

Union Calendar No. _____

115TH CONGRESS
1ST SESSION

H. R. _____

[Report No. 115-____]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2018, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2017

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, 2018, 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, 2018, and for other purposes, namely:

7 TITLE I

8 DEPARTMENTAL MANAGEMENT, OPERATIONS,
9 INTELLIGENCE, AND OVERSIGHT

10 OFFICE OF THE SECRETARY AND EXECUTIVE

11 MANAGEMENT

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Office of the Secretary
14 and for executive management for operations and support,
15 \$138,997,000: *Provided*, That not to exceed \$30,000 shall
16 be for official reception and representation expenses.

17 MANAGEMENT DIRECTORATE

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Management Direc-
20 torate for operations and support, \$696,131,000, of which
21 \$227,516,000 shall remain available until September 30,
22 2019: *Provided*, That not to exceed \$2,000 shall be for
23 official reception and representation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Management Direc-
3 torate for procurement, construction, and improvements,
4 \$27,755,000, to remain available until September 30,
5 2019.

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the Management Direc-
8 torate for research and development, \$2,545,000, to re-
9 main available until September 30, 2019.

10 INTELLIGENCE, ANALYSIS, AND OPERATIONS

11 COORDINATION

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Office of Intelligence
14 and Analysis and the Office of Operations Coordination
15 for operations and support, \$252,405,000, of which
16 \$77,915,000 shall remain available until September 30,
17 2019: *Provided*, That not to exceed \$3,825 shall be for
18 official reception and representation expenses.

19 OFFICE OF INSPECTOR GENERAL

20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Office of Inspector
22 General for operations and support, \$154,830,000: *Pro-*
23 *vided*, That not to exceed \$300,000 may be used for cer-
24 tain confidential operational expenses, including the pay-

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

3 ADMINISTRATIVE PROVISIONS

4 SEC. 101. Hereafter, the Secretary of Homeland Se-
5 curity shall submit to the Committees on Appropriations
6 of the Senate and the House of Representatives, at the
7 time the President's budget proposal is submitted pursu-
8 ant to section 1105(a) of title 31, United States Code,
9 the Future Years Homeland Security Program, as author-
10 ized by section 874 of the Homeland Security Act of 2002
11 (6 U.S.C. 454).

12 SEC. 102. Hereafter, the Chief Financial Officer of
13 the Department of Homeland Security shall submit to the
14 Committees on Appropriations of the Senate and the
15 House of Representatives a monthly budget and staffing
16 report that includes total obligations of the Department
17 for that month and for the fiscal year at the appropriation
18 and program, project, and activity levels, by the source
19 year of the appropriation, not later than 30 days after the
20 last day of each month.

21 SEC. 103. (a) Notwithstanding section 518 of division
22 F of the Consolidated Appropriations Act, 2016 (Public
23 Law 114-113), the Secretary of Homeland Security shall
24 submit a report not later than October 15, 2018, to the
25 Inspector General of the Department of Homeland Secu-

1 rity listing all grants and contracts awarded by any means
2 other than full and open competition during fiscal years
3 2017 and 2018.

4 (b) The Inspector General shall review the report re-
5 quired by subsection (a) to assess departmental compli-
6 ance with applicable laws and regulations and report the
7 results of that review to the Committees on Appropriations
8 of the Senate and the House of Representatives not later
9 than February 15, 2019.

10 SEC. 104. The Secretary of Homeland Security shall
11 require that all contracts of the Department of Homeland
12 Security that provide award fees link such fees to success-
13 ful acquisition outcomes, which shall be specified in terms
14 of cost, schedule, and performance.

15 SEC. 105. The Secretary of Homeland Security, in
16 consultation with the Secretary of the Treasury, shall no-
17 tify the Committees on Appropriations of the Senate and
18 the House of Representatives of any proposed transfers
19 of funds available under section 9703(g)(4)(B) of title 31,
20 United States Code (as added by Public Law 102-393)
21 from the Department of the Treasury Forfeiture Fund to
22 any agency within the Department of Homeland Security:
23 *Provided*, That none of the funds identified for such a
24 transfer may be obligated until the Committees on Appro-

1 priations of the Senate and the House of Representatives
2 are notified of the proposed transfers.

3 SEC. 106. (a) All official costs associated with the
4 use of Government aircraft by Department of Homeland
5 Security personnel to support official travel of the Sec-
6 retary and the Deputy Secretary shall be paid from
7 amounts made available for the Office of the Secretary.

8 (b) A travel report of all direct and indirect costs of
9 official and nonofficial travel by the Secretary and Deputy
10 Secretary by appropriation to the Committees on Appro-
11 priations of the Senate and the House of Representatives
12 not later than 30 days after the end of fiscal year 2018.

13 SEC. 107. (a) Not later than 30 days after the date
14 of enactment of this Act, the Secretary of Homeland Secu-
15 rity shall submit to the Committees on Appropriations of
16 the Senate and the House of Representatives, the Commit-
17 tees on the Judiciary of the Senate and the House of Rep-
18 resentatives, the Committee on Homeland Security and
19 Governmental Affairs of the Senate, and the Committee
20 on Homeland Security of the House of Representatives,
21 a report for fiscal year 2017 on visa overstay data by
22 country as required by section 1376 of title 8, United
23 States Code: *Provided*, That the report on visa overstay
24 data shall also include—

1 (1) overstays from all nonimmigrant visa cat-
2 egories under the immigration laws, delineated by
3 each of the classes and sub-classes of such cat-
4 egories; and

5 (2) numbers as well as rates of overstays for
6 each class and sub-class of such nonimmigrant cat-
7 egories on a per-country basis.

8 (b) The Secretary of Homeland Security shall publish
9 on the Department's website the metrics developed to
10 measure the effectiveness of security between the ports of
11 entry, including the methodology and data supporting the
12 resulting measures.

