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118TH CONGRESS
1ST SESSION

H. R. 4367

[Report No. 118-123]

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2024, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2023

Mr. JOYCE of Ohio 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, 2024, and for other purposes.

1 by subsection (g) of section 1092 of the National Defense
2 Authorization Act for Fiscal Year 2017 (6 U.S.C. 223)
3 and subsection (b) of section 386 of the Illegal Immigra-
4 tion Reform and Immigrant Responsibility Act of 1996
5 (8 U.S.C. 1368).

6 MANAGEMENT DIRECTORATE

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Management Direc-
9 torate for operations and support, \$1,695,326,000: *Pro-*
10 *vided*, That not to exceed \$2,000 shall be for official recep-
11 tion and representation expenses.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the Management Direc-
14 torate for procurement, construction, and improvements,
15 \$127,758,000, to remain available until September 30,
16 2026.

17 FEDERAL PROTECTIVE SERVICE

18 The revenues and collections of security fees credited
19 to this account shall be available until expended for nec-
20 essary expenses related to the protection of federally
21 owned and leased buildings and for the operations of the
22 Federal Protective Service.

1 INTELLIGENCE, ANALYSIS, AND SITUATIONAL
2 AWARENESS
3 OPERATIONS AND SUPPORT

4 For necessary expenses of the Office of Intelligence
5 and Analysis and the Office of Homeland Security Situa-
6 tional Awareness for operations and support,
7 \$348,736,000, of which \$105,701,000 shall remain avail-
8 able until September 30, 2025: *Provided*, That not to ex-
9 ceed \$3,825 shall be for official reception and representa-
10 tion expenses and not to exceed \$2,000,000 is available
11 for facility needs associated with secure space at fusion
12 centers, including improvements to buildings.

13 OFFICE OF INSPECTOR GENERAL
14 OPERATIONS AND SUPPORT

15 For necessary expenses of the Office of Inspector
16 General for operations and support, \$228,371,000: *Pro-*
17 *vided*, That not to exceed \$300,000 may be used for cer-
18 tain confidential operational expenses, including the pay-
19 ment of informants, to be expended at the direction of the
20 Inspector General.

21 ADMINISTRATIVE PROVISIONS

22 SEC. 101. (a) The Secretary of Homeland Security
23 shall submit a report not later than October 15, 2024,
24 to the Inspector General of the Department of Homeland
25 Security listing all grants and contracts awarded by any

1 means other than full and open competition during fiscal
2 years 2023 or 2024.

3 (b) The Inspector General shall review the report re-
4 quired by subsection (a) to assess departmental compli-
5 ance with applicable laws and regulations and report the
6 results of that review to the Committees on Appropriations
7 of the House of Representatives and the Senate not later
8 than February 15, 2025.

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

18 SEC. 103. (a) The Secretary of Homeland Security,
19 in consultation with the Secretary of the Treasury, shall
20 notify the Committees on Appropriations of the House of
21 Representatives and the Senate of any proposed transfers
22 of funds available under section 9705(g)(4)(B) of title 31,
23 United States Code, from the Department of the Treasury
24 Forfeiture Fund to any agency within the Department of
25 Homeland Security.

1 (b) None of the funds identified for such a transfer
2 may be obligated until the Committees on Appropriations
3 of the House of Representatives and the Senate are noti-
4 fied of the proposed transfer.

5 SEC. 104. All official costs associated with the use
6 of Government aircraft by Department of Homeland Secu-
7 rity personnel to support official travel of the Secretary
8 and the Deputy Secretary shall be paid from amounts
9 made available for the Office of the Secretary.

10 SEC. 105. (a) The Under Secretary for Management
11 shall brief the Committees on Appropriations of the House
12 of Representatives and the Senate not later than 45 days
13 after the end of each fiscal quarter on all Level 1 and
14 Level 2 acquisition programs on the Master Acquisition
15 Oversight list between Acquisition Decision Event and
16 Full Operational Capability, including programs that have
17 been removed from such list during the preceding quarter.

18 (b) For each such program, the briefing described in
19 subsection (a) shall include—

20 (1) a description of the purpose of the program,
21 including the capabilities being acquired and the
22 component(s) sponsoring the acquisition;

23 (2) the total number of units, as appropriate, to
24 be acquired annually until procurement is complete
25 under the current acquisition program baseline;

1 (3) the Acquisition Review Board status, in-
2 cluding—

3 (A) the current acquisition phase by incre-
4 ment, as applicable;

5 (B) the date of the most recent review; and

6 (C) whether the program has been paused
7 or is in breach status;

8 (4) a comparison between the initial Depart-
9 ment-approved acquisition program baseline cost,
10 schedule, and performance thresholds and objectives
11 and the program’s current such thresholds and ob-
12 jectives, if applicable;

13 (5) the lifecycle cost estimate, adjusted for com-
14 parison to the Future Years Homeland Security
15 Program, including—

16 (A) the confidence level for the estimate;

17 (B) the fiscal years included in the esti-
18 mate;

19 (C) a breakout of the estimate for the
20 prior five years, the current year, and the budg-
21 et year;

22 (D) a breakout of the estimate by appro-
23 priation account or other funding source; and

24 (E) a description of and rationale for any
25 changes to the estimate as compared to the pre-

1 viously approved baseline, as applicable, and
2 during the prior fiscal year;

3 (6) a summary of the findings of any inde-
4 pendent verification and validation of the items to be
5 acquired or an explanation for why no such
6 verification and validation has been performed;

7 (7) a table displaying the obligation of all pro-
8 gram funds by prior fiscal year, the estimated obli-
9 gation of funds for the current fiscal year, and an
10 estimate for the planned carryover of funds into the
11 subsequent fiscal year;

12 (8) a listing of prime contractors and major
13 subcontractors; and

14 (9) narrative descriptions of risks to cost,
15 schedule, or performance that could result in a pro-
16 gram breach if not successfully mitigated.

17 (c) The Under Secretary for Management shall sub-
18 mit each approved Acquisition Decision Memorandum for
19 programs described in this section to the Committees on
20 Appropriations of the House of Representatives and the
21 Senate not later than five business days after the date of
22 approval of such memorandum by the Under Secretary for
23 Management or the designee of the Under Secretary.

24 SEC. 106. (a) None of the funds made available to
25 the Department of Homeland Security in this Act or prior

1 appropriations Acts may be obligated for any new pilot
2 or demonstration unless the component or office carrying
3 out such pilot or demonstration has documented the infor-
4 mation described in subsection (c).

5 (b) Prior to the obligation of any such funds made
6 available for “Operations and Support” for a new pilot
7 or demonstration, the Under Secretary for Management
8 shall provide a report to the Committees on Appropria-
9 tions of the House of Representatives and the Senate on
10 the information described in subsection (c).

11 (c) The information required under subsections (a)
12 and (b) for a pilot or demonstration shall include the fol-
13 lowing—

14 (1) documented objectives that are well-defined
15 and measurable;

16 (2) an assessment methodology that details—

17 (A) the type and source of assessment
18 data;

19 (B) the methods for, and frequency of, col-
20 lecting such data; and

21 (C) how such data will be analyzed; and

22 (3) an implementation plan, including mile-
23 stones, cost estimates, and implementation sched-
24 ules, including a projected end date.

1 (d) Not later than 90 days after the date of comple-
2 tion of a pilot or demonstration described in subsection
3 (e) the Under Secretary for Management shall provide a
4 report to the Committees on Appropriations of the House
5 of Representatives and the Senate detailing lessons
6 learned, actual costs, any planned expansion or continu-
7 ation of the pilot or demonstration, and any planned tran-
8 sition of such pilot or demonstration into an enduring pro-
9 gram or operation.

10 (e) For the purposes of this section, a pilot or dem-
11 onstration program is a study, demonstration, experi-
12 mental program, or trial that—

13 (1) is a small-scale, short-term experiment con-
14 ducted in order to evaluate feasibility, duration,
15 costs, or adverse events, and improve upon the de-
16 sign of an effort prior to implementation of a larger
17 scale effort; and

18 (2) uses more than 10 full-time equivalents or
19 obligates, or proposes to obligate, \$5,000,000 or
20 more, but does not include congressionally directed
21 programs or enhancements and does not include pro-
22 grams that were in operation as of December 29,
23 2022.

