infrastructure sectors. The Committee encourages NPPD to implement measures to increase National Cybersecurity and Communications Integration Center (NCCIC) operational efficiency and coordination in preparation for the upcoming mid-term elections. NPPD is urged to work with the Election Assistance Commission and state and local governments and increase support for training, risk assessments, and incident response.

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

The Committee is aware of a joint cybersecurity collaborative exercise between the Snohomish County Public Utility District and the Washington State National Guard that informed the likely financial impact and cost of future cyber events. NPPD is directed to explore opportunities for facilitating such partnerships between and among federal, state, local, and private entities on the use of penetration testing and modeling to evaluate cyber vulnerabilities in critical infrastructure; work with the Chief of the National Guard Bureau and other stakeholders to identify best practices for such testing and modeling; and brief the Committee within 180 days after the date of enactment of this Act on how NPPD, the National Guard, and other stakeholders could play a larger role in facilitating such partnerships.

NPPD is directed to brief the Committee on the feasibility of establishing a pilot for a hacking competition that would allow independent cyber experts to identify cybersecurity vulnerabilities in election systems across the country, with participants potentially eligible to receive rewards, as determined by the Secretary, based upon their findings. The participation of state and local election officials, including any access to their networks, should be completely voluntary. State and local election officials, as well as election service providers, should be appropriately notified about relevant cybersecurity vulnerabilities discovered through the competition.

Cyber Infrastructure Resilience. The Committee recommends \$38,259,000 for Cyber Infrastructure Resilience, \$8,200,000 above the amount requested to hire subject matter experts for training systems and for instructional system design; develop consolidated cybersecurity training curricula and a course catalog; and create marketing materials to engage customers. NPPD is encouraged to consolidate its training, exercise, and education programs; expand and enhance training and exercise programs for federal, state, local, tribal, and territorial cyber professional and critical infrastructure owners and operators; and engage stakeholders in the private sector and at educational institutions, including elemen-

tary, secondary, and university organizations, to develop innovation services, projects, and ideas to build a national pipeline of cybersecurity professionals. Within its curricula and course offerings, NPPD is also encouraged to ensure that the Chemical Facility Anti-Terrorism Security (CFATS) inspectors are provided sufficient cybersecurity training.

Federal Cybersecurity. The Committee recommends \$462,200,000 for Federal Cybersecurity, \$3,600,000 above the amount requested for additional positions to accelerate deployment of the Continuous Diagnostics and Mitigation (CDM) technology program.

Infrastructure Protection

Infrastructure Capacity Building. The Committee recommends \$138,953,000 for Infrastructure Capacity Building, \$9,771,000 above the amount requested, including \$1,121,000 for EISI and \$4,650,000 to support NPPD's regionalization effort, which will improve service delivery to the field.

Terrorists and other extremist actors place significant emphasis on conducting simple and unsophisticated attacks on event venues and infrastructure that, due to the nature of their business or operational models, have relatively few security measures in place, such as sporting events, concerts, and schools. The Committee supports NPPD's plan to establish a Soft Target Program Management Office that will address these risks in a more comprehensive, innovative, and coordinated manner. It is imperative that venue and infrastructure owners and operators continue to identify innovative solutions, such as credential verification, to mitigate risks in order to reduce the probability of a successful attack that could result in casualties or operational disruptions. The recommendation includes an additional \$4,000,000 for a credential verification pilot that would examine the feasibility of implementing security protocols for screening and verifying the identities of individuals prior to their entry into a facility without significantly disrupting the visitor experience.

Emergency Communications

Emergency Communications Preparedness. The Committee recommends \$53,785,000 for Emergency Communications Preparedness, \$2,000,000 above the amount requested, for EISI. Of the amount provided, \$3,482,000 is for development and implementation of the National Emergency Communications Plan to perform outreach to help achieve data interoperability on platforms intended to augment public safety voice communications.

Integrated Operations

Cyber and Infrastructure Analysis. The Committee recommends \$60,950,000 for Cyber and Infrastructure Analysis, an increase of \$16,267,000 above the request, including an increase of \$500,000 for EISI and an increase of \$9,738,000 to restore funding for the National Infrastructure Simulation Analysis Center to the fiscal year 2018 level of \$18,650,000.

The Committee recommends an increase of \$6,029,000 for risk analyses of industrial control systems and encourages the Office of Cyber and Infrastructure Analysis (OCIA) to use commercial,

human-led threat behavioral analysis and technology. OCIA is also encouraged to employ private sector, industry-specific threat intelligence and best practices to better characterize potential consequences to other critical infrastructure sectors during a systemic cyber event.

Critical Infrastructure Situational Awareness. Due to critical dependencies and interdependencies of the electric power subsector, loss of electric power can quickly cascade to water, wastewater, communications, transportation, and information technology systems, potentially degrading services necessary for public health and safety. The Committee recommends \$27,984,000 for Critical Infrastructure Situational Awareness, an increase of \$4,555,000 above the request, of which \$3,780,000 is to improve and enhance capabilities for near-real-time monitoring of the inter-connected dependencies of the electric power subsector and other critical infrastructure sectors and \$775,000 is to support NPPD’s regionalization effort.

FEDERAL PROTECTIVE SERVICE

Appropriation, fiscal year 2018	\$1,476,055,000
Budget request, fiscal year 2019	1,527,110,000
Recommended in the bill	1,527,110,000
Bill compared with:	
Appropriation, fiscal year 2018	+51,055,000
Budget request, fiscal year 2019	---

The Committee recommends \$1,527,110,000 for the Federal Protective Service (FPS), the same as the amount requested. This amount is fully offset by fees collected from FPS customer agencies.

The Secretary and the Director of OMB shall certify in writing to the Committee, not later than 60 days after the date of enactment of this Act, that the operations of FPS will be fully funded in fiscal year 2019 through the collection of security fees. Should insufficient fee revenue be collected to fully fund operations, an expenditure plan is required describing how security risks will be adequately addressed. Within this recommended funding level, FPS shall align staffing resources with mission requirements.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$414,111,000
Budget request, fiscal year 2019	302,964,000
Recommended in the bill	367,964,000
Bill compared with:	
Appropriation, fiscal year 2018	- 46,147,000
Budget request, fiscal year 2019	+65,000,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Procurement, Construction, and Improvements		
Cybersecurity		
Continuous Diagnostics and Mitigation	\$125,548,000	\$185,548,000
National Cybersecurity Protection System	110,078,000	110,078,000
Subtotal, Cybersecurity	235,626,000	295,626,000
Emergency Communications		
Next Generation Networks Priority Services	42,551,000	42,551,000
Biometric Identity Management		
IDENT/Homeland Advanced.		

	Budget Request	Recommendation
Recognition Technology	20,000,000	20,000,000
Infrastructure Protection		
Infrastructure Protection (IP) Gateway	4,787,000	9,787,000
Total, Procurement, Construction, and Improvements	\$302,964,000	\$367,964,000

Cybersecurity

Continuous Diagnostics and Mitigation. The recommendation includes \$60,000,000 above the request to deploy CDM Phases I and II to additional agencies, accelerate deployment of Phase I to cloud assets and mobile devices, and enhance dashboard visualization for both agency and federal dashboards to better enable agency security officers and federal critical vulnerability management analysts to identify and mitigate problems according to their severity. The Committee supports NPPD's plan to spend not less than \$17,000,000 on Phase IV pilot programs and directs NPPD to provide a briefing, within 90 days of the date of enactment of this Act, on its timeline and acquisition strategy for deploying CDM Phase IV data protection capabilities (e.g., digital rights management, data masking, micro-segmentation, enhanced encryption, mobile device management) across all civilian ".gov" agencies.

Infrastructure Protection

Infrastructure Protection (IP) Gateway. The recommendation includes \$5,000,000 above the request to modernize IP Gateway infrastructure technology and migrate the ten-year-old system to a secure cloud platform. This effort will provide a more user-friendly interface, allow access from mobile devices, and provide increased connectivity with other DHS systems.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$15,126,000
Budget request, fiscal year 2019	47,847,000
Recommended in the bill	16,486,000
Bill compared with:	
Appropriation, fiscal year 2018	+1,360,000
Budget request, fiscal year 2019	-31,361,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Research and Development		
Cybersecurity	\$41,416,000	\$4,695,000
Infrastructure Protection	2,431,000	7,791,000
Integrated Operations	4,000,000	4,000,000
Total, Research and Development	\$47,847,000	\$16,486,000

Cybersecurity

The recommendation supports the requested \$36,721,000 increase above fiscal year 2018 for cybersecurity research and development to support NPPD's requirements; however, this funding is included in the Science and Technology Directorate's Research and Development account.

Infrastructure Protection

The Committee supports NPPD's efforts to pursue new innovative technologies for rapid deployment, identify projects to address resilient design challenges, develop tools to support infrastructure investment decisions, and create products that can aid in detecting malicious activity. The recommendation includes an increase of \$5,360,000 above the amount requested for the Technology Development and Deployment Program to define agency needs, identify requirements for community level critical infrastructure protection and resilience, and rapidly develop, test, and transition to use technologies that address these needs and requirements.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Appropriation, fiscal year 2018	\$12,309,039,000
Budget request, fiscal year 2019	11,020,699,000
Recommended in the bill	11,726,808,000
Bill compared with:	
Appropriation, fiscal year 2018 – 582,231,000.	
Budget request, fiscal year 2019	+706,109,000

Note: Totals include funding designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mission

The Federal Emergency Management Agency (FEMA) helps build, sustain, and improve the nation's capability to prepare for, protect against, respond to, recover from, and mitigate all hazards through disaster response, recovery, and grant programs supporting first responders, emergency management, mitigation activities, and preparedness.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$1,030,135,000
Budget request, fiscal year 2019	1,036,282,000
Recommended in the bill	1,057,599,000
Bill compared with:	
Appropriation, fiscal year 2018	+27,464,000
Budget request, fiscal year 2019	+21,317,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Operations and Support		
Regional Operations	\$158,439,000	\$158,439,000
Mitigation	36,011,000	36,011,000
Preparedness and Protection	132,823,000	132,823,000
Response and Recovery		
Response	174,337,000	192,154,000
(Urban Search and Rescue)	(27,513,000)	(45,330,000)
Recovery	49,010,000	49,010,000
Mission Support	485,662,000	489,162,000
Total, Operations and Support	\$1,036,282,000	\$1,057,599,000
(Defense)	(42,213,000)	(42,213,000)

Response and Recovery

The Committee recommends \$45,330,000 for the Urban Search and Rescue Response System (USAR). This funding level continues

support for the 28 USAR Task Forces at fiscal year 2018 levels, and includes an additional \$10,150,000 to enable FEMA to recapitalize critical equipment necessary to conduct life-saving search and rescue operations.

FEMA is directed to assess the existing USAR Incident Support Team workforce to determine whether additional veterinarians are necessary to ensure search and rescue canines receive adequate care while on deployment, and to report to the Committee on its assessment not later than 60 days after the date of enactment of this Act. FEMA is encouraged to continue to coordinate with the U.S. Department of Agriculture and the Department of Health and Human Services to share best practices for the care of search and rescue canines.

Mission Support

The Committee recommends an increase of \$2,500,000 above the request to utilize existing enhanced communications platforms that integrate telephone, mobile, and web communications to provide real-time feedback through live, interactive, multimedia platforms. This capability will enable FEMA to more effectively engage and support the disaster workforce and state, local, tribal, and territorial partners before, during, and after disasters.

The Committee also recommends an increase of \$1,000,000 above the request to support FEMA’s ongoing efforts to deploy the Interoperable Gateway System throughout the continental United States and the Caribbean, with the goal of providing a single communications platform to ensure the continuity of communications in the event of a natural disaster or other catastrophic event. FEMA is directed to brief the Committee not later than 90 days after the date of enactment of this Act on its progress in deploying these interoperability solutions.

The Committee supports the agency’s efforts to establish FEMA Integration Teams, through which FEMA regional staff will be embedded with state, local, tribal, and territorial (SLTT) government offices to provide a continuous presence before, during, and after disasters. The co-location of trained FEMA personnel with SLTT partners will enable FEMA to improve coordination with those partners and provide more effective disaster response and recovery operations. The Committee expects FEMA will include funding in the fiscal year 2020 budget request to support continued implementation of this initiative.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$85,276,000
Budget request, fiscal year 2019	103,349,000
Recommended in the bill	103,349,000
Bill compared with:	
Appropriation, fiscal year 2018	+18,073,000
Budget request, fiscal year 2019	- - -

The recommendation includes \$11,670,000 for modernization of the Integrated Public Alert Warning System and \$45,496,000 for construction and facility improvements for the Mount Weather Emergency Operations Center.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Procurement, Construction, and Improvements		
Operational Communications/Information Technology	\$11,670,000	\$11,670,000
Construction and Facility Improvements	46,996,000	46,996,000
Mission Support Assets and Infrastructure	44,683,000	44,683,000
Total, Procurement, Construction, and Improvements	\$103,349,000	\$103,349,000
(Defense)	(57,166,000)	(57,166,000)

FEDERAL ASSISTANCE

Appropriation, fiscal year 2018	\$3,293,932,000
Budget request, fiscal year 2019	2,644,733,000
Recommended in the bill	3,356,525,000
Bill compared with:	
Appropriation, fiscal year 2018	+62,593,000
Budget request, fiscal year 2019	+711,792,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Federal Assistance		
Grants		
State Homeland Security Grant Program	\$349,362,000	\$538,000,000
(Operation Stonegarden)	---	(85,000,000)
(Nonprofit Security)	---	(10,000,000)
Urban Area Security Initiative	448,844,000	661,000,000
(Nonprofit Security)	---	(50,000,000)
Public Transportation Security Assistance	36,358,000	100,000,000
(Amtrak Security)	---	(10,000,000)
(Other-the Road Bus Security)	---	(4,000,000)
Port Security Grants	36,358,000	100,000,000
Assistance to Firefighter Grants	344,344,000	350,000,000
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	344,344,000	350,000,000
Emergency Management Performance Grants	279,335,000	350,000,000
Competitive Preparedness Grant Program	522,000,000	---
National Predisaster Mitigation Fund	39,016,000	249,200,000
Flood Hazard Mapping and Risk Analysis Program (RiskMAP)	100,000,000	262,531,000
Emergency Food and Shelter	---	120,000,000
Subtotal, Grants	2,499,961,000	3,080,731,000
Education, Training, and Exercises.		
Center for Domestic Preparedness	63,756,000	63,939,000
Center for Homeland Defense and Security	---	18,000,000
Emergency Management Institute	18,876,000	20,569,000
U.S. Fire Administration	43,493,000	43,493,000
National Domestic Preparedness Consortium	---	101,000,000
Continuing Training Grants	---	8,000,000
National Exercise Program	18,647,000	20,793,000
Subtotal, Education, Training, and Exercises	144,772,000	275,794,000
Total, Federal Assistance	\$2,644,733,000	\$3,356,525,000

Grants

A general provision is included in title V of the bill, providing \$41,000,000 to reimburse state and local law enforcement for extraordinary costs associated with the protection of the President in jurisdictions where the President maintains a residence.

State Homeland Security Grant Program. State, local, tribal, and territorial governments play an important role in preparing for, preventing, disrupting, mitigating, and protecting against cyber-attacks. The Committee urges FEMA to consider prioritizing cyberse-

curity and technical resources within its grant programs to enable state, local, tribal, and territorial governments to better identify, detect, protect against, disrupt, respond to, and recover from cyber threats and attacks.

In OIG-18-13, the OIG concluded that FEMA and CBP did not meet their oversight responsibilities to monitor Stonegarden grantees, issue adequate guidance and approve costs, and demonstrate program performance. Not later than 30 days after the date of enactment of this Act, FEMA and CBP shall update the Committee on the status of carrying out the recommendations in the OIG report. Further, as part of the fiscal year 2020 budget request, FEMA shall include performance measures for Operation Stonegarden that clearly demonstrate the extent to which funding for the program can be tied to progress in achieving program goals, along with estimates for how proposed funding would contribute to additional progress. These performance measures should be consistent with 31 U.S.C. 1116 and should include outcome measures, as defined by 31 U.S.C. 1115(h).

The Committee supports efforts to build more resilient tribal communities, including culturally appropriate homeland security and emergency management training provided by tribal colleges and universities for students in their communities.

Urban Area Security Initiative. The Committee expects the Secretary to prioritize UASI funding towards urban areas that are subject to the greatest terrorism risk, and to allocate resources in proportion to that risk. The Department shall limit UASI funding to urban areas representing up to 85 percent of the national urban area risk.

Firefighter Assistance Grants. FEMA is encouraged to give high priority consideration to grants providing for planning, training, and equipment to firefighters for crude oil-by-rail and ethanol-by-rail derailment and incident response to help meet the needs of our most vulnerable communities and first responders.

The Committee encourages FEMA to provide technical assistance, and work more closely with those communities that are underserved or underrepresented.

Source Capture Exhaust Extraction Systems (SCES), which capture and filter exhaust gases, are used in firehouses to protect the health and safety of firefighters by reducing their exposure to diesel fumes. FEMA is encouraged to assess whether all SCES—including vehicle-mounted—should be rated “high priority” under the Assistance to Firefighters Grant Program.

National Predisaster Mitigation Fund. The Committee is aware that in recent years, there have been breakthroughs in technologies that can provide predictive assistance in advance of natural disasters such as floods, wildfires, and seismic activity to reduce significantly the losses of life and property by contributing to mitigation planning. The Committee encourages FEMA to explore the use of artificial intelligence, cloud computing power, and related cutting edge technologies with grantees.

Flood Hazard Mapping and Risk Analysis. Accurate flood mapping data is the foundation of ensuring that communities are resilient in the face of disaster. FEMA’s data collection and modeling processes must be transparent from beginning to end and involve the active participation of local jurisdictions to ensure maps accu-

rately reflect local conditions and minimize costs to local communities. The Committee looks forward to receiving the briefing required in House Report 115–239 on FEMA’s assessment of its existing processes to identify potential areas for improvement, including the process for reviewing and responding to appeals of preliminary Flood Insurance Rate Maps received from local communities.

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

Education, Training, and Exercises

The Committee recommends \$101,000,000 for the National Domestic Preparedness Consortium (NDPC). The NDPC provides comprehensive training to improve the readiness of the nation’s first responders to respond to all hazards, including chemical, biological, radiological, nuclear, and explosives incidents.

The recommendation also includes \$8,000,000 for Continuing Training Grants. Funding supports competitively-awarded training programs to address specific national preparedness gaps, such as cybersecurity, economic recovery, housing, and rural and tribal preparedness. Within the total, FEMA shall prioritize funding of not less than \$3,000,000, to be competitively awarded, for FEMA-certified rural and tribal training.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2018	\$7,900,720,000
Budget request, fiscal year 2019	7,234,000,000
Recommended in the bill	7,210,000,000
Bill compared with:	
Appropriation, fiscal year 2018	– 690,720,000
Budget request, fiscal year 2019	– 24,000,000

Note: Totals include funding designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Bill language is included to allow FEMA to transfer up to \$3,000,000 from the DRF to the Disaster Assistance Direct Loan Program for administrative costs to carry out the program.

The Committee is concerned with FEMA’s treatment of household financial ability when determining eligibility for continued rental assistance. According to the Administrator’s testimony before the Committee, FEMA is currently reviewing its policy regarding continued rental assistance to identify necessary changes to ensure all applicants are treated equally. While this review is underway, the Committee includes an administrative provision in the bill to prohibit the consideration of income as the basis for denying continued rental assistance following a disaster. FEMA shall brief the Committee not later than 30 days after the date of enactment of this Act on the outcome of this review, including proposed regulatory or policy changes to ensure the fair and equal treatment of individuals when determining eligibility for continued rental assistance and a timeline for implementation of such changes. The brief-

ing shall also address any legislative changes required, if applicable.

Disaster mitigation structures such as seawalls are deemed public infrastructure if they are owned by a SLTT government, unless clear ownership by a SLTT government cannot be established. FEMA is encouraged to consider making Public Assistance and Individual Assistance grant funding available for repairs to disaster mitigation structures to the fullest extent allowed by the Stafford Act.

The Committee is aware that, as recovery efforts following Hurricane Maria are underway in Puerto Rico, the Commonwealth's school system is concurrently undergoing a transition and consolidation effort. The Committee encourages FEMA to consult with the Department of Education to ensure federal agency efforts are coordinated during this period of transition, and to work with the Commonwealth to rebuild schools that are more resilient to natural disasters.

FEMA is directed to conduct a needs-based assessment to determine the strategies and related costs required to ensure cost-effective hazard mitigation measures for coastal federally-recognized tribes, including the potential costs of relocation and any relevant legislative proposals, to reduce the risk of future damage, hardship, loss, or suffering from natural hazards and major disasters. FEMA shall submit such assessment to the Committee within one year of the date of enactment of this Act.

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

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

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

NATIONAL FLOOD INSURANCE FUND

Appropriation, fiscal year 2018	\$203,500,000
Budget request, fiscal year 2019	201,691,000
Recommended in the bill	201,691,000
Bill compared with:	
Appropriation, fiscal year 2018	- 1,809,000
Budget request, fiscal year 2019	- - -

Section 11 of the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89) required FEMA to offer certain policyholders the option of paying their flood insurance premiums on a monthly basis, to help manage the cost of flood insurance to homeowners. However, more than four years after enactment, FEMA has yet to initiate the rule-making process. FEMA is directed to expeditiously promulgate regulations in compliance with this legislative mandate.

TITLE III—ADMINISTRATIVE PROVISIONS—THIS ACT

Section 301. The Committee continues a provision limiting expenses for administration of grants.

Section 302. The Committee continues a provision specifying timeframes for grant applications and awards.

Section 303. The Committee continues a provision that requires five day advance notification for certain grant awards under “Federal Emergency Management Agency—Federal Assistance”.

Section 304. The Committee continues a provision that addresses the availability of certain grant funds for the installation of communications towers.

Section 305. The Committee continues a provision requiring the submission of the monthly DRF report.

Section 306. The Committee continues a provision permitting the Secretary to grant waivers from specified requirements of section 34 of the Federal Fire Prevention and Control Act of 1974.

Section 307. The Committee continues a provision providing for the receipt and expenditure of fees collected for the Radiological Emergency Preparedness Program, as authorized by Public Law 105–276.

Section 308. The Committee includes a new provision prohibiting the denial of continued rental assistance to an individual or household on the basis of income.

TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

Appropriation, fiscal year 2018	\$132,513,000
Budget request, fiscal year 2019	131,919,000
Recommended in the bill	131,919,000
Bill compared with:	
Appropriation, fiscal year 2018	- 594,000
Budget request, fiscal year 2019	- - -

Mission

The mission of U.S. Citizenship and Immigration Services (USCIS) is to adjudicate and grant immigration and citizenship benefits, provide accurate and useful information to customers, and

promote an awareness and understanding of citizenship in support of immigrant integration, while protecting the integrity of the nation’s immigration system. Funded primarily through fees, the only discretionary spending is for the E-Verify program, an information technology system that enables employers to determine a job applicant’s eligibility to work in the United States.

Recommendation

As in prior years, the bill makes available \$10,000,000 in fee revenue to support the Citizenship and Integration Grant Program. In addition, USCIS continues to have the authority to accept private donations to support this program. The Committee directs USCIS to provide an update on its planned use of this authority not later than 30 days after the date of enactment of this Act, to include efforts undertaken to solicit private donations.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$108,856,000
Budget request, fiscal year 2019	109,081,000
Recommended in the bill	109,081,000
Bill compared with:	
Appropriation, fiscal year 2018	+225,000
Budget request, fiscal year 2019	---

The Committee directs DHS to administer the H–2B and H–2A visa programs in a manner consistent with the law and to continue to process applications as quickly as possible.

The Committee also directs USCIS to conduct a Benefit Fraud Assessment regarding the Special Immigrant Juvenile program and brief the Committee on the results of such assessment not later than one year after the date of enactment of this Act.

USCIS is expected to continue the use of fee waivers for applicants who can demonstrate an inability to pay the naturalization fee. USCIS is also encouraged to consider whether the current naturalization fee is a barrier to naturalization for those earning between 150 percent and 200 percent of the federal poverty guidelines, who are not currently eligible for a fee waiver.

The Committee encourages USCIS to maintain naturalization fees at an affordable level while also focusing on reducing the backlog of applicants. As USCIS undertakes its next biennial fee study, the Committee urges the agency to include in its final report an estimate of the resources required to clear the backlog of applications for temporary status, adjustment of status, and naturalization, as well as reduce future wait times from the submission to initial adjudication to no more than one year for all petitions processed by the agency.

Additionally, any new fee study should account for the need to hire the required number of refugee and asylee interviewers and improve coordination with the intelligence community on expanded vetting for certain refugees.

The Committee urges USCIS to dedicate more resources to U visa adjudication, specifically increasing trained U visa adjudicators by at least 60 additional agents, and provide adequate resources to hire staff and train adjudicators for the purpose of reviewing applications within six months of receipt.

The Committee encourages USCIS to work with CBP to provide lawful permanent residents who arrive at ports of entry with information about the naturalization process and to encourage them to apply for U.S. citizenship. USCIS and CBP can provide this information through Automated Passport Control self-service kiosks or through naturalization videos or signage created by the Office of Citizenship for display at USCIS locations and in the passport control or customs lines where lawful permanent residents wait to re-enter the United States.

USCIS shall brief the Committee within 180 days of the date of enactment of this Act on the number of application forms processed by month for fiscal years 2016 through 2018 for the following: form I-130 (Petition for Alien Relative); form I-485 (Application to Register Permanent Residence or Adjust Status); form I-751 (Petition to Remove Conditions on Residence); and form N-400 (Application for Naturalization). The brief shall include data on the immigration status of the petitioner (U.S. citizen or legal permanent resident); nationality of the applicant; processing time; and field office or service center to which the application was assigned.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	\$22,657,000
Budget request, fiscal year 2019	22,838,000
Recommended in the bill	22,838,000
Bill compared with:	
Appropriation, fiscal year 2018	+181,000
Budget request, fiscal year 2019	---

The Procurement, Construction, and Improvements account provides funds for the acquisition and deployment of the E-Verify program.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

Appropriation, fiscal year 2018	\$254,000,000
Budget request, fiscal year 2019	382,134,000
Recommended in the bill	254,774,000
Bill compared with:	
Appropriation, fiscal year 2018	+774,000
Budget request, fiscal year 2019	-127,360,000

Mission

The Federal Law Enforcement Training Centers (FLETC) serve as an interagency law enforcement training organization for over 90 federal agencies and numerous state, local, tribal, and international law enforcement agencies.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$254,000,000
Budget request, fiscal year 2019	296,557,000
Recommended in the bill	254,774,000
Bill compared with:	
Appropriation, fiscal year 2018	+774,000
Budget request, fiscal year 2019	-41,783,000

The Committee recommends \$254,774,000 for O&S, \$41,783,000 below the amount requested and \$774,000 above the amount provided in fiscal year 2018. The reduction below the requested amount reflects updated hiring levels for CBP and ICE based on

funding provided by the Committee. A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommended
Operations and Support		
Law Enforcement Training	\$267,749,000	\$225,966,000
Mission Support	\$28,808,000	\$28,808,000
Total, Operations and Support	\$296,557,000	\$254,774,000

The Director of FLETC shall schedule basic or advanced law enforcement training, or both, at all four training facilities to ensure they are operated at the highest capacity throughout the fiscal year.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$85,577,000
Recommended in the bill	---
Bill compared with:	
Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	- 85,577,000

The Committee recommends no funding for Procurement, Construction, and Improvements for fiscal year 2019, as the requested increase in students that was used to justify these construction projects has not been funded.

SCIENCE AND TECHNOLOGY DIRECTORATE

Appropriation, fiscal year 2018	\$840,943,000
Budget request, fiscal year 2019	583,283,000
Recommended in the bill	802,159,000
Bill compared with:	
Appropriation, fiscal year 2018	- 38,784,000
Budget request, fiscal year 2019	+218,876,000

Mission

The mission of the Science and Technology Directorate (S&T) is to conduct and support research, development, developmental and operational testing and evaluation, and the timely transition of homeland security capabilities to federal, state, and local operational end users.