13 TITLE II

14 SECURITY, ENFORCEMENT, AND

15 INVESTIGATIONS

16 U.S. CUSTOMS AND BORDER PROTECTION

17 OPERATIONS AND SUPPORT

18 For necessary expenses of U.S. Customs and Border
19 Protection for operations and support, including the trans-
20 portation of unaccompanied minor aliens; the provision of
21 air and marine support to Federal, State, and local agen-
22 cies in the enforcement or administration of laws enforced
23 by the Department of Homeland Security; at the discre-
24 tion of the Secretary of Homeland Security, the provision
25 of such support to Federal, State, and local agencies in

1 other law enforcement and emergency humanitarian ef-
2 forts; the purchase and lease of up to 7,500 (6,500 for
3 replacement only) police-type vehicles; the purchase, main-
4 tenance, or operation of marine vessels, aircraft, and un-
5 manned aerial systems; and contracting with individuals
6 for personal services abroad; \$11,553,315,000; of which
7 \$3,274,000 shall be derived from the Harbor Maintenance
8 Trust Fund for administrative expenses related to the col-
9 lection of the Harbor Maintenance Fee pursuant to section
10 9505(c)(3) of the Internal Revenue Code of 1986 (26
11 U.S.C. 9505(c)(3)) and notwithstanding section
12 1511(e)(1) of the Homeland Security Act of 2002 (6
13 U.S.C. 551(e)(1)); of which \$681,441,500 shall be avail-
14 able until September 30, 2019; and of which such sums
15 as become available in the Customs User Fee Account, ex-
16 cept sums subject to section 13031(f)(3) of the Consoli-
17 dated Omnibus Budget Reconciliation Act of 1985 (19
18 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
19 *vided*, That not to exceed \$34,425 shall be for official re-
20 ception and representation expenses: *Provided further*,
21 That not to exceed \$150,000 shall be available for pay-
22 ment for rental space in connection with preclearance op-
23 erations: *Provided further*, That not to exceed \$1,000,000
24 shall be for awards of compensation to informants, to be

1 accounted for solely under the certificate of the Secretary
2 of Homeland Security.

3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses for U.S. Customs and Border
5 Protection for procurement, construction, and improve-
6 ments, including procurement of aircraft and unmanned
7 aerial systems, \$2,008,719,000, of which \$1,948,944,000
8 shall remain available until September 30, 2020, and of
9 which \$59,775,000 shall remain available until September
10 30, 2022.

11 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

12 OPERATIONS AND SUPPORT

13 For necessary expenses of U.S. Immigration and
14 Customs Enforcement for operations and support, includ-
15 ing the purchase and lease of up to 3,790 (2,350 for re-
16 placement only) police-type vehicles; overseas vetted units;
17 and maintenance, minor construction, and minor leasehold
18 improvements at owned and leased facilities;
19 \$7,002,043,000; of which \$6,000,000 shall remain avail-
20 able until expended for efforts to enforce laws against
21 forced child labor; of which \$33,700,000 shall remain
22 available until September 30, 2019; of which not less than
23 \$4,413,244,000 shall be for enforcement, detention, and
24 removal operations, including transportation of unaccom-
25 panied minor aliens: *Provided*, That not to exceed \$11,475

1 shall be for official reception and representation expenses:
2 *Provided further*, That not to exceed \$10,000,000 shall be
3 available until expended for conducting special operations
4 under section 3131 of the Customs Enforcement Act of
5 1986 (19 U.S.C. 2081): *Provided further*, That not to ex-
6 ceed \$2,000,000 shall be for awards of compensation to
7 informants, to be accounted for solely under the certificate
8 of the Secretary of Homeland Security: *Provided further*,
9 That not to exceed \$11,216,000 shall be available to fund
10 or reimburse other Federal agencies for the costs associ-
11 ated with the care, maintenance, and repatriation of
12 smuggled aliens unlawfully present in the United States.

13 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

14 For necessary expenses of U.S. Immigration and
15 Customs Enforcement for procurement, construction, and
16 improvements, \$52,899,000, to remain available until Sep-
17 tember 30, 2020.

18 TRANSPORTATION SECURITY ADMINISTRATION

19 OPERATIONS AND SUPPORT

20 For necessary expenses of the Transportation Secu-
21 rity Administration for operations and support,
22 \$7,082,874,000, of which \$1,770,719,000 shall remain
23 available until September 30, 2019: *Provided*, That not
24 to exceed \$7,650 shall be for official reception and rep-
25 resentation expenses: *Provided further*, That security serv-

1 ice fees authorized under section 44940 of title 49, United
2 States Code, shall be credited to this appropriation as off-
3 setting collections and shall be available only for aviation
4 security: *Provided further*, That the sum appropriated
5 under this heading from the general fund shall be reduced
6 on a dollar-for-dollar basis as such offsetting collections
7 are received during fiscal year 2018 so as to result in a
8 final fiscal year appropriation from the general fund esti-
9 mated at not more than \$4,612,874,000.

10 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

11 For necessary expenses of the Transportation Secu-
12 rity Administration for procurement, construction, and
13 improvements, \$53,314,000, to remain available until Sep-
14 tember 30, 2020.

15 RESEARCH AND DEVELOPMENT

16 For necessary expenses of the Transportation Secu-
17 rity Administration for research and development,
18 \$20,190,000, to remain available until September 30,
19 2019.

20 COAST GUARD

21 OPERATING EXPENSES

22 For necessary expenses for the operations and main-
23 tenance of the Coast Guard, not otherwise provided for;
24 purchase or lease of not to exceed 25 passenger motor ve-
25 hicles, which shall be for replacement only; purchase or

1 lease of small boats for contingent and emergent require-
2 ments (at a unit cost of not more than \$700,000) and
3 repairs and service-life replacements, not to exceed a total
4 of \$31,000,000; purchase, lease, or improvement of other
5 equipment (at a unit cost of not more than \$250,000);
6 minor shore construction projects not exceeding
7 \$1,000,000 in total cost on any location; payments pursu-
8 ant to section 156 of Public Law 97-377 (42 U.S.C. 402
9 note; 96 Stat. 1920); and recreation and welfare;
10 \$7,163,464,000; of which \$340,000,000 shall be for de-
11 fense-related activities; of which \$24,500,000 shall be de-
12 rived from the Oil Spill Liability Trust Fund to carry out
13 the purposes of section 1012(a)(5) of the Oil Pollution Act
14 of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That not to
15 exceed \$23,000 shall be for official reception and represen-
16 tation expenses.

17 ENVIRONMENTAL COMPLIANCE AND RESTORATION

18 For necessary expenses to carry out the environ-
19 mental compliance and restoration functions of the Coast
20 Guard under chapter 19 of title 14, United States Code,
21 \$13,397,000, to remain available until September 30,
22 2022.

23 RESERVE TRAINING

24 For necessary expenses of the Coast Guard Reserve;
25 operations and maintenance of the Coast Guard Reserve

1 Program; personnel and training costs; and equipment
2 and services; \$114,875,000.

3 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

4 For necessary expenses of the Coast Guard for acqui-
5 sition, construction, renovation, and improvement of aids
6 to navigation, shore facilities (including facilities at De-
7 partment of Defense installations used by the Coast
8 Guard), vessels, and aircraft, including equipment related
9 thereto, \$1,298,745,000; of which \$20,000,000 shall be
10 derived from the Oil Spill Liability Trust Fund to carry
11 out the purposes of section 1012(a)(5) of the Oil Pollution
12 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
13 \$1,256,655,000 shall be available until September 30,
14 2022.