24 (f) For the purposes of this section, a pilot or dem-
25 onstration does not include any testing, evaluation, or ini-

1 tial deployment phase executed under a procurement con-
2 tract for the acquisition of information technology services
3 or systems, or any pilot or demonstration carried out by
4 a non-federal recipient under any financial assistance
5 agreement funded by the Department.

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

6 For necessary expenses of U.S. Customs and Border
7 Protection for operations and support, including the trans-
8 portation of unaccompanied alien minors; the provision of
9 air and marine support to Federal, State, local, and inter-
10 national agencies in the enforcement or administration of
11 laws enforced by the Department of Homeland Security;
12 at the discretion of the Secretary of Homeland Security,
13 the provision of such support to Federal, State, and local
14 agencies in other law enforcement and emergency humani-
15 tarian efforts; the purchase and lease of up to 7,500
16 (6,500 for replacement only) police-type vehicles; the pur-
17 chase, maintenance, or operation of marine vessels, air-
18 craft, and unmanned aerial systems; and contracting with
19 individuals for personal services abroad; \$16,241,678,000;
20 of which \$3,274,000 shall be derived from the Harbor
21 Maintenance Trust Fund for administrative expenses re-
22 lated to the collection of the Harbor Maintenance Fee pur-
23 suant to section 9505(c)(3) of the Internal Revenue Code
24 of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding sec-
25 tion 1511(e)(1) of the Homeland Security Act of 2002 (6

1 U.S.C. 551(e)(1)); of which \$700,000,000 shall be avail-
2 able until September 30, 2025; and of which such sums
3 as become available in the Customs User Fee Account, ex-
4 cept sums subject to section 13031(f)(3) of the Consoli-
5 dated Omnibus Budget Reconciliation Act of 1985 (19
6 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
7 *vided*, That not to exceed \$34,425 shall be for official re-
8 ception and representation expenses: *Provided further*,
9 That not to exceed \$150,000 shall be available for pay-
10 ment for rental space in connection with preclearance op-
11 erations: *Provided further*, That not to exceed \$2,000,000
12 shall be for awards of compensation to informants, to be
13 accounted for solely under the certificate of the Secretary
14 of Homeland Security.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses of U.S. Customs and Border
17 Protection for procurement, construction, and improve-
18 ments, including procurement of physical barriers, marine
19 vessels, aircraft, and unmanned aerial systems,
20 \$2,965,653,000, of which \$741,885,000 shall remain
21 available until September 30, 2026; and of which
22 \$2,223,768,000 shall remain available until September 30,
23 2028.

1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
2 OPERATIONS AND SUPPORT

3 For necessary expenses of U.S. Immigration and
4 Customs Enforcement for operations and support, includ-
5 ing the purchase and lease of up to 3,790 (2,350 for re-
6 placement only) police-type vehicles; overseas vetted units,
7 including stipends for members of such units; and mainte-
8 nance, minor construction, and minor leasehold improve-
9 ments at owned and leased facilities; \$9,758,297,000; of
10 which not less than \$6,000,000 shall remain available
11 until expended for efforts to enforce laws against forced
12 child labor; of which \$46,696,000 shall remain available
13 until September 30, 2025; of which not less than
14 \$2,000,000 is for paid apprenticeships for participants in
15 the Human Exploitation Rescue Operative Child-Rescue
16 Corps; of which not less than \$15,000,000 shall be avail-
17 able for investigation of intellectual property rights viola-
18 tions, including operation of the National Intellectual
19 Property Rights Coordination Center; and of which not
20 less than \$5,310,547,000 shall be for enforcement, deten-
21 tion, and removal operations, including transportation of
22 unaccompanied alien minors: *Provided*, That not to exceed
23 \$11,475 shall be for official reception and representation
24 expenses: *Provided further*, That not to exceed
25 \$10,000,000 shall be available until expended for con-

1 ducting special operations under section 3131 of the Cus-
2 toms Enforcement Act of 1986 (19 U.S.C. 2081): *Pro-*
3 *vided further*, That not to exceed \$2,000,000 shall be for
4 awards of compensation to informants, to be accounted
5 for solely under the certificate of the Secretary of Home-
6 land Security: *Provided further*, That not to exceed
7 \$11,216,000 shall be available to fund or reimburse other
8 Federal agencies for the costs associated with the care,
9 maintenance, and repatriation of smuggled aliens unlaw-
10 fully present in the United States: *Provided further*, That
11 not less than \$2,000,000 shall be for entering into new
12 agreements for the delegation of law enforcement author-
13 ity authorized under section 287(g) of the Immigration
14 and Nationality Act: *Provided further*, That funding made
15 available under this heading shall maintain a level of not
16 less than 41,500 detention beds through September 30,
17 2024.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of U.S. Immigration and
20 Customs Enforcement for procurement, construction, and
21 improvements, \$50,520,000, of which \$35,420,000 shall
22 remain available until September 30, 2026, and of which
23 \$15,100,000 shall remain available until September 30,
24 2028.

1 TRANSPORTATION SECURITY ADMINISTRATION
2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Transportation Secu-
4 rity Administration for operations and support,
5 \$10,118,131,000, of which \$600,000,000 shall remain
6 available until September 30, 2025: *Provided*, That not
7 to exceed \$7,650 shall be for official reception and rep-
8 resentation expenses: *Provided further*, That security serv-
9 ice fees authorized under section 44940 of title 49, United
10 States Code, shall be credited to this appropriation as off-
11 setting collections and shall be available only for aviation
12 security: *Provided further*, That the sum appropriated
13 under this heading from the general fund shall be reduced
14 on a dollar-for-dollar basis as such offsetting collections
15 are received during fiscal year 2024 so as to result in a
16 final fiscal year appropriation from the general fund esti-
17 mated at not more than \$7,498,131,000.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Transportation Secu-
20 rity Administration for procurement, construction, and
21 improvements, \$130,340,000, to remain available until
22 September 30, 2026.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Transportation Secu-
25 rity Administration for research and development,

1 \$33,532,000, to remain available until September 30,
2 2025.

3 COAST GUARD

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Coast Guard for oper-
6 ations and support including the Coast Guard Reserve;
7 purchase or lease of not to exceed 25 passenger motor ve-
8 hicles, which shall be for replacement only; purchase or
9 lease of small boats for contingent and emergent require-
10 ments (at a unit cost of not more than \$700,000) and
11 repairs and service-life replacements, not to exceed a total
12 of \$31,000,000; purchase, lease, or improvements of boats
13 necessary for overseas deployments and activities; pay-
14 ments pursuant to section 156 of Public Law 97–377 (42
15 U.S.C. 402 note; 96 Stat. 1920); and recreation and wel-
16 fare; \$10,222,488,000, of which \$530,000,000 shall be for
17 defense-related activities; of which \$24,500,000 shall be
18 derived from the Oil Spill Liability Trust Fund to carry
19 out the purposes of section 1012(a)(5) of the Oil Pollution
20 Act of 1990 (33 U.S.C. 2712(a)(5)); of which
21 \$20,000,000 shall remain available until September 30,
22 2026; of which \$24,717,000 shall remain available until
23 September 30, 2028, for environmental compliance and
24 restoration; and of which \$100,000,000 shall remain avail-
25 able until September 30, 2025, which shall only be avail-

1 able for vessel depot level maintenance: *Provided*, That not
2 to exceed \$23,000 shall be for official reception and rep-
3 resentation expenses.

4 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

5 For necessary expenses of the Coast Guard for pro-
6 curement, construction, and improvements, including aids
7 to navigation, shore facilities (including facilities at De-
8 partment of Defense installations used by the Coast
9 Guard), and vessels and aircraft, including equipment re-
10 lated thereto, \$1,981,194,000, to remain available until
11 September 30, 2028; of which \$20,000,000 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)).

15 RESEARCH AND DEVELOPMENT

16 For necessary expenses of the Coast Guard for re-
17 search and development; and for maintenance, rehabilita-
18 tion, lease, and operation of facilities and equipment;
19 \$7,476,000, to remain available until September 30, 2026,
20 of which \$500,000 shall be derived from the Oil Spill Li-
21 ability Trust Fund to carry out the purposes of section
22 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
23 2712(a)(5)): *Provided*, That there may be credited to and
24 used for the purposes of this appropriation funds received
25 from State and local governments, other public authori-

1 ties, private sources, and foreign countries for expenses
2 incurred for research, development, testing, and evalua-
3 tion.