Recommendation

The fiscal year 2019 President’s budget request, for the second year in a row, proposes significant reductions to S&T, which raises questions about the strategic direction the Department envisions for the capabilities provided by S&T. This is especially true in the case of S&T’s laboratory capabilities and for cybersecurity related research and development funding. While the Committee recommends continued funding for these programs, DHS is directed to brief the Committee not later than 90 days after the date of enactment of this Act on the long-term strategic direction regarding the planned role of laboratory facilities within the Department. Further, the Committee directs a joint briefing not later than 120 days after the date of enactment of this Act with S&T and NPPD re-

garding the process for determining which R&D projects to prioritize for funding that relate to cybersecurity and infrastructure protection, what the intended outcomes are, and a plan for transition, acquisition, and deployment of these technologies and capabilities upon completion.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	\$331,113,000
Budget request, fiscal year 2019	271,803,000
Recommended in the bill	304,408,000
Bill compared with:	
Appropriation, fiscal year 2018	- 26,705,000
Budget request, fiscal year 2019	+32,605,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Operations and Support		
Laboratory Facilities	\$110,519,000	\$117,840,000
Acquisition and Operations Analysis	42,552,000	48,510,000
Mission Support	118,732,000	138,058,000
Total, Operations and Support	\$271,803,000	\$304,408,000

Laboratory Facilities

The Committee recommends fully funding the Chemical Security Analysis Center (CSAC) and the National Urban Security Technology Laboratory (NUSTL) and notes that beginning in fiscal year 2019, funding for the National Biodefense Analysis and Countermeasures Center (NBACC) is shared with the Federal Bureau of Investigation. The Committee continues to support the important work of these laboratories and recognizes their unique contribution to the homeland security mission. Additionally, the Committee fully supports the President's proposal to expand the Work for Others (WFO) program within NBACC and directs S&T to report back within 90 days of the date of enactment of this Act on the process established to document, streamline, and approve WFO projects and projections for the number of projects and total revenue generated for each for the next five fiscal years.

The recommendation supports the transfer of the National Bio and Agro-defense Facility operations to the Agriculture Research Service within the Department of Agriculture.

Acquisition and Operations Analysis

The recommendation includes an increase of \$5,000,000 for the Office of Standards, an increase of \$1,957,000 for additional positions in support of the SAFETY Act program, and an increase of \$1,000,000 for Systems Engineering and Research. The recommendation does not include \$2,000,000 requested funding for Knowledge Management and Tech Foraging, which is funded in the Research and Development appropriation.

Mission Support

The recommendation restores funding for the proposed Compliance Assessment Program Office and information technology reduc-

tions, increases funding for personnel, and includes \$8,541,000 for financial systems modernization.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	\$509,830,000
Budget request, fiscal year 2019	311,480,000
Recommended in the bill	497,751,000
Bill compared with:	
Appropriation, fiscal year 2018	- 12,079,000
Budget request, fiscal year 2019	+186,271,000

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Research and Development		
Research, Development, and Innovation	\$289,734,000	\$457,251,000
University Programs	21,746,000	40,500,000
Total, Research and Development	\$311,480,000	\$497,751,000

Research, Development, and Innovation

The Committee recommends \$457,251,000 for Research, Development, and Innovation (RD&I). S&T is directed to brief the Committee not later than 30 days after the date of enactment of this Act on the proposed allocation of RD&I funds by project and thrust area, and to update the Committee on any changes from this initial allocation. Included in this amount is \$19,000,000, an increase of \$15,000,000 above the amount requested, to develop protection solutions for soft targets in critical environments and public spaces, to include schools. S&T is directed to work with NPPD’s Infrastructure Protection Office on the requirements for this initiative.

The Committee supports the continued implementation of the Integrated Product Team process, which prioritizes R&D activities across the Department and directly links S&T projects to component-identified and validated technological capability gaps. Further, the Committee continues to support S&T’s Apex programs, which focus on critical research areas such as developing and fielding next generation first responder technology, to include advanced sensors and imaging technologies.

The U.S. continues to face the challenges of protecting its water resources from both man-made and natural threats. Flood control structures, such as dams, levees, embankments, canals, and river-training structures, play a critical role in managing water resources. These flood control structures are critical for the nation to harness water resources, enable water management, and contribute to energy production. The Committee supports continued S&T, FEMA, and NPPD efforts in this area, to include assessing the impact on these structures from the effects of aging and from natural and man-made disasters, developing sustainable solutions for infrastructure protection, and providing guidance and standards to communities and critical infrastructure operators.

The Committee encourages S&T, in consultation with NIST and the First Responder Network Authority, to provide pilot funding to local public broadcasters to further demonstrate and evaluate the benefits of datacasting technology to public safety agencies.

The Committee supports S&T's efforts to develop a cost-effective detection system to rapidly collect and exploit information useful for detecting opioids and fentanyl, and includes a total of \$17,000,000 to pursue a more comprehensive and detailed prototyping program and an operational utility assessment of each prototype for use in air and land border ports of entry and at international mail handling facilities.

The Committee is concerned about the emerging and evolving threat posed by our adversaries' use of homemade explosives and encourages S&T to increase funding for the Homemade Explosive Characterization program to improve the ability to detect, evaluate, and characterize the effects of these devices. The Committee is aware of increasingly sophisticated and rapidly evolving tactical applications of detector dogs and encourages S&T to continue to conduct research to improve and validate canine detection capabilities.

The Committee supports S&T's Enabling UAS Technologies program and recommends that S&T increase funding to expand to maritime UAS systems and sensor studies. The Committee also encourages S&T to examine the use and applicability of an autonomously delivered, advanced telemedicine system that can be used in support of mass casualty and trauma support situations in remote, dangerous, or hostile environments to provide critical care support and real time communications access to specialized medical care professionals.

The request eliminated funding for S&T's Cyber Security/Information Analytics thrust area, and instead proposed an increase of \$36,721,000 for cyber-related research and development within NPPD. In lieu of providing funds within NPPD, the Committee recommends not less than \$85,501,000 for the Cyber Security/Information Analytics thrust area and directs S&T to work in conjunction with NPPD's Cybersecurity and Communications Office to develop not less than \$58,721,000 of these requirements. The Committee reminds S&T of the importance of supporting NPPD's operations and government-wide stakeholders in developing these requirements and designing a smooth and executable product integration and transition process.

The Committee is concerned about the cybersecurity threats to the nation's public utility sectors, recognizing that many providers lack sufficient expertise or financial resources to adequately mitigate these threats. The recommendation includes an increase of \$22,000,000 to establish a testbed to evaluate technologies, analytic tools, and proposed cyber solutions to mitigate cyber threats across the utility sector and develop a platform for sharing information related to testbed activities, with a goal of developing cost efficient and operationally effective sensor technologies to support small utility companies. This funding shall be used to establish a physical test bed environment and evaluation framework; socialize the concept to stakeholders; and leverage and contract for the necessary expertise.

The Committee encourages S&T to continue funding research supporting DHS's agricultural defense mission, to include a focus on transitioning university projects to useful applications that support the homeland security enterprise.

The Committee also supports continued advanced research using high resolution magnification to examine emerging semiconductor technologies (including microchips, light emitting diodes, batteries, and processors) to improve cybersecurity by detecting potential structural defects that could allow the unintended manipulation of hardware.

The Committee supports S&T's efforts to develop, promote, and transfer open source software and other open technologies, including activities conducted through the DHS Homeland Open Security Technology program and associated activities. The Committee encourages S&T to prioritize tooling for open source development to provide support for continued development of secure software.

The Committee remains concerned about the practice of spoofing by criminals to commit fraud over the phone. The Committee encourages the Department to continue to pursue the development of technologies to combat this practice and requests a briefing on these, as well as on plans for future technological research and development.

The Committee is aware of a critical shortfall of industrial capacity related to secure composite shipping containers and supports efforts to develop thermoplastic composite materials that reduce costs and improve intrusion sensor integration.

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

With the increase in the use of mobile technology, the Committee is concerned about the potential for sensitive information to be accessed and reviewed in unsecure environments. S&T, together with NPPD and OCIO, is encouraged to explore the feasibility of deploying technology that can restrict a device's access to sensitive information, as appropriate, based on the location of the device that is accessing it, to include any facilities-related requirements and associated costs to employ such methods.

University Programs

The Committee recommends \$40,500,000 for University Programs. The recommendation restores the proposed cuts to University Programs to ensure S&T's ability to maintain 10 Centers of Excellence (COEs). S&T shall notify the Committees of any plan or proposal to reduce funding for, diminish the role of, or eliminate COEs prior to taking any action to do so. S&T is encouraged to prioritize collaborations with qualified research universities to support critical research topics in priority areas, including maritime security, cross-border threat screening, unmanned systems, counterterrorism, emerging analytics, cybersecurity, first responder safety, and critical infrastructure.

The Committee is concerned that for the second year, the President's request proposes to reduce the University Programs funding level and therefore close Centers. The Committee directs S&T to

provide a report within 90 days after the date of enactment of this Act on the process for determining how funding is allocated to each Center and the metrics and process used by S&T to track each Center’s performance. Further, the report should include S&T’s plan to ensure that emeritus Centers remain as critical assets serving the national interest, as Congress intends these Centers to be a long-term investment in critical capacity building not a temporary asset.

S&T and the Coast Guard are encouraged to continue existing partnerships with museums and schools on oceanographic programs that support science, technology, engineering, and math education, and consider expanding these programs with minority-serving institutions.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$429,266,000
Recommended in the bill	434,266,000
Bill compared with:	
Appropriation, fiscal year 2018	+434,266,000
Budget request, fiscal year 2019	+5,000,000

Mission

The mission of the Countering Weapons of Mass Destruction (CWMD) Office is to thwart efforts by terrorists or other threat actors who seek to carry out an attack against the United States or its interests using a weapon of mass destruction.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$209,264,000
Recommended in the bill	214,264,000
Bill compared with:	
Appropriation, fiscal year 2018	+214,264,000
Budget request, fiscal year 2019	+5,000,000

The Operations and Support appropriation funds the operations and oversight of programs that support DHS activities to counter biological, chemical, radiological, and nuclear threats, including the development and implementation of strategic plans, exercises, and assessments of operational effectiveness of CWMD capabilities.

On December 5, 2017, the Department established a new Countering Weapons of Mass Destruction Office to consolidate the Domestic Nuclear Detection Office (DNDO), the Office of Health Affairs (OHA), and certain related activities and personnel from other components into a single office. In light of this reorganization, the fiscal year 2019 budget proposed funding in new CWMD Office accounts. The fiscal year 2018 DHS Appropriations Act included a provision to permit DHS to begin executing funds through new CWMD appropriations accounts beginning on October 1, 2018, if legislation is enacted explicitly authorizing the establishment of this Office. Consistent with H.R. 6198, introduced in the House on June 22, 2018, the recommendation reflects the proposed funding structure for fiscal year 2019.

Within the total amount provided, not less than \$500,000 is to continue implementation of the voluntary anthrax vaccine program for emergency responders. The CWMD Office is directed to brief

the Committee not later than 45 days after the date of enactment of this Act on the status of implementation of this program, including a plan for the expansion beyond the initial pilot in the first community and associated costs.

The CWMD Office is in the process of establishing a permanent footprint at the National Targeting Center in an effort to improve information sharing and coordination among DHS components. However, it is unclear whether the requested funding will fully support the capabilities currently delivered by the National Bio-surveillance Integration Center and the Joint Analysis Center, including situational awareness of biological and nuclear threats for the Department and federal, state, local, and private sectors partners. As a result, the Committee recommends \$5,000,000 above the request for continued funding of these activities.

A comparison of the budget request to the Committee recommended level by budget activity is as follows:

	Budget Request	Recommendation
Operations and Support		
Capability and Operations Support	\$125,943,000	\$130,943,000
Mission Support	83,321,000	83,321,000
Total, Operations and Support	\$209,264,000	\$214,264,000

The Committee encourages the CWMD Office to continue its engagement in support of a visualization tool that incorporates data from state and local entities that can serve as a bio-preparedness tool for emergency response, emergency management, and law enforcement at all levels of government.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$74,896,000
Recommended in the bill	74,896,000
Bill compared with:	
Appropriation, fiscal year 2018	+74,896,000
Budget request, fiscal year 2019	---

Procurement, Construction, and Improvements provides funds for the acquisition and deployment of assets to enable DHS operational components to detect radiological, nuclear, biological, and chemical threats.

The recommendation funds the acquisition and deployment of large-scale radiation and nuclear detection systems. Within the total, \$24,046,000 is for the Radiation Portal Monitor (RPM) Program; \$47,750,000 is for the RPM Replacement Program; and \$3,100,000 is for the International Rail Program.

RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$80,443,000
Recommended in the bill	80,443,000
Bill compared with:	
Appropriation, fiscal year 2018	+80,443,000
Budget request, fiscal year 2019	---

The Research and Development appropriation funds the identification, exploration, and demonstration of new technologies and capabilities to enable DHS and its partners to prevent, protect

against, respond to, and mitigate radiological, nuclear, biological, and chemical threats.

The Committee is aware of an exploratory research project underway by the CWMD Office to demonstrate a new semiconductor detector that may produce more advanced radiation detection devices. The CWMD Office shall brief the Committee on this effort not later than 30 days after the date of enactment of this Act.

FEDERAL ASSISTANCE

Appropriation, fiscal year 2018	---
Budget request, fiscal year 2019	\$64,663,000
Recommended in the bill	64,663,000
Bill compared with:	
Appropriation, fiscal year 2018	+64,663,000
Budget request, fiscal year 2019	---

The Federal Assistance appropriation funds training, exercises, and deployment of assets that support efforts of federal, state, local, tribal, territorial, and international partners to counter radiological, nuclear, biological, and chemical threats.

TITLE IV—ADMINISTRATIVE PROVISIONS—THIS ACT

Section 401. The Committee continues a provision allowing USCIS to acquire, operate, equip, and dispose of up to five vehicles under certain scenarios.

Section 402. The Committee continues a provision prohibiting USCIS from granting immigration benefits unless the results of background checks are completed prior to the granting of the benefit and the results do not preclude the granting of the benefit.

Section 403. The Committee continues a provision limiting the use of A-76 competitions by USCIS.

Section 404. The Committee continues a provision making immigration examination fee collections explicitly available for immigrant integration grants, not to exceed \$10,000,000, in fiscal year 2019.

Section 405. The Committee continues a provision authorizing FLETC to distribute funds for incurred training expenses.

Section 406. The Committee continues a provision directing the FLETC Accreditation Board to lead the federal law enforcement training accreditation process to measure and assess federal law enforcement training programs, facilities, and instructors.

Section 407. The Committee continues a provision establishing the “Federal Law Enforcement Training Centers—Procurement, Construction, and Improvements” appropriation, and allowing for the acceptance of transfers from government agencies into this appropriation.

Section 408. The Committee continues a provision classifying FLETC instructor staff as inherently governmental for certain considerations.

Section 409. The Committee includes a new provision allowing the sale of federal property and assets in Plum Island, New York, in a manner consistent with standard federal asset disposition.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Section 501. The Committee continues a provision limiting the availability of appropriations to one year unless otherwise expressly provided.

Section 502. The Committee continues a provision providing that unexpended balances of prior year appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The Committee continues and modifies a provision limiting authority to reprogram funds within an appropriation above a specified threshold unless the Department provides notification to the Committees on Appropriations at least 15 days in advance, and providing authority to transfer not more than 5 percent between appropriations accounts, with a requirement for a 30-day advance notification. A detailed funding table identifying each congressional control level for reprogramming purposes is included at the end of this report.

These reprogramming and transfer requirements shall be complied with by all agencies funded by the Department of Homeland Security Appropriations Act, 2019. In addition, the Department shall submit reprogramming and transfer notifications on a timely basis and provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each notification submitted to the Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and FTE levels for the current fiscal year and the levels requested in the President's budget for the following fiscal year.

The Department shall manage its programs and activities within the levels appropriated, and should only submit reprogramming or transfer notifications in cases of unforeseeable and compelling circumstances that could not have been predicted when formulating the budget request for the budget year. When the Department submits a reprogramming or transfer notification to the Committees and does not receive identical responses from the House and the Senate, it is expected to reconcile the House and the Senate differences before proceeding.

The Department is not to submit a notification for a reprogramming or transfer of funds after June 30 except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property. If a reprogramming or transfer is needed after June 30, the notice should contain sufficient documentation as to why it meets this statutory exception.

Deobligated funds are also subject to the reprogramming and transfer guidelines and requirements set forth in this section.

The Secretary is permitted to transfer up to \$20,000,000 to address immigration emergencies.

Section 504. The Committee continues by reference a provision prohibiting funds appropriated or otherwise made available to the Department to make payment to the Working Capital Fund (WCF), except for activities and amounts allowed in the President's fiscal

year 2019 budget request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the WCF uses of the contributing component. Any funds paid in advance or for reimbursement must reflect the full cost of each service. The Department shall submit a notification prior to adding a new activity to the fund or eliminating an existing activity from the fund. For activities added to the fund, such notifications shall detail the source of funds by PPA. In addition, the Department shall submit quarterly WCF execution reports to the Committees that include activity-level detail.

Section 505. The Committee continues and modifies a provision providing that not to exceed 50 percent of unobligated balances from prior year appropriations for each Operations and Support appropriation shall remain available through fiscal year 2020, subject to section 503 reprogramming requirements.

Section 506. The Committee continues a provision that deems intelligence activities to be specifically authorized during fiscal year 2019 until the enactment of an Act authorizing intelligence activities for fiscal year 2019.

Section 507. The Committee continues a provision requiring notification to the Committees at least three days before DHS executes or announces grant allocations; grant awards; contract awards, including contracts covered by the Federal Acquisition Regulation; other transaction agreements; letters of intent; a task or delivery order on multiple award contracts totaling \$1,000,000 or more; a task or delivery order greater than \$10,000,000 from multi-year funds; or sole-source grant awards. Notifications shall include a description of projects or activities to be funded and their location, including city, county, and state.

Section 508. The Committee continues a provision prohibiting all agencies from purchasing, constructing, or leasing additional facilities for federal law enforcement training without advance notification to the Committees.

Section 509. The Committee continues a provision prohibiting the use of funds for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

Section 510. The Committee continues a provision that consolidates by reference prior-year statutory provisions related to a contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Section 511. The Committee continues a provision prohibiting the use of funds in contravention of the Buy American Act.

Section 512. The Committee continues a provision regarding the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Section 513. The Committee continues a provision prohibiting DHS from using funds in this Act to carry out reorganization authority.

Section 514. The Committee continues a provision prohibiting funds for planning, testing, piloting, or developing a national identification card.

Section 515. The Committee continues a provision directing that any official required by this Act to report or certify to the Committees on Appropriations may not delegate such authority unless expressly authorized to do so in this Act.

Section 516. The Committee continues a provision prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba into or within the United States.

Section 517. The Committee continues a provision prohibiting funds in this Act to be used for first-class travel.

Section 518. The Committee continues a provision prohibiting the use of funds to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Section 519. The Committee continues a provision prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 520. The Committee continues a provision prohibiting the use of funds to enter into a federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 521. The Committee continues a provision requiring DHS computer systems to block electronic access to pornography, except for law enforcement purposes.

Section 522. The Committee continues a provision regarding the transfer of firearms by federal law enforcement personnel.

Section 523. The Committee continues a provision regarding funding restrictions and reporting requirements related to conferences occurring outside of the United States.

Section 524. The Committee continues a provision prohibiting funds to reimburse any federal department or agency for its participation in a National Special Security Event.

Section 525. The Committee continues a provision requiring a notification, including justification materials, prior to implementing any structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000.

Section 526. The Committee continues a provision directing the Department to post on a public website reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information.

Section 527. The Committee continues a provision authorizing minor procurement, construction, and improvements under Operations and Support appropriations, as specified.

Section 528. The Committee continues a provision related to the Arms Trade Treaty.

Section 529. The Committee continues by reference a provision to authorize DHS to fund out of existing discretionary appropriations the expenses of primary and secondary schooling of eligible dependents in areas in territories that meet certain criteria.

Section 530. The Committee continues by reference a provision providing \$41,000,000 for “Federal Emergency Management Agency—Federal Assistance” to reimburse extraordinary law enforce-

ment personnel overtime costs for protection activities directly and demonstrably associated with a residence of the President that is designated for protection.

Section 531. The Committee includes a provision regarding congressional visits to detention facilities.

Section 532. The Committee includes a provision prohibiting the use of funds to detain or deport DACA recipients who also serve in the U.S. Armed Forces.

Section 533. The Committee includes a provision prohibiting the use of funds for ICE to pay for abortions except in certain circumstances, or to require any person to perform an abortion.

Section 534. The Committee includes a provision amending the Stafford Act that prohibits FEMA from considering income in determining whether to provide or continue to provide rental assistance following a disaster.

Section 535. The Committee includes a provision making Disaster Unemployment Assistance available for a one-year period beginning on the date of a disaster declaration for Hurricane Irma and Hurricane Maria for the Commonwealth of Puerto Rico and the U.S. Virgin Islands.

Section 536. The Committee includes a provision regarding the H-2A temporary agriculture worker program.

Section 537. The Committee includes a provision regarding the H-2B temporary non-agriculture worker program.

Section 538. The Committee includes a provision prohibiting the use of funds to disallow certain Native American tribal members the right to cross the U.S.-Canada border.

Section 539. The Committee includes a provision changing the statute of limitations for the recovery of FEMA Public Assistance Grants.

Section 540. The Committee includes a provision removing per-country limits for employment-based immigrants and increases the per-country numerical limitation for family-based immigrants.

Section 541. The Committee includes a provision prohibiting the use of funds to release certain criminal alien detainees from federal custody.

Section 542. The Committee includes a provision prohibiting the implementation of USCIS Policy Memo 602-0162 and the memorandum from the Principal Legal Advisor on Litigating Domestic Violence-Based Persecution Claims Following Matter of A-B.

Section 543. The Committee includes a provision prohibiting the use of funds to use restraints on pregnant detainees in DHS custody except in certain circumstances.

Section 544. The Committee includes a provision prohibiting the use of funds for the destruction of records related to the sexual abuse or assault of detainees in custody.

Section 545. The Committee includes a provision prohibiting the use of funds for the removal of noncitizens who are DACA recipients.

Section 546. The Committee includes a provision specifying the amount by which new budget authority in the bill is less than the fiscal year 2019 budget allocation.

APPROPRIATIONS CAN BE USED ONLY FOR THE PURPOSES FOR WHICH
MADE

Title 31 of the United States Code makes clear that appropriations can be used only for the purposes for which they were appropriated as follows:

Section 1301. Application.

(a) Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment of on the motion to report, together with the names of those voting for and those voting against, are printed below:

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Roybal Allard

Description of Motion: To provide \$750,000,000 to the Coast Guard for the acquisition of a heavy polar icebreaker, offset by \$750,000,000 from U.S. Customs and Border Protection for Border Security Assets and Infrastructure.

Results: Defeated 21 yeas to 29 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Newhouse
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 2

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Mr. Aderholt

Description of Motion: To prohibit the use of funds for U.S. Immigration and Customs Enforcement to pay for abortions, except in specified circumstances, and to prohibit the use of funds to require a person to perform or facilitate an abortion.

Results: Adopted 30 yeas to 20 nays.

Members Voting Yea

Mr. Aderholt
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Cuellar
Mr. Culberson
Mr. Diaz-Balart
Mr. Fleischmann
Mr. Fortenberry
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Dr. Harris
Ms. Herrera Beutler
Mr. Jenkins
Mr. Joyce
Mr. Moolenaar
Mr. Newhouse
Mr. Palazzo
Mrs. Roby
Mr. Rogers
Mr. Rooney
Mr. Rutherford
Mr. Simpson
Mr. Stewart
Mr. Taylor
Mr. Valadao
Mr. Womack
Mr. Yoder
Mr. Young

Members Voting Nay

Mr. Aguilar
Mr. Bishop
Mr. Cartwright
Ms. Clark
Ms. DeLauro
Ms. Kaptur
Mr. Kilmer
Ms. Lee
Mrs. Lowey
Ms. McCollum
Ms. Meng
Ms. Pingree
Mr. Pocan
Mr. Price
Mr. Quigley
Ms. Roybal-Allard
Mr. Ryan
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 3

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Mrs. Lowey

Description of Motion: To prohibit the use of funds to arrest, detain, place into removal proceedings, remove, or deny work authorization for aliens from countries with a Temporary Protected Status designation on January 1, 2017.

Results: Defeated 21 yeas to 25 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Mr. Diaz-Balart
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Ms. Roybal-Allard
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Newhouse
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rutherford
 Mr. Simpson
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 4

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Mr. Serrano

Description of Motion: To provide \$75,000,000 to FEMA for additional staffing and training, offset by \$75,000,000 from U.S. Immigration and Customs Enforcement.

Results: Defeated 23 yeas to 29 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Mr. Culberson
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Newhouse
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 5

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Lee

Description of Motion: To prohibit the use of funds for the conduct of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection enforcement operations at, or within 1,000 feet of, schools, bus stops, day-care facilities, and other specified locations.

Results: Defeated 22 yeas to 30 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Ms. DeLauro
 Mr. Diaz-Balart
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppersberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Cuellar
 Mr. Culberson
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Newhouse
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 6

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Mr. Price

Description of Motion: To prohibit the use of funds to implement the memorandum from the Secretary of Homeland Security entitled, "Enforcement of the Immigration Laws to Serve the National Interest."

Results: Defeated 22 yeas to 30 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppersberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Newhouse
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 7

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Lee

Description of Motion: To prohibit the use of funds for U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection to detain pregnant women, except in extraordinary circumstances.

Results: Defeated 22 yeas to 29 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 8

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Mr. Ryan

Description of Motion: To provide \$12,500,000 to the Federal Emergency Management Agency for Assistance to Firefighter Grants (AFG) and \$12,500,000 for Staffing for Adequate Fire and Emergency Response Grants (SAFER), offset by \$25,000,000 from U.S. Customs and Border Protection for Border Security Assets and Infrastructure.

Results: Defeated 21 yeas to 29 nays.

Members Voting Yea

Mr. Aguilar
Mr. Bishop
Mr. Cartwright
Ms. Clark
Mr. Cuellar
Ms. DeLauro
Mr. Kaptur
Mr. Kilmer
Ms. Lee
Mrs. Lowey
Ms. McCollum
Ms. Meng
Ms. Pingree
Mr. Pocan
Mr. Price
Mr. Quigley
Ms. Roybal-Allard
Mr. Ruppertsberger
Mr. Ryan
Mr. Visclosky
Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
Mr. Amodei
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Culberson
Mr. Diaz-Balart
Mr. Fleischmann
Mr. Fortenberry
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Dr. Harris
Ms. Herrera Beutler
Mr. Jenkins
Mr. Joyce
Mr. Moolenaar
Mr. Palazzo
Mrs. Roby
Mr. Rogers
Mr. Rooney
Mr. Rutherford
Mr. Simpson
Mr. Stewart
Mr. Taylor
Mr. Valadao
Mr. Womack
Mr. Yoder
Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 9

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Wasserman Schultz

Description of Motion: To prohibit the use of funds for U.S. Immigration and Customs Enforcement to detain a child beyond 20 days.

Results: Defeated 21 yeas to 28 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Cuellar
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 10

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Wasserman Schultz

Description of Motion: To allow the use of funds for providing legal counsel to alien children who were separated from a family member by U.S. Immigration and Customs Enforcement and have not yet been reunited with them.

Results: Defeated 22 yeas to 28 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 11

Date: July 25, 2018

Measure: Homeland Security Appropriations Bill, FY 2019

Motion by: Ms. Wasserman Schultz

Description of Motion: To provide \$45,000,000 to the Transportation Security Administration to reimburse airports for law enforcement support and \$58,000,000 for visible intermodal prevention and response teams, offset by \$103,000,000 from U.S. Customs and Border Protection for Border Security Assets and Infrastructure.

Results: Defeated 22 yeas to 29 nays.