15 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

16 For necessary expenses of the Coast Guard for re-
17 search, development, test, and evaluation; and for mainte-
18 nance, rehabilitation, lease, and operation of facilities and
19 equipment; \$18,641,000; to remain available until Sep-
20 tember 30, 2020, of which \$500,000 shall be derived from
21 the Oil Spill Liability Trust Fund to carry out the pur-
22 poses of section 1012(a)(5) of the Oil Pollution Act of
23 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
24 be credited to and used for the purposes of this appropria-
25 tion funds received from State and local governments,

1 other public authorities, private sources, and foreign coun-
2 tries for expenses incurred for research, development, test-
3 ing, and evaluation.

4 RETIRED PAY

5 For retired pay, including the payment of obligations
6 otherwise chargeable to lapsed appropriations for this pur-
7 pose, payments under the Retired Serviceman's Family
8 Protection and Survivor Benefits Plans, payment for ca-
9 reer status bonuses, concurrent receipts, and combat-re-
10 lated special compensation, and payments for medical care
11 of retired personnel and their dependents under chapter
12 55 of title 10, United States Code, \$1,673,000,000, to re-
13 main available until expended.

14 UNITED STATES SECRET SERVICE

15 OPERATIONS AND SUPPORT

16 For necessary expenses of the United States Secret
17 Service for operations and support, including purchase of
18 not to exceed 652 vehicles for police-type use for replace-
19 ment only; hire of passenger motor vehicles; purchase of
20 motorcycles made in the United States; hire of aircraft;
21 rental of buildings in the District of Columbia; fencing,
22 lighting, guard booths, and other facilities on private or
23 other property not in Government ownership or control,
24 as may be necessary to perform protective functions; con-
25 duct of and participation in firearms matches; presen-

1 tation of awards; conduct of behavioral research in sup-
2 port of protective intelligence and operations; payment in
3 advance for commercial accommodations as may be nec-
4 essary to perform protective functions; and payment, with-
5 out regard to section 5702 of title 5, United States Code,
6 of subsistence expenses of employees who are on protective
7 missions, whether at or away from their duty stations;
8 \$1,893,215,000; of which \$33,692,000 shall remain avail-
9 able until September 30, 2019, of which \$6,000,000 shall
10 be for a grant for activities related to investigations of
11 missing and exploited children; and of which not less than
12 \$13,869,000 shall be for activities related to training in
13 electronic crimes investigations and forensics: *Provided*,
14 That not to exceed \$19,125 shall be for official reception
15 and representation expenses: *Provided further*, That not
16 to exceed \$100,000 shall be to provide technical assistance
17 and equipment to foreign law enforcement organizations
18 in counterfeit investigations.

19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of the United States Secret
21 Service for procurement, construction, and improvements,
22 \$64,030,000, to remain available until September 30,
23 2020.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the United States Secret
3 Service for research and development, \$250,000, to re-
4 main available until September 30, 2019.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 201. Section 201 of the Department of Home-
7 land Security Appropriations Act, 2017 (division F of
8 Public Law 115-31), related to overtime compensation
9 limitations, shall apply with respect to funds made avail-
10 able in this Act in the same manner as such section ap-
11 plied to funds made available in that Act.

12 SEC. 202. Funding made available under the heading
13 “U.S. Customs and Border Protection—Operations and
14 Support” and “U.S. Customs and Border Protection—
15 Procurement, Construction, and Improvements” shall be
16 available for customs expenses when necessary to maintain
17 operations and prevent adverse personnel actions in Puer-
18 to Rico in addition to funding provided by 48 U.S.C. 740.

19 SEC. 203. Hereafter, no U.S. Customs and Border
20 Protection aircraft or other related equipment, with the
21 exception of aircraft that are one of a kind and have been
22 identified as excess to U.S. Customs and Border Protec-
23 tion requirements and aircraft that have been damaged
24 beyond repair, shall be transferred to any other Federal
25 agency, department, or office outside of the Department

1 of Homeland Security without prior notice to the Commit-
2 tees on Appropriations of the Senate and the House of
3 Representatives.

4 SEC. 204. As authorized by section 601(b) of the
5 United States-Colombia Trade Promotion Agreement Im-
6 plementation Act (Public Law 112–42), fees collected
7 from passengers arriving from Canada, Mexico, or an ad-
8 jacent island pursuant to section 13031(a)(5) of the Con-
9 solidated Omnibus Budget Reconciliation Act of 1985 (19
10 U.S.C. 58c(a)(5)) shall be available until expended.

11 SEC. 205. For an additional amount for “U.S. Cus-
12 toms and Border Protection—Operations and Support”,
13 \$39,000,000, to remain available until expended, to be re-
14 duced by amounts collected and credited to this appropria-
15 tion in fiscal year 2018 from amounts authorized to be
16 collected by section 286(i) of the Immigration and Nation-
17 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
18 Security and Rural Investment Act of 2002 (7 U.S.C.
19 8311), and section 817 of the Trade Facilitation and
20 Trade Enforcement Act of 2015 (Public Law 114-125):
21 *Provided*, That to the extent that amounts realized from
22 such collections exceed \$15,699,000, those amounts in ex-
23 cess of \$15,699,000 shall be credited to this appropriation,
24 to remain available until expended.

1 SEC. 206. None of the funds made available in this
2 Act for U.S. Customs and Border Protection may be used
3 to prevent an individual not in the business of importing
4 a prescription drug (within the meaning of section 801(g)
5 of the Federal Food, Drug, and Cosmetic Act) from im-
6 porting a prescription drug from Canada that complies
7 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
8 That this section shall apply only to individuals trans-
9 porting on their person a personal-use quantity of the pre-
10 scription 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. 207. Notwithstanding any other provision of
19 law, none of the funds provided in this or any other Act
20 shall be used to approve a waiver of the navigation and
21 vessel-inspection laws pursuant to section 501(b) of title
22 46, United States Code, for the transportation of crude
23 oil distributed from and to the Strategic Petroleum Re-
24 serve until the Secretary of Homeland Security, after con-
25 sultation with the Secretaries of the Departments of En-

1 ergy and Transportation and representatives from the
2 United States flag maritime industry, takes adequate
3 measures to ensure the use of United States flag vessels
4 for such transportation: *Provided*, That the Secretary
5 shall notify the Committees on Appropriations of the Sen-
6 ate and the House of Representatives, the Committee on
7 Commerce, Science, and Transportation of the Senate,
8 and the Committee on Transportation and Infrastructure
9 of the House of Representatives within 2 business days
10 of any request for waivers of navigation and vessel-inspec-
11 tion laws pursuant to such section with respect to such
12 transportation, and the disposition of such requests.

13 SEC. 208. (a) None of the funds made available by
14 this Act may be used to approve, license, facilitate, author-
15 ize, or otherwise allow the trafficking or import of prop-
16 erty confiscated by the Cuban Government.