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, payment of continuation pay under
10 section 356 of title 37, United States Code, concurrent
11 receipts, combat-related special compensation, and pay-
12 ments for medical care of retired personnel and their de-
13 pendants under chapter 55 of title 10, United States Code,
14 \$1,147,244,000, to remain available until expended.

15 UNITED STATES SECRET SERVICE

16 OPERATIONS AND SUPPORT

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

1 in firearms matches; presentation of awards; conduct of
2 behavioral research in support of protective intelligence
3 and operations; payment in advance for commercial ac-
4 commodations as may be necessary to perform protective
5 functions; and payment, without regard to section 5702
6 of title 5, United States Code, of subsistence expenses of
7 employees who are on protective missions, whether at or
8 away from their duty stations; \$2,949,463,000; of which
9 \$114,599,000 shall remain available until September 30,
10 2025, and of which \$6,000,000 shall be for a grant for
11 activities related to investigations of missing and exploited
12 children; and of which up to \$30,000,000 may be for cal-
13 endar year 2023 premium pay in excess of the annual
14 equivalent of the limitation on the rate of pay contained
15 in section 5547(a) of title 5, United States Code, pursuant
16 to section 2 of the Overtime Pay for Protective Services
17 Act of 2016 (5 U.S.C. 5547 note), as last amended by
18 Public Law 116–269: *Provided*, That not to exceed
19 \$19,125 shall be for official reception and representation
20 expenses: *Provided further*, That not to exceed \$100,000
21 shall be to provide technical assistance and equipment to
22 foreign law enforcement organizations in criminal inves-
23 tigation within the jurisdiction of the United States Se-
24 cret Service.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the United States Secret
3 Service for procurement, construction, and improvements,
4 \$61,098,000, to remain available until September 30,
5 2026.

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the United States Secret
8 Service for research and development, \$4,217,000, to re-
9 main available until September 30, 2025.

10 ADMINISTRATIVE PROVISIONS

11 SEC. 201. Section 201 of the Department of Home-
12 land Security Appropriations Act, 2018 (division F of
13 Public Law 115–141), related to overtime compensation
14 limitations, shall apply with respect to funds made avail-
15 able in this Act in the same manner as such section ap-
16 plied to funds made available in that Act, except that “fis-
17 cal year 2024” shall be substituted for “fiscal year 2018”.

18 SEC. 202. Funding made available under the head-
19 ings “U.S. Customs and Border Protection—Operations
20 and Support” and “U.S. Customs and Border Protec-
21 tion—Procurement, Construction, and Improvements”
22 shall be available for customs expenses when necessary to
23 maintain operations and prevent adverse personnel actions
24 in Puerto Rico and the U.S. Virgin Islands, in addition

1 to funding provided by sections 740 and 1406i of title 48,
2 United States Code.

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

10 SEC. 204. (a) For an additional amount for “U.S.
11 Customs and Border Protection—Operations and Sup-
12 port”, \$31,000,000, to remain available until expended,
13 to be reduced by amounts collected and credited to this
14 appropriation in fiscal year 2024 from amounts authorized
15 to be collected by section 286(i) of the Immigration and
16 Nationality Act (8 U.S.C. 1356(i)), section 10412 of the
17 Farm Security and Rural Investment Act of 2002 (7
18 U.S.C. 8311), and section 817 of the Trade Facilitation
19 and Trade Enforcement Act of 2015 (Public Law 114–
20 125), or other such authorizing language.

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

1 SEC. 205. 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. 206. (a) Notwithstanding any other provision
19 of law, none of the funds provided in this or any other
20 Act shall be used to approve a waiver of the navigation
21 and vessel-inspection laws pursuant to section 501(b) of
22 title 46, United States Code, for the transportation of
23 crude oil distributed from and to the Strategic Petroleum
24 Reserve until the Secretary of Homeland Security, after
25 consultation with the Secretaries of the Departments of

1 Energy 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 (b) The Secretary shall notify the Committees on Ap-
5 propriations of the House of Representatives and the Sen-
6 ate, the Committee on Transportation and Infrastructure
7 of the House of Representatives, and the Committee on
8 Commerce, Science, and Transportation of the Senate
9 within 2 business days of any request for waivers of navi-
10 gation and vessel-inspection laws pursuant to section
11 501(b) of title 46, United States Code, with respect to
12 such transportation, and the disposition of such requests.

13 SEC. 207. (a) Beginning on the date of enactment
14 of this Act, the Secretary of Homeland Security shall
15 not—

16 (1) establish, collect, or otherwise impose any
17 new border crossing fee on individuals crossing the
18 Southern border or the Northern border at a land
19 port of entry; or

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

22 (b) In this section, the term “border crossing fee”
23 means a fee that every pedestrian, cyclist, and driver and
24 passenger of a private motor vehicle is required to pay

1 for the privilege of crossing the Southern border or the
2 Northern border at a land port of entry.

3 SEC. 208. (a) Not later than 90 days after the date
4 of enactment of this Act, the Commissioner of U.S. Cus-
5 toms and Border Protection shall submit an expenditure
6 plan for any amounts made available for “U.S. Customs
7 and Border Protection—Procurement, Construction, and
8 Improvements” in this Act and prior Acts to the Commit-
9 tees on Appropriations of the House of Representatives
10 and the Senate.

11 (b) No such amounts provided in this Act may be
12 obligated prior to the submission of such plan.

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

20 SEC. 210. (a) Funds made available in this Act may
21 be used to alter operations within the National Targeting
22 Center of U.S. Customs and Border Protection.

23 (b) None of the funds provided by this Act, provided
24 by previous appropriations Acts that remain available for
25 obligation or expenditure in fiscal year 2024, or provided

1 from any accounts in the Treasury of the United States
2 derived by the collection of fees available to the compo-
3 nents funded by this Act, may be used to reduce antici-
4 pated or planned vetting operations at existing locations
5 unless specifically authorized by a statute enacted after
6 the date of enactment of this Act.

7 SEC. 211. (a) Of the total amount made available
8 under “U.S. Customs and Border Protection—Procure-
9 ment, Construction, and Improvements”, \$2,965,653,000
10 shall be available only as follows:

11 (1) \$2,104,000,000 for the acquisition and de-
12 ployment of physical barriers;

13 (2) \$276,000,000 for the acquisition and de-
14 ployment of border security technologies;

15 (3) \$305,400,000 for trade and travel assets
16 and infrastructure;

17 (4) \$119,768,000 for facility construction and
18 improvements;

19 (5) \$123,232,000 for integrated operations as-
20 sets and infrastructure; and

21 (6) \$37,253,000 for mission support and infra-
22 structure.

23 (b) None of the funds allocated for pedestrian phys-
24 ical barriers may be made available for any purpose other
25 than the construction of steel bollard pedestrian barrier

1 built at least 18 to 30 feet in effective height and aug-
2 mented with anti-climb and anti-dig features.

3 (c) None of the funds allocated for pedestrian phys-
4 ical barriers may be made available for any purpose other
5 than construction of pedestrian barriers consistent with
6 the description in subsection (b) at locations identified in
7 the Border Security Improvement Plan submitted to Con-
8 gress on August 1, 2020.

9 (d) The Commissioner of U.S. Customs and Border
10 Protection may reprioritize the construction of physical
11 barriers outlined in the Border Security Improvement
12 Plan and, with prior approval of the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate, add additional miles of pedestrian physical barriers
15 where no such barriers exist, prioritized by operational re-
16 quirements developed in coordination with U.S. Border
17 Patrol leadership.

18 (e) The Secretary of Homeland Security shall begin
19 to obligate amounts for physical barrier construction no
20 later than 120 days after the date of enactment of this
21 Act.

22 (f) For purposes of this section, the term “effective
23 height” refers to the height above the level of the adjacent
24 terrain features.

