

Union Calendar No. 162

114TH CONGRESS
1ST SESSION

H. R. 3128

[Report No. 114-215]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2016, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2015

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

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of Homeland Security for the fiscal year end-
6 ing September 30, 2016, and for other purposes, namely:

7 TITLE I

8 DEPARTMENTAL MANAGEMENT AND
9 OPERATIONS

10 OFFICE OF THE SECRETARY AND EXECUTIVE
11 MANAGEMENT

12 For necessary expenses of the Office of the Secretary
13 of Homeland Security, as authorized by section 102 of the
14 Homeland Security Act of 2002 (6 U.S.C. 112), and execu-
15 tive management of the Department of Homeland Secu-
16 rity, as authorized by law, \$131,859,000: *Provided*, That
17 not to exceed \$40,000 shall be for official reception and
18 representation expenses: *Provided further*, That all official
19 costs associated with the use of government aircraft by
20 Department of Homeland Security personnel to support
21 official travel of the Secretary and the Deputy Secretary
22 shall be paid from amounts made available for the Imme-
23 diate Office of the Secretary and the Immediate Office of
24 the Deputy Secretary.

1 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

2 For necessary expenses of the Office of the Under
3 Secretary for Management, as authorized by sections 701
4 through 705 of the Homeland Security Act of 2002 (6
5 U.S.C. 341 through 345), \$193,646,000, of which not to
6 exceed \$2,000 shall be for official reception and represen-
7 tation expenses: *Provided*, That of the total amount made
8 available under this heading, \$2,931,000 shall remain
9 available until September 30, 2017, solely for the alter-
10 ation and improvement of facilities, tenant improvements,
11 and relocation costs to consolidate Department head-
12 quarters operations at the Nebraska Avenue Complex; and
13 \$9,559,000 shall remain available until September 30,
14 2017, for the Human Resources Information Technology
15 program: *Provided further*, That the Under Secretary for
16 Management shall include in the President’s budget pro-
17 posal for fiscal year 2017, submitted pursuant to section
18 1105(a) of title 31, United States Code, a Comprehensive
19 Acquisition Status Report, which shall include the infor-
20 mation required under the heading “Office of the Under
21 Secretary for Management” under title I of division D of
22 the Consolidated Appropriations Act, 2012 (Public Law
23 112–74), and shall submit quarterly updates to such re-
24 port not later than 45 days after the completion of each
25 quarter.

1 OFFICE OF THE CHIEF FINANCIAL OFFICER

2 For necessary expenses of the Office of the Chief Fi-
3 nancial Officer, as authorized by section 103 of the Home-
4 land Security Act of 2002 (6 U.S.C. 113), \$56,420,000:
5 *Provided*, That the Secretary of Homeland Security shall
6 submit to the Committees on Appropriations of the Senate
7 and the House of Representatives, at the time the Presi-
8 dent's budget proposal for fiscal year 2017 is submitted
9 pursuant to section 1105(a) of title 31, United States
10 Code, the Future Years Homeland Security Program, as
11 authorized by section 874 of Public Law 107-296 (6
12 U.S.C. 454).

13 OFFICE OF THE CHIEF INFORMATION OFFICER

14 For necessary expenses of the Office of the Chief In-
15 formation Officer, as authorized by section 103 of the
16 Homeland Security Act of 2002 (6 U.S.C. 113), and De-
17 partment-wide technology investments, \$308,488,000; of
18 which \$104,957,000 shall be available for salaries and ex-
19 penses; and of which \$203,531,000, to remain available
20 until September 30, 2017, shall be available for develop-
21 ment and acquisition of information technology equip-
22 ment, software, services, and related activities for the De-
23 partment of Homeland Security.

1 ANALYSIS AND OPERATIONS

2 For necessary expenses for intelligence analysis and
3 operations coordination activities, as authorized by title II
4 of the Homeland Security Act of 2002 (6 U.S.C. 121 et
5 seq.), \$264,898,000; of which not to exceed \$3,825 shall
6 be for official reception and representation expenses; of
7 which not to exceed \$2,000,000 is available for facility
8 needs associated with secure space at fusion centers, in-
9 cluding improvements to buildings; and of which
10 \$111,110,000 shall remain available until September 30,
11 2017.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978 (5 U.S.C. App.), \$141,188,000; of
16 which not to exceed \$300,000 may be used for certain con-
17 fidential operational expenses, including the payment of
18 informants, to be expended at the direction of the Inspec-
19 tor General.

1 TITLE II
2 SECURITY, ENFORCEMENT, AND
3 INVESTIGATIONS
4 UNITED STATES CUSTOMS AND BORDER PROTECTION
5 SALARIES AND EXPENSES

6 For necessary expenses for enforcement of laws relat-
7 ing to border security, immigration, customs, agricultural
8 inspections and regulatory activities related to plant and
9 animal imports, and transportation of unaccompanied
10 minor aliens; purchase and lease of up to 7,500 (6,500
11 for replacement only) police-type vehicles; and contracting
12 with individuals for personal services abroad;
13 \$8,695,238,000; of which \$3,274,000 shall be derived
14 from the Harbor Maintenance Trust Fund for administra-
15 tive expenses related to the collection of the Harbor Main-
16 tenance Fee pursuant to section 9505(c)(3) of the Internal
17 Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and not-
18 withstanding section 1511(e)(1) of the Homeland Security
19 Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed
20 \$34,425 shall be for official reception and representation
21 expenses; of which such sums as become available in the
22 Customs User Fee Account, except sums subject to section
23 13031(f)(3) of the Consolidated Omnibus Budget Rec-
24 onciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be de-
25 rived from that account; of which not to exceed \$150,000

1 shall be available for payment for rental space in connec-
2 tion with preclearance operations; and of which not to ex-
3 ceed \$1,000,000 shall be for awards of compensation to
4 informants, to be accounted for solely under the certificate
5 of the Secretary of Homeland Security: *Provided*, That for
6 fiscal year 2016, the overtime limitation prescribed in sec-
7 tion 5(c)(1) of the Act of February 13, 1911 (19 U.S.C.
8 267(c)(1)) shall be \$35,000; and notwithstanding any
9 other provision of law, none of the funds appropriated by
10 this Act shall be available to compensate any employee of
11 United States Customs and Border Protection for over-
12 time, from whatever source, in an amount that exceeds
13 such limitation, except in individual cases determined by
14 the Secretary of Homeland Security, or the designee of
15 the Secretary, to be necessary for national security pur-
16 poses, to prevent excessive costs, or in cases of immigra-
17 tion emergencies: *Provided further*, That the Border Pa-
18 trol shall maintain an active duty presence of not less than
19 21,370 full-time equivalent agents protecting the borders
20 of the United States in the fiscal year.

21 AUTOMATION MODERNIZATION

22 For necessary expenses for United States Customs
23 and Border Protection for operation and improvement of
24 automated systems, including salaries and expenses,
25 \$846,245,000; of which \$468,111,000 shall remain avail-

1 able until September 30, 2018; and of which not less than
2 \$153,614,000 shall be for the development of the Auto-
3 mated Commercial Environment.

4 BORDER SECURITY FENCING, INFRASTRUCTURE, AND
5 TECHNOLOGY

6 For necessary expenses for border security fencing,
7 infrastructure, and technology, \$439,430,000, of which
8 \$191,539,000 shall remain available until September 30,
9 2018, for development and deployment.

10 AIR AND MARINE OPERATIONS

11 For necessary expenses for the operations, mainte-
12 nance, and procurement of marine vessels, aircraft, un-
13 manned aircraft systems, the Air and Marine Operations
14 Center, and other related equipment of the air and marine
15 program, including salaries and expenses, operational
16 training, and mission-related travel, the operations of
17 which include the following: the interdiction of narcotics
18 and other goods; the provision of support to Federal,
19 State, and local agencies in the enforcement or adminis-
20 tration of laws enforced by the Department of Homeland
21 Security; and, at the discretion of the Secretary of Home-
22 land Security, the provision of assistance to Federal,
23 State, and local agencies in other law enforcement and
24 emergency humanitarian efforts; \$784,934,000; of which
25 \$83,200,000 shall remain available until September 30,

1 2018 for procurement: *Provided*, That no aircraft or other
2 related equipment, with the exception of aircraft that are
3 one of a kind and have been identified as excess to United
4 States Customs and Border Protection requirements and
5 aircraft that have been damaged beyond repair, shall be
6 transferred to any other Federal agency, department, or
7 office outside of the Department of Homeland Security
8 during fiscal year 2016 without prior notice to the Com-
9 mittees on Appropriations of the Senate and the House
10 of Representatives: *Provided further*, That funding made
11 available under this heading shall be available for customs
12 expenses when necessary to maintain or to temporarily in-
13 crease operations in Puerto Rico.

14 CONSTRUCTION AND FACILITIES MANAGEMENT

15 For necessary expenses to plan, acquire, construct,
16 renovate, equip, furnish, operate, manage, and maintain
17 buildings, facilities, and related infrastructure necessary
18 for the administration and enforcement of the laws relat-
19 ing to customs, immigration, and border security,
20 \$341,356,000, to remain available until September 30,
21 2020.

1 UNITED STATES IMMIGRATION AND CUSTOMS
2 ENFORCEMENT
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for enforcement of immigra-
6 tion and customs laws, detention and removals, and inves-
7 tigation, including intellectual property rights and over-
8 seas vetted units operations; and purchase and lease of
9 up to 3,790 (2,350 for replacement only) police-type vehi-
10 cles; \$5,736,286,000; of which not to exceed \$10,000,000
11 shall be available until expended for conducting special op-
12 erations under section 3131 of the Customs Enforcement
13 Act of 1986 (19 U.S.C. 2081); of which not to exceed
14 \$11,475 shall be for official reception and representation
15 expenses; of which not to exceed \$2,000,000 shall be for
16 awards of compensation to informants, to be accounted
17 for solely under the certificate of the Secretary of Home-
18 land Security; of which not less than \$305,000 shall be
19 for promotion of public awareness activities to counter
20 child exploitation; of which not less than \$5,400,000 shall
21 be used to facilitate agreements consistent with section
22 287(g) of the Immigration and Nationality Act (8 U.S.C.
23 1357(g)); and of which not to exceed \$11,216,000 shall
24 be available to fund or reimburse other Federal agencies
25 for the costs associated with the care, maintenance, and

1 repatriation of smuggled aliens unlawfully present in the
2 United States: *Provided*, That of the total amount made
3 available under this heading, \$100,000,000 shall be with-
4 held from obligation until the Director of United States
5 Immigration and Customs Enforcement submits to the
6 Committees on Appropriations of the Senate and the
7 House of Representatives a report detailing the number
8 of full-time equivalent employees hired and lost through
9 attrition for the period beginning on October 1, 2015, and
10 ending on June 30, 2016: *Provided further*, That, of the
11 total amount available under this heading, \$5,000,000
12 shall be withheld from obligation until the Director of
13 United States Immigration and Customs Enforcement
14 briefs the Committees on Appropriations of the Senate
15 and the House of Representatives on efforts to increase
16 the number of communities and law enforcement agencies
17 participating in the Priority Enforcement Program includ-
18 ing details as to the jurisdiction and law enforcement
19 agency approached and the level of participation on a by-
20 community basis: *Provided further*, That none of the funds
21 made available under this heading shall be available to
22 compensate any employee for overtime in an annual
23 amount in excess of \$35,000, except that the Secretary
24 of Homeland Security, or the designee of the Secretary,
25 may waive that amount as necessary for national security