Members Voting Yea

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 12

Date: July 25, 2018
 Measure: Homeland Security Appropriations Bill, FY 2019
 Motion by: Mr. Rogers
 Description of Motion: To report the bill to the House, as amended.
 Results: Adopted 29 yeas to 22 nays.

Members Voting Yea

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Culberson
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Graves
 Dr. Harris
 Ms. Herrera Beutler
 Mr. Jenkins
 Mr. Joyce
 Mr. Moolenaar
 Mr. Palazzo
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Rutherford
 Mr. Simpson
 Mr. Stewart
 Mr. Taylor
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

Members Voting Nay

Mr. Aguilar
 Mr. Bishop
 Mr. Cartwright
 Ms. Clark
 Mr. Cuellar
 Ms. DeLauro
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Meng
 Ms. Pingree
 Mr. Pocan
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppersberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

RESCISSION OF FUNDS

Neither the bill nor report contain any provisions that specifically direct the rescission of funds.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds recommended in the accompanying bill:

In title III, under "Federal Emergency Management Agency—Disaster Relief Fund", language is included allowing for the transfer of up to \$3,000,000 to the Disaster Assistance Direct Loan Program.

DISCLOSURE OF EARMARKS AND CONGRESSIONAL DIRECTED SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 538 OF DIVISION D OF THE CONSOLIDATED APPROPRIATIONS ACT, 2012

SEC. 538. (a) Notwithstanding any other provision of law during fiscal year 2012 or any subsequent fiscal year, if the Secretary of Homeland Security determines that the National Bio- and Agro-defense Facility should be located at a site other than Plum Island, New York, the Secretary shall ensure that the Administrator of General Services sells **【through public sale】** all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as may be necessary to protect Government interests and meet program **【requirements.】** *requirements: Provided, That the sale of Plum Island property and assets complies with the requirements for asset disposition described in chapter 5 of subtitle I of title 40, United States Code.*

(b) The proceeds of such sale described in subsection (a) shall be deposited as offsetting collections into the Department of Homeland

Security Science and Technology “Research, Development, Acquisition, and Operations” account and, subject to appropriation, shall be available until expended, for site acquisition, construction, and costs related to the construction of the National Bio- and Agro-defense Facility, including the costs associated with the sale, including due diligence requirements, necessary environmental remediation at Plum Island, and reimbursement of expenses incurred by the General Services Administration.

**ROBERT T. STAFFORD DISASTER RELIEF AND
EMERGENCY ASSISTANCE ACT**

* * * * *

**TITLE IV—MAJOR DISASTER
ASSISTANCE PROGRAMS**

* * * * *

SEC. 408. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

(a) **IN GENERAL.**—

(1) **PROVISION OF ASSISTANCE.**—In accordance with this section, the President, in consultation with the Governor of a State, may provide financial assistance, and, if necessary, direct services, to individuals and households in the State who, as a direct result of a major disaster, have necessary expenses and serious needs in cases in which the individuals and households are unable to meet such expenses or needs through other means.

(2) **RELATIONSHIP TO OTHER ASSISTANCE.**—Under paragraph (1), an individual or household shall not be denied assistance under paragraph (1), (3), or (4) of subsection (c) solely on the basis that the individual or household has not applied for or received any loan or other financial assistance from the Small Business Administration or any other Federal agency.

(b) **HOUSING ASSISTANCE.**—

(1) **ELIGIBILITY.**—The President may provide financial or other assistance under this section to individuals and households to respond to the disaster-related housing needs of individuals and households who are displaced from their predisaster primary residences or whose predisaster primary residences are rendered uninhabitable, or with respect to individuals with disabilities, rendered inaccessible or uninhabitable, as a result of damage caused by a major disaster.

(2) **DETERMINATION OF APPROPRIATE TYPES OF ASSISTANCE.**—

(A) **IN GENERAL.**—The President shall determine appropriate types of housing assistance to be provided under this section to individuals and households described in subsection (a)(1) based on considerations of cost effectiveness, convenience to the individuals and households, and such other factors as the President may consider appropriate.

(B) **MULTIPLE TYPES OF ASSISTANCE.**—One or more types of housing assistance may be made available under this

section, based on the suitability and availability of the types of assistance, to meet the needs of individuals and households in the particular disaster situation.

(c) TYPES OF HOUSING ASSISTANCE.—

(1) TEMPORARY HOUSING.—

(A) FINANCIAL ASSISTANCE.—

(i) IN GENERAL.—The President may provide financial assistance to individuals or households to rent alternate housing accommodations, existing rental units, manufactured housing, recreational vehicles, or other readily fabricated dwellings. Such assistance may include the payment of the cost of utilities, excluding telephone service.

(ii) AMOUNT.—The amount of assistance under clause (i) shall be based on the fair market rent for the accommodation provided plus the cost of any transportation, utility hookups, security deposits, or unit installation not provided directly by the President.

(B) DIRECT ASSISTANCE.—

(i) IN GENERAL.—The President may provide temporary housing units, acquired by purchase or lease, directly to individuals or households who, because of a lack of available housing resources, would be unable to make use of the assistance provided under subparagraph (A).

(ii) LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.—

(I) IN GENERAL.—The President, to the extent the President determines it would be a cost-effective alternative to other temporary housing options, may—

(aa) enter into lease agreements with owners of multifamily rental property located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and

(bb) make repairs or improvements to properties under such lease agreements, to the extent necessary to serve as safe and adequate temporary housing.

(II) IMPROVEMENTS OR REPAIRS.—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs—

(aa) shall be deducted from the value of the lease agreement; and

(bb) may not exceed the value of the lease agreement.

(iii) PERIOD OF ASSISTANCE.—The President may not provide direct assistance under clause (i) with respect to a major disaster after the end of the 18-month period beginning on the date of the declaration of the major disaster by the President, except that the President may extend that period if the President deter-

mines that due to extraordinary circumstances an extension would be in the public interest.

(iv) COLLECTION OF RENTAL CHARGES.—After the end of the 18-month period referred to in clause (iii), the President may charge fair market rent for each temporary housing unit provided.

(2) REPAIRS.—

(A) IN GENERAL.—The President may provide financial assistance for—

(i) the repair of owner-occupied private residences, utilities, and residential infrastructure (such as a private access route) damaged by a major disaster to a safe and sanitary living or functioning condition; and

(ii) eligible hazard mitigation measures that reduce the likelihood of future damage to such residences, utilities, or infrastructure.

(B) RELATIONSHIP TO OTHER ASSISTANCE.—A recipient of assistance provided under this paragraph shall not be required to show that the assistance can be met through other means, except insurance proceeds.

(3) REPLACEMENT.—

(A) IN GENERAL.—The President may provide financial assistance for the replacement of owner-occupied private residences damaged by a major disaster.

(B) APPLICABILITY OF FLOOD INSURANCE REQUIREMENT.—With respect to assistance provided under this paragraph, the President may not waive any provision of Federal law requiring the purchase of flood insurance as a condition of the receipt of Federal disaster assistance.

(4) PERMANENT HOUSING CONSTRUCTION.—The President may provide financial assistance or direct assistance to individuals or households to construct permanent or semi-permanent housing in insular areas outside the continental United States and in other locations in cases in which—

(A) no alternative housing resources are available; and

(B) the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, or not cost-effective.

(d) TERMS AND CONDITIONS RELATING TO HOUSING ASSISTANCE.—

(1) SITES.—

(A) IN GENERAL.—Any readily fabricated dwelling provided under this section shall, whenever practicable, be located on a site that—

(i) is complete with utilities;

(ii) meets the physical accessibility requirements for individuals with disabilities; and

(iii) is provided by the State or local government, by the owner of the site, or by the occupant who was displaced by the major disaster.

(B) SITES PROVIDED BY THE PRESIDENT.—A readily fabricated dwelling may be located on a site provided by the President if the President determines that such a site would be more economical or accessible.

(2) DISPOSAL OF UNITS.—

(A) SALE TO OCCUPANTS.—

(i) IN GENERAL.—Notwithstanding any other provision of law, a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims may be sold directly to the individual or household who is occupying the unit if the individual or household lacks permanent housing.

(ii) SALE PRICE.—A sale of a temporary housing unit under clause (i) shall be at a price that is fair and equitable.

(iii) DEPOSIT OF PROCEEDS.—Notwithstanding any other provision of law, the proceeds of a sale under clause (i) shall be deposited in the appropriate Disaster Relief Fund account.

(iv) HAZARD AND FLOOD INSURANCE.—A sale of a temporary housing unit under clause (i) shall be made on the condition that the individual or household purchasing the housing unit agrees to obtain and maintain hazard and flood insurance on the housing unit.

(v) USE OF GSA SERVICES.—The President may use the services of the General Services Administration to accomplish a sale under clause (i).

(B) OTHER METHODS OF DISPOSAL.—If not disposed of under subparagraph (A), a temporary housing unit purchased under this section by the President for the purpose of housing disaster victims—

(i) may be sold to any person; or

(ii) may be sold, transferred, donated, or otherwise made available directly to a State or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in major disasters and emergencies if, as a condition of the sale, transfer, or donation, the State, other governmental agency, or voluntary organization agrees—

(I) to comply with the nondiscrimination provisions of section 308; and

(II) to obtain and maintain hazard and flood insurance on the housing unit.

(e) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

(1) MEDICAL, DENTAL, CHILD CARE, AND FUNERAL EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household in the State who is adversely affected by a major disaster to meet disaster-related medical, dental, child care, and funeral expenses.

(2) PERSONAL PROPERTY, TRANSPORTATION, AND OTHER EXPENSES.—The President, in consultation with the Governor of a State, may provide financial assistance under this section to an individual or household described in paragraph (1) to address personal property, transportation, and other necessary expenses or serious needs resulting from the major disaster.

(f) STATE ROLE.—

(1) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—

(A) GRANT TO STATE.—Subject to subsection (g), a Governor may request a grant from the President to provide

financial assistance to individuals and households in the State under subsection (e).

(B) ADMINISTRATIVE COSTS.—A State that receives a grant under subparagraph (A) may expend not more than 5 percent of the amount of the grant for the administrative costs of providing financial assistance to individuals and households in the State under subsection (e).

(2) ACCESS TO RECORDS.—In providing assistance to individuals and households under this section, the President shall provide for the substantial and ongoing involvement of the States in which the individuals and households are located, including by providing to the States access to the electronic records of individuals and households receiving assistance under this section in order for the States to make available any additional State and local assistance to the individuals and households.

(g) COST SHARING.—

(1) FEDERAL SHARE.—Except as provided in paragraph (2), the Federal share of the costs eligible to be paid using assistance provided under this section shall be 100 percent.

(2) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—In the case of financial assistance provided under subsection (e)—

(A) the Federal share shall be 75 percent; and

(B) the non-Federal share shall be paid from funds made available by the State.

(h) MAXIMUM AMOUNT OF ASSISTANCE.—

(1) IN GENERAL.—No individual or household shall receive financial assistance greater than \$25,000 under this section with respect to a single major disaster.

(2) ADJUSTMENT OF LIMIT.—The limit established under paragraph (1) shall be adjusted annually to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor.

(i) VERIFICATION MEASURES.—In carrying out this section, the President shall develop a system, including an electronic database, that shall allow the President, or the designee of the President, to—

(1) verify the identity and address of recipients of assistance under this section to provide reasonable assurance that payments are made only to an individual or household that is eligible for such assistance;

(2) minimize the risk of making duplicative payments or payments for fraudulent claims under this section;

(3) collect any duplicate payment on a claim under this section, or reduce the amount of subsequent payments to offset the amount of any such duplicate payment;

(4) provide instructions to recipients of assistance under this section regarding the proper use of any such assistance, regardless of how such assistance is distributed; and

(5) conduct an expedited and simplified review and appeal process for an individual or household whose application for assistance under this section is denied.

(j) RULES AND REGULATIONS.—The President shall prescribe rules and regulations to carry out this section, including criteria, standards, and procedures for determining eligibility for assistance.

(k) *PROHIBITION.*—

(1) *IN GENERAL.*—*Notwithstanding any other provision of this section, the President shall not consider the income of an individual or household in determining whether to provide, or continue to provide, to that individual or household rental assistance under this section.*

(2) *APPLICABILITY.*—*Paragraph (1) shall apply with respect to major disasters declared on or after January 1, 2017.*

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TITLE VII—MISCELLANEOUS

* * * * *

SEC. 705. DISASTER GRANT CLOSEOUT PROCEDURES.

(a) *STATUTE OF LIMITATIONS.*—

(1) *IN GENERAL.*—~~Except~~ *Notwithstanding section 3716(e) of title 31, United States Code, and except as provided in paragraph (2), no administrative action to recover any payment made to a State or local government for disaster or emergency assistance under this Act shall be initiated in any forum after the date that is 3 years after the date of transmission of the final expenditure [report for the disaster or emergency] report for project completion as certified by the grantee.*

(2) *FRAUD EXCEPTION.*—*The limitation under paragraph (1) shall apply unless there is evidence of civil or criminal fraud.*

(b) *REBUTTAL OF PRESUMPTION OF RECORD MAINTENANCE.*—

(1) *IN GENERAL.*—*In any dispute arising under this section after the date that is 3 years after the date of transmission of the final expenditure [report for the disaster or emergency] report for project completion as certified by the grantee, there shall be a presumption that accounting records were maintained that adequately identify the source and application of funds provided for financially assisted activities.*

(2) *AFFIRMATIVE EVIDENCE.*—*The presumption described in paragraph (1) may be rebutted only on production of affirmative evidence that the State or local government did not maintain documentation described in that paragraph.*

(3) *INABILITY TO PRODUCE DOCUMENTATION.*—*The inability of the Federal, State, or local government to produce source documentation supporting expenditure reports later than 3 years after the date of transmission of the final expenditure report for project completion as certified by the grantee shall not constitute evidence to rebut the presumption described in paragraph (1).*

(4) *RIGHT OF ACCESS.*—*The period during which the Federal, State, or local government has the right to access source documentation shall not be limited to the required 3-year retention period referred to in paragraph (3), but shall last as long as the records are maintained.*

(c) *BINDING NATURE OF GRANT REQUIREMENTS.*—*A State or local government shall not be liable for reimbursement or any other penalty for any payment made under this Act if—*

(1) *the payment was authorized by an approved agreement specifying the costs;*

(2) *the costs were reasonable; and*

(3) the purpose of the grant was accomplished.

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IMMIGRATION AND NATIONALITY ACT

* * * * *

TITLE II—IMMIGRATION

CHAPTER 1—SELECTION SYSTEM

* * * * *

NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE

SEC. 202. (a) PER COUNTRY LEVEL.—

(1) NONDISCRIMINATION.—(A) Except as specifically provided in paragraph (2) and in sections 101(a)(27), 201(b)(2)(A)(i), and 203, no person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of the person’s race, sex, nationality, place of birth, or place of residence.

(B) Nothing in this paragraph shall be construed to limit the authority of the Secretary of State to determine the procedures for the processing of immigrant visa applications or the locations where such applications will be processed.

(2) PER COUNTRY LEVELS FOR FAMILY-SPONSORED [AND EMPLOYMENT-BASED] IMMIGRANTS.—Subject to paragraphs [(3), (4), and (5),] (3) and (4), the total number of immigrant visas made available to natives of any single foreign state or dependent area under [subsections (a) and (b) of section 203] section 203(a) in any fiscal year may not exceed [7] 15 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas made available under [such subsections] such section in that fiscal year.

(3) EXCEPTION IF ADDITIONAL VISAS AVAILABLE.—If because of the application of paragraph (2) with respect to one or more foreign states or dependent areas, the total number of visas available under [both subsections (a) and (b) of section 203] section 203(a) for a calendar quarter exceeds the number of qualified immigrants who otherwise may be issued such a visa, paragraph (2) shall not apply to visas made available to such states or areas during the remainder of such calendar quarter.

(4) SPECIAL RULES FOR SPOUSES AND CHILDREN OF LAWFUL PERMANENT RESIDENT ALIENS.—

(A) 75 PERCENT OF 2ND PREFERENCE SET-ASIDE FOR SPOUSES AND CHILDREN NOT SUBJECT TO PER COUNTRY LIMITATION.—

(i) IN GENERAL.—Of the visa numbers made available under section 203(a) to immigrants described in section 203(a)(2)(A) in any fiscal year, 75 percent of the 2-A floor (as defined in clause (ii)) shall be issued without regard to the numerical limitation under paragraph (2).

(ii) 2-A FLOOR DEFINED.—In this paragraph, the term “2-A floor” means, for a fiscal year, 77 percent of the total number of visas made available under section 203(a) to immigrants described in section 203(a)(2) in the fiscal year.

(B) TREATMENT OF REMAINING 25 PERCENT FOR COUNTRIES SUBJECT TO SUBSECTION (e).—

(i) IN GENERAL.—Of the visa numbers made available under section 203(a) to immigrants described in section 203(a)(2)(A) in any fiscal year, the remaining 25 percent of the 2-A floor shall be available in the case of a state or area that is subject to subsection (e) only to the extent that the total number of visas issued in accordance with subparagraph (A) to natives of the foreign state or area is less than the subsection (e) ceiling (as defined in clause (ii)).

(ii) SUBSECTION (e) CEILING DEFINED.—In clause (i), the term “subsection (e) ceiling” means, for a foreign state or dependent area, 77 percent of the maximum number of visas that may be made available under section 203(a) to immigrants who are natives of the state or area under section 203(a)(2) consistent with subsection (e).

(C) TREATMENT OF UNMARRIED SONS AND DAUGHTERS IN COUNTRIES SUBJECT TO SUBSECTION (e).—In the case of a foreign state or dependent area to which subsection (e) applies, the number of immigrant visas that may be made available to natives of the state or area under section 203(a)(2)(B) may not exceed—

(i) 23 percent of the maximum number of visas that may be made available under section 203(a) to immigrants of the state or area described in section 203(a)(2) consistent with subsection (e), or

(ii) the number (if any) by which the maximum number of visas that may be made available under section 203(a) to immigrants of the state or area described in section 203(a)(2) consistent with subsection (e) exceeds the number of visas issued under section 203(a)(2)(A),

whichever is greater.

(D) LIMITING PASS DOWN FOR CERTAIN COUNTRIES SUBJECT TO SUBSECTION (e).—In the case of a foreign state or dependent area to which subsection (e) applies, if the total number of visas issued under section 203(a)(2) exceeds the maximum number of visas that may be made available to immigrants of the state or area under section 203(a)(2) consistent with subsection (e) (determined without regard to this paragraph), in applying paragraphs (3) and (4) of section 203(a) under subsection (e)(2) all visas shall be deemed to have been required for the classes specified in paragraphs (1) and (2) of such section.

(5) RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—

[(A) EMPLOYMENT-BASED IMMIGRANTS NOT SUBJECT TO PER COUNTRY LIMITATION IF ADDITIONAL VISAS AVAILABLE.—If the total number of visas available under para-

graph (1), (2), (3), (4), or (5) of section 203(b) for a calendar quarter exceeds the number of qualified immigrants who may otherwise be issued such visas, the visas made available under that paragraph shall be issued without regard to the numerical limitation under paragraph (2) of this subsection during the remainder of the calendar quarter.

【(B) LIMITING FALL ACROSS FOR CERTAIN COUNTRIES SUBJECT TO SUBSECTION (e).—In the case of a foreign state or dependent area to which subsection (e) applies, if the total number of visas issued under section 203(b) exceeds the maximum number of visas that may be made available to immigrants of the state or area under section 203(b) consistent with subsection (e) (determined without regard to this paragraph), in applying subsection (e) all visas shall be deemed to have been required for the classes of aliens specified in section 203(b).】

(b) RULES FOR CHARGEABILITY.—Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions, shall be treated as a separate foreign state for the purposes of a numerical level established under subsection (a)(2) when approved by the Secretary of State. All other inhabited lands shall be attributed to a foreign state specified by the Secretary of State. For the purposes of this Act the foreign state to which an immigrant is chargeable shall be determined by birth within such foreign state except that (1) an alien child, when accompanied by or following to join his alien parent or parents, may be charged to the foreign state of either parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the parent or parents, and if immigration charged to the foreign state to which such parent has been or would be chargeable has not reached a numerical level established under subsection (a)(2) for that fiscal year; (2) if an alien is chargeable to a different foreign state from that of his spouse, the foreign state to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the foreign state of the spouse he is accompanying or following to join, if such spouse has received or would be qualified for an immigrant visa and if immigration charged to the foreign state to which such spouse has been or would be chargeable has not reached a numerical level established under subsection (a)(2) for that fiscal year; (3) an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject, or, if he is not a citizen or subject of any country, in the last foreign country in which he had his residence as determined by the consular officer; and (4) an alien born within any foreign state in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the foreign state of either parent.

(c) CHARGEABILITY FOR DEPENDENT AREAS.—Any immigrant born in a colony or other component or dependent area of a foreign state overseas from the foreign state, other than an alien described in section 201(b), shall be chargeable for the purpose of the limitation set forth in subsection (a), to the foreign state.

(d) CHANGES IN TERRITORY.—In the case of any change in the territorial limits of foreign states, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all diplomatic and consular offices.

[(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under subsections (a) and (b) of section 203 to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under subsections (a) and (b) of section 203, visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that—

[(1) the ratio of the visa numbers made available under section 203(a) to the visa numbers made available under section 203(b) is equal to the ratio of the worldwide level of immigration under section 201(c) to such level under section 201(d);

[(2) except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a), and

[(3) except as provided in subsection (a)(5), the proportion of the visa numbers made available under each of paragraphs (1) through (5) of section 203(b) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(b).

Nothing in this subsection shall be construed as limiting the number of visas that may be issued to natives of a foreign state or dependent area under section 203(a) or 203(b) if there is insufficient demand for visas for such natives under section 203(b) or 203(a), respectively, or as limiting the number of visas that may be issued under section 203(a)(2)(A) pursuant to subsection (a)(4)(A).]

(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).

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CHAPTER 2—QUALIFICATIONS FOR ADMISSION OF ALIENS; TRAVEL
CONTROL OF CITIZENS AND ALIENS

* * * * *

ADMISSION OF NONIMMIGRANTS

SEC. 214. (a)(1) The admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the Attorney General may by regulations prescribe, including when he deems necessary the giving of a bond with sufficient surety in such sum and containing such conditions as the Attorney General shall prescribe, to insure that at the expiration of such time or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 248, such alien will depart from the United States. No alien admitted to Guam or the Commonwealth of the Northern Mariana Islands without a visa pursuant to section 212(l) may be authorized to enter or stay in the United States other than in Guam or the Commonwealth of the Northern Mariana Islands or to remain in Guam or the Commonwealth of the Northern Mariana Islands for a period exceeding 45 days from date of admission to Guam or the Commonwealth of the Northern Mariana Islands. No alien admitted to the United States without a visa pursuant to section 217 may be authorized to remain in the United States as a nonimmigrant visitor for a period exceeding 90 days from the date of admission.

(2)(A) The period of authorized status as a nonimmigrant described in section 101(a)(15)(O) shall be for such period as the Attorney General may specify in order to provide for the event (or events) for which the nonimmigrant is admitted.

(B) The period of authorized status as a nonimmigrant described in section 101(a)(15)(P) shall be for such period as the Attorney General may specify in order to provide for the competition, event, or performance for which the nonimmigrant is admitted. In the case of nonimmigrants admitted as individual athletes under section 101(a)(15)(P), the period of authorized status may be for an initial period (not to exceed 5 years) during which the nonimmigrant will perform as an athlete and such period may be extended by the Attorney General for an additional period of up to 5 years.

(b) Every alien (other than a nonimmigrant described in subparagraph (L) or (V) of section 101(a)(15), and other than a nonimmigrant described in any provision of section 101(a)(15)(H)(i) except subclause (b1) of such section) shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, and the immigration officers, at the time of application for admission, that he is entitled to a nonimmigrant status under section 101(a)(15). An alien who is an officer or employee of any foreign government or of any international organization entitled to enjoy privileges, exemptions, and immunities under the International Organizations Immunities Act, or an alien who is the attendant, servant, employee, or member of the immediate family of any such alien shall not be entitled to apply for or receive an immigrant visa, or to enter the United

States as an immigrant unless he executes a written waiver in the same form and substance as is prescribed by section 247(b).

(c)(1) The question of importing any alien as a nonimmigrant under subparagraph (H), (L), (O), or (P)(i) of section 101(a)(15) (excluding nonimmigrants under section 101(a)(15)(H)(i)(b1)) in any specific case or specific cases shall be determined by the Attorney General, after consultation with appropriate agencies of the Government, upon petition of the importing employer. Such petition shall be made and approved before the visa is granted. The petition shall be in such form and contain such information as the Attorney General shall prescribe. The approval of such a petition shall not, of itself, be construed as establishing that the alien is a nonimmigrant. For purposes of this subsection with respect to nonimmigrants described in section 101(a)(15)(H)(ii)(a), the term “appropriate agencies of Government” means the Department of Labor and includes the Department of Agriculture. The provisions of section 218 shall apply to the question of importing any alien as a nonimmigrant under section 101(a)(15)(H)(ii)(a).

(2)(A) The Attorney General shall provide for a procedure under which an importing employer which meets requirements established by the Attorney General may file a blanket petition to import aliens as nonimmigrants described in section 101(a)(15)(L) instead of filing individual petitions under paragraph (1) to import such aliens. Such procedure shall permit the expedited processing of visas for admission of aliens covered under such a petition.

(B) For purposes of section 101(a)(15)(L), an alien is considered to be serving in a capacity involving specialized knowledge with respect to a company if the alien has a special knowledge of the company product and its application in international markets or has an advanced level of knowledge of processes and procedures of the company.

(C) The Attorney General shall provide a process for reviewing and acting upon petitions under this subsection with respect to nonimmigrants described in section 101(a)(15)(L) within 30 days after the date a completed petition has been filed.

(D) The period of authorized admission for—

(i) a nonimmigrant admitted to render services in a managerial or executive capacity under section 101(a)(15)(L) shall not exceed 7 years, or

(ii) a nonimmigrant admitted to render services in a capacity that involves specialized knowledge under section 101(a)(15)(L) shall not exceed 5 years.

(E) In the case of an alien spouse admitted under section 101(a)(15)(L), who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United States and provide the spouse with an “employment authorized” endorsement or other appropriate work permit.

(F) An alien who will serve in a capacity involving specialized knowledge with respect to an employer for purposes of section 101(a)(15)(L) and will be stationed primarily at the worksite of an employer other than the petitioning employer or its affiliate, subsidiary, or parent shall not be eligible for classification under section 101(a)(15)(L) if—

(i) the alien will be controlled and supervised principally by such unaffiliated employer; or

(ii) the placement of the alien at the worksite of the unaffiliated employer is essentially an arrangement to provide labor for hire for the unaffiliated employer, rather than a placement in connection with the provision of a product or service for which specialized knowledge specific to the petitioning employer is necessary.

(3) The Attorney General shall approve a petition—

(A) with respect to a nonimmigrant described in section 101(a)(15)(O)(i) only after consultation in accordance with paragraph (6) or, with respect to aliens seeking entry for a motion picture or television production, after consultation with the appropriate union representing the alien's occupational peers and a management organization in the area of the alien's ability, or

(B) with respect to a nonimmigrant described in section 101(a)(15)(O)(ii) after consultation in accordance with paragraph (6) or, in the case of such an alien seeking entry for a motion picture or television production, after consultation with such a labor organization and a management organization in the area of the alien's ability.

In the case of an alien seeking entry for a motion picture or television production, (i) any opinion under the previous sentence shall only be advisory, (ii) any such opinion that recommends denial must be in writing, (iii) in making the decision the Attorney General shall consider the exigencies and scheduling of the production, and (iv) the Attorney General shall append to the decision any such opinion. The Attorney General shall provide by regulation for the waiver of the consultation requirement under subparagraph (A) in the case of aliens who have been admitted as nonimmigrants under section 101(a)(15)(O)(i) because of extraordinary ability in the arts and who seek readmission to perform similar services within 2 years after the date of a consultation under such subparagraph. Not later than 5 days after the date such a waiver is provided, the Attorney General shall forward a copy of the petition and all supporting documentation to the national office of an appropriate labor organization.