17 (b) In this section, the terms “confiscated”, “Cuban
18 Government”, “property”, and “traffic” have the mean-
19 ings given such terms in paragraphs (4), (5), (12)(A), and
20 (13), respectively, of section 4 of the Cuban Liberty and
21 Democratic Solidarity (LIBERTAD) Act of 1996 (2216
22 U.S.C. 6023).

23 SEC. 209. Without regard to the limitation as to time
24 and condition of section 503(d), the Secretary may repro-
25 gram within and transfer funds to “U.S. Immigration and

1 Customs Enforcement—Operations and Support” as nec-
2 essary to ensure the detention of aliens prioritized for re-
3 moval.

4 SEC. 210. None of the funds provided under the
5 heading “U.S. Immigration and Customs Enforcement—
6 Operations and Support” may be used to continue a dele-
7 gation of law enforcement authority authorized under sec-
8 tion 287(g) of the Immigration and Nationality Act (8
9 U.S.C. 1357(g)) if the Department of Homeland Security
10 Inspector General determines that the terms of the agree-
11 ment governing the delegation of authority have been ma-
12 terially violated.

13 SEC. 211. None of the funds provided under the
14 heading “U.S. Immigration and Customs Enforcement—
15 Operations and Support” may be used to continue any
16 contract for the provision of detention services if the two
17 most recent overall performance evaluations received by
18 the contracted facility are less than “adequate” or the
19 equivalent median score in any subsequent performance
20 evaluation system.

21 SEC. 212. Members of the House of Representatives
22 and the Senate, including the leadership; the heads of
23 Federal agencies and commissions, including the Sec-
24 retary, Deputy Secretary, Under Secretaries, and Assist-
25 ant Secretaries of the Department of Homeland Security;

1 the Attorney General, Deputy Attorney General, Assistant
2 Attorneys General, and United States Attorneys; and sen-
3 ior members of the Executive Office of the President, in-
4 cluding the Director of the Office of Management and
5 Budget, shall not be exempt from Federal passenger and
6 baggage screening.

7 SEC. 213. Notwithstanding section 44923 of title 49,
8 United States Code, for fiscal year 2018, any funds in
9 the Aviation Security Capital Fund established by section
10 44923(h) of title 49, United States Code, may be used
11 for the procurement and installation of explosives detec-
12 tion systems or for the issuance of other transaction agree-
13 ments for the purpose of funding projects described in sec-
14 tion 44923(a) of such title.

15 SEC. 214. None of the funds made available by this
16 Act under the heading “Coast Guard—Operating Ex-
17 penses” shall be for expenses incurred for recreational ves-
18 sels under section 12114 of title 46, United States Code,
19 except to the extent fees are collected from owners of
20 yachts and credited to the appropriation made available
21 by this Act under the heading “Coast Guard—Operating
22 Expenses”: *Provided*, That to the extent such fees are in-
23 sufficient to pay expenses of recreational vessel docu-
24 mentation under such section 12114, and there is a back-
25 log of recreational vessel applications, personnel per-

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

5 SEC. 215. Without regard to the limitation as to time
6 and condition of section 503(d), after June 30, up to
7 \$10,000,000 may be reprogrammed to or from the Mili-
8 tary Pay and Allowances funding category within “Coast
9 Guard—Operating Expenses” in accordance with sub-
10 section (a) of section 503.

11 SEC. 216. The United States Secret Service is au-
12 thorized to obligate funds in anticipation of reimburse-
13 ments from Federal agencies and entities, as defined in
14 section 105 of title 5, United States Code, for personnel
15 receiving training sponsored by the James J. Rowley
16 Training Center, except that total obligations at the end
17 of the fiscal year shall not exceed total budgetary re-
18 sources available under the heading “United States Secret
19 Service—Operations and Support” at the end of the fiscal
20 year.

21 SEC. 217. None of the funds made available to the
22 United States Secret Service by this Act or by previous
23 appropriations Acts may be made available for the protec-
24 tion of the head of a Federal agency other than the Sec-
25 retary of Homeland Security: *Provided*, That the Director

1 of the Secret Service may enter into agreements to provide
2 such protection on a fully reimbursable basis.

3 SEC. 218. For purposes of section 503(a)(3) of this
4 Act, up to \$15,000,000 may be reprogrammed within
5 “United States Secret Service—Operations and Support”.

6 SEC. 219. Funding made available in this Act for
7 “United States Secret Service—Operations and Support”
8 is available for travel of United States Secret Service em-
9 ployees on protective missions without regard to the limi-
10 tations on such expenditures in this or any other Act if
11 the Director of the United States Secret Service or a des-
12 ignee notifies the Committees on Appropriations of the
13 Senate and the House of Representatives 10 or more days
14 in advance, or as early as practicable, prior to such ex-
15 penditures.

16 TITLE III
17 PROTECTION, PREPAREDNESS, RESPONSE, AND
18 RECOVERY

19 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
20 OPERATIONS AND SUPPORT

21 For necessary expenses of the National Protection
22 and Programs Directorate for operations and support,
23 \$1,427,062,000, of which \$8,912,000 shall remain avail-
24 able until September 30, 2019: *Provided*, That not to ex-

1 ceed \$3,825 shall be for official reception and representa-
2 tion expenses.

3 FEDERAL PROTECTIVE SERVICE

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

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of the National Protection
11 and Programs Directorate for procurement, construction,
12 and improvements, \$335,033,000, to remain available
13 until September 30, 2019.

14 RESEARCH AND DEVELOPMENT

15 For necessary expenses of the National Protection
16 and Programs Directorate for research and development,
17 \$11,126,000, to remain available until September 30,
18 2019.

19 OFFICE OF HEALTH AFFAIRS

20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Office of Health Af-
22 fairs for operations and support, \$119,319,000, of which
23 \$13,520,000 shall remain available until September 30,
24 2019.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Federal Emergency
4 Management Agency for operations and support,
5 \$1,027,135,000: *Provided*, That not to exceed \$2,250
6 shall be for official reception and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Federal Emergency
9 Management Agency for procurement, construction, and
10 improvements, \$76,578,000, to remain available until Sep-
11 tember 30, 2019.

12 FEDERAL ASSISTANCE

13 For activities of the Federal Emergency Management
14 Agency for Federal assistance through grants, contracts,
15 cooperative agreements, and other activities,
16 \$3,003,798,000, which shall be allocated as follows:

17 (1) \$467,000,000 for the State Homeland Secu-
18 rity Grant Program under section 2004 of the
19 Homeland Security Act of 2002 (6 U.S.C. 605), of
20 which \$55,000,000 shall be for Operation
21 Stonegarden: *Provided*, That notwithstanding sub-
22 section (c)(4) of such section 2004, for fiscal year
23 2018, the Commonwealth of Puerto Rico shall make
24 available to local and tribal governments amounts
25 provided to the Commonwealth of Puerto Rico under

1 this paragraph in accordance with subsection (e)(1)
2 of such section 2004.