1 SEC. 212. None of the funds appropriated or other-
2 wise made available by this Act may be obligated, ex-
3 pended, or transferred to another Federal agency, board,
4 or commission to be used to dismantle, demolish, remove,
5 or damage existing United States-Mexico physical barriers
6 at any location where such barriers have been constructed
7 as of the date of enactment of this Act unless such barrier
8 is simultaneously being repaired or replaced.

9 SEC. 213. None of the funds appropriated or other-
10 wise made available by this Act may be made available
11 to utilize the U.S. Customs and Border Protection CBP
12 One Application, or any successor application, to facilitate
13 the parole of any alien into the United States.

14 SEC. 214. None of the funds appropriated or other-
15 wise made available by this Act may be made available
16 to reduce participation in or substantively diminish the
17 delegation of law enforcement authority authorized under
18 section 287(g) of the Immigration and Nationality Act,
19 except as provided in section 215 of this Act.

20 SEC. 215. None of the funds provided under the
21 heading “U.S. Immigration and Customs Enforcement—
22 Operations and Support” may be used to continue a dele-
23 gation of law enforcement authority authorized under sec-
24 tion 287(g) of the Immigration and Nationality Act (8
25 U.S.C. 1357(g)) if the Department of Homeland Security

1 Inspector General determines that the terms of the agree-
2 ment governing the delegation of authority have been ma-
3 terially violated.

4 SEC. 216. (a) None of the funds provided under the
5 heading “U.S. Immigration and Customs Enforcement—
6 Operations and Support” may be used to continue any
7 contract for the provision of detention services if the two
8 most recent overall performance evaluations received by
9 the contracted facility are less than “adequate” or the
10 equivalent median score in any subsequent performance
11 evaluation system.

12 (b) The performance evaluations referenced in sub-
13 section (a) shall be conducted by the U.S. Immigration
14 and Customs Enforcement Office of Professional Respon-
15 sibility.

16 SEC. 217. Without regard to the limitation as to time
17 and condition of section 503(d) of this Act, the Secretary
18 may reprogram within and transfer funds to “U.S. Immi-
19 gration and Customs Enforcement—Operations and Sup-
20 port” as necessary to ensure the detention of aliens
21 prioritized for removal.

22 SEC. 218. The reports required to be submitted under
23 section 216 of the Department of Homeland Security Ap-
24 propriations Act, 2021 (division F of Public Law 116–
25 260) shall continue to be submitted semimonthly and each

1 matter required to be included in such reports by such
2 section 216 shall apply in the same manner and to the
3 same extent during the period described in such section
4 216.

5 SEC. 219. The terms and conditions of section 217
6 of the Department of Homeland Security Appropriations
7 Act, 2020 (division D of Public Law 116–93) shall apply
8 to this Act.

9 SEC. 220. None of the funds appropriated or other-
10 wise made available by this Act may be made available
11 to implement, administer, or otherwise carry out the ac-
12 tivities and policies described in the memorandum issued
13 by the Secretary of Homeland Security on September 30,
14 2021, entitled “Guidelines for the Enforcement of Civil
15 Immigration Law” or described in the memorandum
16 issued by Kerry Doyle, Immigration and Customs En-
17 forcement Principal Legal Advisor on April 3, 2022, enti-
18 tled “Guidance to OPLA Attorneys Regarding the En-
19 forcement of Civil Immigration Laws and the Exercise of
20 Prosecutorial Discretion” or any successor or similar
21 memorandum or policy.

22 SEC. 221. (a) None of the funds appropriated or oth-
23 erwise made available by this Act may be made available
24 to transport aliens unlawfully present in, paroled into, or
25 inadmissible to the United States into the interior of the

1 United States for purposes other than enforcement of the
2 immigration laws (as such term is defined in section 101
3 of the Immigration and Nationality Act (8 U.S.C. 1101)).

4 (b) The limitation under subsection (a) shall not
5 apply with respect to amounts made available to transport
6 unaccompanied alien children (as such term is defined in
7 section 462 of the Homeland Security Act of 2002 (6
8 U.S.C. 279)).

9 SEC. 222. (a) None of the funds appropriated or oth-
10 erwise made available by this Act for “U.S. Immigration
11 and Customs Enforcement” may be used to pay for or
12 facilitate an abortion, except where the life of the mother
13 would be endangered if the fetus would be carried to term,
14 or in the case of rape or incest.

15 (b) None of the funds appropriated or otherwise
16 made available by this Act for “U.S. Immigration and
17 Customs Enforcement” may be used to require any person
18 to perform, or facilitate in any way the performance of,
19 any abortion.

20 SEC. 223. None of the funds appropriated or other-
21 wise made available by this Act may be made available
22 to administer hormone therapy medication or perform or
23 facilitate any surgery for any person in custody of U.S.
24 Immigration and Customs Enforcement for the purpose
25 of gender-affirming care.

1 SEC. 224. The Secretary of Homeland Security shall
2 allocate amounts appropriated or otherwise made available
3 under the heading “U.S. Immigration and Customs En-
4 forcement—Operations and Support” by this Act in order
5 to—

6 (1) prioritize detention by using such amounts
7 to ensure that the average daily population of de-
8 tainees is maintained at the full capacity funded by
9 this Act throughout the fiscal year; and

10 (2) ensure that every alien on the non-detained
11 docket is enrolled into the Alternatives to Detention
12 Program with mandatory GPS monitoring through-
13 out the duration of all applicable immigration pro-
14 ceedings (including any appeals) and until removal,
15 if ordered removed.

16 SEC. 225. Members of the United States House of
17 Representatives and the United States Senate, including
18 the leadership; the heads of Federal agencies and commis-
19 sions, including the Secretary, Deputy Secretary, Under
20 Secretaries, and Assistant Secretaries of the Department
21 of Homeland Security; the United States Attorney Gen-
22 eral, Deputy Attorney General, Assistant Attorneys Gen-
23 eral, and the United States Attorneys; and senior mem-
24 bers of the Executive Office of the President, including
25 the Director of the Office of Management and Budget,

1 shall not be exempt from Federal passenger and baggage
2 screening.

3 SEC. 226. Notwithstanding section 44923 of title 49,
4 United States Code, for fiscal year 2024, any funds in
5 the Aviation Security Capital Fund established by section
6 44923(h) of title 49, United States Code, may be used
7 for the procurement and installation of explosives detec-
8 tion systems or for the issuance of other transaction agree-
9 ments for the purpose of funding projects described in sec-
10 tion 44923(a) of such title.

11 SEC. 227. Not later than 45 days after the submis-
12 sion of the President's budget proposal, the Administrator
13 of the Transportation Security Administration shall sub-
14 mit to the Committees on Appropriations and Homeland
15 Security in the House of Representatives and the Commit-
16 tees on Appropriations and Commerce, Science, and
17 Transportation of the Senate a single report that fulfills
18 the following requirements:

19 (1) a Capital Investment Plan, both constrained
20 and unconstrained, that includes a plan for contin-
21 uous and sustained capital investment in new, and
22 the replacement of aged, transportation security
23 equipment;

24 (2) the 5-year technology investment plan as re-
25 quired by section 1611 of title XVI of the Homeland

1 Security Act of 2002, as amended by section 3 of
2 the Transportation Security Acquisition Reform Act
3 (Public Law 113–245); and

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

9 SEC. 228. None of the funds made available under
10 the heading “Transportation Security Administration—
11 Operations and Support” may be made available for the
12 purpose of implementation of any structural pay reform
13 that would alter the pay structure in place as of October
14 1, 2022, for any employee that is not a Transportation
15 Security Officer.

16 SEC. 229. (a) None of the funds made available by
17 this Act under the heading “Coast Guard—Operations
18 and Support” shall be for expenses incurred for rec-
19 reational vessels under section 12114 of title 46, United
20 States Code, except to the extent fees are collected from
21 owners of yachts and credited to the appropriation made
22 available by this Act under the heading “Coast Guard—
23 Operations and Support”.