1 purposes and in cases of immigration emergencies: *Pro-*
2 *vided further*, That of the total amount provided,
3 \$15,770,000 shall be for activities to enforce laws against
4 forced child labor, of which not to exceed \$6,000,000 shall
5 remain available until expended: *Provided further*, That of
6 the total amount available, not less than \$1,600,000,000
7 shall be available to identify aliens convicted of a crime
8 who may be deportable, and to remove them from the
9 United States once they are judged deportable: *Provided*
10 *further*, That the Secretary of Homeland Security shall
11 prioritize the identification and removal of aliens convicted
12 of a crime by the severity of that crime: *Provided further*,
13 That funding made available under this heading shall
14 maintain a level of not less than 34,000 detention beds
15 through September 30, 2016: *Provided further*, That of
16 the total amount provided, not less than \$3,266,766,000
17 is for detention, enforcement, and removal operations, in-
18 cluding transportation of unaccompanied minor aliens:
19 *Provided further*, That of the total amount provided for
20 the Visa Security Program and international investiga-
21 tions, \$13,300,000 shall remain available until September
22 30, 2017: *Provided further*, That not less than
23 \$15,000,000 shall be available for investigation of intellec-
24 tual property rights violations, including operation of the
25 National Intellectual Property Rights Coordination Cen-

1 ter: *Provided further*, That none of the funds provided
2 under this heading may be used to continue a delegation
3 of law enforcement authority authorized under section
4 287(g) of the Immigration and Nationality Act (8 U.S.C.
5 1357(g)) if the Department of Homeland Security Inspec-
6 tor General determines that the terms of the agreement
7 governing the delegation of authority have been materially
8 violated: *Provided further*, That none of the funds provided
9 under this heading may be used to continue any contract
10 for the provision of detention services if the two most re-
11 cent overall performance evaluations received by the con-
12 tracted facility are less than “adequate” or the equivalent
13 median score in any subsequent performance evaluation
14 system: *Provided further*, That nothing under this heading
15 shall prevent United States Immigration and Customs En-
16 forcement from exercising those authorities provided
17 under immigration laws (as defined in section 101(a)(17)
18 of the Immigration and Nationality Act (8 U.S.C.
19 1101(a)(17))) during priority operations pertaining to
20 aliens convicted of a crime: *Provided further*, That without
21 regard to the limitation as to time and condition of section
22 503(d) of this Act, the Secretary may propose to repro-
23 gram into and transfer funds within this appropriation
24 necessary to ensure the detention of aliens prioritized for
25 removal.

1 AUTOMATION MODERNIZATION

2 For necessary expenses of immigration and customs
3 enforcement automated systems, \$73,500,000, to remain
4 available until September 30, 2018.

5 CONSTRUCTION

6 For necessary expenses to plan, construct, renovate,
7 equip, and maintain buildings and facilities necessary for
8 the administration and enforcement of the laws relating
9 to customs and immigration, \$5,000,000, to remain avail-
10 able until September 30, 2019.

11 TRANSPORTATION SECURITY ADMINISTRATION

12 AVIATION SECURITY

13 For necessary expenses of the Transportation Secu-
14 rity Administration related to providing civil aviation secu-
15 rity services pursuant to the Aviation and Transportation
16 Security Act (Public Law 107–71; 115 Stat. 597; 49
17 U.S.C. 40101 note), \$5,558,923,000, to remain available
18 until September 30, 2017; of which not to exceed \$7,650
19 shall be for official reception and representation expenses:
20 *Provided*, That any award to deploy explosives detection
21 systems shall be based on risk, the airport’s current reli-
22 ance on other screening solutions, lobby congestion result-
23 ing in increased security concerns, high injury rates, air-
24 port readiness, and increased cost effectiveness: *Provided*
25 *further*, That security service fees authorized under section

1 44940 of title 49, United States Code, shall be credited
2 to this appropriation as offsetting collections and shall be
3 available only for aviation security: *Provided further*, That
4 the sum appropriated under this heading from the general
5 fund shall be reduced on a dollar-for-dollar basis as such
6 offsetting collections are received during fiscal year 2016
7 so as to result in a final fiscal year appropriation from
8 the general fund estimated at not more than
9 \$3,428,923,000: *Provided further*, That the funds depos-
10 ited pursuant to section 44945 of title 49, United States
11 Code, that are currently unavailable for obligation are
12 hereby permanently cancelled: *Provided further*, That not-
13 withstanding section 44923 of title 49, United States
14 Code, for fiscal year 2016, any funds in the Aviation Secu-
15 rity Capital Fund established by section 44923(h) of title
16 49, United States Code, may be used for the procurement
17 and installation of explosives detection systems or for the
18 issuance of other transaction agreements for the purpose
19 of funding projects described in section 44923(a) of such
20 title: *Provided further*, That notwithstanding any other
21 provision of law, for the current fiscal year and each fiscal
22 year hereafter, mobile explosives detection systems pur-
23 chased and deployed using funds made available under
24 this heading may be moved and redeployed to meet evol-
25 ving passenger and baggage screening security priorities at

1 airports: *Provided further*, That none of the funds made
2 available in this Act may be used for any recruiting or
3 hiring of personnel into the Transportation Security Ad-
4 ministration that would cause the agency to exceed a staff-
5 ing level of 45,000 full-time equivalent screeners: *Provided*
6 *further*, That the preceding proviso shall not apply to per-
7 sonnel hired as part-time employees: *Provided further*,
8 That the reporting requirement in the ninth proviso under
9 the heading “Transportation Security Administration,
10 Aviation Security” in the Department of Homeland Secu-
11 rity Appropriations Act, 2015 (Public Law 114–4), shall
12 apply in fiscal year 2016, except that the reference to
13 “this Act” shall be treated as referring to this Act: *Pro-*
14 *vided further*, That Members of the United States House
15 of Representatives and United States Senate, including
16 the leadership; the heads of Federal agencies and commis-
17 sions, including the Secretary, Deputy Secretary, Under
18 Secretaries, and Assistant Secretaries of the Department
19 of Homeland Security; the United States Attorney Gen-
20 eral, Deputy Attorney General, Assistant Attorneys Gen-
21 eral, and the United States Attorneys; and senior mem-
22 bers of the Executive Office of the President, including
23 the Director of the Office of Management and Budget,
24 shall not be exempt from Federal passenger and baggage
25 screening.

1 SURFACE TRANSPORTATION SECURITY

2 For necessary expenses of the Transportation Secu-
3 rity Administration related to surface transportation secu-
4 rity activities, \$106,894,000, to remain available until
5 September 30, 2017.

6 INTELLIGENCE AND VETTING

7 For necessary expenses for the development and im-
8 plementation of intelligence and vetting activities,
9 \$216,203,000, to remain available until September 30,
10 2017.

11 TRANSPORTATION SECURITY SUPPORT

12 For necessary expenses of the Transportation Secu-
13 rity Administration related to transportation security sup-
14 port pursuant to the Aviation and Transportation Security
15 Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101
16 note), \$901,442,000, to remain available until September
17 30, 2017.

18 COAST GUARD

19 OPERATING EXPENSES

20 For necessary expenses for the operation and mainte-
21 nance of the Coast Guard, not otherwise provided for; pur-
22 chase or lease of not to exceed 25 passenger motor vehi-
23 cles, which shall be for replacement only; purchase or lease
24 of small boats for contingent and emergent requirements
25 (at a unit cost of no more than \$700,000) and repairs

1 and service-life replacements, not to exceed a total of
2 \$31,000,000; purchase or lease of boats necessary for
3 overseas deployments and activities; purchase or lease of
4 other equipment (at a unit cost of no more than
5 \$250,000); minor shore construction projects not exceed-
6 ing \$1,000,000 in total cost on any location; payments
7 pursuant to section 156 of Public Law 97–377 (42 U.S.C.
8 402 note; 96 Stat. 1920); and recreation and welfare;
9 \$6,899,288,000, of which \$340,000,000 shall be for de-
10 fense-related activities; of which \$24,500,000 shall be de-
11 rived from the Oil Spill Liability Trust Fund to carry out
12 the purposes of section 1012(a)(5) of the Oil Pollution Act
13 of 1990 (33 U.S.C. 2712(a)(5)); and of which not to ex-
14 ceed \$15,300 shall be for official reception and representa-
15 tion expenses: *Provided*, That none of the funds made
16 available by this Act shall be for expenses incurred for rec-
17 reational vessels under section 12114 of title 46, United
18 States Code, except to the extent fees are collected from
19 owners of yachts and credited to this appropriation: *Pro-*
20 *vided further*, That to the extent fees are insufficient to
21 pay expenses of recreational vessel documentation under
22 such section 12114, and there is a backlog of recreational
23 vessel applications, then personnel performing non-rec-
24 reational vessel documentation functions under subchapter
25 II of chapter 121 of title 46, United States Code, may

1 perform documentation under section 12114: *Provided*
2 *further*, That, without regard to the limitation as to time
3 and condition of section 503(d) of this Act, after June
4 30, up to \$10,000,000 may be reprogrammed to or from
5 Military Pay and Allowances in accordance with sub-
6 sections (a), (b), and (c) of section 503.

7 ENVIRONMENTAL COMPLIANCE AND RESTORATION

8 For necessary expenses to carry out the environ-
9 mental compliance and restoration functions of the Coast
10 Guard under chapter 19 of title 14, United States Code,
11 \$13,269,000, to remain available until September 30,
12 2020.

13 RESERVE TRAINING

14 For necessary expenses of the Coast Guard Reserve,
15 as authorized by law; operations and maintenance of the
16 Coast Guard reserve program; personnel and training
17 costs; and equipment and services; \$110,614,000.

18 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of acquisition, construction,
20 renovation, and improvement of aids to navigation, shore
21 facilities, vessels, and aircraft, including equipment related
22 thereto; and maintenance, rehabilitation, lease, and oper-
23 ation of facilities and equipment; as authorized by law;
24 \$1,301,289,000; of which \$20,000,000 shall be derived
25 from the Oil Spill Liability Trust Fund to carry out the

1 purposes of section 1012(a)(5) of the Oil Pollution Act
2 of 1990 (33 U.S.C. 2712(a)(5)); and of which the fol-
3 lowing amounts shall be available until September 30,
4 2020 (except as subsequently specified): \$21,000,000 for
5 military family housing; \$616,400,000 to acquire, effect
6 major repairs to, renovate, or improve vessels, small boats,
7 and related equipment; \$295,000,000 to acquire, effect
8 major repairs to, renovate, or improve aircraft or increase
9 aviation capability; \$67,920,000 for other acquisition pro-
10 grams; \$184,100,000 for shore facilities and aids to navi-
11 gation, including facilities at Department of Defense in-
12 stallations used by the Coast Guard; and \$116,869,000,
13 to remain available until September 30, 2016, for per-
14 sonnel compensation and benefits and related costs: *Pro-*
15 *vided*, That the Commandant of the Coast Guard shall
16 submit to the Congress, at the time the President’s budget
17 proposal for fiscal year 2017 is submitted pursuant to sec-
18 tion 1105(a) of title 31, United States Code, a future-
19 years capital investment plan as described in the second
20 proviso under the heading “Coast Guard, Acquisition,
21 Construction, and Improvements” in the Department of
22 Homeland Security Appropriations Act, 2015 (Public Law
23 114–4), which shall be subject to the requirements in the
24 third and fourth provisos under such heading.