3 (2) \$630,000,000 for the Urban Area Security
4 Initiative under section 2003 of the Homeland Secu-
5 rity Act of 2002 (6 U.S.C. 604), of which
6 \$50,000,000 shall be for organizations (as described
7 under section 501(e)(3) of the Internal Revenue
8 Code of 1986 and exempt from tax under section
9 501(a) of such code) determined by the Secretary of
10 Homeland Security to be at high risk of a terrorist
11 attack.

12 (3) \$100,000,000 for Public Transportation Se-
13 curity Assistance and Railroad Security Assistance
14 under sections 1406 and 1513 of the Implementing
15 Recommendations of the 9/11 Commission Act of
16 2007 (6 U.S.C. 1135 and 1163), of which
17 \$10,000,000 shall be for Amtrak security.

18 (4) \$100,000,000 for Port Security Grants in
19 accordance with section 70107 of title 46, United
20 States Code.

21 (5) \$690,000,000, to remain available until
22 September 30, 2018, of which \$345,000,000 shall be
23 for Assistance to Firefighter Grants and
24 \$345,000,000 shall be for Staffing for Adequate
25 Fire and Emergency Response Grants under sec-

1 tions 33 and 34 respectively of the Federal Fire Pre-
2 vention and Control Act of 1974 (15 U.S.C. 2229
3 and 2229a).

4 (6) \$350,000,000 for emergency management
5 performance grants under the National Flood Insur-
6 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
7 Stafford Disaster Relief and Emergency Assistance
8 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
9 duction Act of 1977 (42 U.S.C. 7701), 6 U.S.C.
10 762, and Reorganization Plan No. 3 of 1978 (5
11 U.S.C. App.).

12 (7) \$100,000,000 for the National Predisaster
13 Mitigation Fund under section 203 of the Robert T.
14 Stafford Disaster Relief and Emergency Assistance
15 Act (42 U.S.C. 5133), to remain available until ex-
16 pended.

17 (8) \$177,531,000 for necessary expenses for
18 Flood Hazard Mapping and Risk Analysis, in addi-
19 tion to and to supplement any other sums appro-
20 priated under the National Flood Insurance Fund,
21 and such additional sums as may be provided by
22 States or other political subdivisions for cost-shared
23 mapping activities under section 1360(f)(2) of the
24 National Flood Insurance Act of 1968 (42 U.S.C.
25 4101(f)(2)), to remain available until expended.

1 (Public Law 112–141, 126 Stat. 916), and the Home-
2 owner Flood Insurance Affordability Act of 2014 (Public
3 Law 113–89; 128 Stat. 1020), \$203,500,000, to remain
4 available until September 30, 2019, which shall be derived
5 from offsetting amounts collected under section 1308(d)
6 of the National Flood Insurance Act of 1968 (42 U.S.C.
7 4015(d)); of which \$13,573,000 shall be available for mis-
8 sion support associated with flood management; and of
9 which \$189,927,000 shall be available for flood plain man-
10 agement and flood mapping: *Provided*, That any addi-
11 tional fees collected pursuant to section 1308(d) of the
12 National Flood Insurance Act of 1968 (42 U.S.C.
13 4015(d)) shall be credited as offsetting collections to this
14 account, to be available for flood plain management and
15 flood mapping: *Provided further*, That in fiscal year 2017,
16 no funds shall be available from the National Flood Insur-
17 ance Fund under section 1310 of the National Flood In-
18 surance Act of 1968 (42 U.S.C. 4017) in excess of—

19 (1) \$165,224,000 for operating expenses and
20 salaries and expenses associated with flood insurance
21 operations;

22 (2) \$1,123,000,000 for commissions and taxes
23 of agents;

24 (3) such sums as are necessary for interest on
25 Treasury borrowings; and

1 (4) \$175,000,000, which shall remain available
2 until expended, for flood mitigation actions and for
3 flood mitigation assistance under section 1366 of the
4 National Flood Insurance Act of 1968 (42 U.S.C.
5 4104e), notwithstanding sections 1366(e) and
6 1310(a)(7) of such Act (42 U.S.C. 4104e(e), 4017):
7 *Provided further*, That the amounts collected under section
8 102 of the Flood Disaster Protection Act of 1973 (42
9 U.S.C. 4012a) and section 1366(e) of the National Flood
10 Insurance Act of 1968 shall be deposited in the National
11 Flood Insurance Fund to supplement other amounts speci-
12 fied as available for section 1366 of the National Flood
13 Insurance Act of 1968, notwithstanding section 102(f)(8),
14 section 1366(e), and paragraphs (1) through (3) of section
15 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
16 4104d(b)(1)–(3)): *Provided further*, That total administra-
17 tive costs shall not exceed 4 percent of the total appropria-
18 tion: *Provided further*, That up to \$5,000,000 is available
19 to carry out section 24 of the Homeowner Flood Insurance
20 Affordability Act of 2014 (42 U.S.C. 4033).

21 ADMINISTRATIVE PROVISIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 301. Notwithstanding section 2008(a)(12) of
24 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
25 or any other provision of law, not more than 5 percent

1 of the amount of a grant made available in paragraphs
2 (1) through (4) under “Federal Emergency Management
3 Agency—Federal Assistance”, may be used by the grantee
4 for expenses directly related to administration of the
5 grant.

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

15 SEC. 303. Under the heading “Federal Emergency
16 Management Agency—Federal Assistance”, for grants
17 under paragraphs (1) through (4), the Administrator of
18 the Federal Emergency Management Agency shall brief
19 the Committees on Appropriations of the Senate and the
20 House of Representatives 5 full business days in advance
21 of announcing publicly the intention of making an award.

22 SEC. 304. Under the heading “Federal Emergency
23 Management Agency—Federal Assistance”, for grants
24 under paragraphs (1) and (2), the installation of commu-

1 nications towers is not considered construction of a build-
2 ing or other physical facility.

3 SEC. 305. Notwithstanding any other provision of
4 law, grants awarded to States along the Southwest Border
5 of the United States under sections 2003 or 2004 of the
6 Homeland Security Act of 2002 (6 U.S.C. 604 and 605)
7 using funds provided under the heading “Federal Emer-
8 gency Management Agency—Federal Assistance” for
9 grants under paragraph (1) in this Act, or under the head-
10 ing “Federal Emergency Management Agency—State and
11 Local Programs” in Public Law 114–4, division F of Pub-
12 lic Law 113–76, or division D of Public Law 113–6 may
13 be used by recipients or sub-recipients for costs, or reim-
14 bursement of costs, related to providing humanitarian re-
15 lief to unaccompanied alien children and alien adults ac-
16 companied by an alien minor where they are encountered
17 after entering the United States, provided that such costs
18 were incurred between January 1, 2014, and December
19 31, 2014, or during the award period of performance.