24 (b) To the extent such fees are insufficient to pay
25 expenses of recreational vessel documentation under such

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

6 SEC. 230. Without regard to the limitation as to time
7 and condition of section 503(d) of this Act, after June
8 30, in accordance with the notification requirement de-
9 scribed in subsection (b) of such section, up to the fol-
10 lowing amounts may be reprogrammed within “Coast
11 Guard—Operations and Support”—

12 (1) \$10,000,000 to or from the “Military Per-
13 sonnel” funding category; and

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

16 SEC. 231. Notwithstanding any other provision of
17 law, the Commandant of the Coast Guard shall submit
18 to the Committees on Appropriations of the House of Rep-
19 resentatives and the Senate a future-years capital invest-
20 ment plan as described in the second proviso under the
21 heading “Coast Guard—Acquisition, Construction, and
22 Improvements” in the Department of Homeland Security
23 Appropriations Act, 2015 (Public Law 114–4), which shall
24 be subject to the requirements in the third and fourth pro-
25 visos under such heading.

1 SEC. 232. None of the funds in this Act shall be used
2 to reduce the Coast Guard’s legacy Operations Systems
3 Center mission or its government-employed or contract
4 staff levels.

5 SEC. 233. None of the funds appropriated by this Act
6 may be used to conduct, or to implement the results of,
7 a competition under Office of Management and Budget
8 Circular A–76 for activities performed with respect to the
9 Coast Guard National Vessel Documentation Center.

10 SEC. 234. Funds made available in this Act may be
11 used to alter operations within the Civil Engineering Pro-
12 gram of the Coast Guard nationwide, including civil engi-
13 neering units, facilities design and construction centers,
14 maintenance and logistics commands, and the Coast
15 Guard Academy, except that none of the funds provided
16 in this Act may be used to reduce operations within any
17 civil engineering unit unless specifically authorized by a
18 statute enacted after the date of enactment of this Act.

19 SEC. 235. Amounts deposited into the Coast Guard
20 Housing Fund in fiscal year 2024 shall be available until
21 expended to carry out the purposes of section 2946 of title
22 14, United States Code, and shall be in addition to funds
23 otherwise available for such purposes.

24 SEC. 236. (a) Notwithstanding section 2110 of title
25 46, United States Code, none of the funds made available

1 in this Act shall be used to charge a fee for an inspection
2 of a towing vessel, as defined in 46 CFR 136.110, that
3 utilizes the Towing Safety Management System option for
4 a Certificate of Inspection issued under subchapter M of
5 title 46, Code of Federal Regulations.

6 (b) Subsection (a) shall not apply after the date the
7 Commandant of the Coast Guard makes a determination
8 under section 815(a) of the Frank LoBiondo Coast Guard
9 Authorization Act of 2018 (Public Law 115–282) and, as
10 necessary based on such determination, carries out the re-
11 quirements of section 815(b) of such Act.

12 SEC. 237. The United States Secret Service is au-
13 thorized to obligate funds in anticipation of reimburse-
14 ments from executive agencies, as defined in section 105
15 of title 5, United States Code, for personnel receiving
16 training sponsored by the James J. Rowley Training Cen-
17 ter, except that total obligations at the end of the fiscal
18 year shall not exceed total budgetary resources available
19 under the heading “United States Secret Service—Oper-
20 ations and Support” at the end of the fiscal year.

21 SEC. 238. (a) None of the funds made available to
22 the 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.

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

4 SEC. 239. For purposes of section 503(a)(3) of this
5 Act, up to \$15,000,000 may be reprogrammed within
6 “United States Secret Service—Operations and Support”.

7 SEC. 240. Funding made available in this Act for
8 “United States Secret Service—Operations and Support”
9 is available for travel of United States Secret Service em-
10 ployees on protective missions without regard to the limi-
11 tations on such expenditures in this or any other Act if
12 the Director of the United States Secret Service or a des-
13 ignee notifies the Committees on Appropriations of the
14 House of Representatives and the Senate 10 or more days
15 in advance, or as early as practicable, prior to such ex-
16 penditures.

17 SEC. 241. None of the funds appropriated or other-
18 wise made available by this Act may be made available
19 to implement, administer, or otherwise carry out the poli-
20 cies described in the directive issued by the Acting Com-
21 missioner of U.S. Customs and Border Protection on Jan-
22 uary 10, 2023, entitled “Emergency Driving and Vehic-
23 ular Pursuits”, or any successor or similar directive or pol-
24 icy.

1 SEC. 242. None of the funds appropriated or other-
2 wise made available by this Act may be made available
3 to admit an alien into the United States based on a De-
4 partment of Homeland Security Form I-20 (Certificate of
5 Eligibility for Nonimmigrant Student Status) issued by a
6 college, university, or other institution of higher education
7 that is not accredited by a nationally recognized accred-
8 iting agency or association recognized by the Secretary of
9 Education pursuant to part H of title IV of the Higher
10 Education Act of 1965 (20 U.S.C. 1099a et seq.).

11 SEC. 243. None of the funds appropriated or other-
12 wise made available by this Act may be made available
13 to parole into the Commonwealth of the Northern Mariana
14 Islands, for the purpose of temporary visit for business
15 or pleasure without a visa, an alien who is a national of
16 the People’s Republic of China.

17 SEC. 244. None of the funds appropriated or other-
18 wise made available by this Act or previous appropriations
19 Acts under the heading “Coast Guard—Procurement,
20 Construction, and Improvements” that remain available
21 for obligation in fiscal year 2024 within the Waterways
22 Commerce Cutter Program may be used to enter into or
23 carry out a procurement contract with any entity deemed
24 not eligible for an award from a size standpoint by the
25 Small Business Administration.

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

7 For necessary expenses of the Cybersecurity and In-
8 frastructure Security Agency for operations and support,
9 \$2,370,963,000, of which \$24,424,000 shall remain avail-
10 able until September 30, 2025: *Provided*, That not to ex-
11 ceed \$3,825 shall be for official reception and representa-
12 tion expenses: *Provided further*, That \$5,000,000 shall be
13 withheld from obligation until the reports and briefings
14 directed under this heading in the explanatory statement
15 accompanying Public Law 117–103 have been submitted
16 to the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
19 For necessary expenses of the Cybersecurity and In-
20 frastructure Security Agency for procurement, construc-
21 tion, and improvements, \$553,537,000, to remain avail-
22 able until September 30, 2026.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Cybersecurity and In-
25 frastructure Security Agency for research and develop-

1 ment, \$1,791,000, to remain available until September 30,
2 2025.

3 FEDERAL EMERGENCY MANAGEMENT AGENCY

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Federal Emergency
6 Management Agency for operations and support,
7 \$1,521,248,000: *Provided*, That not to exceed \$2,250 shall
8 be for official reception and representation expenses.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of the Federal Emergency
11 Management Agency for procurement, construction, and
12 improvements, \$119,137,000, of which \$81,637,000 shall
13 remain available until September 30, 2026, and of which
14 \$37,500,000 shall remain available until September 30,
15 2028.

16 FEDERAL ASSISTANCE

17 For activities of the Federal Emergency Management
18 Agency for Federal assistance through grants, contracts,
19 cooperative agreements, and other activities,
20 \$3,742,460,342, which shall be allocated as follows:

21 (1) \$530,000,000 for the State Homeland Secu-
22 rity Grant Program under section 2004 of the
23 Homeland Security Act of 2002 (6 U.S.C. 605), of
24 which \$100,000,000 shall be for Operation
25 Stonegarden and \$15,000,000 shall be for Tribal

1 Homeland Security Grants under section 2005 of
2 the Homeland Security Act of 2002 (6 U.S.C. 606):
3 *Provided*, That notwithstanding subsection (c)(4) of
4 such section 2004, for fiscal year 2024, the Com-
5 monwealth of Puerto Rico shall make available to
6 local and tribal governments amounts provided to
7 the Commonwealth of Puerto Rico under this para-
8 graph in accordance with subsection (c)(1) of such
9 section 2004.

10 (2) \$615,000,000 for the Urban Area Security
11 Initiative under section 2003 of the Homeland Secu-
12 rity Act of 2002 (6 U.S.C. 604).

13 (3) \$315,000,000 for the Nonprofit Security
14 Grant Program under section 2009 of the Homeland
15 Security Act of 2002 (6 U.S.C. 609a), of which
16 \$157,500,000 is for eligible recipients located in
17 high-risk urban areas that receive funding under
18 section 2003 of such Act and \$157,500,000 is for el-
19 igible recipients that are located outside such areas:
20 *Provided*, That eligible recipients are those described
21 in section 2009(b) of such Act (6 U.S.C. 609a(b))
22 or are an otherwise eligible recipient at risk of a ter-
23 rorist or other extremist attack.