(4)(A) For purposes of section 101(a)(15)(P)(i)(a), an alien is described in this subparagraph if the alien—

(i)(I) performs as an athlete, individually or as part of a group or team, at an internationally recognized level of performance;

(II) is a professional athlete, as defined in section 204(i)(2);

(III) performs as an athlete, or as a coach, as part of a team or franchise that is located in the United States and a member of a foreign league or association of 15 or more amateur sports teams, if—

(aa) the foreign league or association is the highest level of amateur performance of that sport in the relevant foreign country;

(bb) participation in such league or association renders players ineligible, whether on a temporary or permanent basis, to earn a scholarship in, or participate in, that sport

- at a college or university in the United States under the rules of the National Collegiate Athletic Association; and
- (cc) a significant number of the individuals who play in such league or association are drafted by a major sports league or a minor league affiliate of such a sports league;
- or
- (IV) is a professional athlete or amateur athlete who performs individually or as part of a group in a theatrical ice skating production; and
- (ii) seeks to enter the United States temporarily and solely for the purpose of performing—
- (I) as such an athlete with respect to a specific athletic competition; or
- (II) in the case of an individual described in clause (i)(IV), in a specific theatrical ice skating production or tour.
- (B)(i) For purposes of section 101(a)(15)(P)(i)(b), an alien is described in this subparagraph if the alien—
- (I) performs with or is an integral and essential part of the performance of an entertainment group that has (except as provided in clause (ii)) been recognized internationally as being outstanding in the discipline for a sustained and substantial period of time,
- (II) in the case of a performer or entertainer, except as provided in clause (iii), has had a sustained and substantial relationship with that group (ordinarily for at least one year) and provides functions integral to the performance of the group, and
- (III) seeks to enter the United States temporarily and solely for the purpose of performing as such a performer or entertainer or as an integral and essential part of a performance.
- (ii) In the case of an entertainment group that is recognized nationally as being outstanding in its discipline for a sustained and substantial period of time, the Attorney General may, in consideration of special circumstances, waive the international recognition requirement of clause (i)(I).
- (iii)(I) The one-year relationship requirement of clause (i)(II) shall not apply to 25 percent of the performers and entertainers in a group.
- (II) The Attorney General may waive such one-year relationship requirement for an alien who because of illness or unanticipated and exigent circumstances replaces an essential member of the group and for an alien who augments the group by performing a critical role.
- (iv) The requirements of subclauses (I) and (II) of clause (i) shall not apply to alien circus personnel who perform as part of a circus or circus group or who constitute an integral and essential part of the performance of such circus or circus group, but only if such personnel are entering the United States to join a circus that has been recognized nationally as outstanding for a sustained and substantial period of time or as part of such a circus.
- (C) A person may petition the Attorney General for classification of an alien as a nonimmigrant under section 101(a)(15)(P).
- (D) The Attorney General shall approve petitions under this subsection with respect to nonimmigrants described in clause (i) or (iii)

of section 101(a)(15)(P) only after consultation in accordance with paragraph (6).

(E) The Attorney General shall approve petitions under this subsection for nonimmigrants described in section 101(a)(15)(P)(ii) only after consultation with labor organizations representing artists and entertainers in the United States.

(F)(i) No nonimmigrant visa under section 101(a)(15)(P)(i)(a) shall be issued to any alien who is a national of a country that is a state sponsor of international terrorism unless the Secretary of State determines, in consultation with the Secretary of Homeland Security and the heads of other appropriate United States agencies, that such alien does not pose a threat to the safety, national security, or national interest of the United States. In making a determination under this subparagraph, the Secretary of State shall apply standards developed by the Secretary of State, in consultation with the Secretary of Homeland Security and the heads of other appropriate United States agencies, that are applicable to the nationals of such states.

(ii) In this subparagraph, the term “state sponsor of international terrorism” means any country the government of which has been determined by the Secretary of State under any of the laws specified in clause (iii) to have repeatedly provided support for acts of international terrorism.

(iii) The laws specified in this clause are the following:

(I) Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or successor statute).

(II) Section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)).

(III) Section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)).

(G) The Secretary of Homeland Security shall permit a petition under this subsection to seek classification of more than 1 alien as a nonimmigrant under section 101(a)(15)(P)(i)(a).

(H) The Secretary of Homeland Security shall permit an athlete, or the employer of an athlete, to seek admission to the United States for such athlete under a provision of this Act other than section 101(a)(15)(P)(i) if the athlete is eligible under such other provision.

(5)(A) In the case of an alien who is provided nonimmigrant status under section 101(a)(15)(H)(i)(b) or 101(a)(15)(H)(ii)(b) and who is dismissed from employment by the employer before the end of the period of authorized admission, the employer shall be liable for the reasonable costs of return transportation of the alien abroad.

(B) In the case of an alien who is admitted to the United States in nonimmigrant status under section 101(a)(15)(O) or 101(a)(15)(P) and whose employment terminates for reasons other than voluntary resignation, the employer whose offer of employment formed the basis of such nonimmigrant status and the petitioner are jointly and severally liable for the reasonable cost of return transportation of the alien abroad. The petitioner shall provide assurance satisfactory to the Attorney General that the reasonable cost of that transportation will be provided.

(6)(A)(i) To meet the consultation requirement of paragraph (3)(A) in the case of a petition for a nonimmigrant described in section 101(a)(15)(O)(i) (other than with respect to aliens seeking

entry for a motion picture or television production), the petitioner shall submit with the petition an advisory opinion from a peer group (or other person or persons of its choosing, which may include a labor organization) with expertise in the specific field involved.

(ii) To meet the consultation requirement of paragraph (3)(B) in the case of a petition for a nonimmigrant described in section 101(a)(15)(O)(ii) (other than with respect to aliens seeking entry for a motion picture or television production), the petitioner shall submit with the petition an advisory opinion from a labor organization with expertise in the skill area involved.

(iii) To meet the consultation requirement of paragraph (4)(D) in the case of a petition for a nonimmigrant described in section 101(a)(15)(P)(i) or 101(a)(15)(P)(iii), the petitioner shall submit with the petition an advisory opinion from a labor organization with expertise in the specific field of athletics or entertainment involved.

(B) To meet the consultation requirements of subparagraph (A), unless the petitioner submits with the petition an advisory opinion from an appropriate labor organization, the Attorney General shall forward a copy of the petition and all supporting documentation to the national office of an appropriate labor organization within 5 days of the date of receipt of the petition. If there is a collective bargaining representative of an employer's employees in the occupational classification for which the alien is being sought, that representative shall be the appropriate labor organization.

(C) In those cases in which a petitioner described in subparagraph (A) establishes that an appropriate peer group (including a labor organization) does not exist, the Attorney General shall adjudicate the petition without requiring an advisory opinion.

(D) Any person or organization receiving a copy of a petition described in subparagraph (A) and supporting documents shall have no more than 15 days following the date of receipt of such documents within which to submit a written advisory opinion or comment or to provide a letter of no objection. Once the 15-day period has expired and the petitioner has had an opportunity, where appropriate, to supply rebuttal evidence, the Attorney General shall adjudicate such petition in no more than 14 days. The Attorney General may shorten any specified time period for emergency reasons if no unreasonable burden would be thus imposed on any participant in the process.

(E)(i) The Attorney General shall establish by regulation expedited consultation procedures in the case of nonimmigrant artists or entertainers described in section 101(a)(15)(O) or 101(a)(15)(P) to accommodate the exigencies and scheduling of a given production or event.

(ii) The Attorney General shall establish by regulation expedited consultation procedures in the case of nonimmigrant athletes described in section 101(a)(15)(O)(i) or 101(a)(15)(P)(i) in the case of emergency circumstances (including trades during a season).

(F) No consultation required under this subsection by the Attorney General with a nongovernmental entity shall be construed as permitting the Attorney General to delegate any authority under this subsection to such an entity. The Attorney General shall give such weight to advisory opinions provided under this section as the

Attorney General determines, in his sole discretion, to be appropriate.

(7) If a petition is filed and denied under this subsection, the Attorney General shall notify the petitioner of the determination and the reasons for the denial and of the process by which the petitioner may appeal the determination.

(8) The Attorney General shall submit annually to the Committees on the Judiciary of the House of Representatives and of the Senate a report describing, with respect to petitions under each subcategory of subparagraphs (H), (O), (P), and (Q) of section 101(a)(15) the following:

(A) The number of such petitions which have been filed.

(B) The number of such petitions which have been approved and the number of workers (by occupation) included in such approved petitions.

(C) The number of such petitions which have been denied and the number of workers (by occupation) requested in such denied petitions.

(D) The number of such petitions which have been withdrawn.

(E) The number of such petitions which are awaiting final action.

(9)(A) The Attorney General shall impose a fee on an employer (excluding any employer that is a primary or secondary education institution, an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a), a nonprofit entity related to or affiliated with any such institution, a nonprofit entity which engages in established curriculum-related clinical training of students registered at any such institution, a nonprofit research organization, or a governmental research organization) filing before a petition under paragraph (1)—

(i) initially to grant an alien nonimmigrant status described in section 101(a)(15)(H)(i)(b);

(ii) to extend the stay of an alien having such status (unless the employer previously has obtained an extension for such alien); or

(iii) to obtain authorization for an alien having such status to change employers.

(B) The amount of the fee shall be \$1,500 for each such petition except that the fee shall be half the amount for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States (determined by including any affiliate or subsidiary of such employer).

(C) Fees collected under this paragraph shall be deposited in the Treasury in accordance with section 286(s).

(10) An amended H-1B petition shall not be required where the petitioning employer is involved in a corporate restructuring, including but not limited to a merger, acquisition, or consolidation, where a new corporate entity succeeds to the interests and obligations of the original petitioning employer and where the terms and conditions of employment remain the same but for the identity of the petitioner.

(11)(A) Subject to subparagraph (B), the Secretary of Homeland Security or the Secretary of State, as appropriate, shall impose a

fee on an employer who has filed an attestation described in section 212(t)—

(i) in order that an alien may be initially granted non-immigrant status described in section 101(a)(15)(H)(i)(b1); or

(ii) in order to satisfy the requirement of the second sentence of subsection (g)(8)(C) for an alien having such status to obtain certain extensions of stay.

(B) The amount of the fee shall be the same as the amount imposed by the Secretary of Homeland Security under paragraph (9), except that if such paragraph does not authorize such Secretary to impose any fee, no fee shall be imposed under this paragraph.

(C) Fees collected under this paragraph shall be deposited in the Treasury in accordance with section 286(s).

(12)(A) In addition to any other fees authorized by law, the Secretary of Homeland Security shall impose a fraud prevention and detection fee on an employer filing a petition under paragraph (1)—

(i) initially to grant an alien nonimmigrant status described in subparagraph (H)(i)(b) or (L) of section 101(a)(15); or

(ii) to obtain authorization for an alien having such status to change employers.

(B) In addition to any other fees authorized by law, the Secretary of State shall impose a fraud prevention and detection fee on an alien filing an application abroad for a visa authorizing admission to the United States as a nonimmigrant described in section 101(a)(15)(L), if the alien is covered under a blanket petition described in paragraph (2)(A).

(C) The amount of the fee imposed under subparagraph (A) or (B) shall be \$500.

(D) The fee imposed under subparagraph (A) or (B) shall only apply to principal aliens and not to the spouses or children who are accompanying or following to join such principal aliens.

(E) Fees collected under this paragraph shall be deposited in the Treasury in accordance with section 286(v).

(13)(A) In addition to any other fees authorized by law, the Secretary of Homeland Security shall impose a fraud prevention and detection fee on an employer filing a petition under paragraph (1) for nonimmigrant workers described in section 101(a)(15)(H)(ii)(b).

(B) The amount of the fee imposed under subparagraph (A) shall be \$150.

(14)(A) If the Secretary of Homeland Security finds, after notice and an opportunity for a hearing, a substantial failure to meet any of the conditions of the petition to admit or otherwise provide status to a nonimmigrant worker under section 101(a)(15)(H)(ii)(b) or a willful misrepresentation of a material fact in such petition—

(i) the Secretary of Homeland Security may, in addition to any other remedy authorized by law, impose such administrative remedies (including civil monetary penalties in an amount not to exceed \$10,000 per violation) as the Secretary of Homeland Security determines to be appropriate; and

(ii) the Secretary of Homeland Security may deny petitions filed with respect to that employer under section 204 or paragraph (1) of this subsection during a period of at least 1 year but not more than 5 years for aliens to be employed by the employer.

(B) The Secretary of Homeland Security may delegate to the Secretary of Labor, with the agreement of the Secretary of Labor, any of the authority given to the Secretary of Homeland Security under subparagraph (A)(i).

[(C) In determining the level of penalties to be assessed under subparagraph (A), the highest penalties shall be reserved for willful failures to meet any of the conditions of the petition that involve harm to United States workers.]

(C) *In determining the level of penalties to be assessed under subparagraph (A), the highest penalties shall be reserved for—*

(i) willful failures to meet any of the conditions of the petition that involve harm to United States workers; and

(ii) willful misrepresentations of the number of necessary nonimmigrants in an application for temporary labor certification in support of a petition for nonimmigrants described in section 101(a)(15)(H)(ii)(b).

(D) In this paragraph, the term “substantial failure” means the willful failure to comply with the requirements of this section that constitutes a significant deviation from the terms and conditions of a petition.

(d)(1) A visa shall not be issued under the provisions of section 101(a)(15)(K)(i) until the consular officer has received a petition filed in the United States by the fiancée or fiancé of the applying alien and approved by the Secretary of Homeland Security. The petition shall be in such form and contain such information as the Secretary of Homeland Security shall, by regulation, prescribe. Such information shall include information on any criminal convictions of the petitioner for any specified crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i). It shall be approved only after satisfactory evidence is submitted by the petitioner to establish that the parties have previously met in person within 2 years before the date of filing the petition, have a bona fide intention to marry, and are legally able and actually willing to conclude a valid marriage in the United States within a period of ninety days after the alien’s arrival, except that the Secretary of Homeland Security in his discretion may waive the requirement that the parties have previously met in person. In the event the marriage with the petitioner does not occur within three months after the admission of the said alien and minor children, they shall be required to depart from the United States and upon failure to do so shall be removed in accordance with sections 240 and 241.

(2)(A) Subject to subparagraphs (B) and (C), the Secretary of Homeland Security may not approve a petition under paragraph (1) unless the Secretary has verified that—

(i) the petitioner has not, previous to the pending petition, petitioned under paragraph (1) with respect to two or more applying aliens; and

(ii) if the petitioner has had such a petition previously approved, 2 years have elapsed since the filing of such previously approved petition.

(B) The Secretary of Homeland Security may, in the Secretary’s discretion, waive the limitations in subparagraph (A) if justification exists for such a waiver. Except in extraordinary circumstances

and subject to subparagraph (C), such a waiver shall not be granted if the petitioner has a record of violent criminal offenses against a person or persons.

(C)(i) The Secretary of Homeland Security is not limited by the criminal court record and shall grant a waiver of the condition described in the second sentence of subparagraph (B) in the case of a petitioner described in clause (ii).

(ii) A petitioner described in this clause is a petitioner who has been battered or subjected to extreme cruelty and who is or was not the primary perpetrator of violence in the relationship upon a determination that—

(I) the petitioner was acting in self-defense;

(II) the petitioner was found to have violated a protection order intended to protect the petitioner; or

(III) the petitioner committed, was arrested for, was convicted of, or pled guilty to committing a crime that did not result in serious bodily injury and where there was a connection between the crime and the petitioner's having been battered or subjected to extreme cruelty.

(iii) In acting on applications under this subparagraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary.

(3) In this subsection:

(A) The terms “domestic violence”, “sexual assault”, “child abuse and neglect”, “dating violence”, “elder abuse”, and “stalking” have the meaning given such terms in section 3 of the Violence Against Women and Department of Justice Reauthorization Act of 2005.

(B) The term “specified crime” means the following:

(i) Domestic violence, sexual assault, child abuse and neglect, dating violence, elder abuse, stalking, or an attempt to commit any such crime.

(ii) Homicide, murder, manslaughter, rape, abusive sexual contact, sexual exploitation, incest, torture, trafficking, peonage, holding hostage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, or an attempt to commit any of the crimes described in this clause.

(iii) At least three convictions for crimes relating to a controlled substance or alcohol not arising from a single act.

(e)(1) Notwithstanding any other provision of this Act, an alien who is a citizen of Canada and seeks to enter the United States under and pursuant to the provisions of Annex 1502.1 (United States of America), Part C—Professionals, of the United States–Canada Free–Trade Agreement to engage in business activities at a professional level as provided for therein may be admitted for such purpose under regulations of the Attorney General promulgated after consultation with the Secretaries of State and Labor.

(2) An alien who is a citizen of Canada or Mexico, and the spouse and children of any such alien if accompanying or following to join such alien, who seeks to enter the United States under and pursuant to the provisions of Section D of Annex 1603 of the North

American Free Trade Agreement (in this subsection referred to as “NAFTA”) to engage in business activities at a professional level as provided for in such Annex, may be admitted for such purpose under regulations of the Attorney General promulgated after consultation with the Secretaries of State and Labor. For purposes of this Act, including the issuance of entry documents and the application of subsection (b), such alien shall be treated as if seeking classification, or classifiable, as a nonimmigrant under section 101(a)(15). The admission of an alien who is a citizen of Mexico shall be subject to paragraphs (3), (4), and (5). For purposes of this paragraph and paragraphs (3), (4), and (5), the term “citizen of Mexico” means “citizen” as defined in Annex 1608 of NAFTA.

(3) The Attorney General shall establish an annual numerical limit on admissions under paragraph (2) of aliens who are citizens of Mexico, as set forth in Appendix 1603.D.4 of Annex 1603 of the NAFTA. Subject to paragraph (4), the annual numerical limit—

(A) beginning with the second year that NAFTA is in force, may be increased in accordance with the provisions of paragraph 5(a) of Section D of such Annex, and

(B) shall cease to apply as provided for in paragraph 3 of such Appendix.

(4) The annual numerical limit referred to in paragraph (3) may be increased or shall cease to apply (other than by operation of paragraph 3 of such Appendix) only if—

(A) the President has obtained advice regarding the proposed action from the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155);

(B) the President has submitted a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that sets forth—

(i) the action proposed to be taken and the reasons therefor, and

(ii) the advice obtained under subparagraph (A);

(C) a period of at least 60 calendar days that begins on the first day on which the President has met the requirements of subparagraphs (A) and (B) with respect to such action has expired; and

(D) the President has consulted with such committees regarding the proposed action during the period referred to in subparagraph (C).

(5) During the period that the provisions of Appendix 1603.D.4 of Annex 1603 of the NAFTA apply, the entry of an alien who is a citizen of Mexico under and pursuant to the provisions of Section D of Annex 1603 of NAFTA shall be subject to the attestation requirement of section 212(m), in the case of a registered nurse, or the application requirement of section 212(n), in the case of all other professions set out in Appendix 1603.D.1 of Annex 1603 of NAFTA, and the petition requirement of subsection (c), to the extent and in the manner prescribed in regulations promulgated by the Secretary of Labor, with respect to sections 212(m) and 212(n), and the Attorney General, with respect to subsection (c).

(6) In the case of an alien spouse admitted under section 101(a)(15)(E), who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United

States and provide the spouse with an “employment authorized” endorsement or other appropriate work permit.

(f)(1) Except as provided in paragraph (3), no alien shall be entitled to nonimmigrant status described in section 101(a)(15)(D) if the alien intends to land for the purpose of performing service on board a vessel of the United States (as defined in section 2101(46) of title 46, United States Code) or on an aircraft of an air carrier (as defined in section 40102(a)(2) of title 49, United States Code) during a labor dispute where there is a strike or lockout in the bargaining unit of the employer in which the alien intends to perform such service.

(2) An alien described in paragraph (1)—

(A) may not be paroled into the United States pursuant to section 212(d)(5) unless the Attorney General determines that the parole of such alien is necessary to protect the national security of the United States; and

(B) shall be considered not to be a bona fide crewman for purposes of section 252(b).

(3) Paragraph (1) shall not apply to an alien if the air carrier or owner or operator of such vessel that employs the alien provides documentation that satisfies the Attorney General that the alien—

(A) has been an employee of such employer for a period of not less than 1 year preceding the date that a strike or lawful lockout commenced;

(B) has served as a qualified crewman for such employer at least once in each of 3 months during the 12-month period preceding such date; and

(C) shall continue to provide the same services that such alien provided as such a crewman.

(g)(1) The total number of aliens who may be issued visas or otherwise provided nonimmigrant status during any fiscal year (beginning with fiscal year 1992)—

(A) under section 101(a)(15)(H)(i)(b), may not exceed—

(i) 65,000 in each fiscal year before fiscal year 1999;

(ii) 115,000 in fiscal year 1999;

(iii) 115,000 in fiscal year 2000;

(iv) 195,000 in fiscal year 2001;

(v) 195,000 in fiscal year 2002;

(vi) 195,000 in fiscal year 2003; and

(vii) 65,000 in each succeeding fiscal year; or

(B) under section 101(a)(15)(H)(ii)(b) may not exceed 66,000.

(2) The numerical limitations of paragraph (1) shall only apply to principal aliens and not to the spouses or children of such aliens.

(3) Aliens who are subject to the numerical limitations of paragraph (1) shall be issued visas (or otherwise provided nonimmigrant status) in the order in which petitions are filed for such visas or status. If an alien who was issued a visa or otherwise provided nonimmigrant status and counted against the numerical limitations of paragraph (1) is found to have been issued such visa or otherwise provided such status by fraud or willfully misrepresenting a material fact and such visa or nonimmigrant status is revoked, then one number shall be restored to the total number of aliens who may be issued visas or otherwise provided such status under the numerical limitations of paragraph (1) in the fiscal year

in which the petition is revoked, regardless of the fiscal year in which the petition was approved.

(4) In the case of a nonimmigrant described in section 101(a)(15)(H)(i)(b), the period of authorized admission as such a nonimmigrant may not exceed 6 years.

(5) The numerical limitations contained in paragraph (1)(A) shall not apply to any nonimmigrant alien issued a visa or otherwise provided status under section 101(a)(15)(H)(i)(b) who—

(A) is employed (or has received an offer of employment) at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), or a related or affiliated nonprofit entity;

(B) is employed (or has received an offer of employment) at a nonprofit research organization or a governmental research organization; or

(C) has earned a master's or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000.

(6) Any alien who ceases to be employed by an employer described in paragraph (5)(A) shall, if employed as a nonimmigrant alien described in section 101(a)(15)(H)(i)(b), who has not previously been counted toward the numerical limitations contained in paragraph (1)(A), be counted toward those limitations the first time the alien is employed by an employer other than one described in paragraph (5).

(7) Any alien who has already been counted, within the 6 years prior to the approval of a petition described in subsection (c), toward the numerical limitations of paragraph (1)(A) shall not again be counted toward those limitations unless the alien would be eligible for a full 6 years of authorized admission at the time the petition is filed. Where multiple petitions are approved for 1 alien, that alien shall be counted only once.

(8)(A) The agreements referred to in section 101(a)(15)(H)(i)(b1) are—

- (i) the United States-Chile Free Trade Agreement; and
- (ii) the United States-Singapore Free Trade Agreement.

(B)(i) The Secretary of Homeland Security shall establish annual numerical limitations on approvals of initial applications by aliens for admission under section 101(a)(15)(H)(i)(b1).

(ii) The annual numerical limitations described in clause (i) shall not exceed—

(I) 1,400 for nationals of Chile (as defined in article 14.9 of the United States-Chile Free Trade Agreement) for any fiscal year; and

(II) 5,400 for nationals of Singapore (as defined in Annex 1A of the United States-Singapore Free Trade Agreement) for any fiscal year.

(iii) The annual numerical limitations described in clause (i) shall only apply to principal aliens and not to the spouses or children of such aliens.

(iv) The annual numerical limitation described in paragraph (1)(A) is reduced by the amount of the annual numerical limitations established under clause (i). However, if a numerical limita-

tion established under clause (i) has not been exhausted at the end of a given fiscal year, the Secretary of Homeland Security shall adjust upwards the numerical limitation in paragraph (1)(A) for that fiscal year by the amount remaining in the numerical limitation under clause (i). Visas under section 101(a)(15)(H)(i)(b) may be issued pursuant to such adjustment within the first 45 days of the next fiscal year to aliens who had applied for such visas during the fiscal year for which the adjustment was made.

(C) The period of authorized admission as a nonimmigrant under section 101(a)(15)(H)(i)(b1) shall be 1 year, and may be extended, but only in 1-year increments. After every second extension, the next following extension shall not be granted unless the Secretary of Labor had determined and certified to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t)(1) for the purpose of permitting the nonimmigrant to obtain such extension.

(D) The numerical limitation described in paragraph (1)(A) for a fiscal year shall be reduced by one for each alien granted an extension under subparagraph (C) during such year who has obtained 5 or more consecutive prior extensions.

(9)(A) Subject to subparagraphs (B) and (C), an alien **【**who has already been counted toward the numerical limitation of paragraph (1)(B) during fiscal year 2013, 2014, or 2015 shall not again be counted toward such limitation during fiscal year 2016.**】** *shall not be counted toward the numerical limitation of paragraph (1)(B) for a fiscal year if that alien already has been counted toward such limitation during one or both of the 2 fiscal years immediately preceding that fiscal year.* Such an alien shall be considered a returning worker.

(B) A petition to admit or otherwise provide status under section 101(a)(15)(H)(ii)(b) shall include, with respect to a returning worker—

- (i) all information and evidence that the Secretary of Homeland Security determines is required to support a petition for status under section 101(a)(15)(H)(ii)(b);
- (ii) the full name of the alien; and
- (iii) a certification to the Department of Homeland Security that the alien is a returning worker.

(C) An H-2B visa or grant of nonimmigrant status for a returning worker shall be approved only if the alien is confirmed to be a returning worker by—

- (i) the Department of State; or
- (ii) if the alien is visa exempt or seeking to change to status under section 101 (a)(15)(H)(ii)(b), the Department of Homeland Security.

【(10) The numerical limitations of paragraph (1)(B) shall be allocated for a fiscal year so that the total number of aliens subject to such numerical limits who enter the United States pursuant to a visa or are accorded nonimmigrant status under section 101(a)(15)(H)(ii)(b) during the first 6 months of such fiscal year is not more than 33,000.**】**

(10)(A) Subject to subparagraphs (B) through (D), the numerical limitation of paragraph (1)(B) shall be allocated for a fiscal year so that the total number of aliens subject to such numerical limitation

who enter the United States pursuant to a visa, or otherwise are accorded nonimmigrant status, under section 101(a)(15)(H)(ii)(b) during—

(i) the first quarter of such fiscal year is not more than 9,900;

(ii) the second quarter of such fiscal year is not more than 26,400, plus any number not used under clause (i);

(iii) the third quarter of such fiscal year is not more than 26,400, plus any number not used under clauses (i) and (ii); and

(iv) the fourth quarter of such fiscal year is not more than 3,300, plus any number not used under clauses (i) through (iii).

(B) Notwithstanding subparagraph (A), the Secretary of Homeland Security, after making a determination based on demand from previous fiscal years that a change in the allocations under such subparagraph is necessary and appropriate, may modify such allocations.

(C) With respect to each quarter of a fiscal year, the Secretary of Labor shall accept applications for temporary labor certification in support of petitions for nonimmigrants described in section 101(a)(15)(H)(ii)(b) only during a one-week period to be selected by such Secretary, and shall not finally approve any of such applications during any such week.

(D) With respect to each quarter of a fiscal year, the Secretary of Labor shall approve temporary labor certifications in support of petitions for nonimmigrants described in section 101(a)(15)(H)(ii)(b) in a manner that will result in all employers that have timely submitted an approvable application being able to fill an equal (or approximately equal) percentage of the number of requested positions.

(11)(A) The Secretary of State may not approve a number of initial applications submitted for aliens described in section 101(a)(15)(E)(iii) that is more than the applicable numerical limitation set out in this paragraph.