20 SEC. 306. The aggregate charges assessed during fis-
21 cal year 2018, as authorized in title III of the Depart-
22 ments of Veterans Affairs and Housing and Urban Devel-
23 opment, and Independent Agencies Appropriations Act,
24 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
25 cent of the amounts anticipated by the Department of

1 Homeland Security to be necessary for its Radiological
2 Emergency Preparedness Program for the next fiscal year:
3 *Provided*, That the methodology for assessment and collec-
4 tion of fees shall be fair and equitable and shall reflect
5 costs of providing such services, including administrative
6 costs of collecting such fees: *Provided further*, That such
7 fees shall be deposited in a Radiological Emergency Pre-
8 paredness Program account as offsetting collections and
9 will become available for authorized purposes on October
10 1, 2018, and remain available until expended.

11 TITLE IV
12 RESEARCH, DEVELOPMENT, TRAINING, AND
13 SERVICES

14 U.S. CITIZENSHIP AND IMMIGRATION SERVICES
15 OPERATIONS AND SUPPORT

16 For necessary expenses of U.S. Citizenship and Im-
17 migration Services for operations and support of the E-
18 Verify Program, \$108,856,000.

19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

20 For necessary expenses of U.S. Citizenship and Im-
21 migration Services for procurement, construction, and im-
22 provements of the E-Verify Program, \$22,657,000, to re-
23 main available until September 30, 2021.

1 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Federal Law Enforce-
4 ment Training Centers for operations and support, includ-
5 ing the purchase of not to exceed 117 vehicles for police-
6 type use and hire of passenger motor vehicles, and services
7 as authorized by section 3109 of title 5, United States
8 Code, \$260,099,000, of which \$49,409,000 shall remain
9 available until September 30, 2019: *Provided*, That not
10 to exceed \$7,180 shall be for official reception and rep-
11 resentation expenses.

12 SCIENCE AND TECHNOLOGY DIRECTORATE
13 OPERATIONS AND SUPPORT

14 For necessary expenses of the Science and Tech-
15 nology Directorate for operations and support, including
16 the purchase or lease of not to exceed 5 vehicles,
17 \$254,618,000, of which \$134,795,000 shall remain avail-
18 able until September 30, 2019: *Provided*, That not to ex-
19 ceed \$7,650 shall be for official reception and representa-
20 tion expenses.

21 RESEARCH AND DEVELOPMENT

22 For necessary expenses of the Science and Tech-
23 nology Directorate for research and development,
24 \$383,482,000, to remain available until September 30,
25 2020.

1 DOMESTIC NUCLEAR DETECTION OFFICE

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Domestic Nuclear De-
4 tection Office for operations and support, \$54,664,000:
5 *Provided*, That not to exceed \$2,250 shall be for official
6 reception and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Domestic Nuclear De-
9 tection Office for procurement, construction, and improve-
10 ments, \$87,096,000, to remain available until September
11 30, 2020.

12 RESEARCH AND DEVELOPMENT

13 For necessary expenses of the Domestic Nuclear De-
14 tection Office for research and development,
15 \$144,161,000, to remain available until September 30,
16 2020.

17 FEDERAL ASSISTANCE

18 For necessary expenses of the Domestic Nuclear De-
19 tection Office for Federal assistance through grants, con-
20 tracts, cooperative agreements, and other activities,
21 \$44,519,000, to remain available until September 30,
22 2020.

23 ADMINISTRATIVE PROVISIONS

24 SEC. 401. Notwithstanding any other provision of
25 law, funds otherwise made available to U.S. Citizenship

1 and Immigration Services may be used to acquire, operate,
2 equip, and dispose of up to 5 vehicles, for replacement
3 only, for areas where the Administrator of General Serv-
4 ices does not provide vehicles for lease: *Provided*, That the
5 Director of U.S. Citizenship and Immigration Services
6 may authorize employees who are assigned to those areas
7 to use such vehicles to travel between the employees' resi-
8 dences and places of employment.

9 SEC. 402. None of the funds made available in this
10 Act may be used by U.S. Citizenship and Immigration
11 Services to grant an immigration benefit unless the results
12 of background checks required by law to be completed
13 prior to the granting of the benefit have been received by
14 U.S. Citizenship and Immigration Services, and the re-
15 sults do not preclude the granting of the benefit.

16 SEC. 403. None of the funds appropriated by this Act
17 may be used to process or approve a competition under
18 Office of Management and Budget Circular A-76 for serv-
19 ices provided by employees (including employees serving
20 on a temporary or term basis) of U.S. Citizenship and Im-
21 migration Services of the Department of Homeland Secu-
22 rity who are known as Immigration Information Officers,
23 Immigration Service Analysts, Contact Representatives,
24 Investigative Assistants, or Immigration Services Officers.

1 SEC. 404. (a) Notwithstanding section 1356(n) of
2 title 8, United States Code, of the funds deposited into
3 the Immigration Examinations Fee Account, up to
4 \$10,000,000 may be allocated by U.S. Citizenship and Im-
5 migration Services in fiscal year 2018 for the purpose of
6 providing an immigrant integration grants program.

7 (b) None of the funds made available to U.S. Citizen-
8 ship and Immigration Services for grants for immigrant
9 integration under subsection (a) may be used to provide
10 services to aliens who have not been lawfully admitted for
11 permanent residence.

12 SEC. 405. The Director of the Federal Law Enforce-
13 ment Training Centers is authorized to distribute funds
14 to Federal law enforcement agencies for expenses incurred
15 participating in training accreditation.

16 SEC. 406. The Federal Law Enforcement Training
17 Accreditation Board, including representatives from the
18 Federal law enforcement community and non-Federal ac-
19 creditation experts involved in law enforcement training,
20 shall lead the Federal law enforcement training accredita-
21 tion process to continue the implementation of measuring
22 and assessing the quality and effectiveness of Federal law
23 enforcement training programs, facilities, and instructors.

24 SEC. 407. (a) There is to be established a “Federal
25 Law Enforcement Training Centers—Procurement, Con-

1 struction, and Improvements” appropriations account for
2 planning, operational development, engineering, and pur-
3 chases prior to sustainment and for information tech-
4 nology-related procurement, construction, and improve-
5 ments, including non-tangible assets of the Federal Law
6 Enforcement Training Centers.