24 (4) \$105,000,000 for Public Transportation Se-
25 curity Assistance, Railroad Security Assistance, and

1 Over-the-Road Bus Security Assistance under sec-
2 tions 1406, 1513, and 1532 of the Implementing
3 Recommendations of the 9/11 Commission Act of
4 2007 (6 U.S.C. 1135, 1163, and 1182), of which
5 \$10,000,000 shall be for Amtrak security and
6 \$2,000,000 shall be for Over-the-Road Bus Security:
7 *Provided*, That such public transportation security
8 assistance shall be provided directly to public trans-
9 portation agencies.

10 (5) \$100,000,000 for Port Security Grants in
11 accordance with section 70107 of title 46, United
12 States Code.

13 (6) \$720,000,000, to remain available until
14 September 30, 2025, of which \$360,000,000 shall be
15 for Assistance to Firefighter Grants and
16 \$360,000,000 shall be for Staffing for Adequate
17 Fire and Emergency Response Grants under sec-
18 tions 33 and 34 respectively of the Federal Fire Pre-
19 vention and Control Act of 1974 (15 U.S.C. 2229
20 and 2229a).

21 (7) \$355,000,000 for emergency management
22 performance grants under the National Flood Insur-
23 ance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-
24 ert T. Stafford Disaster Relief and Emergency As-
25 sistance Act (42 U.S.C. 5121), the Earthquake Haz-

1 ards Reduction Act of 1977 (42 U.S.C. 7701), sec-
2 tion 762 of title 6, United States Code, and Reorga-
3 nization Plan No. 3 of 1978 (5 U.S.C. App.).

4 (8) \$312,750,000 for necessary expenses for
5 Flood Hazard Mapping and Risk Analysis, in addi-
6 tion to and to supplement any other sums appro-
7 priated under the National Flood Insurance Fund,
8 and such additional sums as may be provided by
9 States or other political subdivisions for cost-shared
10 mapping activities under section 1360(f)(2) of the
11 National Flood Insurance Act of 1968 (42 U.S.C.
12 4101(f)(2)), to remain available until expended.

13 (9) \$12,000,000 for Regional Catastrophic Pre-
14 paredness Grants.

15 (10) \$130,000,000 for the emergency food and
16 shelter program under title III of the McKinney-
17 Vento Homeless Assistance Act (42 U.S.C. 11331),
18 to remain available until September 30, 2025: *Pro-*
19 *vided*, That not to exceed 3.5 percent shall be for
20 total administrative costs.

21 (11) \$40,000,000 for the Next Generation
22 Warning System.

23 (12) \$181,223,342 for Community Project
24 Funding grants, which shall be for the purposes,
25 and the amounts, specified in the table entitled

1 “Homeland Security—Community Project Funding”
2 in the report accompanying this Act, of which—

3 (A) \$65,627,263, in addition to amounts
4 otherwise made available for such purpose, is
5 for emergency operations center grants under
6 section 614 of the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42
8 U.S.C. 5196c); and

9 (B) \$115,596,079, in addition to amounts
10 otherwise made available for such purpose, is
11 for pre-disaster mitigation grants under section
12 203 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act (42 U.S.C.
14 5133(e), notwithstanding subsections (f), (g),
15 and (l) of that section (42 U.S.C. 5133(f), (g),
16 (l)).

17 (13) \$326,487,000 to sustain current oper-
18 ations for training, exercises, technical assistance,
19 and other programs.

20 DISASTER RELIEF FUND

21 For necessary expenses in carrying out the Robert
22 T. Stafford Disaster Relief and Emergency Assistance Act
23 (42 U.S.C. 5121 et seq.), \$20,406,341,000, to remain
24 available until expended, of which \$20,261,000,000 shall
25 be for major disasters declared pursuant to the Robert T.

1 Stafford Disaster Relief and Emergency Assistance Act
2 (42 U.S.C. 5121 et seq.) and is designated by the Con-
3 gress as being for disaster relief pursuant to section
4 251(b)(2)(D) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985.

6 NATIONAL FLOOD INSURANCE FUND

7 For activities under the National Flood Insurance
8 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
9 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
10 Biggert-Waters Flood Insurance Reform Act of 2012
11 (Public Law 112–141, 126 Stat. 916), and the Home-
12 owner Flood Insurance Affordability Act of 2014 (Public
13 Law 113–89; 128 Stat. 1020), \$239,983,000, to remain
14 available until September 30, 2025, which shall be derived
15 from offsetting amounts collected under section 1308(d)
16 of the National Flood Insurance Act of 1968 (42 U.S.C.
17 4015(d)); of which \$18,917,000 shall be available for mis-
18 sion support associated with flood management; and of
19 which \$221,066,000 shall be available for flood plain man-
20 agement and flood mapping: *Provided*, That any addi-
21 tional fees collected pursuant to section 1308(d) of the
22 National Flood Insurance Act of 1968 (42 U.S.C.
23 4015(d)) shall be credited as offsetting collections to this
24 account, to be available for flood plain management and
25 flood mapping: *Provided further*, That in fiscal year 2024,

1 no funds shall be available from the National Flood Insur-
2 ance Fund under section 1310 of the National Flood In-
3 surance Act of 1968 (42 U.S.C. 4017) in excess of—

4 (1) \$230,504,000 for operating expenses and
5 salaries and expenses associated with flood insurance
6 operations;

7 (2) \$1,300,000,000 for commissions and taxes
8 of agents;

9 (3) such sums as are necessary for interest on
10 Treasury borrowings; and

11 (4) \$175,000,000, which shall remain available
12 until expended, for flood mitigation actions and for
13 flood mitigation assistance under section 1366 of the
14 National Flood Insurance Act of 1968 (42 U.S.C.
15 4104e), notwithstanding sections 1366(e) and
16 1310(a)(7) of such Act (42 U.S.C. 4104e(e), 4017):

17 *Provided further*, That the amounts collected under section
18 102 of the Flood Disaster Protection Act of 1973 (42
19 U.S.C. 4012a) and section 1366(e) of the National Flood
20 Insurance Act of 1968 (42 U.S.C. 4104e(e)), shall be de-
21 posited in the National Flood Insurance Fund to supple-
22 ment other amounts specified as available for section 1366
23 of the National Flood Insurance Act of 1968, notwith-
24 standing section 102(f)(8), section 1366(e) of the National
25 Flood Insurance Act of 1968, and paragraphs (1) through

1 (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8),
2 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total
3 administrative costs shall not exceed 4 percent of the total
4 appropriation: *Provided further*, That up to \$5,000,000 is
5 available to carry out section 24 of the Homeowner Flood
6 Insurance Affordability Act of 2014 (42 U.S.C. 4033).

7 ADMINISTRATIVE PROVISIONS

8 SEC. 301. (a) The Director of the Cybersecurity and
9 Infrastructure Security Agency (or the Director’s des-
10 ignee) shall provide the briefings to the Committees on
11 Appropriations of the House of Representatives and the
12 Senate described under the heading “Quarterly Budget
13 and Staffing Briefings” in the explanatory statement for
14 division F of Public Law 117–103 described in section 4
15 in the matter preceding division A of such Public Law—

16 (1) with respect to the first quarter of fiscal
17 year 2024, not later than the later of 30 days after
18 the date of enactment of this Act or January 30,
19 2024; and

20 (2) with respect to each subsequent fiscal quar-
21 ter in fiscal year 2024, not later than 21 days after
22 the end of each such quarter.

23 (b) In the event that any such briefing required dur-
24 ing this fiscal year under subsection (a) is not provided,
25 the amount made available in title III to the Cybersecurity

1 and Infrastructure Security Agency under the heading
2 “Operations and Support” shall be reduced by \$50,000
3 for each day of noncompliance with subsection (a), and
4 the amount made available under such heading and speci-
5 fied in the detailed funding table in the report accom-
6 panying this Act for Mission Support shall be correspond-
7 ingly reduced by an equivalent amount.