1 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

2 For necessary expenses for applied scientific re-
3 search, development, test, and evaluation; and for mainte-
4 nance, rehabilitation, lease, and operation of facilities and
5 equipment; as authorized by law; \$18,135,000, to remain
6 available until September 30, 2018, of which \$500,000
7 shall be derived from the Oil Spill Liability Trust Fund
8 to carry out the purposes of section 1012(a)(5) of the Oil
9 Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*,
10 That there may be credited to and used for the purposes
11 of this appropriation funds received from State and local
12 governments, other public authorities, private sources, and
13 foreign countries for expenses incurred for research, devel-
14 opment, testing, and evaluation.

15 RETIRED PAY

16 For retired pay, including the payment of obligations
17 otherwise chargeable to lapsed appropriations for this pur-
18 pose, payments under the Retired Serviceman's Family
19 Protection and Survivor Benefits Plans, payment for ca-
20 reer status bonuses, concurrent receipts, and combat-re-
21 lated special compensation under the National Defense
22 Authorization Act, and payments for medical care of re-
23 tired personnel and their dependents under chapter 55 of
24 title 10, United States Code, \$1,604,000,000, to remain
25 available until expended.

1 UNITED STATES SECRET SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Secret
4 Service, including purchase of not to exceed 652 vehicles
5 for police-type use for replacement only; hire of passenger
6 motor vehicles; purchase of motorcycles made in the
7 United States; hire of aircraft; services of expert witnesses
8 at such rates as may be determined by the Director of
9 the United States Secret Service; rental of buildings in
10 the District of Columbia, and fencing, lighting, guard
11 booths, and other facilities on private or other property
12 not in Government ownership or control, as may be nec-
13 essary to perform protective functions; payment of per
14 diem or subsistence allowances to employees in cases in
15 which a protective assignment on the actual day or days
16 of the visit of a protectee requires an employee to work
17 16 hours per day or to remain overnight at a post of duty;
18 conduct of and participation in firearms matches; presen-
19 tation of awards; travel of United States Secret Service
20 employees on protective missions without regard to the
21 limitations on such expenditures in this or any other Act
22 if approval is obtained in advance from the Committees
23 on Appropriations of the Senate and the House of Rep-
24 resentatives; research and development; grants to conduct
25 behavioral research in support of protective research and

1 operations; and payment in advance for commercial ac-
2 commodations as may be necessary to perform protective
3 functions; \$1,832,813,000; of which not to exceed \$19,125
4 shall be for official reception and representation expenses;
5 of which not to exceed \$100,000 shall be to provide tech-
6 nical assistance and equipment to foreign law enforcement
7 organizations in counterfeit investigations; of which
8 \$2,366,000 shall be for forensic and related support of
9 investigations of missing and exploited children; of which
10 \$6,000,000 shall be for a grant for activities related to
11 investigations of missing and exploited children and shall
12 remain available until September 30, 2017; and of which
13 not less than \$12,000,000 shall be for activities related
14 to training in electronic crimes investigations and
15 forensics: *Provided*, That \$18,000,000 for protective travel
16 shall remain available until September 30, 2017: *Provided*
17 *further*, That \$4,500,000 for National Special Security
18 Events shall remain available until expended: *Provided*
19 *further*, That the United States Secret Service is author-
20 ized to obligate funds in anticipation of reimbursements
21 from Federal agencies and entities, as defined in section
22 105 of title 5, United States Code, for personnel receiving
23 training sponsored by the James J. Rowley Training Cen-
24 ter, except that total obligations at the end of the fiscal
25 year shall not exceed total budgetary resources available

1 under this heading at the end of the fiscal year: *Provided*
2 *further*, That none of the funds made available under this
3 heading shall be available to compensate any employee for
4 overtime in an annual amount in excess of \$35,000, except
5 that the Secretary of Homeland Security, or the designee
6 of the Secretary, may waive that amount as necessary for
7 national security purposes: *Provided further*, That none of
8 the funds made available to the United States Secret Serv-
9 ice by this Act or by previous appropriations Acts may
10 be made available for the protection of the head of a Fed-
11 eral agency other than the Secretary of Homeland Secu-
12 rity: *Provided further*, That the Director of the United
13 States Secret Service may enter into an agreement to pro-
14 vide such protection on a fully reimbursable basis: *Pro-*
15 *vided further*, That none of the funds made available to
16 the United States Secret Service by this Act or by previous
17 appropriations Acts may be obligated for the purpose of
18 opening a new permanent domestic or overseas office or
19 location unless the Committees on Appropriations of the
20 Senate and the House of Representatives are notified 15
21 days in advance of such obligation: *Provided further*, That
22 for purposes of section 503(b) of this Act, \$15,000,000
23 or 10 percent, whichever is less, may be transferred be-
24 tween Protection of Persons and Facilities and Domestic
25 Field Operations.

1 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
2 RELATED EXPENSES

3 For necessary expenses for acquisition, construction,
4 repair, alteration, and improvement of physical and tech-
5 nological infrastructure, \$72,819,000 to remain available
6 until September 30, 2018.

7 TITLE III
8 PROTECTION, PREPAREDNESS, RESPONSE, AND
9 RECOVERY

10 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
11 MANAGEMENT AND ADMINISTRATION

12 For necessary expenses for the management and ad-
13 ministration of the Office of the Under Secretary for the
14 National Protection and Programs Directorate, support
15 for operations, and information technology, \$56,127,000:
16 *Provided*, That not to exceed \$3,825 shall be for official
17 reception and representation expenses.

18 INFRASTRUCTURE PROTECTION AND INFORMATION
19 SECURITY

20 For necessary expenses for infrastructure protection
21 and information security programs and activities, as au-
22 thorized by title II of the Homeland Security Act of 2002
23 (6 U.S.C. 121 et seq.), \$1,245,000,000, of which
24 \$271,000,000 shall remain available until September 30,
25 2017.

1 FEDERAL PROTECTIVE SERVICE

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

7 OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

8 For necessary expenses for the Office of Biometric
9 Identity Management, as authorized by section 7208 of
10 the Intelligence Reform and Terrorism Prevention Act of
11 2004 (8 U.S.C. 1365b), \$283,473,000: *Provided*, That of
12 the total amount made available under this heading,
13 \$159,054,000 shall remain available until September 30,
14 2018.

15 OFFICE OF HEALTH AFFAIRS

16 For necessary expenses of the Office of Health Af-
17 fairs, \$125,216,000; of which \$26,857,000 is for salaries
18 and expenses and \$82,078,000 is for BioWatch oper-
19 ations: *Provided*, That of the amount made available under
20 this heading, \$16,281,000 shall remain available until
21 September 30, 2017, for biosurveillance, chemical defense,
22 medical and health planning and coordination, and work-
23 force health protection.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY
2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Emergency
4 Management Agency, \$955,963,000, including activities
5 authorized by the National Flood Insurance Act of 1968
6 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
8 seq.), the Cerro Grande Fire Assistance Act of 2000 (divi-
9 sion C, title I, 114 Stat. 583), the Earthquake Hazards
10 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the De-
11 fense Production Act of 1950 (50 U.S.C. App. 2061 et
12 seq.), sections 107 and 303 of the National Security Act
13 of 1947 (50 U.S.C. 404, 405), Reorganization Plan No.
14 3 of 1978 (5 U.S.C. App.), the National Dam Safety Pro-
15 gram Act (33 U.S.C. 467 et seq.), the Homeland Security
16 Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Rec-
17 ommendations of the 9/11 Commission Act of 2007 (Pub-
18 lic Law 110–53), the Federal Fire Prevention and Control
19 Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina
20 Emergency Management Reform Act of 2006 (Public Law
21 109–295; 120 Stat. 1394), the Biggert-Waters Flood In-
22 surance Reform Act of 2012 (Public Law 112–141, 126
23 Stat. 916), and the Homeowner Flood Insurance Afford-
24 ability Act of 2014 (Public Law 113–89): *Provided*, That
25 not to exceed \$2,250 shall be for official reception and

1 representation expenses: *Provided further*, That of the
2 total amount made available under this heading,
3 \$35,180,000 shall be for the Urban Search and Rescue
4 Response System, of which none is available for Federal
5 Emergency Management Agency administrative costs:
6 *Provided further*, That of the total amount made available
7 under this heading, \$27,500,000 shall remain available
8 until September 30, 2017, for capital improvements and
9 other expenses related to continuity of operations at the
10 Mount Weather Emergency Operations Center.

11 STATE AND LOCAL PROGRAMS

12 For grants, contracts, cooperative agreements, and
13 other activities, \$1,500,000,000, which shall be allocated
14 as follows:

15 (1) \$467,000,000 shall be for the State Home-
16 land Security Grant Program under section 2004 of
17 the Homeland Security Act of 2002 (6 U.S.C. 605),
18 of which not less than \$55,000,000 shall be for Op-
19 eration Stonegarden: *Provided*, That notwith-
20 standing subsection (c)(4) of such section 2004, for
21 fiscal year 2016, the Commonwealth of Puerto Rico
22 shall make available to local and tribal governments
23 amounts provided to the Commonwealth of Puerto
24 Rico under this paragraph in accordance with sub-
25 section (c)(1) of such section 2004.

1 (2) \$600,000,000 shall be for the Urban Area
2 Security Initiative under section 2003 of the Home-
3 land Security Act of 2002 (6 U.S.C. 604), of which
4 not less than \$13,000,000 shall be for organizations
5 (as described under section 501(c)(3) of the Internal
6 Revenue Code of 1986 and exempt from tax under
7 section 501(a) of such code) determined by the Sec-
8 retary of Homeland Security to be at high risk of a
9 terrorist attack.

10 (3) \$100,000,000 shall be for Public Transpor-
11 tation Security Assistance, Railroad Security Assist-
12 ance, and Over-the-Road Bus Security Assistance
13 under sections 1406, 1513, and 1532 of the Imple-
14 menting Recommendations of the 9/11 Commission
15 Act of 2007 (Public Law 110–53; 6 U.S.C. 1135,
16 1163, and 1182), of which not less than
17 \$10,000,000 shall be for Amtrak security and
18 \$3,000,000 shall be for Over-the-Road Bus Security:
19 *Provided*, That such public transportation security
20 assistance shall be provided directly to public trans-
21 portation agencies.

22 (4) \$100,000,000 shall be for Port Security
23 Grants in accordance with 46 U.S.C. 70107.