7 (b) The Director of the Federal Law Enforcement
8 Training Centers may accept transfers to the account es-
9 tablished by subsection (a) from Government agencies re-
10 questing the construction of special use facilities, as au-
11 thorized by the Economy Act (31 U.S.C. 1535(b)): *Pro-*
12 *vided*, That the Federal Law Enforcement Training Cen-
13 ters maintain administrative control and ownership upon
14 completion of such facilities.

15 SEC. 408. The functions of the Federal Law Enforce-
16 ment Training Centers instructor staff shall be classified
17 as inherently governmental for the purpose of the Federal
18 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
19 note).

20 TITLE V

21 GENERAL PROVISIONS

22 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

1 SEC. 502. Subject to the requirements of section 503
2 of this Act, the unexpended balances of prior appropria-
3 tions provided for activities in this Act may be transferred
4 to appropriation accounts for such activities established
5 pursuant to this Act, may be merged with funds in the
6 applicable established accounts, and thereafter may be ac-
7 counted for as one fund for the same time period as origi-
8 nally enacted.

9 SEC. 503. (a) None of the funds provided by this Act,
10 provided by previous appropriations Acts to the compo-
11 nents in or transferred to the Department of Homeland
12 Security that remain available for obligation or expendi-
13 ture in fiscal year 2018, or provided from any accounts
14 in the Treasury of the United States derived by the collec-
15 tion of fees available to the components funded by this
16 Act, shall be available for obligation or expenditure
17 through a reprogramming of funds that—

18 (1) creates or eliminates a program, project, or
19 activity, or increases funds for any program, project,
20 or activity for which funds have been denied or re-
21 stricted by the Congress;

22 (2) contracts out any function or activity pres-
23 ently performed by Federal employees or any new
24 function or activity proposed to be performed by
25 Federal employees in the President's budget pro-

1 posal for fiscal year 2018 for the Department of
2 Homeland Security;

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

6 (4) reduces funding for any program, project,
7 or activity, or numbers of personnel, by 10 percent
8 or more;

9 (5) reorganizes components; or

10 (6) results from any general savings from a re-
11 duction in personnel that would result in a change
12 in funding levels for programs, projects, or activities
13 as approved by the Congress.

14 (b) Subsection (a) shall not apply if the Committees
15 on Appropriations of the Senate and the House of Rep-
16 resentatives are notified at least 15 days in advance of
17 such reprogramming.

18 (c) Up to 5 percent of any appropriation made avail-
19 able for the current fiscal year for the Department of
20 Homeland Security by this Act or provided by previous
21 appropriations Acts may be transferred between such ap-
22 propriations if the Committees on Appropriations of the
23 Senate and the House of Representatives are notified at
24 least 30 days in advance of such transfer, but no such
25 appropriation, except as otherwise specifically provided,

1 shall be increased by more than 10 percent by such trans-
2 fer.

3 (d) Notwithstanding subsections (a), (b), and (c), no
4 funds shall be reprogrammed within or transferred be-
5 tween appropriations based upon an initial notification
6 provided after June 30, except in extraordinary cir-
7 cumstances that imminently threaten the safety of human
8 life or the protection of property.

9 (e) The notification thresholds and procedures set
10 forth in subsections (a), (b), (c), and (d) shall apply to
11 any use of deobligated balances of funds provided in pre-
12 vious Department of Homeland Security Appropriations
13 Acts.

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

21 SEC. 504. Section 504 of the Department of Home-
22 land Security Appropriations Act, 2017 (division F of
23 Public Law 115-31), related to the operations of a work-
24 ing capital fund, shall apply with respect to funds made

1 available in this Act in the same manner as such section
2 applied to funds made available in that Act.

3 SEC. 505. Except as otherwise specifically provided
4 by law, not to exceed 50 percent of unobligated balances
5 remaining available at the end of fiscal year 2018, as re-
6 corded in the financial records at the time of a reprogram-
7 ming notification, but not later than June 30, 2019, from
8 appropriations for “Operations and Support” and for
9 “Coast Guard—Operating Expenses”, and salaries and
10 expenses for “Coast Guard—Acquisition, Construction,
11 and Improvements” and “Coast Guard—Reserve Train-
12 ing” for fiscal year 2018 in this Act shall remain available
13 through September 30, 2019, in the account and for the
14 purposes for which the appropriations were provided: *Pro-*
15 *vided*, That prior to the obligation of such funds, a notifi-
16 cation shall be submitted to the Committees on Appropria-
17 tions of the Senate and the House of Representatives in
18 accordance with section 503.

19 SEC. 506. Funds made available by this Act for intel-
20 ligence activities are deemed to be specifically authorized
21 by the Congress for purposes of section 504 of the Na-
22 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
23 year 2018 until the enactment of an Act authorizing intel-
24 ligence activities for fiscal year 2018.

1 SEC. 507. (a) The Secretary of Homeland Security,
2 or the designee of the Secretary, shall notify the Commit-
3 tees on Appropriations of the Senate and the House of
4 Representatives at least 3 full business days in advance
5 of—

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

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

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

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

20 (b) If the Secretary of Homeland Security determines
21 that compliance with this section would pose a substantial
22 risk to human life, health, or safety, an award may be
23 made without notification, and the Secretary shall notify
24 the Committees on Appropriations of the Senate and the

1 House of Representatives not later than 5 full business
2 days after such an award is made or letter issued.

3 (c) A notification under this section—

4 (1) may not involve funds that are not available
5 for obligation; and

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

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

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

1 approved, except that necessary funds may be expended
2 for each project for required expenses for the development
3 of a proposed prospectus.

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

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

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

19 SEC. 513. Section 519 of division F of Public Law
20 114–113, regarding a prohibition on funding for any posi-
21 tion designated as a Principal Federal Official, shall apply
22 with respect to funds made available in this Act in the
23 same manner as such section applied to funds made avail-
24 able in that Act.

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

4 SEC. 515. Any official that is required by this Act
5 to report or to certify to the Committees on Appropria-
6 tions of the Senate and the House of Representatives may
7 not delegate such authority to perform that act unless spe-
8 cifically authorized herein.

9 SEC. 516. None of the funds appropriated or other-
10 wise made available in this or any other Act may be used
11 to transfer, release, or assist in the transfer or release to
12 or within the United States, its territories, or possessions
13 Khalid Sheikh Mohammed or any other detainee who—

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

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

19 SEC. 517. None of the funds made available in this
20 Act may be used for first-class travel by the employees
21 of agencies funded by this Act in contravention of sections
22 301–10.122 through 301–10.124 of title 41, Code of Fed-
23 eral Regulations.

24 SEC. 518. None of the funds made available in this
25 Act may be used to employ workers described in section

1 274A(h)(3) of the Immigration and Nationality Act (8
2 U.S.C. 1324a(h)(3)).