8 SEC. 302. (a) Notwithstanding section 2008(a)(12)
9 of the Homeland Security Act of 2002 (6 U.S.C.
10 609(a)(12)) or any other provision of law, not more than
11 5 percent of the amount of a grant made available in para-
12 graphs (1) through (5) under “Federal Emergency Man-
13 agement Agency—Federal Assistance”, may be used by
14 the recipient for expenses directly related to administra-
15 tion of the grant.

16 (b) The authority provided in subsection (a) shall also
17 apply to a state recipient for the administration of a grant
18 under such paragraph (3).

19 SEC. 303. Applications for grants under the heading
20 “Federal Emergency Management Agency—Federal As-
21 sistance”, for paragraphs (1) through (5), shall be made
22 available to eligible applicants not later than 60 days after
23 the date of enactment of this Act, eligible applicants shall
24 submit applications not later than 80 days after the grant
25 announcement, and the Administrator of the Federal

1 Emergency Management Agency shall act within 65 days
2 after the receipt of an application.

3 SEC. 304. (a) Under the heading “Federal Emer-
4 gency Management Agency—Federal Assistance”, for
5 grants under paragraphs (1) through (5) and (9), the Ad-
6 ministrator of the Federal Emergency Management Agen-
7 cy shall brief the Committees on Appropriations of the
8 House of Representatives and the Senate 5 full business
9 days in advance of announcing publicly the intention of
10 making an award.

11 (b) If any such public announcement is made before
12 5 full business days have elapsed following such briefing,
13 \$1,000,000 of amounts appropriated by this Act for “Fed-
14 eral Emergency Management Agency—Operations and
15 Support” shall be rescinded.

16 SEC. 305. Under the heading “Federal Emergency
17 Management Agency—Federal Assistance”, for grants
18 under paragraphs (1) and (2), the installation of commu-
19 nications towers is not considered construction of a build-
20 ing or other physical facility.

21 SEC. 306. The reporting requirements in paragraphs
22 (1) and (2) under the heading “Federal Emergency Man-
23 agement Agency—Disaster Relief Fund” in the Depart-
24 ment of Homeland Security Appropriations Act, 2015
25 (Public Law 114–4), related to reporting on the Disaster

1 Relief Fund, shall be applied in fiscal year 2024 with re-
2 spect to budget year 2025 and current fiscal year 2024,
3 respectively—

4 (1) in paragraph (1) by substituting “fiscal
5 year 2025” for “fiscal year 2016”; and

6 (2) in paragraph (2) by inserting “business”
7 after “fifth”.

8 SEC. 307. In making grants under the heading “Fed-
9 eral Emergency Management Agency—Federal Assist-
10 ance”, for Staffing for Adequate Fire and Emergency Re-
11 sponse grants, the Administrator of the Federal Emer-
12 gency Management Agency may grant waivers from the
13 requirements in subsections (a)(1)(A), (a)(1)(B),
14 (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the
15 Federal Fire Prevention and Control Act of 1974 (15
16 U.S.C. 2229a).

17 SEC. 308. (a) The aggregate charges assessed during
18 fiscal year 2024, as authorized in title III of the Depart-
19 ments of Veterans Affairs and Housing and Urban Devel-
20 opment, and Independent Agencies Appropriations Act,
21 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
22 cent of the amounts anticipated by the Department of
23 Homeland Security to be necessary for its Radiological
24 Emergency Preparedness Program for the next fiscal year.

1 (b) The methodology for assessment and collection of
2 fees shall be fair and equitable and shall reflect costs of
3 providing such services, including administrative costs of
4 collecting such fees.

5 (c) Such fees shall be deposited in a Radiological
6 Emergency Preparedness Program account as offsetting
7 collections and will become available for authorized pur-
8 poses on October 1, 2024, and remain available until ex-
9 pended.

10 SEC. 309. In making grants under the heading “Fed-
11 eral Emergency Management Agency—Federal Assist-
12 ance”, for Assistance to Firefighter Grants, the Adminis-
13 trator of the Federal Emergency Management Agency
14 may waive subsection (k) of section 33 of the Federal Fire
15 Prevention and Control Act of 1974 (15 U.S.C. 2229).

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

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

6 For necessary expenses of U.S. Citizenship and Im-
7 migration Services for operations and support of the E-
8 Verify Program, \$111,865,000: *Provided*, That such
9 amounts shall be in addition to any other amounts made
10 available for such purposes, and shall not be construed to
11 require any reduction of any fee described in section
12 286(m) of the Immigration and Nationality Act (8 U.S.C.
13 1356(m)).

14 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
15 OPERATIONS AND SUPPORT

16 For necessary expenses of the Federal Law Enforce-
17 ment Training Centers for operations and support, includ-
18 ing the purchase of not to exceed 117 vehicles for police-
19 type use and hire of passenger motor vehicles, and services
20 as authorized by section 3109 of title 5, United States
21 Code, \$361,398,000, of which \$66,665,000 shall remain
22 available until September 30, 2025: *Provided*, That not
23 to exceed \$7,180 shall be for official reception and rep-
24 resentation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Federal Law Enforce-
3 ment Training Centers for procurement, construction, and
4 improvements, \$20,100,000, to remain available until Sep-
5 tember 30, 2028, for acquisition of necessary additional
6 real property and facilities, construction and ongoing
7 maintenance, facility improvements and related expenses
8 of the Federal Law Enforcement Training Centers.

9 SCIENCE AND TECHNOLOGY DIRECTORATE

10 OPERATIONS AND SUPPORT

11 For necessary expenses of the Science and Tech-
12 nology Directorate for operations and support, including
13 the purchase or lease of not to exceed 5 vehicles,
14 \$333,632,000, of which \$206,548,000 shall remain avail-
15 able until September 30, 2025: *Provided*, That not to ex-
16 ceed \$10,000 shall be for official reception and representa-
17 tion expenses.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Science and Tech-
20 nology Directorate for procurement, construction, and im-
21 provements, \$58,466,000, to remain available until Sep-
22 tember 30, 2028.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Science and Tech-
25 nology Directorate for research and development,

1 \$444,545,000, to remain available until September 30,
2 2026.

3 COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE
4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Countering Weapons
6 of Mass Destruction Office for operations and support,
7 \$164,315,000, of which \$69,364,000 shall remain avail-
8 able until September 30, 2025: *Provided*, That not to ex-
9 ceed \$2,250 shall be for official reception and representa-
10 tion expenses.

11 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

12 For necessary expenses of the Countering Weapons
13 of Mass Destruction Office for procurement, construction,
14 and improvements, \$42,338,000, to remain available until
15 September 30, 2026.

16 RESEARCH AND DEVELOPMENT

17 For necessary expenses of the Countering Weapons
18 of Mass Destruction Office for research and development,
19 \$64,201,000, to remain available until September 30,
20 2026.

21 FEDERAL ASSISTANCE

22 For necessary expenses of the Countering Weapons
23 of Mass Destruction Office for Federal assistance through
24 grants, contracts, cooperative agreements, and other ac-

1 tivities, \$142,885,000, to remain available until Sep-
2 tember 30, 2026.

3 ADMINISTRATIVE PROVISIONS

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

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

14 SEC. 402. None of the funds appropriated by this Act
15 may be used to process or approve a competition under
16 Office of Management and Budget Circular A-76 for serv-
17 ices provided by employees (including employees serving
18 on a temporary or term basis) of U.S. Citizenship and Im-
19 migration Services of the Department of Homeland Secu-
20 rity who are known as Immigration Information Officers,
21 Immigration Service Analysts, Contact Representatives,
22 Investigative Assistants, or Immigration Services Officers.

23 SEC. 403. Notwithstanding any other provision of
24 law, any Federal funds made available to U.S. Citizenship
25 and Immigration Services may be used for the collection

1 and use of biometrics taken at a U.S. Citizenship and Im-
2 migration Services Application Support Center that is
3 overseen virtually by U.S. Citizenship and Immigration
4 Services personnel using appropriate technology.

5 SEC. 404. None of the funds appropriated or other-
6 wise made available by this Act may be made available
7 to implement, administer, or enforce the rule entitled
8 “Procedures or Credible Fear Screening and Consider-
9 ation of Asylum, Withholding of Removal, and CAT Pro-
10 tection Claims by Asylum Officers” (87 Fed. Reg. 18078).