24 (5) \$233,000,000 shall be to sustain current
25 operations for training, exercises, technical assist-

1 ance, and other programs, of which \$162,991,000
2 shall be for training of State, local, and tribal emer-
3 gency response providers:

4 *Provided*, That for grants under paragraphs (1) through
5 (4), applications for grants shall be made available to eligi-
6 ble applicants not later than 60 days after the date of en-
7 actment of this Act, that eligible applicants shall submit
8 applications not later than 80 days after the grant an-
9 nouncement, and the Administrator of the Federal Emer-
10 gency Management Agency shall act within 65 days after
11 the receipt of an application: *Provided further*, That not-
12 withstanding section 2008(a)(11) of the Homeland Secu-
13 rity Act of 2002 (6 U.S.C. 609(a)(11)) or any other provi-
14 sion of law, a grantee may not use more than 5 percent
15 of the amount of a grant made available under this head-
16 ing for expenses directly related to administration of the
17 grant: *Provided further*, That for grants under paragraphs
18 (1) and (2), the installation of communications towers is
19 not considered construction of a building or other physical
20 facility: *Provided further*, That grantees shall provide re-
21 ports on their use of funds, as determined necessary by
22 the Secretary of Homeland Security: *Provided further*,
23 That notwithstanding section 509 of this Act, the Admin-
24 istrator of the Federal Emergency Management Agency
25 may use the funds provided in paragraph (5) to acquire

1 real property for the purpose of establishing or appro-
2 priately extending the security buffer zones around Fed-
3 eral Emergency Management Agency training facilities.

4 FIREFIGHTER ASSISTANCE GRANTS

5 For grants for programs authorized by the Federal
6 Fire Prevention and Control Act of 1974 (15 U.S.C. 2201
7 et seq.), \$680,000,000, to remain available until Sep-
8 tember 30, 2017, of which \$340,000,000 shall be available
9 to carry out section 33 of that Act (15 U.S.C. 2229) and
10 \$340,000,000 shall be available to carry out section 34
11 of that Act (15 U.S.C. 2229a).

12 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

13 For emergency management performance grants, as
14 authorized by the National Flood Insurance Act of 1968
15 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
17 seq.), the Earthquake Hazards Reduction Act of 1977 (42
18 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of
19 1978 (5 U.S.C. App.), \$350,000,000.

20 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

21 The aggregate charges assessed during fiscal year
22 2016, as authorized in title III of the Departments of Vet-
23 erans Affairs and Housing and Urban Development, and
24 Independent Agencies Appropriations Act, 1999 (42
25 U.S.C. 5196e), shall not be less than 100 percent of the

1 amounts anticipated by the Department of Homeland Se-
2 curity necessary for its radiological emergency prepared-
3 ness program for the next fiscal year: *Provided*, That the
4 methodology for assessment and collection of fees shall be
5 fair and equitable and shall reflect costs of providing such
6 services, including administrative costs of collecting such
7 fees: *Provided further*, That fees received under this head-
8 ing shall be deposited in this account as offsetting collec-
9 tions and will become available for authorized purposes on
10 October 1, 2016, and remain available until expended.

11 UNITED STATES FIRE ADMINISTRATION

12 For necessary expenses of the United States Fire Ad-
13 ministration and for other purposes, as authorized by the
14 Federal Fire Prevention and Control Act of 1974 (15
15 U.S.C. 2201 et seq.) and the Homeland Security Act of
16 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

17 DISASTER RELIEF FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses in carrying out the Robert
20 T. Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5121 et seq.), \$7,374,693,000 to remain avail-
22 able until expended, of which \$24,000,000 shall be trans-
23 ferred to the Department of Homeland Security Office of
24 Inspector General for audits and investigations related to
25 disasters: *Provided*, That the reporting requirements in

1 paragraphs (1) and (2) under the heading “Federal Emer-
2 gency Management Agency, Disaster Relief Fund” in the
3 Department of Homeland Security Appropriations Act,
4 2015 (Public Law 114–4) shall be applied in fiscal year
5 2016 with respect to budget year 2017 and current fiscal
6 year 2016, respectively, by substituting “fiscal year 2017”
7 for “fiscal year 2016” in paragraph (1): *Provided further*,
8 That of the amount provided under this heading,
9 \$6,712,953,000 shall be for major disasters declared pur-
10 suant to the Robert T. Stafford Disaster Relief and Emer-
11 gency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*
12 *further*, That the amount in the preceding proviso is des-
13 ignated by the Congress as being for disaster relief pursu-
14 ant to section 251(b)(2)(D) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

17 For necessary expenses, including administrative
18 costs, under section 1360 of the National Flood Insurance
19 Act of 1968 (42 U.S.C. 4101), and under sections
20 100215, 100216, 100226, 100230, and 100246 of the
21 Biggert-Waters Flood Insurance Reform Act of 2012,
22 (Public Law 112–141, 126 Stat. 924), \$100,000,000, and
23 such additional sums as may be provided by State and
24 local governments or other political subdivisions for cost-
25 shared mapping activities under section 1360(f)(2) of such

1 Act (42 U.S.C. 4101(f)(2)), to remain available until ex-
2 pended.

3 NATIONAL FLOOD INSURANCE FUND

4 For activities under the National Flood Insurance
5 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
6 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
7 Biggert-Waters Flood Insurance Reform Act of 2012
8 (Public Law 112–141, 126 Stat. 916), and the Home-
9 owner Flood Insurance Affordability Act of 2014 (Public
10 Law 113–89; 128 Stat. 1020), \$181,198,000, which shall
11 remain available until September 30, 2017, and shall be
12 derived from offsetting amounts collected under section
13 1308(d) of the National Flood Insurance Act of 1968 (42
14 U.S.C. 4015(d)); of which \$25,299,000 shall be available
15 for salaries and expenses associated with flood manage-
16 ment and flood insurance operations and \$155,899,000
17 shall be available for flood plain management and flood
18 mapping: *Provided*, That any additional fees collected pur-
19 suant to section 1308(d) of the National Flood Insurance
20 Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an
21 offsetting collection to this account, to be available for
22 flood plain management and flood mapping: *Provided fur-*
23 *ther*, That in fiscal year 2016, no funds shall be available
24 from the National Flood Insurance Fund under section

1 1310 of the National Flood Insurance Act of 1968 (42
2 U.S.C. 4017) in excess of:

3 (1) \$133,252,000 for operating expenses;

4 (2) \$1,123,000,000 for commissions and taxes
5 of agents;

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

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

14 *Provided further*, That the amounts collected under section
15 102 of the Flood Disaster Protection Act of 1973 (42
16 U.S.C. 4012a) and section 1366(e) of the National Flood
17 Insurance Act of 1968 shall be deposited in the National
18 Flood Insurance Fund to supplement other amounts speci-
19 fied as available for section 1366 of the National Flood
20 Insurance Act of 1968, notwithstanding section 102(f)(8),
21 section 1366(e), and paragraphs (1) through (3) of section
22 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
23 4104d(b)(1)–(3)): *Provided further*, That total administra-
24 tive costs shall not exceed 4 percent of the total appropria-
25 tion: *Provided further*, That \$5,000,000 is available to

1 carry out section 24 of the Homeowner Flood Insurance
2 Affordability Act of 2014 (42 U.S.C. 4033).

3 NATIONAL PREDISASTER MITIGATION FUND

4 For the predisaster mitigation grant program under
5 section 203 of the Robert T. Stafford Disaster Relief and
6 Emergency Assistance Act (42 U.S.C. 5133),
7 \$25,000,000, to remain available until expended.

8 EMERGENCY FOOD AND SHELTER

9 To carry out the emergency food and shelter program
10 pursuant to title III of the McKinney-Vento Homeless As-
11 sistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to
12 remain available until expended: *Provided*, That total ad-
13 ministrative costs shall not exceed 3.5 percent of the total
14 amount made available under this heading.

15 TITLE IV

16 RESEARCH, DEVELOPMENT, TRAINING, AND
17 SERVICES

18 UNITED STATES CITIZENSHIP AND IMMIGRATION

19 SERVICES

20 For necessary expenses for citizenship and immigra-
21 tion services, \$119,671,000 for the E-Verify Program, as
22 described in section 403(a) of the Illegal Immigration Re-
23 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
24 1324a note), to assist United States employers with main-
25 taining a legal workforce: *Provided*, That, notwithstanding

1 any other provision of law, funds otherwise made available
2 to United States Citizenship and Immigration Services
3 may be used to acquire, operate, equip, and dispose of up
4 to 5 vehicles, for replacement only, for areas where the
5 Administrator of General Services does not provide vehi-
6 cles for lease: *Provided further*, That the Director of
7 United States Citizenship and Immigration Services may
8 authorize employees who are assigned to those areas to
9 use such vehicles to travel between the employees' resi-
10 dences and places of employment: *Provided further*, That
11 of the funds deposited into the "Immigration Examination
12 Fees Account" established under section 286(m) of the
13 Immigration and Nationality Act (8 U.S.C. 1356(m)), not
14 to exceed \$10,000 may be allocated by the Director of
15 United States Citizenship and Immigration Services in fis-
16 cal year 2016 for official reception and representation ex-
17 penses notwithstanding section 286(n) of the Immigration
18 and Nationality Act (8 U.S.C. 1356(n)).

19 FEDERAL LAW ENFORCEMENT TRAINING CENTER
20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Law Enforce-
22 ment Training Center, including materials and support
23 costs of Federal law enforcement basic training; the pur-
24 chase of not to exceed 117 vehicles for police-type use and
25 hire of passenger motor vehicles; expenses for student ath-

1 letic and related activities; the conduct of and participa-
2 tion in firearms matches and presentation of awards; pub-
3 lic awareness and enhancement of community support of
4 law enforcement training; room and board for student in-
5 terns; a flat monthly reimbursement to employees author-
6 ized to use personal mobile phones for official duties; and
7 services as authorized by section 3109 of title 5, United
8 States Code; \$211,502,000; of which up to \$47,181,000
9 shall remain available until September 30, 2017, for mate-
10 rials and support costs of Federal law enforcement basic
11 training; of which \$300,000 shall remain available until
12 expended to be distributed to Federal law enforcement
13 agencies for expenses incurred participating in training ac-
14 creditation; and of which not to exceed \$7,180 shall be
15 for official reception and representation expenses: *Pro-*
16 *vided*, That the Center is authorized to obligate funds in
17 anticipation of reimbursements from agencies receiving
18 training sponsored by the Center, except that total obliga-
19 tions at the end of the fiscal year shall not exceed total
20 budgetary resources available at the end of the fiscal year:
21 *Provided further*, That section 1202(a) of Public Law
22 107–206 (42 U.S.C. 3771 note), as amended under this
23 heading in Public Law 114–4, is further amended by
24 striking “December 31, 2017” and inserting “December
25 31, 2018”: *Provided further*, That the Director of the Fed-

1 eral Law Enforcement Training Center shall schedule
2 basic or advanced law enforcement training, or both, at
3 all four training facilities under the control of the Federal
4 Law Enforcement Training Center to ensure that such
5 training facilities are operated at the highest capacity
6 throughout the fiscal year: *Provided further*, That the Fed-
7 eral Law Enforcement Training Accreditation Board, in-
8 cluding representatives from the Federal law enforcement
9 community and non-Federal accreditation experts involved
10 in law enforcement training, shall lead the Federal law
11 enforcement training accreditation process to continue the
12 implementation of measuring and assessing the quality
13 and effectiveness of Federal law enforcement training pro-
14 grams, facilities, and instructors.