(B) The applicable numerical limitation referred to in subparagraph (A) is 10,500 for each fiscal year.

(C) The applicable numerical limitation referred to in subparagraph (A) shall only apply to principal aliens and not to the spouses or children of such aliens.

(h) The fact that an alien is the beneficiary of an application for a preference status filed under section 204 or has otherwise sought permanent residence in the United States shall not constitute evidence of an intention to abandon a foreign residence for purposes of obtaining a visa as a nonimmigrant described in subparagraph (H)(i)(b) or (c), (L), or (V) of section 101(a)(15) or otherwise obtaining or maintaining the status of a nonimmigrant described in such subparagraph, if the alien had obtained a change of status under section 248 to a classification as such a nonimmigrant before the alien's most recent departure from the United States.

(i)(1) Except as provided in paragraph (3), for purposes of section 101(a)(15)(H)(i)(b), section 101(a)(15)(E)(iii), and paragraph (2), the term "specialty occupation" means an occupation that requires—

(A) theoretical and practical application of a body of highly specialized knowledge, and

(B) attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

(2) For purposes of section 101(a)(15)(H)(i)(b), the requirements of this paragraph, with respect to a specialty occupation, are—

(A) full state licensure to practice in the occupation, if such licensure is required to practice in the occupation,

(B) completion of the degree described in paragraph (1)(B) for the occupation, or

(C)(i) experience in the specialty equivalent to the completion of such degree, and (ii) recognition of expertise in the specialty through progressively responsible positions relating to the specialty.

(3) For purposes of section 101(a)(15)(H)(i)(b1), the term “specialty occupation” means an occupation that requires—

(A) theoretical and practical application of a body of specialized knowledge; and

(B) attainment of a bachelor’s or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.

(j)(1) Notwithstanding any other provision of this Act, an alien who is a citizen of Canada or Mexico who seeks to enter the United States under and pursuant to the provisions of Section B, Section C, or Section D of Annex 1603 of the North American Free Trade Agreement, shall not be classified as a nonimmigrant under such provisions if there is in progress a strike or lockout in the course of a labor dispute in the occupational classification at the place or intended place of employment, unless such alien establishes, pursuant to regulations promulgated by the Attorney General, that the alien’s entry will not affect adversely the settlement of the strike or lockout or the employment of any person who is involved in the strike or lockout. Notice of a determination under this paragraph shall be given as may be required by paragraph 3 of article 1603 of such Agreement. For purposes of this paragraph, the term “citizen of Mexico” means “citizen” as defined in Annex 1608 of such Agreement.

(2) Notwithstanding any other provision of this Act except section 212(t)(1), and subject to regulations promulgated by the Secretary of Homeland Security, an alien who seeks to enter the United States under and pursuant to the provisions of an agreement listed in subsection (g)(8)(A), and the spouse and children of such an alien if accompanying or following to join the alien, may be denied admission as a nonimmigrant under subparagraph (E), (L), or (H)(i)(b1) of section 101(a)(15) if there is in progress a labor dispute in the occupational classification at the place or intended place of employment, unless such alien establishes, pursuant to regulations promulgated by the Secretary of Homeland Security after consultation with the Secretary of Labor, that the alien’s entry will not affect adversely the settlement of the labor dispute or the employment of any person who is involved in the labor dispute. Notice of a determination under this paragraph shall be given as may be required by such agreement.

(k)(1) The number of aliens who may be provided a visa as nonimmigrants under section 101(a)(15)(S)(i) in any fiscal year may not exceed 200. The number of aliens who may be provided a visa as nonimmigrants under section 101(a)(15)(S)(ii) in any fiscal year may not exceed 50.

(2) The period of admission of an alien as such a nonimmigrant may not exceed 3 years. Such period may not be extended by the Attorney General.

(3) As a condition for the admission, and continued stay in lawful status, of such a nonimmigrant, the nonimmigrant—

(A) shall report not less often than quarterly to the Attorney General such information concerning the alien's whereabouts and activities as the Attorney General may require;

(B) may not be convicted of any criminal offense punishable by a term of imprisonment of 1 year or more after the date of such admission;

(C) must have executed a form that waives the nonimmigrant's right to contest, other than on the basis of an application for withholding of removal, any action for removal of the alien instituted before the alien obtains lawful permanent resident status; and

(D) shall abide by any other condition, limitation, or restriction imposed by the Attorney General.

(4) The Attorney General shall submit a report annually to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate concerning—

(A) the number of such nonimmigrants admitted;

(B) the number of successful criminal prosecutions or investigations resulting from cooperation of such aliens;

(C) the number of terrorist acts prevented or frustrated resulting from cooperation of such aliens;

(D) the number of such nonimmigrants whose admission or cooperation has not resulted in successful criminal prosecution or investigation or the prevention or frustration of a terrorist act; and

(E) the number of such nonimmigrants who have failed to report quarterly (as required under paragraph (3)) or who have been convicted of crimes in the United States after the date of their admission as such a nonimmigrant.

(1)(1) In the case of a request by an interested State agency, or by an interested Federal agency, for a waiver of the 2-year foreign residence requirement under section 212(e) on behalf of an alien described in clause (iii) of such section, the Attorney General shall not grant such waiver unless—

(A) in the case of an alien who is otherwise contractually obligated to return to a foreign country, the government of such country furnishes the Director of the United States Information Agency with a statement in writing that it has no objection to such waiver;

(B) in the case of a request by an interested State agency, the grant of such waiver would not cause the number of waivers allotted for that State for that fiscal year to exceed 30;

(C) in the case of a request by an interested Federal agency or by an interested State agency—

(i) the alien demonstrates a bona fide offer of full-time employment at a health facility or health care organization, which employment has been determined by the Attorney General to be in the public interest; and

(ii) the alien agrees to begin employment with the health facility or health care organization within 90 days of re-

ceiving such waiver, and agrees to continue to work for a total of not less than 3 years (unless the Attorney General determines that extenuating circumstances exist, such as closure of the facility or hardship to the alien, which would justify a lesser period of employment at such health facility or health care organization, in which case the alien must demonstrate another bona fide offer of employment at a health facility or health care organization for the remainder of such 3-year period); and

(D) in the case of a request by an interested Federal agency (other than a request by an interested Federal agency to employ the alien full-time in medical research or training) or by an interested State agency, the alien agrees to practice primary care or specialty medicine in accordance with paragraph (2) for a total of not less than 3 years only in the geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals, except that—

(i) in the case of a request by the Department of Veterans Affairs, the alien shall not be required to practice medicine in a geographic area designated by the Secretary;

(ii) in the case of a request by an interested State agency, the head of such State agency determines that the alien is to practice medicine under such agreement in a facility that serves patients who reside in one or more geographic areas so designated by the Secretary of Health and Human Services (without regard to whether such facility is located within such a designated geographic area), and the grant of such waiver would not cause the number of the waivers granted on behalf of aliens for such State for a fiscal year (within the limitation in subparagraph (B)) in accordance with the conditions of this clause to exceed 10; and

(iii) in the case of a request by an interested Federal agency or by an interested State agency for a waiver for an alien who agrees to practice specialty medicine in a facility located in a geographic area so designated by the Secretary of Health and Human Services, the request shall demonstrate, based on criteria established by such agency, that there is a shortage of health care professionals able to provide services in the appropriate medical specialty to the patients who will be served by the alien.

(2)(A) Notwithstanding section 248(a)(2), the Attorney General may change the status of an alien who qualifies under this subsection and section 212(e) to that of an alien described in section 101(a)(15)(H)(i)(b). The numerical limitations contained in subsection (g)(1)(A) shall not apply to any alien whose status is changed under the preceding sentence, if the alien obtained a waiver of the 2-year foreign residence requirement upon a request by an interested Federal agency or an interested State agency.

(B) No person who has obtained a change of status under subparagraph (A) and who has failed to fulfill the terms of the contract with the health facility or health care organization named in the waiver application shall be eligible to apply for

an immigrant visa, for permanent residence, or for any other change of nonimmigrant status, until it is established that such person has resided and been physically present in the country of his nationality or his last residence for an aggregate of at least 2 years following departure from the United States.

(3) Notwithstanding any other provision of this subsection, the 2-year foreign residence requirement under section 212(e) shall apply with respect to an alien described in clause (iii) of such section, who has not otherwise been accorded status under section 101(a)(27)(H), if—

(A) at any time the alien ceases to comply with any agreement entered into under subparagraph (C) or (D) of paragraph (1); or

(B) the alien's employment ceases to benefit the public interest at any time during the 3-year period described in paragraph (1)(C).

(m)(1) An alien may not be accorded status as a nonimmigrant under clause (i) or (iii) of section 101(a)(15)(F) in order to pursue a course of study—

(A) at a public elementary school or in a publicly funded adult education program; or

(B) at a public secondary school unless—

(i) the aggregate period of such status at such a school does not exceed 12 months with respect to any alien, and

(ii) the alien demonstrates that the alien has reimbursed the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance.

(2) An alien who obtains the status of a nonimmigrant under clause (i) or (iii) of section 101(a)(15)(F) in order to pursue a course of study at a private elementary or secondary school or in a language training program that is not publicly funded shall be considered to have violated such status, and the alien's visa under section 101(a)(15)(F) shall be void, if the alien terminates or abandons such course of study at such a school and undertakes a course of study at a public elementary school, in a publicly funded adult education program, in a publicly funded adult education language training program, or at a public secondary school (unless the requirements of paragraph (1)(B) are met).

(n)(1) A nonimmigrant alien described in paragraph (2) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept new employment upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (a). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

(2) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

(A) who has been lawfully admitted into the United States;

(B) on whose behalf an employer has filed a nonfrivolous petition for new employment before the date of expiration of the period of stay authorized by the Attorney General; and

(C) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.

(o)(1) No alien shall be eligible for admission to the United States under section 101(a)(15)(T) if there is substantial reason to believe that the alien has committed an act of a severe form of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000).

(2) The total number of aliens who may be issued visas or otherwise provided nonimmigrant status during any fiscal year under section 101(a)(15)(T) may not exceed 5,000.

(3) The numerical limitation of paragraph (2) shall only apply to principal aliens and not to the spouses, sons, daughters, siblings, or parents of such aliens.

(4) An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(T)(i), and who was under 21 years of age on the date on which such parent applied for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(T)(ii), if the alien attains 21 years of age after such parent's application was filed but while it was pending.

(5) An alien described in clause (i) of section 101(a)(15)(T) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.

(6) In making a determination under section 101(a)(15)(T)(i)(III)(aa) with respect to an alien, statements from State and local law enforcement officials that the alien has complied with any reasonable request for assistance in the investigation or prosecution of crimes such as kidnapping, rape, slavery, or other forced labor offenses, where severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000) appear to have been involved, shall be considered.

(7)(A) Except as provided in subparagraph (B), an alien who is issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(T) may be granted such status for a period of not more than 4 years.

(B) An alien who is issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(T) may extend the period of such status beyond the period described in subparagraph (A) if—

(i) a Federal, State, or local law enforcement official, prosecutor, judge, or other authority investigating or prosecuting activity relating to human trafficking or certifies that the presence of the alien in the United States is necessary to assist in the investigation or prosecution of such activity;

(ii) the alien is eligible for relief under section 245(l) and is unable to obtain such relief because regulations have not been issued to implement such section; or

(iii) the Secretary of Homeland Security determines that an extension of the period of such nonimmigrant status is warranted due to exceptional circumstances.

(C) Nonimmigrant status under section 101(a)(15)(T) shall be extended during the pendency of an application for adjustment of status under section 245(l).

(p) REQUIREMENTS APPLICABLE TO SECTION 101(a)(15)(U) VISAS.—

(1) PETITIONING PROCEDURES FOR SECTION 101(a)(15)(U) VISAS.—The petition filed by an alien under section 101(a)(15)(U)(i) shall contain a certification from a Federal, State, or local law enforcement official, prosecutor, judge, or other Federal, State, or local authority investigating criminal activity described in section 101(a)(15)(U)(iii). This certification may also be provided by an official of the Service whose ability to provide such certification is not limited to information concerning immigration violations. This certification shall state that the alien “has been helpful, is being helpful, or is likely to be helpful” in the investigation or prosecution of criminal activity described in section 101(a)(15)(U)(iii).

(2) NUMERICAL LIMITATIONS.—

(A) The number of aliens who may be issued visas or otherwise provided status as nonimmigrants under section 101(a)(15)(U) in any fiscal year shall not exceed 10,000.

(B) The numerical limitations in subparagraph (A) shall only apply to principal aliens described in section 101(a)(15)(U)(i), and not to spouses, children, or, in the case of alien children, the alien parents of such children.

(3) DUTIES OF THE ATTORNEY GENERAL WITH RESPECT TO “U” VISA NONIMMIGRANTS.—With respect to nonimmigrant aliens described in subsection (a)(15)(U)—

(A) the Attorney General and other government officials, where appropriate, shall provide those aliens with referrals to nongovernmental organizations to advise the aliens regarding their options while in the United States and the resources available to them; and

(B) the Attorney General shall, during the period those aliens are in lawful temporary resident status under that subsection, provide the aliens with employment authorization.

(4) CREDIBLE EVIDENCE CONSIDERED.—In acting on any petition filed under this subsection, the consular officer or the Attorney General, as appropriate, shall consider any credible evidence relevant to the petition.

(5) NONEXCLUSIVE RELIEF.—Nothing in this subsection limits the ability of aliens who qualify for status under section 101(a)(15)(U) to seek any other immigration benefit or status for which the alien may be eligible.

(6) DURATION OF STATUS.—The authorized period of status of an alien as a nonimmigrant under section 101(a)(15)(U) shall be for a period of not more than 4 years, but shall be extended upon certification from a Federal, State, or local law enforcement official, prosecutor, judge, or other Federal, State, or local authority investigating or prosecuting criminal activity described in section 101(a)(15)(U)(iii) that the alien’s presence in the United States is required to assist in the investigation or prosecution of such criminal activity. The Secretary of Homeland Security may extend, beyond the 4-year period authorized under this section, the authorized period of status of an alien as a nonimmigrant under section 101(a)(15)(U) if the Secretary determines that an extension of such period is warranted due

to exceptional circumstances. Such alien's nonimmigrant status shall be extended beyond the 4-year period authorized under this section if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have not been issued to implement such section and shall be extended during the pendency of an application for adjustment of status under section 245(m). The Secretary may grant work authorization to any alien who has a pending, bona fide application for nonimmigrant status under section 101(a)(15)(U).

(7) AGE DETERMINATIONS.—

(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.

(q)(1) In the case of a nonimmigrant described in section 101(a)(15)(V)—

(A) the Attorney General shall authorize the alien to engage in employment in the United States during the period of authorized admission and shall provide the alien with an "employment authorized" endorsement or other appropriate document signifying authorization of employment; and

(B) the period of authorized admission as such a nonimmigrant shall terminate 30 days after the date on which any of the following is denied:

(i) The petition filed under section 204 to accord the alien a status under section 203(a)(2)(A) (or, in the case of a child granted nonimmigrant status based on eligibility to receive a visa under section 203(d), the petition filed to accord the child's parent a status under section 203(a)(2)(A)).

(ii) The alien's application for an immigrant visa pursuant to the approval of such petition.

(iii) The alien's application for adjustment of status under section 245 pursuant to the approval of such petition.

(2) In determining whether an alien is eligible to be admitted to the United States as a nonimmigrant under section 101(a)(15)(V), the grounds for inadmissibility specified in section 212(a)(9)(B) shall not apply.

(3) The status of an alien physically present in the United States may be adjusted by the Attorney General, in the discretion of the Attorney General and under such regulations as the Attorney General may prescribe, to that of a nonimmigrant under section 101(a)(15)(V), if the alien—

(A) applies for such adjustment;

(B) satisfies the requirements of such section; and

(C) is eligible to be admitted to the United States, except in determining such admissibility, the grounds for inadmissibility specified in paragraphs (6)(A), (7), and (9)(B) of section 212(a) shall not apply.

(r)(1) A visa shall not be issued under the provisions of section 101(a)(15)(K)(ii) until the consular officer has received a petition filed in the United States by the spouse of the applying alien and approved by the Attorney General. The petition shall be in such form and contain such information as the Attorney General shall, by regulation, prescribe. Such information shall include information on any criminal convictions of the petitioner for any specified crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).

(2) In the case of an alien seeking admission under section 101(a)(15)(K)(ii) who concluded a marriage with a citizen of the United States outside the United States, the alien shall be considered inadmissible under section 212(a)(7)(B) if the alien is not at the time of application for admission in possession of a valid non-immigrant visa issued by a consular officer in the foreign state in which the marriage was concluded.

(3) In the case of a nonimmigrant described in section 101(a)(15)(K)(ii), and any child of such a nonimmigrant who was admitted as accompanying, or following to join, such a non-immigrant, the period of authorized admission shall terminate 30 days after the date on which any of the following is denied:

(A) The petition filed under section 204 to accord the principal alien status under section 201(b)(2)(A)(i).

(B) The principal alien's application for an immigrant visa pursuant to the approval of such petition.

(C) The principal alien's application for adjustment of status under section 245 pursuant to the approval of such petition.

(4)(A) The Secretary of Homeland Security shall create a database for the purpose of tracking multiple visa petitions filed for fiancé(e)s and spouses under clauses (i) and (ii) of section 101(a)(15)(K). Upon approval of a second visa petition under section 101(a)(15)(K) for a fiancé(e) or spouse filed by the same United States citizen petitioner, the petitioner shall be notified by the Secretary that information concerning the petitioner has been entered into the multiple visa petition tracking database. All subsequent fiancé(e) or spouse nonimmigrant visa petitions filed by that petitioner under such section shall be entered in the database.

(B)(i) Once a petitioner has had two fiancé(e) or spousal petitions approved under clause (i) or (ii) of section 101(a)(15)(K), if a subsequent petition is filed under such section less than 10 years after the date the first visa petition was filed under such section, the Secretary of Homeland Security shall notify both the petitioner and beneficiary of any such subsequent petition about the number of previously approved fiancé(e) or spousal petitions listed in the database.

(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).

(5) In this subsection:

(A) The terms “domestic violence”, “sexual assault”, “child abuse and neglect”, “dating violence”, “elder abuse”, and “stalking” have the meaning given such terms in section 3 of the Violence Against Women and Department of Justice Reauthorization Act of 2005.

(B) The term “specified crime” means the following:

(i) Domestic violence, sexual assault, child abuse and neglect, dating violence, elder abuse, stalking, or an attempt to commit any such crime.

(ii) Homicide, murder, manslaughter, rape, abusive sexual contact, sexual exploitation, incest, torture, trafficking, peonage, holding hostage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, or an attempt to commit any of the crimes described in this clause.

(iii) At least three convictions for crimes relating to a controlled substance or alcohol not arising from a single act.

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CHINESE STUDENT PROTECTION ACT OF 1992

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SEC. 2. ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS OF CERTAIN NATIONALS OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) IN GENERAL.—Subject to subsection (c)(1), whenever an alien described in subsection (b) applies for adjustment of status under section 245 of the Immigration and Nationality Act during the application period (as defined in [subsection (e)]) *subsection (d)* the following rules shall apply with respect to such adjustment:

(1) The alien shall be deemed to have had a petition approved under section 204(a) of such Act for classification under section 203(b)(3)(A)(i) of such Act.

(2) The application shall be considered without regard to whether an immigrant visa number is immediately available at the time the application is filed.

(3) In determining the alien’s admissibility as an immigrant, and the alien’s eligibility for an immigrant visa—

(A) paragraphs (5) and (7)(A) of section 212(a) and section 212(e) of such Act shall not apply; and

(B) the Attorney General may waive any other provision of section 212(a) (other than paragraph (2)(C) and subparagraph (A), (B), (C), or (E) of paragraph (3)) of such Act with respect to such adjustment for humanitarian purposes, for purposes of assuring family unity, or if otherwise in the public interest.

(4) The numerical level of section 202(a)(2) of such Act shall not apply.

(5) Section 245(c) of such Act shall not apply.

(b) ALIENS COVERED.—For purposes of this section, an alien described in this subsection is an alien who—

(1) is a national of the People's Republic of China described in section 1 of Executive Order No. 12711 as in effect on April 11, 1990;

(2) has resided continuously in the United States since April 11, 1990 (other than brief, casual, and innocent absences); and

(3) was not physically present in the People's Republic of China for longer than 90 days after such date and before the date of the enactment of this Act.

(c) CONDITION; DISSEMINATION OF INFORMATION.—

(1) NOT APPLICABLE IF SAFE RETURN PERMITTED.—Subsection (a) shall not apply to any alien if the President has determined and certified to Congress, before the first day of the application period, that conditions in the People's Republic of China permit aliens described in subsection (b)(1) to return to that foreign state in safety.

(2) DISSEMINATION OF INFORMATION.—If the President has not made the certification described in paragraph (1) by the first day of the application period, the Attorney General shall, subject to the availability of appropriations, immediately broadly disseminate to aliens described in subsection (b)(1) information respecting the benefits available under this section. To the extent practicable, the Attorney General shall provide notice of these benefits to the last known mailing address of each such alien.

[(d) OFFSET IN PER COUNTRY NUMERICAL LEVEL.—

[(1) IN GENERAL.—The numerical level under section 202(a)(2) of the Immigration and Nationality Act applicable to natives of the People's Republic of China in each applicable fiscal year (as defined in paragraph (3)) shall be reduced by 1,000.

[(2) ALLOTMENT IF SECTION 202(e) APPLIES.—If section 202(e) of the Immigration and Nationality Act is applied to the People's Republic of China in an applicable fiscal year, in applying such section—

[(A) 300 immigrant visa numbers shall be deemed to have been previously issued to natives of that foreign state under section 203(b)(3)(A)(i) of such Act in that year, and

[(B) 700 immigrant visa numbers shall be deemed to have been previously issued to natives of that foreign state under section 203(b)(5) of such Act in that year.

[(3) APPLICABLE FISCAL YEAR.—

[(A) IN GENERAL.—In this subsection, the term “applicable fiscal year” means each fiscal year during the period—

[(i) beginning with the fiscal year in which the application period begins; and

[(ii) ending with the first fiscal year by the end of which the cumulative number of aliens counted for all fiscal years under subparagraph (B) equals or exceeds the total number of aliens whose status has been adjusted under section 245 of the Immigration and Nationality Act pursuant to subsection (a).

[(B) NUMBER COUNTED EACH YEAR.—The number counted under this subparagraph for a fiscal year (beginning during or after the application period) is 1,000, plus the number (if any) by which (i) the immigration level under

section 202(a)(2) of the Immigration and Nationality Act for the People's Republic of China in the fiscal year (as reduced under this subsection), exceeds (ii) the number of aliens who were chargeable to such level in the year.

[(e)] (d) APPLICATION PERIOD DEFINED.—In this section, the term “application period” means the 12-month period beginning July 1, 1993.

COMPLIANCE WITH RULE XIII, CLAUSE 3(f)(1)

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the Committee has inserted at the appropriate place in the report a description of the effects of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly.

The bill provides, in some instances, funding of agencies and activities where legislation has not yet been finalized. In addition, the bill carries language, in some instances, permitting activities not authorized by law. Additionally, the Committee includes a number of general provisions.

TITLE I—DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT OPERATIONS AND SUPPORT

The Committee includes language providing funds for executive management for operations and support, including funds for official reception and representation expenses.

MANAGEMENT DIRECTORATE OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including funds for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing for funds for procurement, construction, and improvements.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION OPERATIONS AND SUPPORT

The Committee includes language providing funds for the Office of Intelligence and Analysis and the Office of Operations Coordination, including funding for official reception and representation expenses, and provides two-year availability of funds for certain activities.

OFFICE OF INSPECTOR GENERAL

OPERATIONS AND SUPPORT

The Committee includes language providing funds for the Office of Inspector General as well as certain confidential operational expenses, including the payment of informants.

ADMINISTRATIVE PROVISIONS

Language regarding grants or contracts awarded by means other than full and open competition and requires the Inspector General to review them and report the results to the Committees.

Language requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Language requiring the Secretary, in conjunction with the Secretary of Treasury, to notify the Committees of any proposed transfers from the Department of Treasury Forfeiture Fund to any agency at DHS.

Language related to official costs of the Secretary and Deputy Secretary.

Language requiring the Secretary to submit reports on visa overstay data and to post border security metrics on its website.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

OPERATIONS AND SUPPORT

The Committee includes language making funds available for operations and support, including funds for the transportation of unaccompanied minor aliens; air and marine assistance to other law enforcement agencies and humanitarian efforts; purchase or lease of vehicles; maintenance, and procurement of marine vessels, aircraft, and unmanned aircraft systems; contracting with individuals for personal services; Harbor Maintenance Fee collections; official reception and representation expenses; Customs User Fee collections; payment of rental space in connection with preclearance operations; and compensation of informants. The Committee provides two-year availability of funds for certain activities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements, to include procurements to buy, maintain, or operate aircraft and unmanned aircraft systems.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including funds for official reception and representation expenses, overseas vetted units, and the operation and maintenance necessary to sustain the daily effectiveness of equipment and facilities. The Committee includes language making funds available for special operations; compensation to informants; the reimburse-

ment of other federal agencies for certain costs; the purchase or lease of vehicles; maintenance, minor construction, and minor improvements of owned and leased facilities; the enforcement of child labor laws; and paid apprenticeships for the Human Exploitation Rescue Operations Corps. The Committee provides two-year availability of funds for certain activities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, renovation, and improvements.

TRANSPORTATION SECURITY ADMINISTRATION

OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including funds for official reception and representation expenses, and establishes conditions under which security fees are collected and credited.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

COAST GUARD

OPERATIONS AND SUPPORT

The Committee includes language providing funds for the operations and support of the Coast Guard, including funds for official reception and representation expenses; passenger motor vehicles; small boats; repairs and service life-replacements; purchase, lease, or improvement of other equipment; special pay allowances; recreation and welfare; and defense-related activities. The Committee includes language authorizing funds to be derived from the Oil Spill Liability Trust Fund.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for the procurement, construction, and improvements, including of aids to navigation, shore facilities, vessels, and aircraft. The Committee includes language authorizing funds to be derived from the Oil Spill Liability Trust Fund.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development, and for maintenance, rehabilitation, lease, and operation of related facilities and equipment. The Committee includes language authorizing funds to be derived from the Oil Spill Liability Trust Fund, and authorizing funds received from state and local governments, other public authorities, private sources,

and foreign countries to be credited to this account and used for certain purposes.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee includes language providing funds for environmental compliance and restoration of Coast Guard properties.

RETIRED PAY

The Committee includes language providing funds for retired pay and medical care for the Coast Guard's retired personnel and their dependents and makes these funds available until expended.

UNITED STATES SECRET SERVICE

OPERATIONS AND SUPPORT

The Committee includes language that provides funds for operations and support, to include funds for the purchase and replacement of vehicles; hire of passenger motor vehicles and aircraft; purchase of motorcycles; rental of certain buildings; improvements to buildings as may be necessary for protective missions; firearms matches; presentation of awards; behavioral research; advance payment for commercial accommodations; per diem and subsistence allowances; official reception and representation expenses; grant activities related to missing and exploited children investigations; and technical assistance and equipment provided to foreign law enforcement organizations. The Committee provides for two-year availability of funds for certain activities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

ADMINISTRATIVE PROVISIONS

Language regarding overtime compensation.

Language allowing CBP to sustain or increase operations in Puerto Rico.

Language regarding the availability of COBRA fee revenue.

Language allowing CBP access to certain reimbursements for preclearance activities.

Language regarding the importation of prescription drugs by an individual for personal use.

Language regarding waivers of the Jones Act.

Language prohibiting funds from being used by DHS to approve, license, facilitate, authorize, or allow the trafficking or import of property confiscated by the Cuban Government.

Language allowing the Secretary to reprogram funds within and transfer funds to "U.S. Immigration and Customs Enforcement—Operations and Support" to ensure the detention of aliens prioritized for removal.

Language prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” for the 287(g) program if the terms of the agreement governing the delegation of authority have been materially violated.