3 SEC. 519. Notwithstanding any other provision of
4 this Act, none of the funds appropriated or otherwise
5 made available by this Act may be used to pay award or
6 incentive fees for contractor performance that has been
7 judged to be below satisfactory performance or perform-
8 ance that does not meet the basic requirements of a con-
9 tract.

10 SEC. 520. None of the funds appropriated or other-
11 wise made available by this Act may be used by the De-
12 partment of Homeland Security to enter into any Federal
13 contract unless such contract is entered into in accordance
14 with the requirements of subtitle I of title 41, United
15 States Code, or chapter 137 of title 10, United States
16 Code, and the Federal Acquisition Regulation, unless such
17 contract is otherwise authorized by statute to be entered
18 into without regard to the above referenced statutes.

19 SEC. 521. (a) For an additional amount for financial
20 systems modernization, \$42,233,000, to remain available
21 until September 30, 2019.

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

1 (c) No transfer described in subsection (b) shall occur
2 until 15 days after the Committees on Appropriations of
3 the Senate and the House of Representatives are notified
4 of such transfer.

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

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

13 SEC. 523. None of the funds made available in this
14 Act may be used by a Federal law enforcement officer to
15 facilitate the transfer of an operable firearm to an indi-
16 vidual if the Federal law enforcement officer knows or sus-
17 pects that the individual is an agent of a drug cartel unless
18 law enforcement personnel of the United States continu-
19 ously monitor or control the firearm at all times.

20 SEC. 524. None of the funds made available in this
21 Act may be used to pay for the travel to or attendance
22 of more than 50 employees of a single component of the
23 Department of Homeland Security, who are stationed in
24 the United States, at a single international conference un-
25 less the Secretary of Homeland Security, or a designee,

1 determines that such attendance is in the national interest
2 and notifies the Committees on Appropriations of the Sen-
3 ate and the House of Representatives within at least 10
4 days of that determination and the basis for that deter-
5 mination: *Provided*, That for purposes of this section the
6 term “international conference” shall mean a conference
7 occurring outside of the United States attended by rep-
8 resentatives of the United States Government and of for-
9 eign governments, international organizations, or non-
10 governmental organizations: *Provided further*, That the
11 total cost to the Department of Homeland Security of any
12 such conference shall not exceed \$500,000.

13 SEC. 525. None of the funds made available in this
14 Act may be used to reimburse any Federal department
15 or agency for its participation in a National Special Secu-
16 rity Event.

17 SEC. 526. 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 positions or costs more
21 than \$5,000,000 in a single year before the end of the
22 30-day period beginning on the date on which the Sec-
23 retary of Homeland Security submits to Congress a notifi-
24 cation that includes—

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

3 (2) funding required for such change for the
4 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. 527. (a) Any agency receiving funds made avail-
11 able in this Act shall, subject to subsections (b) and (c),
12 post on the public website 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 Committees on Appropriations of the Senate and the
24 House of Representatives for not less than 45 days except
25 as otherwise specified in law.

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

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

7 SEC. 529. None of the funds made available by this
8 Act may be obligated or expended to implement the Arms
9 Trade Treaty until the Senate approves a resolution of
10 ratification for the Treaty.

11 SEC. 530. For fiscal year 2018, the Secretary of
12 Homeland Security may provide, out of funds available to
13 the Department of Homeland Security, for the primary
14 and secondary schooling of dependents of Department of
15 Homeland Security personnel who are stationed outside
16 the continental United States and for the transportation
17 of such dependents in the same manner and to the same
18 extent that, pursuant to 14 U.S.C. 544, the Secretary may
19 provide, out of funds appropriated to or for the use of
20 the Coast Guard, for the primary and secondary schooling
21 of, and the transportation of, dependents of Coast Guard
22 personnel stationed outside the continental United States.

23 (RESCISSIONS)

24 SEC. 531. Of the funds appropriated to the Depart-
25 ment of Homeland Security, the following funds are here-

1 by rescinded from the following accounts and programs
2 in the specified amounts: *Provided*, That no amounts may
3 be rescinded from amounts that were designated by the
4 Congress as an emergency requirement pursuant to a con-
5 current resolution on the budget or the Balanced Budget
6 and Emergency Deficit Control Act of 1985 (Public Law
7 99–177):

8 (1) \$12,928,000 from Public Law 115-31 under
9 the heading “Transportation Security Administra-
10 tion—Operations and Support”;

11 (2) \$1,785,697 from Public Law 108-334 under
12 the heading “Coast Guard—Alteration of Bridges”;

13 (3) \$1,920,100 from Public Law 109-90 under
14 the heading “Coast Guard—Alteration of Bridges”;

15 (4) \$1,791,454 from Public Law 109-295 under
16 the heading “Coast Guard—Alteration of Bridges”;

17 (5) \$3,221,594 from Public Law 110-161 under
18 the heading “Coast Guard—Alteration of Bridges”;

19 (6) \$3,680,885 from Public Law 111-83 under
20 the heading “Coast Guard—Alteration of Bridges”;

21 (7) \$25,000,000 from Public Law 114-113
22 under the heading “Coast Guard—Acquisition, Con-
23 struction, and Improvements”; and

1 (8) \$95,000,000 from Public Law 115-31 under
 2 the heading “Coast Guard—Acquisition, Construc-
 3 tion, and Improvements”.

4 (RESCISSIONS)

5 SEC. 532. From the unobligated balances available
 6 in the Department of the Treasury Forfeiture Fund estab-
 7 lished by section 9703 of title 31, United States Code
 8 (added by section 638 of Public Law 102–393),
 9 \$187,000,000 shall be rescinded.

10 (RESCISSION)

11 SEC. 533. Of the unobligated balances made available
 12 to “Federal Emergency Management Agency—Disaster
 13 Relief Fund”, \$875,575,000 shall be rescinded: *Provided*,
 14 That no amounts may be rescinded from amounts that
 15 were designated by the Congress as an emergency require-
 16 ment pursuant to a concurrent resolution on the budget
 17 or the Balanced Budget and Emergency Deficit Control
 18 Act of 1985, as amended: *Provided further*, That no
 19 amounts may be rescinded from the amounts that were
 20 designated by the Congress as being for disaster relief pur-
 21 suant to section 251(b)(2)(D) of the Balanced Budget and
 22 Emergency Deficit Control Act of 1985.

23 SPENDING REDUCTION ACCOUNT

24 SEC. 534. \$0.

1 This Act may be cited as the “Department of Home-
2 land Security Appropriations Act, 2018”.

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Union Calendar No. _____

115TH CONGRESS
1ST Session

H. R. _____

[Report No. 115-_____] _____

A BILL

Making appropriations for the Department of
Homeland Security for the fiscal year ending
September 30, 2018, and for other purposes.

, 2017

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