15 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND
16 RELATED EXPENSES

17 For acquisition of necessary additional real property
18 and facilities, construction, and ongoing maintenance, fa-
19 cility improvements, and related expenses of the Federal
20 Law Enforcement Training Center, \$27,553,000, to re-
21 main available until September 30, 2020: *Provided*, That
22 the Center is authorized to accept reimbursement to this
23 appropriation from government agencies requesting the
24 construction of special use facilities.

1 SCIENCE AND TECHNOLOGY

2 MANAGEMENT AND ADMINISTRATION

3 For salaries and expenses of the Office of the Under
4 Secretary for Science and Technology and for manage-
5 ment and administration of programs and activities, as
6 authorized by title III of the Homeland Security Act of
7 2002 (6 U.S.C. 181 et seq.), \$131,531,000: *Provided*,
8 That not to exceed \$7,650 shall be for official reception
9 and representation expenses.

10 RESEARCH, DEVELOPMENT, ACQUISITION, AND

11 OPERATIONS

12 For necessary expenses for science and technology re-
13 search, including advanced research projects, development,
14 test and evaluation, acquisition, and operations as author-
15 ized by title III of the Homeland Security Act of 2002
16 (6 U.S.C. 181 et seq.), and the purchase or lease of not
17 to exceed 5 vehicles, \$655,407,000; of which
18 \$521,676,000 shall remain available until September 30,
19 2018; and of which \$133,731,000 shall remain available
20 until September 30, 2020, solely for operation and con-
21 struction of laboratory facilities.

22 DOMESTIC NUCLEAR DETECTION OFFICE

23 MANAGEMENT AND ADMINISTRATION

24 For salaries and expenses of the Domestic Nuclear
25 Detection Office, as authorized by title XIX of the Home-

1 land Security Act of 2002 (6 U.S.C. 591 et seq.), for man-
2 agement and administration of programs and activities,
3 \$38,109,000: *Provided*, That not to exceed \$2,250 shall
4 be for official reception and representation expenses.

5 RESEARCH, DEVELOPMENT, AND OPERATIONS

6 For necessary expenses for radiological and nuclear
7 research, development, testing, evaluation, and operations,
8 \$196,000,000, to remain available until September 30,
9 2018.

10 SYSTEMS ACQUISITION

11 For necessary expenses for the Domestic Nuclear De-
12 tection Office acquisition and deployment of radiological
13 detection systems in accordance with the global nuclear
14 detection architecture, \$123,011,000, to remain available
15 until September 30, 2018.

16 TITLE V

17 GENERAL PROVISIONS

18 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

22 SEC. 502. Subject to the requirements of section 503
23 of this Act, the unexpended balances of prior appropria-
24 tions provided for activities in this Act may be transferred
25 to appropriation accounts for such activities established

1 pursuant to this Act, may be merged with funds in the
2 applicable established accounts, and thereafter may be ac-
3 counted for as one fund for the same time period as origi-
4 nally enacted.

5 SEC. 503. (a) None of the funds provided by this Act,
6 provided by previous appropriations Acts to the agencies
7 in or transferred to the Department of Homeland Security
8 that remain available for obligation or expenditure in fiscal
9 year 2016, or provided from any accounts in the Treasury
10 of the United States derived by the collection of fees avail-
11 able to the agencies funded by this Act, shall be available
12 for obligation or expenditure through a reprogramming of
13 funds that:

14 (1) creates a new program, project, or activity;

15 (2) eliminates a program, project, office, or ac-
16 tivity;

17 (3) increases funds for any program, project, or
18 activity for which funds have been denied or re-
19 stricted by the Congress;

20 (4) proposes to use funds directed for a specific
21 activity by either of the Committees on Appropria-
22 tions of the Senate or the House of Representatives
23 for a different purpose; or

24 (5) contracts out any function or activity for
25 which funding levels were requested for Federal full-

1 time equivalents in the object classification tables
2 contained in the fiscal year 2016 Budget Appendix
3 for the Department of Homeland Security, as modi-
4 fied by the report accompanying this Act, unless the
5 Committees on Appropriations of the Senate and the
6 House of Representatives are notified 15 days in ad-
7 vance of such reprogramming of funds.

8 (b) None of the funds provided by this Act, provided
9 by previous appropriations Acts to the agencies in or
10 transferred to the Department of Homeland Security that
11 remain available for obligation or expenditure in fiscal
12 year 2016, or provided from any accounts in the Treasury
13 of the United States derived by the collection of fees or
14 proceeds available to the agencies funded by this Act, shall
15 be available for obligation or expenditure for programs,
16 projects, or activities through a reprogramming of funds
17 in excess of \$5,000,000 or 10 percent, whichever is less,
18 that:

19 (1) augments existing programs, projects, or ac-
20 tivities;

21 (2) reduces by 10 percent funding for any exist-
22 ing program, project, or activity;

23 (3) reduces by 10 percent the numbers of per-
24 sonnel approved by the Congress; or

1 (4) results from any general savings from a re-
2 duction in personnel that would result in a change
3 in existing programs, projects, or activities as ap-
4 proved by the Congress, unless the Committees on
5 Appropriations of the Senate and the House of Rep-
6 resentatives are notified 15 days in advance of such
7 reprogramming of funds.

8 (c) Not to exceed 5 percent of any appropriation
9 made available for the current fiscal year for the Depart-
10 ment of Homeland Security by this Act or provided by
11 previous appropriations Acts may be transferred between
12 such appropriations, but no such appropriation, except as
13 otherwise specifically provided, shall be increased by more
14 than 10 percent by such transfers: *Provided*, That any
15 transfer under this section shall be treated as a re-
16 programming of funds under subsection (b) and shall not
17 be available for obligation unless the Committees on Ap-
18 propriations of the Senate and the House of Representa-
19 tives are notified 15 days in advance of such transfer.

20 (d) Notwithstanding subsections (a), (b), and (c) of
21 this section, no funds shall be reprogrammed within or
22 transferred between appropriations based upon an initial
23 notification provided after June 30, except in extraor-
24 dinary circumstances that imminently threaten the safety
25 of human life or the protection of property.

1 (e) The notification thresholds and procedures set
2 forth in this section shall apply to any use of deobligated
3 balances of funds provided in previous Department of
4 Homeland Security Appropriations Acts.

5 SEC. 504. The Department of Homeland Security
6 Working Capital Fund, established pursuant to section
7 403 of Public Law 103–356 (31 U.S.C. 501 note), shall
8 continue operations as a permanent working capital fund
9 for fiscal year 2016: *Provided*, That none of the funds ap-
10 propriated or otherwise made available to the Department
11 of Homeland Security may be used to make payments to
12 the Working Capital Fund, except for the activities and
13 amounts allowed in the President’s fiscal year 2016 budg-
14 et: *Provided further*, That funds provided to the Working
15 Capital Fund shall be available for obligation until ex-
16 pended to carry out the purposes of the Working Capital
17 Fund: *Provided further*, That all departmental components
18 shall be charged only for direct usage of each Working
19 Capital Fund service: *Provided further*, That funds pro-
20 vided to the Working Capital Fund shall be used only for
21 purposes consistent with the contributing component: *Pro-
22 vided further*, That the Working Capital Fund shall be
23 paid in advance or reimbursed at rates which will return
24 the full cost of each service: *Provided further*, That the
25 Committees on Appropriations of the Senate and House

1 of Representatives shall be notified of any activity added
2 to or removed from the fund and the activity's accom-
3 panying offset by component: *Provided further*, That the
4 Chief Financial Officer of the Department of Homeland
5 Security shall submit a quarterly execution report with ac-
6 tivity level detail, not later than 30 days after the end of
7 each quarter.

8 SEC. 505. Except as otherwise specifically provided
9 by law, not to exceed 50 percent of unobligated balances
10 remaining available at the end of fiscal year 2016, as re-
11 corded in the financial records at the time of a reprogram-
12 ming request, but not later than June 30, 2017, from ap-
13 propriations for salaries and expenses for fiscal year 2016
14 in this Act shall remain available through September 30,
15 2017, in the account and for the purposes for which the
16 appropriations were provided: *Provided*, That prior to the
17 obligation of such funds, a request shall be submitted to
18 the Committees on Appropriations of the Senate and the
19 House of Representatives for approval in accordance with
20 section 503 of this Act.

21 SEC. 506. Funds made available by this Act for intel-
22 ligence activities are deemed to be specifically authorized
23 by the Congress for purposes of section 504 of the Na-
24 tional Security Act of 1947 (50 U.S.C. 414) during fiscal

1 year 2016 until the enactment of an Act authorizing intel-
2 ligence activities for fiscal year 2016.

3 SEC. 507. (a) Except as provided in subsections (b)
4 and (c), none of the funds made available by this Act may
5 be used to—

6 (1) make or award a grant allocation, grant,
7 contract, other transaction agreement, or task or de-
8 livery order on a Department of Homeland Security
9 multiple award contract, or to issue a letter of intent
10 totaling in excess of \$1,000,000;

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

15 (3) make a sole-source grant award; or

16 (4) announce publicly the intention to make or
17 award items under paragraph (1), (2), or (3) includ-
18 ing a contract covered by the Federal Acquisition
19 Regulation.

20 (b) The Secretary of Homeland Security may waive
21 the prohibition under subsection (a) if the Secretary noti-
22 fies the Committees on Appropriations of the Senate and
23 the House of Representatives at least 3 full business days
24 in advance of making an award or issuing a letter as de-
25 scribed in that subsection.

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

8 (d) A notification under this section—

9 (1) may not involve funds that are not available
10 for obligation; and

11 (2) shall include the amount of the award; the
12 fiscal year for which the funds for the award were
13 appropriated; the type of contract; and the account
14 from which the funds are being drawn.

15 (e) The Administrator of the Federal Emergency
16 Management Agency shall brief the Committees on Appro-
17 priations of the Senate and the House of Representatives
18 5 full business days in advance of announcing publicly the
19 intention of making an award under “State and Local
20 Programs”.

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

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

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

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

21 (b) The third proviso of section 537 of the Depart-
22 ment of Homeland Security Appropriations Act, 2006 (6
23 U.S.C. 114), shall not apply with respect to funds made
24 available in this Act.

1 SEC. 511. None of the funds made available in this
2 Act may be used in contravention of the applicable provi-
3 sions of the Buy American Act. For purposes of the pre-
4 ceding sentence, the term “Buy American Act” means
5 chapter 83 of title 41, United States Code.

6 SEC. 512. None of the funds made available in this
7 Act may be used to amend the oath of allegiance required
8 by section 337 of the Immigration and Nationality Act
9 (8 U.S.C. 1448).