Language prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement—Operations and Support” to contract for detention services if a facility receives less than “adequate” ratings in two consecutive performance evaluations.

Language clarifying that certain elected and appointed officials are not exempt from federal passenger and baggage screening.

Language directing the deployment of explosives detection systems based on risk and other factors.

Language authorizing TSA to use funds from the Aviation Security Capital Fund for the procurement and installation of explosives detection systems or for other purposes authorized by law.

Language prohibiting funds made available by this Act under the heading “Coast Guard—Operations and Support” for recreational vessel expenses, except to the extent fees are collected from owners of yachts and credited to this appropriation.

Language allowing up to \$10,000,000 to be reprogrammed to or from Military Pay and Allowances within “Coast Guard—Operations and Support”.

Language directing the Coast Guard to submit a future-years capital investment plan.

Language allowing the Secret Service to obligate funds in anticipation of reimbursement for personnel receiving training.

Language prohibiting funds made available to the Secret Service for the protection of the head of a federal agency other than the Secretary of Homeland Security, except when the Director has entered into a reimbursable agreement for such protection services.

Language allowing the reprogramming of funds within “United States Secret Service—Operations and Support”.

Language allowing for funds made available for “United States Secret Service—Operations and Support” to be available for travel of employees on protective missions without regard to limitations on such expenditures in this or any other Act after notification to the Committees on Appropriation.

Language directing the submission of an expenditure plan for funds within “U.S. Customs and Border Protection—Procurement, Construction, and Improvements,” and prohibiting the obligation of funds without prior approval of the plan from the Committees on Appropriations of the Senate and the House of Representatives.

Language providing an additional \$1,000,000 to “Coast Guard—Operations and Support”.

TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including funds for official reception and representa-

tion expenses. The Committee provides for two-year availability of funds for certain activities.

FEDERAL PROTECTIVE SERVICE

The Committee includes language making funds available until expended for the operations of the Federal Protective Service.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

FEDERAL EMERGENCY MANAGEMENT AGENCY

OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including funds for official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements.

FEDERAL ASSISTANCE

The Committee includes language providing funds for grants, contracts, cooperative agreements, and other activities, including for terrorism prevention; public transportation and railroad security; port security; firefighter assistance; emergency management; predisaster mitigation; flood hazard mapping and risk analysis; emergency food and shelter; education, training, exercises, and technical assistance; and other programs.

DISASTER RELIEF FUND

The Committee includes language making funds available until expended for the Disaster Relief Fund.

NATIONAL FLOOD INSURANCE FUND

The Committee includes language making funds available for mission support associated with flood management and programs and activities under the National Flood Insurance Fund, including flood plain management and flood mapping. The Committee includes provisions making funds available for interest on Treasury borrowings and limiting amounts available for operating expenses, commissions and taxes of agents, and flood mitigation activities associated with the National Flood Insurance Act of 1968. The Committee includes language permitting additional fees collected to be credited as an offsetting collection and available for floodplain management; providing that not to exceed four percent of the total appropriation is available for administrative cost; and making funds available for the Flood Insurance Advocate.

ADMINISTRATIVE PROVISIONS

Language limiting expenses for administration of grants.

Language specifying timeframes for grant applications and awards.

Language requiring five day advance notification for certain grant awards under “FEMA—Federal Assistance”.

Language providing the availability of certain grant funds for the installation of communications towers.

Language requiring the submission of the monthly Disaster Relief Fund report.

Language permitting waivers from requirements of section 34 of the Federal Fire Prevention and Control Act of 1974.

Language providing for the receipt and expenditure of fees collected for the Radiological Emergency Preparedness Program, as authorized by Public Law 105–276.

Language prohibiting the denial of continued rental assistance to an individual or a household on the basis of income.

TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

OPERATIONS AND SUPPORT

The Committee includes language making funds available for operations and support for the E-Verify program.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language making funds available for the E-Verify program for procurement, construction, and improvements.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

OPERATIONS AND SUPPORT

The Committee includes language making funds available for operations and support, including for official reception and representation expenses and purchase of police-type pursuit vehicles. The Committee provides two-year availability of funds for certain activities.

SCIENCE AND TECHNOLOGY DIRECTORATE

OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including the purchase or lease of vehicles and official reception and representation expenses. The Committee provides two-year availability of funds for certain activities.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE
OPERATIONS AND SUPPORT

The Committee includes language providing funds for operations and support, including official reception and representation expenses.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

The Committee includes language providing funds for procurement, construction, and improvements.

RESEARCH AND DEVELOPMENT

The Committee includes language providing funds for research and development.

FEDERAL ASSISTANCE

The Committee includes language providing funds for federal assistance through grants, contracts, cooperative agreements, and other activities.

ADMINISTRATIVE PROVISIONS

Language allowing USCIS to acquire, operate, equip, and dispose of up to five vehicles under certain scenarios.

Language prohibiting USCIS from granting immigration benefits unless the results of background checks are completed prior to the granting of the benefit and the results do not preclude the granting of the benefit.

Language limiting the use of A-76 competitions by USCIS.

Language making immigration examination fee collections explicitly available for immigrant integration grants, not to exceed \$10,000,000, in fiscal year 2019.

Language authorizing FLETC to distribute funds for incurred training expenses. Language directing the FLETC Accreditation Board to lead the federal law enforcement training accreditation process to measure and assess federal law enforcement training programs, facilities, and instructors.

Language establishing a “Federal Law Enforcement Training Centers—Procurement, Construction, and Improvements” account for fiscal year 2019, and allowing for the acceptance of transfers from other government agencies into this account.

Language classifying FLETC instructor staff as inherently governmental for certain considerations.

Language allowing for the sale of federal property and assets on Plum Island, New York, in a manner consistent with standard federal asset disposition.

TITLE V—GENERAL PROVISIONS

Language limiting the availability of appropriations to one year unless otherwise expressly provided.

Language that unexpended balances of prior year appropriations may be merged with new appropriation accounts and used for the same purpose, subject to reprogramming guidelines.

Language limiting authority to reprogram funds within an appropriation above a specified threshold unless the Department provides notification to the Committees on Appropriations of the Senate and the House of Representatives at least 15 days in advance; and providing authority to transfer not more than 5 percent between appropriations accounts, with a requirement for a 30-day advance notification. A detailed funding table identifying each congressional control level for reprogramming purposes is included at the end of this report.

Language prohibiting funds appropriated or otherwise made available to the Department to make payment to the Working Capital Fund (WCF), except for activities and amounts allowed in the President's fiscal year 2019 budget request. Funds provided to the WCF are available until expended. The Department can only charge components for direct usage of the WCF and these funds may be used only for the purposes consistent with the WCF uses of the contributing component. Any funds paid in advance or for reimbursement must reflect the full cost of each service. The Department shall submit a notification prior to adding a new activity to the fund or eliminating an existing activity from the fund. For activities added to the fund, such notifications shall detail the source of funds by PPA. In addition, the Department shall submit quarterly WCF execution reports to the Committees that include activity-level detail.

Language providing that not to exceed 50 percent of unobligated balances from prior year appropriations for each Operations and Support appropriation shall remain available through fiscal year 2020, subject to section 503 reprogramming requirements.

Language that deems intelligence activities to be specifically authorized during fiscal year 2019 until the enactment of an Act authorizing intelligence activities for fiscal year 2019.

Language requiring notification to the Committees at least three days before DHS executes or announces grant allocations; grant awards; contract awards, including contracts covered by the Federal Acquisition Regulation; other transaction agreements; letters of intent; a task or delivery order on multiple award contracts totaling \$1,000,000 or more; a task or delivery order greater than \$10,000,000 from multi-year funds; or sole-source grant awards. Notifications shall include a description of projects or activities to be funded and their location, including city, county, and state.

Language prohibiting all agencies from purchasing, constructing, or leasing additional facilities for federal law enforcement training without advance notification to the Committees.

Language prohibiting the use of funds for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved.

Language that consolidates by reference prior-year statutory provisions related to a contracting officer's technical representative training; sensitive security information; and the use of funds in conformance with section 303 of the Energy Policy Act of 1992.

Language prohibiting the use of funds in contravention of the Buy American Act.

Language prohibiting the use of funds to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act.

Language prohibiting DHS from using funds to carry out reorganization authority.

Language prohibiting funds for planning, testing, piloting, or developing a national identification card.

Language directing that any official required by this Act to report or certify to the Committees on Appropriations may not delegate such authority unless expressly authorized to do so in this Act.

Language prohibiting the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, into or within the United States.

Language prohibiting funds in this Act to be used for first-class travel.

Language prohibiting the use of funds to employ illegal workers as described in Section 274A(h)(3) of the Immigration and Nationality Act.

Language prohibiting funds appropriated or otherwise made available by this Act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Language prohibiting the use of funds to enter into a federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Language requiring DHS computer systems to block electronic access to pornography, except for law enforcement purposes.

Language regarding the transfer of firearms by federal law enforcement personnel.

Language regarding funding restrictions and reporting requirements related to conferences occurring outside of the United States.

Language prohibiting funds to reimburse any federal department or agency for its participation in a National Special Security Event.

Language requiring a notification, including justification materials, prior to implementing any structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000.

Language directing the Department to post on a public website reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information.

Language authorizing minor procurement, construction, and improvements under Operations and Support appropriations.

Language related to the Arms Trade Treaty.

Language to authorize DHS to fund, out of existing discretionary appropriations, the expenses of primary and secondary schooling of eligible dependents in areas and territories that meet certain criteria.

Language providing an additional \$41,000,000 for “Federal Emergency Management Agency—Federal Assistance” to reimburse extraordinary law enforcement personnel overtime costs for protec-

tion activities directly and demonstrably associated with a residence of the President that is designated for protection.

Language permitting Members of Congress access to detention facilities for oversight purposes.

Language prohibiting the detention or removal of Deferred Action for Childhood Arrivals participants who also serve or served in the U.S. Armed Forces.

Language prohibiting funds to be used to pay for or facilitate an abortion for individuals in ICE custody except in certain circumstances.

Language amends the Stafford Act (42 U.S.C. 4174) to increase access for rental assistance following declared national disasters.

Language extending disaster unemployment assistance by one year for disaster declarations for hurricanes Maria and Irma.

Language amending the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to extend eligibility to agricultural work without regard to the seasonality of the labor.

Language restoring a two-year “look back” within the H–2B seasonal guest worker visa program; exempting a certain number of return workers from the overall cap; and establishing a system to allow a proportional number of visas for businesses when there is a higher demand for visas than the total number authorized.

Language prohibiting funding to deny certain Native American tribal members the right to cross the U.S.-Canada border.

Language providing flexibility under the FEMA public assistance statute of limitations.

Language removing per-country limits for employment-based immigrants; and increasing the per-country numerical limitation for family based immigrants.

Language transferring \$95,000,000 for the procurement activities for a twelfth National Security Cutter from prior year “Science and Technology Directorate—Research and Development” unobligated balances.

Language prohibiting the use of funds to release certain criminal alien detainees from federal custody.

Language prohibiting the implementation of USCIS Policy Memo 602–0162 and the memorandum from the Principal Legal Advisor on Litigating Domestic Violence-Based Persecution Claims Following Matter of A–B.

Language prohibiting the use of funds to use restraints on pregnant detainees in DHS custody except in certain circumstances.

Language prohibiting the use of funds for the destruction of records related to the sexual abuse or assault of detainees in custody.

Language prohibiting the use of funds for the removal of noncitizens who are DACA recipients.

Language specifying the amount by which new budget authority in the bill is less than the fiscal year 2019 budget allocation.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law:

FY 2019 Schedule of Unauthorized Appropriations

(Gross Discretionary - Dollars in thousands)

Agency/Program	Last Year of Authorization	Authorized Level	Appropriation in Last Year of Authorization	Appropriations in this bill	FY17/18 Authorizer Oversight Plans
Customs and Border Protection, Operations and Support	2004 ¹	\$3,083,259 ²	\$4,396,750 ³	\$12,002,072 ⁴	Oversight hearings but no plans to authorize appropriations
Customs and Border Protection, International Cargo Screening	2010 ⁵	\$153,300	\$162,000	\$3,152,595 ⁶	Oversight hearings but no plans to authorize appropriations
Customs and Border Protection, Customs-Trade Partnership Against Terrorism (C-TPAT)	2010/2012 ⁷	\$75,600/\$21,000	\$62,612/\$44,979 ⁸	\$3,007,928 ⁹	Oversight hearings but no plans to authorize appropriations
Customs and Border Protection, Automated Targeting Systems	2010 ¹⁰	\$37,485	\$34,560	\$261,737 ¹¹	Oversight hearings but no plans to authorize appropriations
Customs and Border Protection, Automated Commercial Environment	2018 ¹²	\$153,736	N/A	\$252,715 ¹³	Oversight hearings but no plans to authorize appropriations

¹ P. L. 107-210, Sec. 311

² P. L. 107-210 authorized what was formerly U. S. Customs Service (does not include Border Patrol).

³ U.S. Customs Service operations only (does not include Border Patrol).

⁴ Funding recommended for fiscal year 2019 is for the U.S. Customs and Border Protection, Operations and Support appropriation. This is not a true comparison to the legacy "Salaries and Expenses" appropriation.

⁵ P. L. 109-347, Sec. 205(m)

⁶ Funding recommended for fiscal year 2019 is for the "Domestic Operations" and "International Operations" sub-PPAs within the "Trade and Travel Operations" PPA. This is not a true comparison to the legacy "International Cargo Screening" PPA.

⁷ P. L. 109-347, Sec. 223(a) authorized operations for fiscal year 2010 and personnel through fiscal year 2012.

⁸ Funding provided for fiscal year 2010 and for fiscal year 2012 include personnel and operations.

⁹ This is not a true comparison to the legacy "Customs-Trade Partnership Against Terrorism (C-TPAT)" PPA. These funds have been realigned to the "Domestic Operations" sub-PPA within the "Trade and Travel Operations" PPA.

¹⁰ P. L. 109-347, Sec. 203(g)

¹¹ This is not a true comparison to the legacy "Automated Targeting Systems" PPA. These funds have been realigned to the "Targeting Operations" sub-PPA within the "Trade and Travel Operations" PPA.

¹² P. L. 114-125, Sec. 106 requires that funding shall not be less than this amount.

¹³ This is not a true comparison to the legacy "Automated Commercial Environment" PPA; however, the preponderance of these funds were realigned into the "Office of Trade" sub-PPA within the "Trade and Travel Operations" PPA.

Customs and Border Protection, Air and Marine Interdiction, Operations, Maintenance, and Procurement	2004 ¹⁴	\$175,000	\$240,200	\$331,287 ¹⁵	Oversight hearings but no plans to authorize appropriations
Immigration and Customs Enforcement, Operations and Support	2003 ¹⁶	\$4,131,000	N/A	\$7,333,079 ¹⁷	Oversight hearings but no plans to authorize appropriations
Immigration and Customs Enforcement, Angel Watch Center	2018 ¹⁸	\$6,000	N/A	\$5,000 ¹⁹	Oversight hearings but no plans to authorize appropriations
Transportation Security Administration, Aviation Security	2011 ²⁰	Such sums	\$3,119,546 ²¹	\$5,000,939 ²²	Oversight hearings but no plans to authorize appropriations
Transportation Security Administration, EDS/ETD Systems	2007 ²³	\$400,000	\$524,400	\$150,383 ²⁴	Oversight hearings but no plans to authorize appropriations
Transportation Security Administration, Surface Transportation Security Inspectors	2011 ²⁵	\$22,800	\$105,961 ²⁶	\$73,818 ²⁷	Oversight hearings but no plans to authorize appropriations
Transportation Security Administration, Surface Transportation Security, National Explosives Detection Canine Team Program	2011 ²⁸	Such sums	\$103,022	\$161,686	Oversight hearings but no plans to authorize appropriations

¹⁴ P. L. 107-210, Sec. 311

¹⁵ These funds have been realigned to the "Air and Marine Operations" sub-PPA that exists both within the "Integrated Operations" PPAs.

¹⁶ P.L. 107-273, Sec. 101-102

¹⁷ Funding recommended for fiscal year 2019 is for United States Immigration and Customs Enforcement, Operations and Support. This is not a true comparison to the legacy "Salaries and Expenses" appropriation.

¹⁸ P.L. 114-119, Sec. 4(a)

¹⁹ Recommended funding is part of the "Homeland Security Investigations, Domestic Investigations" sub-PPA within the "Operations and Support" appropriation. See report language within Title II, United States Immigration and Customs Enforcement for more information.

²⁰ P.L. 110-53, Sec. 1618

²¹ Net appropriations after offsetting fee collections (non-mandatory).

²² Funding recommended for fiscal year 2019 is for the "Aviation Screening Operations" PPA within the "Operations and Support" appropriation and is the gross amount before offsetting fee collections. This is not a true comparison to the legacy "Aviation Security" appropriation.

²³ P.L. 108-458, Sec. 4019

²⁴ These funds have been realigned to the "Aviation Screening Infrastructure" PPA within the "Procurement, Construction, and Improvements" appropriation and to the "Research and Development" appropriation.

²⁵ P.L. 110-53, Sec. 1304(j)

²⁶ Funding level includes surface inspectors, canines, staffing, and operations.

²⁷ These funds have been realigned to the "Other Operations and Enforcement, Surface Programs" sub-PPA within the "Operations and Support" appropriation.

²⁸ P.L. 110-53, Sec. 1307(g)

Transportation Security Administration, Transportation Threat Assessment and Credentialing	2005 ²⁹	Such sums	\$115,000 ³⁰	\$132,294 ³¹	Oversight hearings but no plans to authorize appropriations
Transportation Security Administration, Federal Air Marshal Service	2007 ³²	\$83,000	\$699,294	\$755,578 ³³	Oversight hearings but no plans to authorize appropriations
United States Coast Guard, Operations and Support	2017 ³⁴	\$6,981,036 ³⁵	\$6,987,815 ³⁵	\$7,620,309 ³⁵	T&I plans to authorize appropriations for FY19
United States Coast Guard, Environmental Compliance and Restoration	2017 ³⁴	\$16,701	\$13,315	\$13,429	T&I plans to authorize appropriations for FY19
United States Coast Guard, Reserve Training	2017 ³⁴	\$140,016	\$112,302	\$117,655	T&I plans to authorize appropriations for FY19
United States Coast Guard, Procurement, Construction, and Improvements	2017 ³⁴	\$1,945,000	\$1,247,155	\$1,524,750	T&I plans to authorize appropriations for FY19
United States Coast Guard, Research and Development	2017 ³⁴	\$19,890	\$18,319	\$19,109	T&I plans to authorize appropriations for FY19
NPPD, Infrastructure Protection and Information Security	2012 ³⁶	Such sums	\$888,243	\$1,550,112 ³⁷	Oversight hearings but no plans to authorize appropriations
FEMA, Salaries and Expenses	2010 ³⁸	\$375,342	\$797,650	\$1,057,599 ³⁹	Oversight hearings but no plans to authorize appropriations
FEMA, Integrated Public Alert and Warning System (IPAWS)	2018 ⁴⁰	Such sums	N/A	\$11,670	Oversight hearings but no plans to authorize appropriations

²⁹ P.L. 107-71, Sec. 101

³⁰ Includes the Maritime and Land Security PPA and Credentialing Activities PPA.

³¹ Funding recommended for fiscal year 2019 is for the "Other Operations and Enforcement, Vetting Programs" and "Other Operations and Enforcement, Intelligence and TSOC" sub-PPAs within the "Operations and Support" appropriation, and the "Infrastructure for Other Operations, Vetting Programs" sub-PPA within the Procurement, Construction, and Improvements appropriation.

³² P.L. 108-458, Sec. 4016

³³ Funding for the Federal Air Marshals Service is in the "Other Operations and Enforcement, In-Flight Security" sub-PPA. The recommended funding level is for that sub-PPA.

³⁴ P.L. 114-120, Sec. 101

³⁵ Amounts for Coast Guard Operating Expenses excludes amounts appropriated for Overseas Contingency Operations/Global War on Terror.

³⁶ P.L. 110-53, Sec. 541

³⁷ Represents all defense categorized funding recommended for the National Protection and Programs Directorate.

³⁸ P.L. 109-295, Sec. 699

³⁹ Funding recommended for fiscal year 2019 is for Federal Emergency Management Agency, Operations and Support. This is not a true comparison to the legacy "Salaries and Expenses" appropriation.

⁴⁰ P.L. 114-143, Sec. 2(c)

FEMA, State and Local Programs					Oversight hearings but no plans to authorize appropriations
Port Security Grants	2011 ⁴¹	\$400,000	\$250,000	\$100,000	Oversight hearings but no plans to authorize appropriations
Rail/Mass Transit Grants	2011 ⁴²	\$1,108,000	\$250,000	\$103,000	Oversight hearings but no plans to authorize appropriations
Amtrak Security	2011 ⁴³	\$175,000	\$20,000	\$10,000	Oversight hearings but no plans to authorize appropriations
Over the Road Bus Security	2011 ⁴⁴	\$25,000	\$5,000	\$7,000	Oversight hearings but no plans to authorize appropriations
National Domestic Preparedness Consortium	2011 ⁴⁵	\$25,500	N/A	\$101,000	Oversight hearings but no plans to authorize appropriations
Center for Domestic Preparedness	2011 ³²	\$66,000	N/A	\$63,939	Oversight hearings but no plans to authorize appropriations
FEMA, Urban Search and Rescue Response System	2008 ⁴⁶	\$45,000	\$36,700	\$45,330	Oversight hearings but no plans to authorize appropriations
FEMA, Emergency Management Performance Grants	2012 ⁴⁷	\$950,000	\$350,000	\$350,000	Oversight hearings but no plans to authorize appropriations
FEMA, National Predisaster Mitigation Fund	2013 ⁴⁸	\$200,000	\$25,000	\$249,200	Oversight hearings but no plans to authorize appropriations
FEMA, Emergency Food and Shelter	1994 ⁴⁹	\$188,000	N/A	\$120,000	Oversight hearings but no plans to authorize appropriations

⁴¹ P.L. 109-347, Sec. 112

⁴² P.L. 110-53

⁴³ P.L. 110-53, Sec. 1514(d)

⁴⁴ 6 U.S.C. 1182

⁴⁵ P.L. 110-53, Sec. 1204

⁴⁶ P.L. 109-295, Sec. 634

⁴⁷ P.L. 110-53, Sec. 201

⁴⁸ P.L. 109-139, Sec. 2

⁴⁹ P.L. 102-550, Sec. 1431

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the suballocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year. That information is provided in the table headed “Comparison of Reported Bill to Section 302(b) Suballocation.”

[In millions of dollars]

	302(b) allocation		This bill	
	Budget Authority	Outlays	Budget Authority	Outlays
General Purpose Discretionary	58,087	59,384	58,095	159,406
Mandatory	1,740	1,736	1,740	1,736

¹ Includes outlays from prior-year budget authority.

FIVE YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

Millions

Budget Authority:	
Outlays:	
2019	¹ \$31,896
2020	9,967
2021	7,631
2022	2,629
2023 and future years	5,515

¹ Excludes outlays from prior-year budget authority.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the financial assistance to State and local governments is as follows:

Millions

Budget Authority	\$6,939
Fiscal Year 2019 outlays resulting therefrom	¹ 613

¹ Excludes outlays from prior-year budget authority.

PROGRAM DUPLICATION

No provision of this bill establishes or reauthorizes a program of the Federal Government know to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program identified in the most recent Catalog of Federal Domestic Assistance.

DIRECTED RULE MAKING

Neither the bill nor report contain any provision that specifically directs the promulgation or completion of a rule.

DETAILED EXPLANATIONS IN REPORT

The following table contains detailed funding recommendations at the program, project, and activity (PPA) level.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

DEPARTMENT OF HOMELAND SECURITY					
TITLE I - DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, & OVERSIGHT					
Office of the Secretary and Executive Management					
Operations and Support					
Office of the Secretary.....	18,846	17,874	17,874	-972	---
Office of Policy.....	40,524	34,683	38,483	-2,041	+3,800
Office of Public Affairs.....	5,123	5,085	5,085	-38	---
Office of Legislative Affairs.....	5,000	4,992	4,992	-8	---
Office of Partnership and Engagement.....	13,373	12,656	14,294	+921	+1,638
Office of General Counsel.....	18,501	19,463	19,463	+962	---
Office for Civil Rights and Civil Liberties.....	23,571	20,825	25,071	+1,500	+4,246
Office of the Citizenship and Immigration Services Ombudsman.....	6,200	5,879	6,200	---	+321
Privacy Office.....	8,464	7,403	8,464	---	+1,061
House full committee amendment (Mgrs Amdt).....	---	---	-5,816	-5,816	-5,816
House full committee amendment (Harris).....	---	---	-6,000	-6,000	-6,000

Subtotal, Operations and Support.....	139,602	128,860	128,110	-11,492	-750

Total, Office of the Secretary and Executive Management.....	139,602	128,860	128,110	-11,492	-750

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Management Directorate					
Operations and Support					
Immediate Office of the Under Secretary for					
Management.....	6,770	7,730	7,730	+960	---
Office of the Chief Readiness Support Officer.....	71,105	90,413	90,413	+19,308	---
Office of the Chief Human Capital Officer.....	71,052	107,606	118,430	+47,378	+10,824
Office of the Chief Security Officer.....	74,963	78,868	78,868	+3,905	---
Office of the Chief Procurement Officer.....	102,615	103,197	103,197	+582	---
Office of the Chief Financial Officer.....	63,734	64,873	64,873	+1,139	---
Office of the Chief Information Officer.....	320,058	382,017	382,017	+61,959	---
House full committee amendment (Mgrs Amdt).....	---	---	-2,816	-2,816	-2,816
Subtotal, Operations and Support.....	710,297	834,704	842,712	+132,415	+8,008

Procurement, Construction, and Improvements					
Construction and Facility Improvements.....	---	171,149	---	---	-171,149
Mission Support Assets and Infrastructure.....	29,569	74,920	74,920	+45,351	---
Subtotal, Procurement, Construction, and Improvements.....	29,569	246,069	74,920	+45,351	-171,149

Research and Development.....					
Subtotal, Research and Development.....	2,545	2,545	2,545	---	---

Total, Management Directorate.....	742,411	1,083,318	920,177	+177,766	-163,141

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Intelligence, Analysis, and Operations Coordination					
Operations and Support.....	245,905	253,253	259,253	+13,348	+6,000
Subtotal, Operations and Support.....	245,905	253,253	259,253	+13,348	+6,000

Total, Intelligence, Analysis, and Operations Coordination.....	245,905	253,253	259,253	+13,348	+6,000
Office of Inspector General					
Operations and Support.....	168,000	138,369	168,001	+1	+29,632
Subtotal, Operations and Support.....	168,000	138,369	168,001	+1	+29,632
(Transfer from Disaster Relief Fund).....	---	(24,000)	---	---	(-24,000)
Total, Office of Inspector General.....	168,000	138,369	168,001	+1	+29,632
(By transfer).....	---	(24,000)	---	---	(-24,000)

Gross Budget Authority, Office of Inspector General.....	(168,000)	(162,369)	(168,001)	(+1)	(+5,632)
=====					
Total, Title I, Departmental Management, Operations, Intelligence, and Oversight.....	1,295,918	1,603,800	1,475,541	+179,623	-128,259
(Discretionary Funding).....	(1,295,918)	(1,603,800)	(1,475,541)	(+179,623)	(-128,259)
By transfer.....	---	(24,000)	---	---	(-24,000)
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Operations and Support					
Border Security Operations					
U.S. Border Patrol					
Operations.....	3,706,547	3,987,892	3,843,187	+136,640	-144,705
Assets and Support.....	625,151	708,952	654,917	+29,766	-54,035
Office of Training and Development.....	64,145	82,263	55,124	-9,021	-27,139
Subtotal, Border and Security Operations....	4,395,843	4,779,107	4,553,228	+157,385	-225,879
Trade and Travel Operations					
Office of Field Operations					
Domestic Operations.....	2,818,122	2,780,958	3,007,928	+189,806	+226,970
International Operations.....	130,270	156,669	144,667	+14,397	-12,002
Targeting Operations.....	211,797	253,492	261,737	+49,940	+8,245
Assets and Support.....	870,657	876,866	902,174	+31,517	+25,308
Office of Trade.....	234,201	272,118	252,715	+18,514	-19,403
Office of Training and Development.....	49,195	47,268	47,268	-1,927	---
Subtotal, Trade and Travel Operations.....	4,314,242	4,387,371	4,616,489	+302,247	+229,118