10 SEC. 513. Not later than 30 days after the last day
11 of each month, the Chief Financial Officer of the Depart-
12 ment of Homeland Security shall submit to the Commit-
13 tees on Appropriations of the Senate and the House of
14 Representatives a monthly budget and staffing report for
15 that month that includes total obligations of the Depart-
16 ment for that month for the fiscal year at the appropria-
17 tion and program, project, and activity levels, by the
18 source year of the appropriation. Total obligations for
19 staffing shall also be provided by subcategory of on-board
20 and funded full-time equivalent staffing levels, respec-
21 tively, and the report shall specify the number of, and total
22 obligations for, contract employees for each office of the
23 Department.

24 SEC. 514. Except as provided in section 44945 of title
25 49, United States Code, funds appropriated or transferred

1 to Transportation Security Administration “Aviation Se-
2 curity”, “Administration”, and “Transportation Security
3 Support” for fiscal years 2004 and 2005 that are recov-
4 ered or deobligated shall be available only for the procure-
5 ment or installation of explosives detection systems, air
6 cargo, baggage, and checkpoint screening systems, subject
7 to notification: *Provided*, That semiannual reports shall be
8 submitted to the Committees on Appropriations of the
9 Senate and the House of Representatives on any funds
10 that are recovered or deobligated.

11 SEC. 515. None of the funds appropriated by this Act
12 may be used to process or approve a competition under
13 Office of Management and Budget Circular A-76 for serv-
14 ices provided by employees (including employees serving
15 on a temporary or term basis) of United States Citizen-
16 ship and Immigration Services of the Department of
17 Homeland Security who are known as Immigration Infor-
18 mation Officers, Contact Representatives, Investigative
19 Assistants, or Immigration Services Officers.

20 SEC. 516. Any funds appropriated to “Coast Guard,
21 Acquisition, Construction, and Improvements” for fiscal
22 years 2002, 2003, 2004, 2005, and 2006 for the 110-
23 123 foot patrol boat conversion that are recovered, col-
24 lected, or otherwise received as the result of negotiation,

1 mediation, or litigation, shall be available until expended
2 for the Fast Response Cutter program.

3 SEC. 517. The functions of the Federal Law Enforce-
4 ment Training Center instructor staff shall be classified
5 as inherently governmental for the purpose of the Federal
6 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
7 note).

8 SEC. 518. (a) The Secretary of Homeland Security
9 shall submit a report not later than October 15, 2016,
10 to the Office of Inspector General of the Department of
11 Homeland Security listing all grants and contracts award-
12 ed by any means other than full and open competition dur-
13 ing fiscal year 2016.

14 (b) The Inspector General shall review the report re-
15 quired by subsection (a) to assess Departmental compli-
16 ance with applicable laws and regulations and report the
17 results of that review to the Committees on Appropriations
18 of the Senate and the House of Representatives not later
19 than February 15, 2017.

20 SEC. 519. None of the funds provided by this or pre-
21 vious appropriations Acts shall be used to fund any posi-
22 tion designated as a Principal Federal Official (or the suc-
23 cessor thereto) for any Robert T. Stafford Disaster Relief
24 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
25 declared disasters or emergencies unless—

1 (1) the responsibilities of the Principal Federal
2 Official do not include operational functions related
3 to incident management, including coordination of
4 operations, and are consistent with the requirements
5 of section 509(c) and sections 503(c)(3) and
6 503(c)(4)(A) of the Homeland Security Act of 2002
7 (6 U.S.C. 319(c), 313(c)(3), and 313(c)(4)(A)) and
8 section 302 of the Robert T. Stafford Disaster Relief
9 and Assistance Act (42 U.S.C. 5143);

10 (2) not later than 10 business days after the
11 latter of the date on which the Secretary of Home-
12 land Security appoints the Principal Federal Official
13 and the date on which the President issues a dec-
14 laration under section 401 or section 501 of the
15 Robert T. Stafford Disaster Relief and Emergency
16 Assistance Act (42 U.S.C. 5170 and 5191, respec-
17 tively), the Secretary of Homeland Security shall
18 submit a notification of the appointment of the Prin-
19 cipal Federal Official and a description of the re-
20 sponsibilities of such Official and how such respon-
21 sibilities are consistent with paragraph (1) to the
22 Committees on Appropriations of the Senate and the
23 House of Representatives, the Committee on Trans-
24 portation and Infrastructure of the House of Rep-

1 representatives, and the Committee on Homeland Secu-
2 rity and Governmental Affairs of the Senate; and

3 (3) not later than 60 days after the date of en-
4 actment of this Act, the Secretary shall provide a re-
5 port specifying timeframes and milestones regarding
6 the update of operations, planning and policy docu-
7 ments, and training and exercise protocols, to ensure
8 consistency with paragraph (1) of this section.

9 SEC. 520. None of the funds provided or otherwise
10 made available in this Act shall be available to carry out
11 section 872 of the Homeland Security Act of 2002 (6
12 U.S.C. 452) unless explicitly authorized by Congress.

13 SEC. 521. None of the funds made available in this
14 Act may be used by United States Citizenship and Immi-
15 gration Services to grant an immigration benefit unless
16 the results of background checks required by law to be
17 completed prior to the granting of the benefit have been
18 received by United States Citizenship and Immigration
19 Services, and the results do not preclude the granting of
20 the benefit.

21 SEC. 522. Section 831 of the Homeland Security Act
22 of 2002 (6 U.S.C. 391) is amended—

23 (1) in subsection (a), by striking “Until Sep-
24 tember 30, 2015,” and inserting “Until September
25 30, 2016,”; and

1 (2) in subsection (c)(1), by striking “September
2 30, 2015,” and inserting “September 30, 2016,”.

3 SEC. 523. The Secretary of Homeland Security shall
4 require that all contracts of the Department of Homeland
5 Security that provide award fees link such fees to success-
6 ful acquisition outcomes (which outcomes shall be speci-
7 fied in terms of cost, schedule, and performance).

8 SEC. 524. Notwithstanding any other provision of
9 law, none of the funds provided in this or any other Act
10 shall be used to approve a waiver of the navigation and
11 vessel-inspection laws pursuant to 46 U.S.C. 501(b) for
12 the transportation of crude oil distributed from and to the
13 Strategic Petroleum Reserve until the Secretary of Home-
14 land Security, after consultation with the Secretaries of
15 the Departments of Energy and Transportation and rep-
16 resentatives from the United States flag maritime indus-
17 try, takes adequate measures to ensure the use of United
18 States flag vessels: *Provided*, That the Secretary shall no-
19 tify the Committees on Appropriations of the Senate and
20 the House of Representatives, the Committee on Com-
21 merce, Science, and Transportation of the Senate, and the
22 Committee on Transportation and Infrastructure of the
23 House of Representatives within 2 business days of any
24 request for waivers of navigation and vessel-inspection
25 laws pursuant to 46 U.S.C. 501(b).

1 SEC. 525. None of the funds made available in this
2 Act for United States Customs and Border Protection
3 may be used to prevent an individual not in the business
4 of importing a prescription drug (within the meaning of
5 section 801(g) of the Federal Food, Drug, and Cosmetic
6 Act) from importing a prescription drug from Canada that
7 complies with the Federal Food, Drug, and Cosmetic Act:
8 *Provided*, That this section shall apply only to individuals
9 transporting on their person a personal-use quantity of the
10 prescription drug, not to exceed a 90-day supply: *Provided*
11 *further*, That the prescription drug may not be—

12 (1) a controlled substance, as defined in section
13 102 of the Controlled Substances Act (21 U.S.C.
14 802); or

15 (2) a biological product, as defined in section
16 351 of the Public Health Service Act (42 U.S.C.
17 262).

18 SEC. 526. The Secretary of Homeland Security, in
19 consultation with the Secretary of the Treasury, shall no-
20 tify the Committees on Appropriations of the Senate and
21 the House of Representatives of any proposed transfers
22 of funds available under section 9703(g)(4)(B) of title 31,
23 United States Code (added by section 638 of Public Law
24 102–393), from the Department of the Treasury For-
25 feiture Fund to any agency within the Department of

1 Homeland Security: *Provided*, That none of the funds
2 identified for such a transfer may be obligated until the
3 Committees on Appropriations of the Senate and the
4 House of Representatives approve the proposed transfers.

5 SEC. 527. None of the funds made available in this
6 Act may be used for planning, testing, piloting, or devel-
7 oping a national identification card.

8 SEC. 528. Any official that is required by this Act
9 to report or to certify to the Committees on Appropria-
10 tions of the Senate and the House of Representatives may
11 not delegate such authority to perform that act unless spe-
12 cifically authorized herein.

13 SEC. 529. None of the funds appropriated or other-
14 wise made available in this or any other Act may be used
15 to transfer, release, or assist in the transfer or release to
16 or within the United States, its territories, or possessions
17 Khalid Sheikh Mohammed or any other detainee who—

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

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

23 SEC. 530. None of the funds made available in this
24 Act may be used for first-class travel by the employees
25 of agencies funded by this Act in contravention of sections

1 301–10.122 through 301–10.124 of title 41, Code of Fed-
2 eral Regulations.

3 SEC. 531. None of the funds made available in this
4 Act may be used to employ workers described in section
5 274A(h)(3) of the Immigration and Nationality Act (8
6 U.S.C. 1324a(h)(3)).

7 SEC. 532. Notwithstanding any other provision of
8 this Act, none of the funds appropriated or otherwise
9 made available by this Act may be used to pay award or
10 incentive fees for contractor performance that has been
11 judged to be below satisfactory performance or perform-
12 ance that does not meet the basic requirements of a con-
13 tract.

14 SEC. 533. In developing any process to screen avia-
15 tion passengers and crews for transportation or national
16 security purposes, the Secretary of Homeland Security
17 shall ensure that all such processes take into consideration
18 such passengers' and crews' privacy and civil liberties con-
19 sistent with applicable laws, regulations, and guidance.

20 SEC. 534. (a) Notwithstanding section 1356(n) of
21 title 8, United States Code, of the funds deposited into
22 the Immigration Examinations Fee Account, \$10,000,000
23 may be allocated by United States Citizenship and Immi-
24 gration Services in fiscal year 2016 for the purpose of pro-
25 viding an immigrant integration grants program.

1 (b) None of the funds made available to United
2 States Citizenship and Immigration Services for grants for
3 immigrant integration may be used to provide services to
4 aliens who have not been lawfully admitted for permanent
5 residence.

6 SEC. 535. For an additional amount for the “Office
7 of the Under Secretary for Management”, \$43,886,000,
8 to remain available until expended, for necessary expenses
9 to plan, acquire, design, construct, renovate, remediate,
10 equip, furnish, improve infrastructure, and occupy build-
11 ings and facilities for the department headquarters con-
12 solidation project and associated mission support consoli-
13 dation.

14 SEC. 536. None of the funds appropriated or other-
15 wise made available by this Act may be used by the De-
16 partment of Homeland Security to enter into any Federal
17 contract unless such contract is entered into in accordance
18 with the requirements of subtitle I of title 41, United
19 States Code, or chapter 137 of title 10, United States
20 Code, and the Federal Acquisition Regulation, unless such
21 contract is otherwise authorized by statute to be entered
22 into without regard to the above referenced statutes.