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Integrated Operations					
Air and Marine Operations					
Operations.....	291,479	310,176	331,287	+39,808	+21,111
Assets and Support.....	535,046	531,231	531,231	-3,815	---
Air and Marine Operations Center.....	38,149	45,846	37,812	-337	-8,034
Office of International Affairs.....	35,176	44,244	39,636	+4,460	-4,608
Office of Intelligence.....	53,794	64,696	66,049	+12,255	+1,353
Office of Training and Development.....	6,110	5,633	6,010	-100	+377
Operations Support.....	106,225	109,762	107,416	+1,191	-2,346
Subtotal, Integrated Operations.....	1,065,979	1,111,588	1,119,441	+53,462	+7,853
Mission Support					
Enterprise Services.....	1,426,209	1,508,632	1,468,758	+42,549	-39,874
(Harbor Maintenance Trust Fund).....	(3,274)	(3,274)	(3,274)	---	---
Office of Professional Responsibility.....	182,131	224,871	187,651	+5,520	-37,220
Executive Leadership and Oversight.....	100,760	108,074	106,505	+5,745	-1,569
Subtotal, Mission Support.....	1,709,100	1,841,577	1,762,914	+53,814	-78,663
Adjustment to Base Pay Reduction.....	---	---	-50,000	-50,000	-50,000
Subtotal, Operations and Support.....	11,485,164	12,119,643	12,002,072	+516,908	-117,571

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Procurement, Construction, and Improvements					
Border Security Assets and Infrastructure.....	1,741,701	1,647,304	5,000,000	+3,258,299	+3,352,696
Trade and Travel Assets and Infrastructure.....	263,640	44,237	301,237	+37,597	+257,000
Integrated Operations Assets and Infrastructure					
Airframes and Sensors.....	190,035	83,241	142,241	-47,794	+59,000
Watercraft.....	8,573	---	---	-8,573	---
Other Systems and Assets.....	1,200	---	---	-1,200	---
Construction and Facility Improvements.....	59,775	48,222	48,222	-11,553	---
Mission Support Assets and Infrastructure.....	16,433	18,544	18,544	+2,111	---
<hr/>					
Subtotal, Procurement, Construction, and Improvements.....	2,281,357	1,841,548	5,510,244	+3,228,887	+3,668,696
CBP Services at User Fee Facilities (Small Airport) (Permanent Indefinite Discretionary).....	9,001	8,941	8,941	-60	---
Fee Funded Programs					
Immigration Inspection User Fee.....	(732,834)	(769,636)	(769,636)	(+36,802)	---
Immigration Enforcement Fines.....	(1,000)	(676)	(676)	(-324)	---
Electronic System for Travel Authorization (ESTA) Fee.....	(62,480)	(218,900)	(61,900)	(-580)	(-157,000)
Land Border Inspection Fee.....	(48,476)	(53,512)	(53,512)	(+5,036)	---
COBRA Passenger Inspection Fee.....	(562,151)	(594,978)	(594,978)	(+32,827)	---
APHIS Inspection Fee.....	(534,515)	(539,325)	(539,325)	(+4,810)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Global Entry Fee.....	(159,000)	(165,961)	(165,961)	(+6,961)	---
Puerto Rico Trust Fund.....	(92,500)	(31,941)	(31,941)	(-60,559)	---
Virgin Island Fee.....	(11,170)	(7,795)	(7,795)	(-3,375)	---
Customs Unclaimed Goods.....	(5,992)	(1,461)	(1,461)	(-4,531)	---
9-11 Response and Biometric Exit Account.....	(90,550)	(71,000)	(71,000)	(-19,550)	---
Subtotal, Fee Funded Programs.....	2,300,668	2,455,185	2,298,185	-2,483	-157,000
Administrative Provisions					
Colombia Free Trade Act Collections.....	242,000	255,000	255,000	+13,000	---
Reimbursable Preclearance.....	39,000	39,000	39,000	---	---
Subtotal, Administrative Provisions (Gross)....	281,000	294,000	294,000	+13,000	---
Reimbursable Preclearance (Offsetting Collections)	-39,000	-39,000	-39,000	---	---
Subtotal, Administrative Provisions (Net).....	242,000	255,000	255,000	+13,000	---
Total, U.S. Customs and Border Protection.....	14,017,522	14,225,132	17,776,257	+3,758,735	+3,551,125
(Discretionary Funding).....	(14,017,522)	(14,225,132)	(17,776,257)	(+3,758,735)	(+3,551,125)
(Non-Defense).....	(14,017,522)	(14,225,132)	(17,776,257)	(+3,758,735)	(+3,551,125)
(Discretionary Appropriation).....	(14,056,522)	(14,264,132)	(17,815,257)	(+3,758,735)	(+3,551,125)
(Offsetting Collection).....	(-39,000)	(-39,000)	(-39,000)	---	---
Fee Funded Programs.....	2,300,668	2,455,185	2,298,185	-2,483	-157,000
Gross Budget Authority, U.S. Customs and Border Protection.....	16,357,190	16,719,317	20,113,442	+3,756,252	+3,394,125

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

U.S. Immigration and Customs Enforcement					
Operations and Support					
Homeland Security Investigations					
Domestic Investigations.....	1,898,542	1,385,777	1,621,594	-276,948	+235,817
International Investigations.....	169,178	150,691	180,997	+11,819	+30,306
Intelligence.....	85,042	73,799	74,794	-10,248	+995
Subtotal, Homeland Security Investigations..	2,152,762	1,610,267	1,877,385	-275,377	+267,118

Enforcement and Removal Operations					
Custody Operations.....	3,075,686	3,520,476	3,050,447	-25,239	-470,029
Fugitive Operations.....	158,805	255,864	149,384	-9,421	-106,480
Criminal Alien Program.....	319,440	619,109	290,321	-29,119	-328,788
Alternatives to Detention.....	187,205	184,446	213,142	+25,937	+28,696
Transportation and Removal Program.....	369,201	511,058	408,056	+38,855	-103,002
Subtotal, Enforcement and Removal Operations	4,110,337	5,090,953	4,111,350	+1,013	-979,603

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Mission Support.....	458,558	1,214,436	1,086,730	+628,172	-127,706
Office of the Principal Legal Advisor.....	272,318	305,443	257,614	-14,704	-47,829
Subtotal, Operations and Support.....	6,993,975	8,221,099	7,333,079	+339,104	-888,020
Procurement, Construction, and Improvements					
Operational Communications/Information Technology...	21,839	30,859	30,859	+9,020	---
Construction and Facility Improvements.....	29,000	34,872	34,872	+5,872	---
Mission Support Assets and Infrastructure.....	31,060	4,700	4,700	-26,360	---
Subtotal, Procurement, Construction, and Improvements.....	81,899	70,431	70,431	-11,468	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Fee Funded Programs					
Immigration Inspection User Fee.....	(135,000)	(135,000)	(135,000)	---	---
Breached Bond/Detention Fund.....	(55,000)	(55,000)	(55,000)	---	---
Student Exchange and Visitor Fee.....	(186,610)	(128,000)	(128,000)	(-58,610)	---
Immigration Examination Fee Account.....	---	(207,600)	---	---	(-207,600)
Subtotal, Fee Funded Programs.....	376,610	525,600	318,000	-58,610	-207,600
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Total, U.S. Immigration and Customs Enforcement. (Discretionary Funding).....	7,075,874	8,291,530	7,403,510	+327,636	-888,020
(Non-Defense).....	(7,075,874)	(8,291,530)	(7,403,510)	(+327,636)	(-888,020)
(Discretionary Appropriation).....	(7,075,874)	(8,291,530)	(7,403,510)	(+327,636)	(-888,020)
Fee Funded Programs.....	376,610	525,600	318,000	-58,610	-207,600
Gross Budget Authority, U.S. Immigration and Customs Enforcement.....	7,452,484	8,817,130	7,721,510	+269,026	-1,095,620

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Transportation Security Administration					
Operations and Support					
Aviation Screening Operations					
Screening Workforce					
Screening Partnership Program.....	184,936	181,382	181,382	-3,554	---
Screener Personnel, Compensation, and Benefits..	3,229,026	3,191,783	3,294,783	+65,757	+103,000
Screener Training and Other.....	232,985	218,738	218,738	-14,247	---
Airport Management.....	646,053	647,541	647,541	+1,488	---
Canines.....	151,764	152,226	161,686	+9,922	+9,460
Screening Technology Maintenance.....	397,882	382,927	382,927	-14,955	---
Secure Flight.....	106,856	113,882	113,882	+7,026	---
Subtotal, Aviation Screening Operations.....	4,949,502	4,888,479	5,000,939	+51,437	+112,460

Other Operations and Enforcement					
Inflight Security					
Federal Air Marshals.....	779,000	779,210	755,578	-23,422	-23,632
Federal Flight Deck Officer and Crew Training...	19,514	19,539	22,539	+3,025	+3,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Aviation Regulation.....	218,535	171,905	171,905	-46,630	---
Air Cargo.....	102,721	103,572	103,572	+851	---
Intelligence and TSOC.....	79,790	79,524	79,524	-266	---
Surface programs.....	129,316	73,818	73,818	-55,498	---
Vetting Programs.....	60,215	52,770	52,770	-7,445	---
Subtotal, Other Operations and Enforcement..	1,389,091	1,280,338	1,259,706	-129,385	-20,632
Mission Support.....	869,258	907,133	907,133	+37,875	---
Subtotal, Operations and Support (Gross).....	7,207,851	7,075,950	7,167,778	-40,073	+91,828
Aviation Passenger Security Fees (offsetting collections).....	-2,470,000	-2,670,000	-2,670,000	-200,000	---
Passenger Security Fee Increase (offsetting collections)(legislative proposal).....	---	-520,000	---	---	+520,000
Subtotal, Operations and Support (Net).....	4,737,851	3,885,950	4,497,778	-240,073	+611,828

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Procurement, Construction, and Improvements					
Aviation Screening Infrastructure					
Checkpoint Support.....	68,019	74,422	94,422	+26,403	+20,000
Checked Baggage.....	83,004	35,367	35,367	-47,637	---
Infrastructure for Other Operations					
Vetting Programs.....	16,291	29,840	---	-16,291	-29,840

Subtotal, Procurement, Construction, and Improvements.....	167,314	139,629	129,789	-37,525	-9,840
Research and Development.....	20,190	20,594	20,594	+404	---

Subtotal, Research and Development.....	20,190	20,594	20,594	+404	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Fee Funded Programs					
TWIC Fee.....	(64,449)	(65,535)	(65,535)	(+1,086)	---
Hazardous Materials Endorsement Fee.....	(20,200)	(18,500)	(18,500)	(-1,700)	---
General Aviation at DCA Fee.....	(580)	(700)	(700)	(+140)	---
Commercial Aviation and Airports Fee.....	(8,000)	(8,000)	(8,000)	---	---
Other Security Threat Assessments Fee.....	(50)	(50)	(50)	---	---
Air Cargo/Certified Cargo Screening Program Fee...	(5,200)	(5,000)	(5,000)	(-200)	---
TSA PreCheck Fee.....	(136,900)	(136,900)	(136,900)	---	---
Alien Flight School Fee.....	(5,200)	(5,200)	(5,200)	---	---
Subtotal, Fee Funded Programs.....	(240,559)	(239,885)	(239,885)	(-674)	---
Aviation Security Capital Fund (Mandatory).....	(250,000)	(250,000)	(250,000)	---	---
<hr/>					
Total, Transportation Security Administration... (Discretionary Funding).....	4,925,355	4,046,173	4,648,161	-277,194	+601,988
(Discretionary Appropriations).....	(4,925,355)	(4,046,173)	(4,648,161)	(-277,194)	(+601,988)
(Offsetting Collections).....	(7,395,355)	(7,236,173)	(7,318,161)	(-77,194)	(+81,988)
(Offsetting Collections) (Legislative Proposals).....	---	(-520,000)	---	---	(+520,000)
Aviation Security Capital Fund (mandatory)....	250,000	250,000	250,000	---	---
Fee Funded Programs.....	240,559	239,885	239,885	-674	---
Gross Budget Authority, Transportation Security Administration.....	7,885,914	7,726,058	7,808,046	-77,868	+81,988

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Coast Guard					
Operations and Support					
Military Pay and Allowances.....	3,716,444	3,851,095	3,868,095	+151,651	+17,000
Civilian Pay and Benefits.....	847,678	929,385	929,385	+81,707	---
Training and Recruiting.....	191,015	187,991	188,338	-2,677	+347
Operating Funds and Unit Level Maintenance.....	897,171	907,894	929,747	+32,576	+21,853
Centrally Managed Accounts.....	142,788	143,641	151,941	+9,153	+8,300
Intermediate and Depot Level Maintenance.....	1,415,217	1,442,048	1,435,048	+19,831	-7,000
Reserve Training.....	---	117,655	117,655	+117,655	---
Environmental Compliance and Restoration.....	---	13,429	---	---	-13,429
Overseas Contingency Operations/Global War on Terrorism (Defense).....	163,000	---	---	-163,000	---
Subtotal, Operations and Support.....	7,373,313	7,593,138	7,620,209	+246,896	+27,071
(Defense).....	(503,000)	(340,000)	(340,000)	(-163,000)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(163,000)	---	---	(-163,000)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
Procurement, Construction, and Improvements					
Vessels					
Survey and Design-Vessels and Boats.....	4,500	500	500	-4,000	---
In-Service Vessel Sustainment.....	60,500	63,250	63,250	+2,750	---
National Security Cutter.....	1,241,000	65,000	140,000	-1,101,000	+75,000
Offshore Patrol Cutter.....	500,000	400,000	400,000	-100,000	---
Fast Response Cutter.....	340,000	240,000	340,000	---	+100,000
Cutter Boats.....	1,000	5,000	5,000	+4,000	---
Polar Ice Breaking Vessel.....	19,000	750,000	---	-19,000	-750,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Inland Waterways and Western River Cutters.....	26,100	5,000	5,000	-21,100	---
Polar Sustainment.....	---	15,000	15,000	+15,000	---
Subtotal, Vessels.....	2,192,100	1,543,750	968,750	-1,223,350	-575,000
Aircraft					
HC-144 Conversion/Sustainment.....	---	17,000	17,000	+17,000	---
HC-27J Conversion/Sustainment.....	70,000	80,000	80,000	+10,000	---
HC-130J Acquisition/Conversion/Sustainment.....	100,600	---	105,000	+4,400	+105,000
HH-65 Conversion/Sustainment Projects.....	22,000	20,000	28,000	+6,000	+8,000
MH-60T Sustainment.....	2,500	25,000	25,000	+22,500	---
Small Unmanned Aircraft Systems.....	500	6,000	6,000	+5,500	---
Subtotal, Aircraft.....	195,600	148,000	261,000	+65,400	+113,000
Other Acquisition Programs					
Other Equipment and Systems.....	4,000	3,500	3,500	-500	---
Program Oversight and Management.....	15,000	20,000	20,000	+5,000	---
C4ISR.....	22,000	23,300	23,300	+1,300	---
CG-Logistics Information Management System (CG-LIMS).....	9,800	13,200	13,200	+3,400	---
Subtotal, Other Acquisition Programs.....	50,800	60,000	60,000	+9,200	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Shore Facilities and Aids to Navigation					
Major Construction; Housing; ATON; and Survey and Design.....	42,400	30,000	35,000	-7,400	+5,000
Major Acquisition Systems Infrastructure.....	87,100	100,000	100,000	+12,900	---
Minor Shore.....	5,000	5,000	5,000	---	---

Subtotal, Shore Facilities and Aids to Navigation.....	134,500	135,000	140,000	+5,500	+5,000
Personnel and Related Support Costs.....	121,745	---	---	-121,745	---

Subtotal, Procurement, Construction, and Improvements.....	2,694,745	1,886,750	1,429,750	-1,264,995	-457,000
House full committee amendment (Palazzo) (by transfer)	---	---	(95,000)	(+95,000)	(+95,000)

Subtotal, Procurement, Construction, and Improvements (including transfer).....	2,694,745	1,886,750	1,524,750	-1,169,995	-362,000
Research and Development.....	29,141	19,109	19,109	-10,032	---

Subtotal, Research and Development.....	29,141	19,109	19,109	-10,032	---
Environmental Compliance and Restoration.....	13,397	---	13,429	+32	+13,429
Reserve Training.....	114,875	---	---	-114,875	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Health Care Fund Contribution (Permanent Indefinite Discretionary).....	204,136	199,360	199,360	-4,776	---
Mandatory Retired Pay (Mandatory).....	1,676,117	1,739,844	1,739,844	+63,727	---
Administrative Provisions					
Coast Guard Continuation of Pay.....	2,000	---	---	-2,000	---
House full committee amendment (Yoder).....	---	---	1,000	+1,000	+1,000
Subtotal, Administrative Provisions.....	2,000	---	1,000	-1,000	+1,000
Subtotal, Mandatory.....	1,676,117	1,739,844	1,739,844	+63,727	---
Total, Coast Guard.....	12,107,724	11,438,201	11,022,701	-1,085,023	-415,500
(Discretionary Funding).....	(10,431,607)	(9,698,357)	(9,282,857)	(-1,148,750)	(-415,500)
(Non-Defense).....	(9,928,607)	(9,358,357)	(8,942,857)	(-985,750)	(-415,500)
(Defense).....	(503,000)	(340,000)	(340,000)	(-163,000)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(163,000)	---	---	(-163,000)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding).....	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---
(by transfer).....	---	---	(95,000)	(+95,000)	(+95,000)
Gross Budget Authority, Coast Guard.....	12,107,724	11,438,201	11,117,701	-990,023	-320,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

United States Secret Service					
Operations and Support					
Protective Operations					
Protection of Persons and Facilities.....	711,227	747,201	747,201	+35,974	---
Protective Countermeasures.....	46,862	55,309	55,309	+8,447	---
Protective Intelligence.....	47,814	48,239	48,239	+425	---
Presidential Campaigns and National Special Security Events.....	4,500	28,500	28,500	+24,000	---
Subtotal, Protective Operations.....	810,403	879,249	879,249	+68,846	---
Field Operations					
Domestic and International Field Operations.....	596,478	627,687	628,471	+31,993	+784
Support for Missing and Exploited Children Investigations.....	6,000	6,000	6,000	---	---
Support for Computer Forensics Training.....	18,778	4,000	18,778	---	+14,778
Subtotal, Field Operations.....	621,256	637,687	653,249	+31,993	+15,562

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
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Basic and In-Service Training and Professional Development.....	64,212	101,854	101,854	+37,642	---
Mission Support.....	419,923	465,518	465,518	+45,595	---
Subtotal, Operations and Support.....	1,915,794	2,084,308	2,099,870	+184,076	+15,562
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Procurement, Construction, and Improvements					
Protection Assets and Infrastructure.....	65,462	52,971	52,971	-12,491	---
Operational Communications/Information Technology.....	25,018	8,845	8,845	-16,173	---
Construction and Facility Improvements.....	---	3,000	3,000	+3,000	---
Subtotal, Procurement, Construction, and Improvements.....	90,480	64,816	64,816	-25,664	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research and Development.....	250	2,500	2,500	+2,250	---
Subtotal, Research and Development.....	250	2,500	2,500	+2,250	---
Total, United States Secret Service.....	2,006,524	2,151,624	2,167,186	+160,662	+15,562
=====					
Total, Title II, Security, Enforcement, and Investigations.....	40,132,999	40,152,660	43,017,815	+2,884,816	+2,865,155
(Discretionary Funding).....	(38,456,882)	(38,412,816)	(41,277,971)	(+2,821,089)	(+2,865,155)
(Non-Defense).....	(37,953,882)	(38,072,816)	(40,937,971)	(+2,984,089)	(+2,865,155)
(Discretionary Appropriation).....	(40,462,882)	(41,301,816)	(43,646,971)	(+3,184,089)	(+2,345,155)
(Offsetting Collections).....	(-2,509,000)	(-2,709,000)	(-2,709,000)	(-200,000)	---
(Offsetting Collections)(Legislative Proposals).....	---	(-520,000)	---	---	(+520,000)
(Defense).....	(503,000)	(340,000)	(340,000)	(-163,000)	---
(Overseas Contingency Operations/Global War on Terrorism).....	(163,000)	---	---	(-163,000)	---
(Other Defense).....	(340,000)	(340,000)	(340,000)	---	---
(Mandatory Funding).....	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---
Aviation Security Capital Fund (Mandatory).....	250,000	250,000	250,000	---	---
Fee Funded Programs.....	2,917,837	3,220,670	2,856,070	-61,767	-364,600
(by transfer).....	---	---	(95,000)	(+95,000)	(+95,000)
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Title III - PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Operations and Support					
Cybersecurity					
Cyber Readiness and Response.....	243,992	224,396	259,775	+15,783	+35,379
Cyber Infrastructure Resilience.....	46,243	30,059	38,259	-7,984	+8,200
Federal Cybersecurity.....	432,673	458,600	462,200	+29,527	+3,600
Subtotal, Cybersecurity.....	722,908	713,055	760,234	+37,326	+47,179

Infrastructure Protection					
Infrastructure Capacity Building.....	121,776	129,182	138,953	+17,177	+9,771
Infrastructure Security Compliance.....	72,440	76,853	76,853	+4,413	---
Subtotal, Infrastructure Protection.....	194,216	206,035	215,806	+21,590	+9,771

Emergency Communications					
Emergency Communications Preparedness.....	54,501	51,785	53,785	-716	+2,000
Priority Telecommunications Service.....	63,955	63,911	63,911	-44	---
Subtotal, Emergency Communications.....	118,456	115,696	117,696	-760	+2,000

Integrated Operations					
Cyber and Infrastructure Analysis.....	56,410	44,683	60,950	+4,540	+16,267
Critical Infrastructure Situational Awareness.....	21,222	23,429	27,984	+6,762	+4,555
(Defense).....	(19,312)	(21,320)	(25,465)	(+6,153)	(+4,145)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Stakeholder Engagement and Requirements.....	50,583	45,127	45,127	-5,456	---
(Defense).....	(45,525)	(40,614)	(40,614)	(-4,911)	---
Strategy, Policy and Plans.....	14,448	13,931	13,931	-517	---
(Defense).....	(9,536)	(9,194)	(9,194)	(-342)	---
Subtotal, Integrated Operations.....	142,663	127,170	147,992	+5,329	+20,822
Office of Biometric Identity Management					
Identity and Screening Program Operations.....	68,826	69,590	69,590	+764	---
IDENT/Homeland Advanced Recognition Technology...	150,603	160,691	160,691	+10,088	---
Subtotal, Office of Biometric Identity Management.....	219,429	230,281	230,281	+10,852	---
Mission Support.....	84,493	78,103	78,103	-6,390	---
(Defense).....	(26,193)	(24,212)	(24,212)	(-1,981)	---
Subtotal, Operations and Support.....	1,482,165	1,470,340	1,550,112	+67,947	+79,772

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Federal Protective Service					
FPS Operations					
Operating Expenses.....	360,079	359,196	359,196	-883	---
Countermeasures					
Protective Security Officers.....	1,071,286	1,121,883	1,121,883	+50,597	---
Technical Countermeasures.....	44,690	46,031	46,031	+1,341	---
Subtotal, Countermeasures.....	1,115,976	1,167,914	1,167,914	+51,938	---
Subtotal, Federal Protective Service (Gross)...	1,476,055	1,527,110	1,527,110	+51,055	---
Offsetting Collections.....	-1,476,055	-1,527,110	-1,527,110	-51,055	---
Subtotal, Federal Protective Service (Net)....	---	---	---	---	---

Procurement, Construction, and Improvements					
Cybersecurity					
Continuous Diagnostics and Mitigation.....	246,981	125,548	185,548	-61,433	+60,000
National Cybersecurity Protection System.....	115,186	110,078	110,078	-5,108	---
Subtotal, Cybersecurity.....	362,167	235,626	295,626	-66,541	+60,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergency Communications					
Next Generation Networks Priority Services.....	48,905	42,551	42,551	-6,354	---
Biometric Identity Management					
IDENT/Homeland Advanced Recognition Technology...	---	20,000	20,000	+20,000	---
Integrated Operations Assets and Infrastructure					
Modeling Capability Transition Environment.....	500	---	---	-500	---
Infrastructure Protection					
Infrastructure Protection (IP) Gateway.....	2,539	4,787	9,787	+7,248	+5,000
Subtotal, Procurement, Construction, and Improvements.....	414,111	302,964	367,964	-46,147	+65,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Research and Development					
Cybersecurity.....	4,695	41,416	4,695	---	-36,721
Infrastructure Protection.....	6,431	2,431	7,791	+1,360	+5,360
Integrated Operations.....	4,000	4,000	4,000	---	---
Subtotal, Research and Development.....	15,126	47,847	16,486	+1,360	-31,361
<hr/>					
Total, National Protection and Programs					
Directorate.....	1,911,402	1,821,151	1,934,562	+23,160	+113,411
(Discretionary Funding).....	(1,911,402)	(1,821,151)	(1,934,562)	(+23,160)	(+113,411)
(Non-Defense).....	(289,609)	(315,531)	(315,941)	(+26,332)	(+410)
(Discretionary Appropriations).....	(1,765,664)	(1,842,641)	(1,843,051)	(+77,387)	(+410)
(Offsetting Collections).....	(-1,476,055)	(-1,527,110)	(-1,527,110)	(-51,055)	---
(Defense).....	(1,621,793)	(1,505,620)	(1,618,621)	(-3,172)	(+113,001)
Gross Budget Authority, National Protection and Programs Directorate.....	3,387,457	3,348,261	3,461,672	+74,215	+113,411

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Office of Health Affairs					
Operations and Support					
Chemical and Biological Readiness.....	79,130	---	---	-79,130	---
Health and Medical Readiness.....	4,620	---	---	-4,620	---
Integrated Operations.....	9,400	---	---	-9,400	---
Mission Support.....	28,419	---	---	-28,419	---

Subtotal, Operations and Support.....	121,569	---	---	-121,569	---

Total, Office of Health Affairs.....	121,569	---	---	-121,569	---
Federal Emergency Management Agency					
Operations and Support					
Regional Operations.....	156,417	158,439	158,439	+2,022	---
Mitigation.....	36,141	36,011	36,011	-130	---
Preparedness and Protection.....	131,981	132,823	132,823	+842	---
Response and Recovery					
Response.....	182,893	174,337	192,154	+9,261	+17,817
(Urban Search and Rescue).....	(35,180)	(27,513)	(45,330)	(+10,150)	(+17,817)
Recovery.....	46,694	49,010	49,010	+2,316	---
Mission Support.....	476,009	485,662	489,162	+13,153	+3,500

Subtotal, Operations and Support.....	1,030,135	1,036,282	1,057,599	+27,464	+21,317
(Defense).....	(42,945)	(42,213)	(42,213)	(-732)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Procurement, Construction, and Improvements					
Operational Communications/Information Technology	12,018	11,670	11,670	-348	---
Construction and Facility Improvements	44,519	46,996	46,996	+2,477	---
Mission Support, Assets, and Infrastructure	28,739	44,683	44,683	+15,944	---
<hr/>					
Subtotal, Procurement, Construction, and Improvements	85,276	103,349	103,349	+18,073	---
(Defense)	(53,262)	(57,166)	(57,166)	(+3,904)	---
<hr/>					
Federal Assistance					
Grants					
State Homeland Security Grant Program	507,000	349,362	538,000	+31,000	+188,638
(Operation Stonegarden)	(85,000)	---	(85,000)	---	(+85,000)
(Nonprofit Security)	(10,000)	---	(10,000)	---	(+10,000)
Urban Area Security Initiative	630,000	448,844	661,000	+31,000	+212,156
(Nonprofit Security)	(50,000)	---	(50,000)	---	(+50,000)
Public Transportation Security Assistance	100,000	36,358	103,000	+3,000	+66,642
(Amtrak Security)	(10,000)	---	(10,000)	---	(+10,000)
(Over-the-Road Bus Security)	(2,000)	---	(7,000)	(+5,000)	(+7,000)
Port Security Grants	100,000	36,358	100,000	---	+63,642
Assistance to Firefighter Grants	350,000	344,344	350,000	---	+5,656
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	350,000	344,344	350,000	---	+5,656
Emergency Management Performance Grants	350,000	279,335	350,000	---	+70,665
Competitive Preparedness Grants Program	---	522,000	---	---	-522,000
National Predisaster Mitigation Fund	249,200	39,016	249,200	---	+210,184