23 SEC. 537. (a) For an additional amount for financial
24 systems modernization, \$52,977,000 to remain available
25 until September 30, 2017.

1 (b) Funds made available in subsection (a) for finan-
2 cial systems modernization may be transferred by the Sec-
3 retary of Homeland Security between appropriations for
4 the same purpose, notwithstanding section 503 of this Act.

5 (c) No transfer described in subsection (b) shall occur
6 until 15 days after the Committees on Appropriations of
7 the Senate and the House of Representatives are notified
8 of such transfer.

9 SEC. 538. Notwithstanding the 10 percent limitation
10 contained in section 503(c) of this Act, the Secretary of
11 Homeland Security may transfer to the fund established
12 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
13 priations available to the Department of Homeland Secu-
14 rity: *Provided*, That the Secretary shall notify the Com-
15 mittees on Appropriations of the Senate and the House
16 of Representatives 5 days in advance of such transfer.

17 SEC. 539. Notwithstanding any other provision of
18 law, if the Secretary of Homeland Security determines
19 that specific United States Immigration and Customs En-
20 forcement Service Processing Centers or other United
21 States Immigration and Customs Enforcement owned de-
22 tention facilities no longer meet the mission need, the Sec-
23 retary is authorized to dispose of individual Service Proc-
24 essing Centers or other United States Immigration and
25 Customs Enforcement owned detention facilities by direct-

1 ing the Administrator of General Services to sell all real
2 and related personal property which support Service Proc-
3 essing Centers or other United States Immigration and
4 Customs Enforcement owned detention facilities, subject
5 to such terms and conditions as necessary to protect Gov-
6 ernment interests and meet program requirements: *Pro-*
7 *vided*, That the proceeds, net of the costs of sale incurred
8 by the General Services Administration and United States
9 Immigration and Customs Enforcement, shall be deposited
10 as offsetting collections into a separate account that shall
11 be available, subject to appropriation, until expended for
12 other real property capital asset needs of existing United
13 States Immigration and Customs Enforcement assets, ex-
14 cluding daily operations and maintenance costs, as the
15 Secretary deems appropriate: *Provided further*, That any
16 sale or collocation of federally owned detention facilities
17 shall not result in the maintenance of fewer than 34,000
18 detention beds: *Provided further*, That the Committees on
19 Appropriations of the Senate and the House of Represent-
20 atives shall be notified 15 days prior to the announcement
21 of any proposed sale or collocation.

22 SEC. 540. The Secretary of Homeland Security shall
23 ensure enforcement of all immigration laws (as defined in
24 section 101(a)(17) of the Immigration and Nationality Act
25 (8 U.S.C. 1101(a)(17))).

1 SEC. 541. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

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

9 SEC. 542. None of the funds made available in this
10 Act may be used by a Federal law enforcement officer to
11 facilitate the transfer of an operable firearm to an indi-
12 vidual if the Federal law enforcement officer knows or sus-
13 pects that the individual is an agent of a drug cartel unless
14 law enforcement personnel of the United States continu-
15 ously monitor or control the firearm at all times.

16 SEC. 543. None of the funds provided in this or any
17 other Act may be obligated to implement the National Pre-
18 paredness Grant Program or any other successor grant
19 programs unless explicitly authorized by Congress.

20 SEC. 544. None of the funds made available in this
21 Act may be used to provide funding for the position of
22 Public Advocate, or a successor position, within United
23 States Immigration and Customs Enforcement.

1 SEC. 545. Section 559(e)(3)(D) of division F of Pub-
2 lie Law 113–76 (6 U.S.C. 211 note) is amended by strik-
3 ing “five” and inserting “ten”.

4 SEC. 546. None of the funds made available in this
5 Act may be used to pay for the travel to or attendance
6 of more than 50 employees of a single component of the
7 Department of Homeland Security, who are stationed in
8 the United States, at a single international conference un-
9 less the Secretary of Homeland Security, or a designee,
10 determines that such attendance is in the national interest
11 and notifies the Committees on Appropriations of the Sen-
12 ate and the House of Representatives within at least 10
13 days of that determination and the basis for that deter-
14 mination: *Provided*, That for purposes of this section the
15 term “international conference” shall mean a conference
16 occurring outside of the United States attended by rep-
17 resentatives of the United States Government and of for-
18 eign governments, international organizations, or non-
19 governmental organizations.

20 SEC. 547. None of the funds made available in this
21 Act may be used to reimburse any Federal department
22 or agency for its participation in a National Special Secu-
23 rity Event.

24 SEC. 548. With the exception of countries with
25 preclearance facilities in service prior to 2014, none of the

1 funds made available in this Act may be used for new
2 United States Customs and Border Protection air
3 preclearance agreements entering into force after Feb-
4 ruary 1, 2015, unless—

5 (1) the Secretary of Homeland Security, in con-
6 sultation with the Secretary of State, has certified to
7 Congress that air preclearance operations at the air-
8 port provide a homeland or national security benefit
9 to the United States;

10 (2) United States passenger air carriers are not
11 precluded from operating at existing preclearance lo-
12 cations; and

13 (3) a United States passenger air carrier is op-
14 erating at all airports contemplated for establish-
15 ment of new air preclearance operations.

16 SEC. 549. None of the funds made available by this
17 or any other Act may be used by the Administrator of
18 the Transportation Security Administration to implement,
19 administer, or enforce, in abrogation of the responsibility
20 described in section 44903(n)(1) of title 49, United States
21 Code, any requirement that airport operators provide air-
22 port-financed staffing to monitor exit points from the ster-
23 ile area of any airport at which the Transportation Secu-
24 rity Administration provided such monitoring as of De-
25 cember 1, 2013.

1 SEC. 550. The administrative law judge annuitants
2 participating in the Senior Administrative Law Judge
3 Program managed by the Director of the Office of Per-
4 sonnel Management under section 3323 of title 5, United
5 States Code, shall be available on a temporary reemploy-
6 ment basis to conduct arbitrations of disputes arising from
7 delivery of assistance under the Federal Emergency Man-
8 agement Agency Public Assistance Program.

9 SEC. 551. As authorized by section 601(b) of the
10 United States-Colombia Trade Promotion Agreement Im-
11 plementation Act (Public Law 112–42), not to exceed
12 \$180,000,000 in fees collected from passengers arriving
13 from Canada, Mexico, or an adjacent island pursuant to
14 section 13031(a)(5) of the Consolidated Omnibus Budget
15 Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be
16 available until expended.

17 SEC. 552. None of the funds made available to the
18 Department of Homeland Security by this or any other
19 Act may be obligated for any structural pay reform that
20 affects more than 100 full-time equivalent employee posi-
21 tions or costs more than \$5,000,000 in a single year be-
22 fore the end of the 30-day period beginning on the date
23 on which the Secretary of Homeland Security submits to
24 Congress a notification that includes—

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

3 (2) funding required for such change for the
4 current year and through the Future Years Home-
5 land Security Program;

6 (3) justification for such change; and

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

10 SEC. 553. (a) Any agency receiving funds made avail-
11 able in this Act shall, subject to subsections (b) and (c),
12 post on the public Web site of that agency any report re-
13 quired to be submitted by the Committees on Appropria-
14 tions of the Senate and the House of Representatives in
15 this Act, upon the determination by the head of the agency
16 that it shall serve the national interest.

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

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

20 (2) the report contains proprietary information.

21 (c) The head of the agency posting such report shall
22 do so only after such report has been made available to
23 the requesting Committee or Committees of Congress for
24 no less than 45 days except as otherwise specified in law.

1 SEC. 554. Notwithstanding any other provision of
2 law, grants awarded to States along the Southwest Border
3 of the United States under sections 2003 or 2004 of the
4 Homeland Security Act of 2002 (6 U.S.C. 604 and 605)
5 using funds provided under the heading “Federal Emer-
6 gency Management Agency, State and Local Programs”
7 in this Act, Public Law 114–4, division F of Public Law
8 113–76, or division D of Public Law 113–6 may be used
9 by recipients or sub-recipients for costs, or reimbursement
10 of costs, related to providing humanitarian relief to unac-
11 companied alien children and alien adults accompanied by
12 an alien minor where they are encountered after entering
13 the United States, provided that such costs were incurred
14 between January 1, 2014, and December 31, 2014, or
15 during the award period of performance.

16 SEC. 555. (a) Notwithstanding any limitation or re-
17 quirement in section 503 of this Act with respect to the
18 reprogramming and transfer of funds, amounts made
19 available by this Act for the Transportation Security Ad-
20 ministration may be reprogrammed within “Aviation Se-
21 curity” or transferred from “Transportation Security Sup-
22 port” for obligations associated with private screening
23 contract awards made by the Screening Partnership Pro-
24 gram.

1 (b) The Committees on Appropriations of the Senate
2 and the House of Representatives shall be notified of any
3 reprogramming or transfer under subsection (a) within 10
4 days after such action.

5 SEC. 556. Each major acquisition program of the De-
6 partment of Homeland Security, as defined in Department
7 of Homeland Security Management Directive 102–2, shall
8 meet established acquisition documentation requirements
9 for its acquisition program baseline established in the De-
10 partment of Homeland Security Instruction Manual 102–
11 01–001 and the Department of Homeland Security Acqui-
12 sition Instruction/Guidebook 102–01–001, Appendix K.

13 SEC. 557. None of the funds made available by this
14 Act or any other Act for any fiscal year may be used for
15 any of the following major acquisition programs, until it
16 meets the documentation requirements established in the
17 Department of Homeland Security Instruction Manual
18 102–01–001 and the Department of Homeland Security
19 Acquisition Instruction/Guidebook 102–01–001, Appendix
20 K, for its acquisition program baseline:

21 (1) U.S. Customs and Border Protection’s
22 Land Border Integration program.

23 (2) U.S. Customs and Border Protection’s Non-
24 Intrusive Inspection Systems program.

1 (3) U.S. Customs and Border Protection’s Stra-
2 tegic Air and Marine Program.

3 (4) U.S. Customs and Border Protection’s Tac-
4 tical Communications Modernization program.

5 (5) Federal Emergency Management Agency’s
6 Logistics Supply Chain Management System.

7 (6) Coast Guard’s Medium Range Surveillance
8 Aircraft program.

9 SEC. 558. (a) The Secretary of Homeland Security
10 shall include, in the President’s budget proposal for fiscal
11 year 2017, submitted pursuant to section 1105(a) of title
12 31, United States Code, and accompanying justification
13 materials, an account structure under which the following
14 categories of appropriation are included under each agen-
15 cy heading in accounts of the same name:

16 (1) Operations and Support.

17 (2) Procurements, Construction, and Improve-
18 ments.

19 (3) Research and Development.

20 (4) Federal Assistance.

21 (b) The Under Secretary for Management, acting
22 through the Chief Financial Officer, shall determine, and
23 provide centralized guidance to each agency on, how to
24 structure appropriations for purposes of subsection (a).

1 (c) In fiscal year 2017, the accounts designed under
2 subsection (a) shall be created, and the Secretary of
3 Homeland Security shall structure appropriations of the
4 Department as provided pursuant to such subsection, in-
5 cluding any continuing appropriations made available for
6 such fiscal year before enactment of a regular appropria-
7 tion Act.

8 (d) Notwithstanding any other provision of law, the
9 Secretary of Homeland Security may transfer any appro-
10 priation made available to the Department of Homeland
11 Security by previous appropriation Acts to the accounts
12 created pursuant to subsection (c) to carry out the re-
13 quirements of such subsection.

14 (e)(1) Not later than 60 days after the date of enact-
15 ment of the regular or full-year continuing appropriation
16 Act or resolution for the Department of Homeland Secu-
17 rity for fiscal year 2017, the Secretary of Homeland Secu-
18 rity shall establish the baseline for application of re-
19 programming and transfer authorities and submit the re-
20 port specified in paragraph (2) to the Committees on Ap-
21 propriations of the Senate and the House of Representa-
22 tives.

23 (2) The report required in this subsection shall
24 include—

1 (A) a delineation of the amount and ac-
2 count of each transfer made pursuant to sub-
3 section (c) or (d);

4 (B) a table for each appropriation with a
5 separate column to display the President's
6 budget request, adjustments made by Congress,
7 adjustments due to enacted rescissions, if ap-
8 propriate, adjustments made pursuant to the
9 transfer authority in subsection (c) or (d), and
10 the fiscal year enacted level;

11 (C) a delineation in the table for each ap-
12 propriation, adjusted as described in paragraph
13 (2), both by budget activity and program,
14 project, and activity as detailed in the Budget
15 Appendix; and

16 (D) an identification of items of special
17 congressional interest.

18 SEC. 559. (a) None of the funds made available by
19 this Act may be used to approve, license, facilitate, author-
20 ize, or otherwise allow the trafficking or import of prop-
21 erty confiscated by the Cuban Government.

22 (b) In this section, the terms "confiscated", "Cuban
23 Government", "property", and "traffic" have the mean-
24 ings give such terms in paragraphs (4), (5), (12)(A), and
25 (13), respectively, of section 4 of the Cuban Liberty and

1 Democratic Solidarity (LIBERTAD) Act of 1996 (2216
2 U.S.C. 6023).

3 SEC. 560. No funds, resources, or fees made available
4 to the Secretary of Homeland Security, or to any other
5 official of a Federal agency, by this Act or any other Act
6 for any fiscal year, including any deposits into the “Immi-
7 gration Examinations Fee Account” established under
8 section 286(m) of the Immigration and Nationality Act
9 (8 U.S.C. 1356(m)), may be obligated to expand the exist-
10 ing Deferred Action for Childhood Arrivals or newly pro-
11 posed Deferred Action for Parents of Americans and Law-
12 ful Permanent Residents as outlined in memoranda signed
13 November 20, 2014, by the Secretary of the Department
14 of Homeland Security while the preliminary injunctive
15 order of the district court for the Southern District of
16 Texas entered February 16, 2015, in the matter of *Texas*
17 *v. United States*, Civ. No. B-14-254, 2015 WL 648579
18 (S.D. Tex. Feb. 16, 2015), remains in effect.

19 SEC. 561. Section 214(g)(9)(A) of the Immigration
20 and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is amended
21 by striking “2004, 2005, or 2006 shall not again be count-
22 ed toward such limitation during fiscal year 2007.” and
23 inserting “2013, 2014, or 2015 shall not again be counted
24 toward such limitation during fiscal year 2016.”.

1 SEC. 562. None of the funds made available by this
2 Act may be used to fund the creation or continued use
3 of metal badges resembling law enforcement badges by
4 Transportation Security Administration personnel, unless
5 such person has received Federal law enforcement train-
6 ing, or is eligible for Federal law enforcement benefits.

7 SEC. 563. None of the funds appropriated by this Act
8 for U.S. Immigration and Customs Enforcement shall be
9 available to pay for an abortion, except where the life of
10 the mother would be endangered if the fetus were carried
11 to term, or in the case of rape or incest: *Provided*, That
12 should this prohibition be declared unconstitutional by a
13 court of competent jurisdiction, this section shall be null
14 and void.

15 SEC. 564. None of the funds appropriated by this Act
16 for U.S. Immigration and Customs Enforcement shall be
17 used to require any person to perform, or facilitate in any
18 way the performance of, any abortion.

19 SEC. 565. Nothing in the preceding section shall re-
20 move the obligation of the Assistant Secretary of Home-
21 land Security for U.S. Immigration and Customs Enforce-
22 ment to provide escort services necessary for a female de-
23 tainee to receive such service outside the detention facility:
24 *Provided*, That nothing in this section in any way dimin-
25 ishes the effect of section 564 intended to address the phil-

1 osophical beliefs of individual employees of U.S. Immigra-
2 tion and Customs Enforcement.

3 SEC. 566. No funds or fees made available to the Sec-
4 retary of Homeland Security, or to the head of any other
5 Federal agency, by this Act or any other Act may be used
6 to release from custody, other than for removal from the
7 United States, any alien described in the Priority 1 or Pri-
8 ority 2 category in the memorandum from the Secretary
9 of Homeland Security entitled “Policies for the Apprehen-
10 sion, Detention and Removal of Undocumented Immi-
11 grants” dated November 20, 2014.

12 SEC. 567. (a) In this section, the term “sanctuary
13 city” means a State or a political subdivision of a State
14 that has in place a statute, policy, or practice that pro-
15 hibits law enforcement officers of the State, or of the polit-
16 ical subdivision, from assisting or cooperating with Fed-
17 eral immigration law enforcement in the course of carrying
18 out the officers’ routine law enforcement duties.

19 (b)(1) A sanctuary city shall not be eligible to receive,
20 for a minimum period of at least 1 year, any Department
21 of Homeland Security grant funded under the heading
22 “Federal Emergency Management Agency, State and
23 Local Programs”.

24 (2) A jurisdiction that is found to be a sanctuary city
25 shall only become eligible to receive funds or grants under

1 paragraph (b)(1) after the Secretary of Homeland Secu-
2 rity certifies that the jurisdiction is no longer a sanctuary
3 city.

4 (c)(1) Not later than March 1 of each year, the Sec-
5 retary of Homeland Security shall determine which States
6 or political subdivisions of a State are sanctuary cities and
7 shall report to Congress such determinations.

8 (2) The Secretary of Homeland Security shall issue
9 a report concerning the compliance of any particular State
10 or political subdivision of a State at the request of the
11 Committee on Appropriations of the Senate, the Com-
12 mittee on Appropriations of the House of Representatives,
13 the Committee on the Judiciary of the Senate, or the Com-
14 mittee on the Judiciary of the House of Representatives.

15 (d) Any funds that are not allocated to a sanctuary
16 city, due to the jurisdiction's designation as a sanctuary
17 city, shall be reallocated to the States and political subdivi-
18 sions of States that are not sanctuary cities.

19 (e) Nothing in this section may be construed to re-
20 quire law enforcement officials from a State or political
21 subdivision of a State to report or arrest victims or wit-
22 nesses of a criminal offense.

23 (f) This section shall take effect on the date of enact-
24 ment of this Act.

(RESCISSIONS)

1
2 SEC. 568. Of the funds appropriated to the Depart-
3 ment of Homeland Security, the following funds are here-
4 by rescinded from the following accounts and programs
5 in the specified amounts: *Provided*, That no amounts may
6 be rescinded from amounts that were designated by the
7 Congress as an emergency requirement pursuant to a con-
8 current resolution on the budget or the Balanced Budget
9 and Emergency Deficit Control Act of 1985 (Public Law
10 99–177):

11 (1) \$27,338,000 from Public Law 109–88;

12 (2) \$66,600,000 from “U.S. Custom and Bor-
13 der Protection, Border Security Fencing, Infrastruc-
14 ture, and Technology” account 70x0553;

15 (3) \$31,950,000 from Public Law 114–4 under
16 the heading “U.S. Custom and Border Protection,
17 Border Security Fencing, Infrastructure, and Tech-
18 nology”;

19 (4) \$30,000,000 from Public Law 114–4 under
20 the heading “Transportation Security Administra-
21 tion, Aviation Security”;

22 (5) \$22,000,000 from Public Law 114–4 under
23 the heading “Transportation Security Administra-
24 tion, Surface Transportation Security”;

1 (6) \$8,000,000 from Public Law 114–4 under
2 the heading “Transportation Security Administra-
3 tion, Intelligence and Vetting”;

4 (7) \$26,000,000 from Public Law 114–4 under
5 the heading “Transportation Security Administra-
6 tion, Transportation Security Support”;

7 (8) \$4,741,699 from Public Law 113–6 under
8 the heading “Coast Guard, Acquisition, Construc-
9 tion, and Improvements”;

10 (9) \$12,542,022 from Public Law 113–76
11 under the heading “Coast Guard, Acquisition, Con-
12 struction, and Improvements”;

13 (10) \$2,305,000 from Public Law 114–4 under
14 the heading “Coast Guard, Acquisition, Construc-
15 tion, and Improvements”;

16 (11) \$9,100,000 from Public Law 114–4 under
17 the heading “United States Secret Service, Acquisi-
18 tion, Construction, Improvements, and Related Ex-
19 penses”;

20 (12) \$393,178 from Public Law 113–6 under
21 the heading “Science and Technology, Research, De-
22 velopment, Acquisition, and Operations”;

23 (13) \$8,500,000 from Public Law 113–76
24 under the heading “Science and Technology, Re-

1 search, Development, Acquisition, and Operations”;
2 and

3 (14) \$1,106,822 from Public Law 114–4 under
4 the heading “Science and Technology, Research, De-
5 velopment, Acquisition, and Operations”.

6 (RESCISSION)

7 SEC. 569. From the unobligated balances made avail-
8 able in the Department of the Treasury Forfeiture Fund
9 established by section 9703 of title 31, United States Code
10 (added by section 638 of Public Law 102–393),
11 \$176,000,000 shall be rescinded.

12 (RESCISSION)

13 SEC. 570. Of the unobligated balances made available
14 to “Federal Emergency Management Agency, Disaster
15 Relief Fund”, \$1,265,864,000 shall be rescinded: *Pro-*
16 *vided*, That no amounts may be rescinded from amounts
17 that were designated by the Congress as an emergency re-
18 quirement pursuant to a concurrent resolution on the
19 budget or the Balanced Budget and Emergency Deficit
20 Control Act of 1985, as amended: *Provided further*, That
21 no amounts may be rescinded from the amounts that were
22 designated by the Congress as being for disaster relief pur-
23 suant to section 251(b)(2)(D) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 SPENDING REDUCTION ACCOUNT

2 SEC. 571. The amount by which the applicable alloca-
3 tion of new budget authority made by the Committee on
4 Appropriations of the House of Representatives under sec-
5 tion 302(b) of the Congressional Budget Act of 1974 ex-
6 ceeds the amount of proposed new budget authority is \$0.

7 This Act may be cited as the “Department of Home-
8 land Security Appropriations Act, 2016”.

Union Calendar No. 162

114TH CONGRESS
1ST Session

H. R. 3128

[Report No. 114-215]

A BILL

Making appropriations for the Department of
Homeland Security for the fiscal year ending
September 30, 2016, and for other purposes.

JULY 21, 2015

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