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Flood Hazard Mapping and Risk Analysis Program	262,531	100,000	262,531	---	+162,531
Emergency Food and Shelter.....	120,000	---	120,000	---	+120,000
Subtotal, Grants.....	3,018,731	2,499,961	3,083,731	+65,000	+583,770
Education, Training, and Exercises					
Center for Domestic Preparedness.....	63,939	63,756	63,939	---	+183
Center for Homeland Defense and Security.....	18,000	---	18,000	---	+18,000
Emergency Management Institute.....	20,569	18,876	20,569	---	+1,693
U.S. Fire Administration.....	42,900	43,493	43,493	+593	---
National Domestic Preparedness Consortium.....	101,000	---	101,000	---	+101,000
Continuing Training Grants.....	8,000	---	8,000	---	+8,000
National Exercise Program.....	20,793	18,647	20,793	---	+2,146
Subtotal, Education, Training, and Exercises	275,201	144,772	275,794	+593	+131,022
Subtotal, Federal Assistance.....	3,293,932	2,644,733	3,359,525	+65,593	+714,792

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Disaster Relief Fund					
Base Disaster Relief.....	534,720	582,000	558,000	+23,280	-24,000
Disaster Relief Category.....	7,366,000	6,652,000	6,652,000	-714,000	---
Subtotal, Disaster Relief Fund (Gross).....	7,900,720	7,234,000	7,210,000	-690,720	-24,000
(transfer to Office of Inspector General).....	---	(-24,000)	---	---	(+24,000)
Subtotal, Disaster Relief Fund (Net).....	7,900,720	7,210,000	7,210,000	-690,720	---
National Flood Insurance Fund					
Floodplain Management and Mapping.....	189,927	187,907	187,907	-2,020	---
Mission Support.....	13,573	13,784	13,784	+211	---
Subtotal, National Flood Insurance Fund.....	203,500	201,691	201,691	-1,809	---
Offsetting Fee Collections.....	-203,500	-201,691	-201,691	+1,809	---
Disaster Assistance Direct Loan Program.....	---	3,000	---	---	-3,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Administrative Provisions					
Radiological Emergency Preparedness Program.....	-1,024	-665	-665	+359	---

Total, Federal Emergency Management Agency.....	12,309,039	11,020,699	11,729,808	-579,231	+709,109
(Discretionary Funding).....	(12,309,039)	(11,020,699)	(11,729,808)	(-579,231)	(+709,109)
(Non-Defense).....	(12,212,832)	(10,921,320)	(11,630,429)	(-582,403)	(+709,109)
(Discretionary Appropriations).....	(5,050,332)	(4,471,011)	(5,180,120)	(+129,788)	(+709,109)
(Offsetting Collections).....	(-203,500)	(-201,691)	(-201,691)	(+1,809)	---
(Disaster Relief Category).....	(7,366,000)	(6,652,000)	(6,652,000)	(-714,000)	---
(Defense).....	(96,207)	(99,379)	(99,379)	(+3,172)	---
Transfer Out.....	---	-24,000	---	---	+24,000

Gross Budget Authority, Federal Emergency Management Agency.....	12,512,539	11,198,390	11,931,499	-581,040	+733,109
=====					
Total, Title III, Protection, Preparedness, Response, and Recovery.....	14,342,010	12,841,850	13,664,370	-677,640	+822,520
(Discretionary Funding).....	(14,342,010)	(12,841,850)	(13,664,370)	(-677,640)	(+822,520)
(Non-Defense).....	(12,624,010)	(11,236,851)	(11,946,370)	(-677,640)	(+709,519)
(Discretionary Appropriations).....	(6,937,565)	(6,313,652)	(7,023,171)	(+85,606)	(+709,519)
(Emergency Appropriations).....	---	---	---	---	---
(Offsetting Collections).....	(-1,679,555)	(-1,728,801)	(-1,728,801)	(-49,246)	---
(Disaster Relief Category).....	(7,366,000)	(6,652,000)	(6,652,000)	(-714,000)	---
(Defense).....	(1,718,000)	(1,604,999)	(1,718,000)	---	(+113,001)
Transfer out.....	---	(-24,000)	---	---	(+24,000)
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE IV - RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES					
U.S. Citizenship and Immigration Services					
Operations and Support					
Employment Status Verification.....	108,856	109,081	109,081	+225	---
Subtotal, Operations and Support.....	108,856	109,081	109,081	+225	---

Procurement, Construction, and Improvements.....	22,657	22,838	22,838	+181	---
Subtotal, Procurement, Construction, and Improvements.....	22,657	22,838	22,838	+181	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Fee Funded Programs					
Immigration Examinations Fee Account					
Adjudication Services					
District Operations.....	(1,805,941)	(1,938,508)	(1,938,508)	(+132,567)	---
(Immigrant Integration Grants).....	(10,000)	(10,000)	(10,000)	---	---
Service Center Operations.....	(687,491)	(767,263)	(767,263)	(+79,772)	---
Asylum, Refugee, and International Operations...	(345,100)	(356,206)	(356,206)	(+11,106)	---
Records Operations.....	(137,526)	(150,941)	(150,941)	(+13,415)	---
Premium Processing (Including Transformation)...	(642,746)	(643,423)	(643,423)	(+677)	---
Subtotal, Adjudication Services.....	(3,618,804)	(3,856,341)	(3,856,341)	(+237,537)	---
Information and Customer Services					
Operating Expenses.....	(108,146)	(112,493)	(112,493)	(+4,347)	---
Administration					
Operating Expenses.....	(504,615)	(519,002)	(519,002)	(+14,387)	---
Systematic Alien Verification for Entitlements (SAVE).....	(36,774)	(37,514)	(37,514)	(+740)	---
Subtotal, Immigration Examinations Fee Account.....	(4,268,339)	(4,525,350)	(4,525,350)	(+257,011)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

H1-B Non-Immigrant Petitioner Account					
Adjudication Services					
Service Center Operations.....	(15,000)	(15,000)	(15,000)	---	---
Subtotal, H-1B Non-Immigrant Petitioner Account.....	(15,000)	(15,000)	(15,000)	---	---

Fraud Prevention and Detection Account					
Adjudication Services					
District Operations.....	(45,101)	(27,178)	(27,178)	(-17,923)	---
Service Center Operations.....	(21,778)	(19,815)	(19,815)	(-1,963)	---
Asylum and Refugee Operating Expenses.....	(308)	(308)	(308)	---	---
Subtotal, Fraud Prevention and Detection Account.....	(67,187)	(47,301)	(47,301)	(-19,886)	---

Subtotal, Fee Funded Programs.....	(4,350,526)	(4,587,651)	(4,587,651)	(+237,125)	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Administrative Provisions					
Immigration Authorization Extensions.....	1,000	---	---	-1,000	---
Subtotal, Administrative Provisions.....	1,000	---	---	-1,000	---

Total, U.S. Citizenship and Immigration Services	132,513	131,919	131,919	-594	---
(Discretionary Funding).....	(132,513)	(131,919)	(131,919)	(-594)	---
Fee Funded Programs.....	4,350,528	4,587,651	4,587,651	+237,125	---

Gross Budget Authority, U.S. Citizenship and Immigration Services.....	4,483,039	4,719,570	4,719,570	+236,531	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Federal Law Enforcement Training Centers					
Operations and Support					
Law Enforcement Training.....	225,966	267,749	225,966	---	-41,783
Mission Support.....	28,034	28,808	28,808	+774	---
Subtotal, Operations and Support.....	254,000	296,557	254,774	+774	-41,783

Procurement, Construction, and Improvements					
Construction and Facility Improvements.....	---	85,577	---	---	-85,577
Subtotal, Procurement, Construction, and Improvements.....	---	85,577	---	---	-85,577

Total, Federal Law Enforcement Training Centers.	254,000	382,134	254,774	+774	-127,360

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Science and Technology Directorate					
Operations and Support					
Laboratory Facilities.....	150,116	110,519	117,840	-32,276	+7,321
Acquisition and Operations Analysis.....	46,245	42,552	48,510	+2,265	+5,958
Mission Support.....	134,752	118,732	138,058	+3,306	+19,326

Subtotal, Operations and Support.....	331,113	271,803	304,408	-26,705	+32,605
Research and Development					
Research, Development, and Innovation.....	469,330	289,734	457,251	-12,079	+167,517
University Programs.....	40,500	21,746	40,500	---	+18,754

Subtotal, Research and Development.....	509,830	311,480	497,751	-12,079	+186,271

Total, Science and Technology.....	840,943	583,283	802,159	-38,784	+218,876

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Domestic Nuclear Detection Office					
Operations and Support					
Mission Support.....	54,664	---	---	-54,664	---
Subtotal, Operations and Support.....	54,664	---	---	-54,664	---

Procurement, Construction, and Improvements					
Large Scale Detection Systems.....	64,524	---	---	-64,524	---
Human Portable Rad/Nuclear Detection Systems.....	24,572	---	---	-24,572	---
Subtotal, Procurement, Construction, and Improvements.....	89,096	---	---	-89,096	---

Research and Development					
Architecture Planning and Analysis.....	15,937	---	---	-15,937	---
Transformational Research and Development.....	62,081	---	---	-62,081	---
Detection Capability Development.....	15,155	---	---	-15,155	---
Detection Capability Assessments.....	34,127	---	---	-34,127	---
Nuclear Forensics.....	18,361	---	---	-18,361	---
Subtotal, Research and Development.....	145,661	---	---	-145,661	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Federal Assistance					
Federal, State, Local, Territorial, and Tribal Support.....	24,884	---	---	-24,884	---
Securing the Cities.....	21,135	---	---	-21,135	---
Subtotal, Federal Assistance.....	46,019	---	---	-46,019	---

Total, Domestic Nuclear Detection Office.....	335,440	---	---	-335,440	---

Countering Weapons of Mass Destruction Office					
Operations and Support					
Capability and Operations Support.....	---	125,943	130,943	+130,943	+5,000
Mission Support.....	---	83,321	83,321	+83,321	---
Subtotal, Operations and Support.....	---	209,264	214,264	+214,264	+5,000
Procurement, Construction, and Improvements					
Assets and Infrastructure Acquisition.....	---	74,896	74,896	+74,896	---
Subtotal, Procurement, Construction, and Improvements.....	---	74,896	74,896	+74,896	---
Research and Development					
Research and Development.....	---	80,443	80,443	+80,443	---
Subtotal, Research and Development.....	---	80,443	80,443	+80,443	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

Federal Assistance					
Capability Building.....	---	64,663	64,663	+64,663	---
Subtotal, Federal Assistance.....	---	64,663	64,663	+64,663	---

Total, Countering Weapons of Mass Destruction Office.....	---	429,266	434,266	+434,266	+5,000
=====					
Total, Title IV, Research and Development, Training, and Services.....	1,562,896	1,526,602	1,623,118	+60,222	+96,516
(Discretionary Funding).....	(1,562,896)	(1,526,602)	(1,623,118)	(+60,222)	(+96,516)
(Non-Defense).....	(1,562,896)	(1,526,602)	(1,623,118)	(+60,222)	(+96,516)
(Defense).....	---	---	---	---	---
Fee Funded Programs.....	4,350,526	4,587,651	4,587,651	+237,125	---
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COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE V - GENERAL PROVISIONS					
Financial Systems Modernization.....	41,800	---	---	-41,800	---
Presidential Residence Protection Assistance.....	41,000	---	41,000	---	+41,000
Analysis and Operations (P.L. 115-31) (Rescission)....	-4,307	---	---	+4,307	---
TSA Operations and Support (P.L. 115-31) (FY17) (Rescission).....	-44,557	---	---	+44,557	---
Coast Guard AC&I (P.L. 114-113) (FY16) (Rescission)...	-25,000	---	---	+25,000	---
Coast Guard Alteration of Bridges (P.L. 108-334) (FY05) (Rescission).....	-1,786	---	---	+1,786	---
Coast Guard Alteration of Bridges (P.L. 109-90) (FY06) (Rescission).....	-1,920	---	---	+1,920	---
Coast Guard Alteration of Bridges (P.L. 109-295) (FY07) (Rescission).....	-1,791	---	---	+1,791	---
Coast Guard Alteration of Bridges (P.L. 110-61) (FY08) (Rescission).....	-3,222	---	---	+3,222	---
Coast Guard Alteration of Bridges (P.L. 111-83) (FY10) (Rescission).....	-3,681	---	---	+3,681	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
S&T RDA&O (PL114-113) (FY16) (Rescission).....	-2,000	---	---	+2,000	---
S&T O&S (PL115-31) (FY17) (Rescission).....	-2,000	---	---	+2,000	---
S&T R&D (PL115-31) (FY17) (Rescission).....	-6,000	---	---	+6,000	---
Legacy Funds (Rescission).....	-100	---	---	+100	---
DHS Lapsed Balances (Rescission).....	-27,980	---	---	+27,980	---
Treasury Asset Forfeiture Fund (Rescission).....	-364,162	---	---	+364,162	---
FEMA Disaster Relief Fund (DRF) (Rescission).....	---	-300,000	---	---	+300,000
House full committee amendment (Harris) H-2B returning worker.....	---	---	6,000	+6,000	+6,000
House full committee amendment (Yoder) - High-Skilled Worker Visas.....	---	---	-1,000	-1,000	-1,000
House full committee amendment (Price) - policy change	---	---	7,000	+7,000	+7,000
House full committee amendment (Newhouse) - H-2A.....	---	---	1,000	+1,000	+1,000
	=====	=====	=====	=====	=====
Total, Title V, General Provisions.....	-405,706	-300,000	54,000	+459,706	+354,000
(Discretionary Funding).....	(82,800)	---	(54,000)	(-28,800)	(+54,000)
(Rescissions/Cancellations).....	(-488,506)	(-300,000)	---	(+488,506)	(+300,000)
	=====	=====	=====	=====	=====

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request

OTHER APPROPRIATIONS					
ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS, 2017 (P.L. 115-72)					
Federal Emergency Management Agency Disaster Relief Fund (emergency).....	18,670,000	---	---	-18,670,000	---
National Flood Insurance Fund (debt cancellation) (Sec. 308) (emergency).....	16,000,000	---	---	-16,000,000	---
	=====	=====	=====	=====	=====
Total, Additional Supplemental Appropriations for Disaster Relief Requirements (P.L. 115-72) (emergency).....	34,670,000	---	---	-34,670,000	---
	=====	=====	=====	=====	=====
BIPARTISAN BUDGET ACT OF 2018					
Office of Inspector General Operations and Support (emergency).....	25,000	---	---	-25,000	---
U.S. Customs and Border Support Operations and Support (emergency).....	104,494	---	---	-104,494	---
Procurement, Constructions, and Improvements (emergency).....	45,000	---	---	-45,000	---
	-----	-----	-----	-----	-----
Subtotal, U.S. Customs and Border Support.....	149,494	---	---	-149,494	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
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U.S. Immigrations and Customs Enforcement					
Operations and Support (emergency).....	30,905	---	---	-30,905	---
Procurement, Constructions, and Improvements (emergency).....	33,052	---	---	-33,052	---
<hr/>					
Subtotal, U.S. Immigrations and Customs Enforcement.....	63,957	---	---	-63,957	---
Transportation Security Administration					
Operations and Support (emergency).....	10,322	---	---	-10,322	---
<hr/>					
Subtotal, Transportation Security Administration	10,322	---	---	-10,322	---
Coast Guard					
Operating Expenses (emergency).....	112,136	---	---	-112,136	---
Environmental Compliance and Restoration (emergency)	4,038	---	---	-4,038	---
Acquisition, Construction, and Improvements (emergency).....	718,919	---	---	-718,919	---
<hr/>					
Subtotal, Coast Guard.....	835,093	---	---	-835,093	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Federal Emergency Management Agency					
Operations and Support (emergency).....	58,800	---	---	-58,800	---
Procurement, Constructions, and Improvements (emergency).....	1,200	---	---	-1,200	---
Disaster Relief Fund (emergency).....	23,500,000	---	---	-23,500,000	---
<hr/>					
Subtotal, Federal Emergency Management Agency...	23,560,000	---	---	-23,560,000	---
Federal Law Enforcement Training Centers					
Operations and Support (emergency).....	5,374	---	---	-5,374	---
Procurement, Constructions, and Improvements (emergency).....	5,000	---	---	-5,000	---
<hr/>					
Subtotal, Federal Law Enforcement Training Centers.....	10,374	---	---	-10,374	---
<hr/>					
=====					
Total, Bipartisan Budget Act of 2018.....	24,654,240	---	---	-24,654,240	---
(defense).....	1,200	---	---	-1,200	---
(emergency).....	24,654,240	---	---	-24,654,240	---
Total, Other Appropriations.....	59,324,240	---	---	-59,324,240	---
(emergency appropriations).....	59,324,240	---	---	-59,324,240	---
(Defense).....	1,200	---	---	-1,200	---
(Nondefense).....	59,323,040	---	---	-59,323,040	---
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COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2018
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2019
(Amounts in thousands)

	FY 2018 Enacted	FY 2019 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand Total.....	116,252,357	55,824,912	59,834,844	-56,417,513	+4,009,932
(Discretionary Funding).....	(114,576,240)	(54,085,068)	(58,095,000)	(-56,481,240)	(+4,009,932)
(Non-Defense).....	(112,355,240)	(52,140,069)	(56,037,000)	(-56,318,240)	(+3,896,931)
(Discretionary Appropriations).....	(50,342,061)	(50,745,870)	(53,822,801)	(+3,480,740)	(+3,076,931)
(Emergency Appropriations).....	(59,324,240)	---	---	(-59,324,240)	---
(Offsetting Collections).....	(-4,188,555)	(-4,437,801)	(-4,437,801)	(-249,246)	---
(Offsetting Collections)(Legislative Proposals).....	---	(-520,000)	---	---	(+520,000)
(Disaster Relief Category).....	(7,366,000)	(6,652,000)	(6,652,000)	(-714,000)	---
(Rescissions).....	(-488,506)	(-300,000)	---	(+488,506)	(+300,000)
(Defense).....	(2,221,000)	(1,944,999)	(2,058,000)	(-163,000)	(+113,001)
(Overseas Contingency on Operations/Global War on Terrorism).....	(163,000)	---	---	(-163,000)	---
(Other Defense).....	(2,058,000)	(1,944,999)	(2,058,000)	---	(+113,001)
(Mandatory Funding).....	(1,676,117)	(1,739,844)	(1,739,844)	(+63,727)	---
	=====	=====	=====	=====	=====

MINORITY VIEWS

The allocation for the fiscal year 2019 Homeland Security Appropriations bill is \$51,435,000,000, an increase of \$3,712,000,000 above fiscal year 2018. This 7.8 percent increase—on top of a 12.5 percent increase for fiscal year 2018—contrasts with flat funding in other Non-Defense appropriations bills. Such a large relative increase for the Homeland bill is particularly unjustified when considering how the entirety of the increase has been allocated.

FUNDING PRIORITIES

The bill addresses several bipartisan and Democratic priorities, including increases for the State Homeland Security Grant Program and the Urban Areas Security Initiative, along with level funding for other first responder and anti-terrorism grants. It also provides an increase for the Office for Civil Rights and Civil Liberties, including a targeted increase for continued oversight of immigration enforcement and DHS partnerships with state and local law enforcement agencies. In addition, the bill continues the Cybersecurity Internship Program; provides additional funding for Immigration and Customs Enforcement (ICE) investigations into child exploitation; supports new health screening services for unaccompanied minors; re-establishes the Family Case Management Program; and restores funding for Research and Development at the Science and Technology Directorate, including funding for the University Centers of Excellence at the fiscal year 2018 level.

IMMIGRATION ENFORCEMENT

While there is much in this bill that Democrats can support, the good is outweighed by the harm that would result from the bill's support for an average daily population (ADP) in ICE detention of 44,000, an increase of 3,480 from the current year and 10,000 above fiscal year 2016. The bill would also support the hiring of 304 additional Enforcement and Removal officers at ICE focused primarily on furthering the Trump Administration's overly aggressive interior enforcement strategy.

The Administration has claimed that its more aggressive enforcement approach in the interior of the United States is critically important to the national security and public safety of the country. While there is certainly no disagreement that we should be removing dangerous individuals, ICE is targeting the parents of unaccompanied children who cross the southern border to seek asylum. It is targeting people who have lived, worked, and paid taxes in this country for years, or even decades with no criminal infractions.

ICE arrests of non-criminals increased by 147 percent in fiscal year 2017 compared to the prior year, and made up 26 percent of all arrests. These arrests are not required for national security or public safety, and have tragic consequences for individuals, fami-

lies, and communities all over this country. Law enforcement officials continue to tell us that people are afraid to report serious crimes, including acts of domestic violence, and are less willing to come forward as witnesses to crimes because they fear being arrested by ICE. Teachers continue to tell us that their students, often regardless of immigration status, are afraid to go to school or leave their homes to play for fear their parents will be gone when they return. The trauma being inflicted on entire communities throughout our country cannot be overstated. Representatives Barbara Lee and Jose Serrano offered an amendment to prohibit ICE and Customs and Border Protection (CBP) from detaining people at sensitive locations, including schools and churches. The amendment was rejected by all Committee Republicans, allowing federal immigration officials to jeopardize the relationships of local law enforcement agencies with immigrant communities.

Given that being in this country illegally is a civil violation, why would we choose to fund such excessive immigration enforcement over activities to combat real terrorist and criminal threats? Comprehensive immigration reform—combining strong enforcement with a path to legal status for many who are already living in the United States—is the only solution to this problem. For years, however, the Majority has blocked bipartisan efforts to fix it.

We have a moral, as well as legal, responsibility when it comes to immigration enforcement. Just as other law enforcement agencies have discretion, ICE too can utilize discretion to enforce our immigration laws fairly and justly. Existing resources, used wisely, are sufficient for addressing the threat posed by criminal aliens who are truly dangerous.

Unfortunately, the Committee majority rejected an amendment by Representative David Price that would have prohibited ICE from following Trump Administration guidance that has almost entirely limited the use of such discretion, with significant costs to taxpayers and immigrant communities. The majority also rejected an amendment to reduce ICE's ADP for fiscal year 2019 to the current year level, which would have helped constrain the more indiscriminate enforcement practices ICE has followed under the current administration.

BORDER INFRASTRUCTURE

Another major area of great concern is the \$4,873,696,000 in the bill for new border infrastructure, compared to a budget request of only \$1,600,000,000. There is no evidence that the benefits of such infrastructure come close to justifying the expense, which ranges between \$25 and \$32 million per mile, a cost that does not even take into account future year maintenance requirements.

One reason given to justify this exorbitant cost is that the border fencing is needed to stop the flow of dangerous, illegal drugs, including opioids that are plaguing our communities and burdening our healthcare system. However, the vast majority of hard drugs come across our border at the ports of entry, not between the ports where fencing would be constructed.

While we note that the bill does make smart investments in port of entry inspection technology, we should be doing much more in lieu of border fencing, and there are also other more urgent prior-

ities—in this bill and others—in which we should be investing taxpayer dollars.

CONCEDING THE ARCTIC

Missing entirely from the Committee-reported bill is the \$750,000,000 proposed by the Coast Guard for acquisition of the first new heavy icebreaker since the *Polar Sea* was commissioned in 1978, forty years ago.

The Navy has delegated to the Coast Guard the primary responsibility for defending our national security interests in the Arctic. To effectively fulfill that responsibility, the Coast Guard must have heavy icebreakers capable of being armed with advanced weaponry. In fact, a 2017 report from the National Academies of Science recommended that the Coast Guard procure at least four heavy icebreakers. We cannot afford any further delay.

The Russian icebreaker fleet consists of more than 27 icebreakers, four of which are heavy, with additional icebreakers under construction. China, which is thousands of nautical miles away from the Arctic, has three icebreakers. The United States currently has a seagoing icebreaker fleet of merely two functioning vessels, only one of which is a heavy icebreaker capable of operating in deep ice.

That ship, the *Polar Star*, is 42 years old, which is well past its 30-year expected operational life. It is not reliable and the cost to maintain it continues to rise. Currently, its primary mission is clearing a path through the ice to our research facilities in Antarctica. As a result, the United States has little to no presence in the Arctic for months at a time. The *Polar Star* is expected to function for only three to seven years more, after which the United States would be without any heavy icebreaking capability.

By some estimates the Arctic holds 20 percent of the Earth's natural resources. Access to the polar region is vital to the United States national security, search and rescue capability, economic interests, environmental stewardship responsibilities, and maritime mobility requirements. If Congress fails to appropriate the Coast Guard's requested funding for fiscal year 2019, it will be unable to award a contract for shipbuilding, as planned, during the coming year and the procurement schedule will be significantly delayed. Making matters even worse, industry partners that may want to bid on a contract to construct new icebreakers may understandably begin to question the commitment of the federal government, and as a result may either refrain from bidding or build the cost of that additional risk into their bids.

An amendment offered by Subcommittee Ranking Member Lucille Roybal-Allard to provide the Coast Guard's fiscal year 2019 request for a heavy icebreaker was rejected by the Majority. The ostensible reason for this rejection was that the offset would have reduced funding for new border fencing from \$4,873,696,000 to \$4,123,696, which would have translated into 30 fewer miles of fencing.

UNMET FUNDING PRIORITIES

Instead of unjustified investments in border infrastructure and the expansion of overly aggressive immigration enforcement, we

should invest more of our limited resources in cyber security, human trafficking investigations, and a range of Coast Guard vessels and aircraft, as our current drug interdiction efforts intercept only a fraction of the drugs that are being trafficked in the Caribbean Sea and Eastern Pacific Ocean. We should invest even more in new customs officers and research and technology and should restore funding for TSA's Law Enforcement Officer Reimbursement Program and Visible Intermodal Prevention and Response teams.

PROTECTING THE VULNERABLE

It is unfortunate that the Majority rejected a number of Democratic amendments designed to protect vulnerable immigrants, including an amendment to prohibit the detention of pregnant women, except under extraordinary circumstances; an amendment by Representative Debbie Wasserman Schultz to prohibit the detention of children by ICE for more than 20 days; and an amendment by Committee Ranking Member Nita Lowey and Representative David Price that would have prevented the removal of individuals from countries with current Temporary Protected Status designations that the Administration has announced it will not further renew.

However, we were pleased that the Committee adopted an amendment offered by Representative David Price to reverse the recent decision by the Attorney General to significantly narrow the criteria under which individuals and families can make asylum claims. We were also heartened by the adoption of two amendments by Representative Pete Aguilar to prohibit ICE from removing Deferred Action for Childhood Arrivals (DACA) participants, in light of reports that some individuals with DACA, including those who have served in the military, have already been removed from the country. These amendments simply ensure that ICE is following the administration's stated policy that DACA participants in good standing will not be removed.

However, this is no substitute for providing Dreamers with permanent legal status and a clear path to citizenship. The Speaker should bring the bipartisan Uniting and Securing America Act to the House floor for consideration without further delay.

CONCLUSION

We want to extend our appreciation for the efforts of the subcommittee Chairman and his staff to work collaboratively with the minority throughout the development of this bill, including the incorporation of many minority language requests into the Committee report. Even in the midst of significant differences on several funding priorities and policy directions, the subcommittee continues to provide important oversight of the Department's activities while ensuring that its more than 240,000 personnel have the resources they need to successfully carry out the Department's important missions.

NITA M. LOWEY.
LUCILLE ROYBAL-ALLARD.