11 SEC. 405. None of the funds appropriated or other-
12 wise made available by this Act may be made available
13 to issue any employment authorization document or simi-
14 lar document to any alien whose application for asylum
15 in the United States has been denied, or who is convicted
16 of a Federal or State crime while his or her application
17 for asylum in the United States is pending.

18 SEC. 406. (a) Section 214(g)(9)(A) of the Immigra-
19 tion and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is
20 amended to read as follows: “(A) Subject to subpara-
21 graphs (B) and (C), an alien shall be considered a return-
22 ing worker and shall not again be counted toward the nu-
23 merical limitation of paragraph (1)(B) during fiscal year
24 2024 if such alien has already been counted toward such

1 numerical limitation during any of the 3 preceding fiscal
2 years.”.

3 (b) The amendment made by this section shall apply
4 on and after October 1, 2023.

5 SEC. 407. In fiscal year 2024, nonimmigrants shall
6 be admitted to the United States under section
7 101(a)(15)(H)(ii)(a) of the Immigration and Nationality
8 Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to perform agricul-
9 tural labor or services, without regard to whether such
10 labor is, or services are, of a temporary or seasonal nature.

11 SEC. 408. Notwithstanding section 286(n) of the Im-
12 migration and Nationality Act (8 U.S.C. 1356(n)), the Di-
13 rector of U.S. Citizenship and Immigration Services may
14 use not more than \$5,000 of the amounts deposited in
15 the Immigration Examinations Fee Account for official re-
16 ception and representation expenses in fiscal year 2024.

17 SEC. 409. The Director of the Federal Law Enforce-
18 ment Training Centers is authorized to distribute funds
19 to Federal law enforcement agencies for expenses incurred
20 participating in training accreditation.

21 SEC. 410. The Federal Law Enforcement Training
22 Accreditation Board, including representatives from the
23 Federal law enforcement community and non-Federal ac-
24 creditation experts involved in law enforcement training,
25 shall lead the Federal law enforcement training accredita-

1 tion process to continue the implementation of measuring
2 and assessing the quality and effectiveness of Federal law
3 enforcement training programs, facilities, and instructors.

4 SEC. 411. (a) The Director of the Federal Law En-
5 forcement Training Centers may accept transfers to its
6 “Procurement, Construction, and Improvements” account
7 from Government agencies requesting the construction of
8 special use facilities, as authorized by the Economy Act
9 (31 U.S.C. 1535(b)).

10 (b) The Federal Law Enforcement Training Centers
11 shall maintain administrative control and ownership upon
12 completion of such facilities.

13 SEC. 412. The functions of the Federal Law Enforce-
14 ment Training Centers instructor staff shall be classified
15 as inherently governmental for purposes of the Federal
16 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
17 note).

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

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

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

12 SEC. 503. (a) None of the funds provided by this Act,
13 provided by previous appropriations Acts to the compo-
14 nents in or transferred to the Department of Homeland
15 Security that remain available for obligation or expendi-
16 ture in fiscal year 2024, or provided from any accounts
17 in the Treasury of the United States derived by the collec-
18 tion of fees available to the components funded by this
19 Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

21 (1) creates or eliminates a program, project, or
22 activity, or increases funds for any program, project,
23

1 or activity for which funds have been denied or re-
2 stricted by the Congress;

3 (2) contracts out any function or activity pres-
4 ently performed by Federal employees or any new
5 function or activity proposed to be performed by
6 Federal employees in the President's budget pro-
7 posal for fiscal year 2024 for the Department of
8 Homeland Security;

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

12 (4) reduces funding for any program, project,
13 or activity, or numbers of personnel, by 10 percent
14 or more; or

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

19 (b) Subsection (a) shall not apply if the Committees
20 on Appropriations of the House of Representatives and the
21 Senate are notified at least 15 days in advance of such
22 reprogramming.

23 (c) Up to 5 percent of any appropriation made avail-
24 able for the current fiscal year for the Department of
25 Homeland Security by this Act or provided by previous

1 appropriations Acts may be transferred between such ap-
2 propriations if the Committees on Appropriations of the
3 House of Representatives and the Senate are notified at
4 least 30 days in advance of such transfer, but no such
5 appropriation, except as otherwise specifically provided,
6 shall be increased by more than 10 percent by such trans-
7 fer.

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

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

20 (f) Notwithstanding subsection (c), the Secretary of
21 Homeland Security may transfer to the fund established
22 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
23 priations available to the Department of Homeland Secu-
24 rity: *Provided*, That the Secretary shall notify the Commit-

1 tees on Appropriations of the House of Representatives
2 and the Senate at least 5 days in advance of such transfer.

3 SEC. 504. (a) Section 504 of the Department of
4 Homeland Security Appropriations Act, 2017 (division F
5 of Public Law 115–31), related to the operations of a
6 working capital fund, shall apply with respect to funds
7 made available in this Act in the same manner as such
8 section applied to funds made available in that Act.

9 (b) Funds from such working capital fund may be
10 obligated and expended in anticipation of reimbursements
11 from components of the Department of Homeland Secu-
12 rity.

13 SEC. 505. (a) Except as otherwise specifically pro-
14 vided by law, not to exceed 50 percent of unobligated bal-
15 ances remaining available at the end of fiscal year 2024,
16 as recorded in the financial records at the time of a re-
17 programming notification, but not later than June 30,
18 2025, from appropriations for “Operations and Support”
19 for fiscal year 2024 in this Act shall remain available
20 through September 30, 2025, in the account and for the
21 purposes for which the appropriations were provided.

22 (b) Prior to the obligation of such funds, a notifica-
23 tion shall be submitted to the Committees on Appropria-
24 tions of the House of Representatives and the Senate in
25 accordance with section 503 of this Act.

1 SEC. 506. (a) Funds made available by this Act for
2 intelligence activities are deemed to be specifically author-
3 ized by the Congress for purposes of section 504 of the
4 National Security Act of 1947 (50 U.S.C. 414) during fis-
5 cal year 2024 until the enactment of an Act authorizing
6 intelligence activities for fiscal year 2024.

7 (b) Amounts described in subsection (a) made avail-
8 able for “Intelligence, Analysis, and Situational Aware-
9 ness—Operations and Support” that exceed the amounts
10 in such authorization for such account shall be transferred
11 to and merged with amounts made available under the
12 heading “Management Directorate—Operations and Sup-
13 port”.

14 (c) Prior to the obligation of any funds transferred
15 under subsection (b), the Management Directorate shall
16 brief the Committees on Appropriations of the House of
17 Representatives and the Senate on a plan for the use of
18 such funds.

19 SEC. 507. (a) The Secretary of Homeland Security,
20 or the designee of the Secretary, shall notify the Commit-
21 tees on Appropriations of the House of Representatives
22 and the Senate at least 3 full business days in advance
23 of—

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

1 (2) making or awarding a contract, other trans-
2 action agreement, or task or delivery order on a
3 multiple award contract, or to issue a letter of intent
4 totaling in excess of \$4,000,000;

5 (3) awarding a task or delivery order requiring
6 an obligation of funds in an amount greater than
7 \$10,000,000 from multi-year funds;

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

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

13 (b) If the Secretary of Homeland Security determines
14 that compliance with this section would pose a substantial
15 risk to human life, health, or safety, an award may be
16 made without notification, and the Secretary shall notify
17 the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate not later than 5 full business
19 days after such an award is made or letter issued.

20 (c) A notification under this section—

21 (1) may not involve funds that are not available
22 for obligation; and

23 (2) shall include the amount of the award; the
24 fiscal year for which the funds for the award were

1 appropriated; the type of contract; and the account
2 from which the funds are being drawn.

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

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

22 SEC. 510. Sections 522 and 530 of the Department
23 of Homeland Security Appropriations Act, 2008 (division
24 E of Public Law 110–161; 121 Stat. 2073 and 2074) shall
25 apply with respect to funds made available in this Act in

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

3 SEC. 511. (a) None of the funds made available in
4 this Act may be used in contravention of the applicable
5 provisions of the Buy American Act.

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

9 SEC. 512. None of the funds made available in this
10 Act may be used to amend the oath of allegiance required
11 by section 337 of the Immigration and Nationality Act
12 (8 U.S.C. 1448).

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

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

20 SEC. 515. Any official that is required by this Act
21 to report or to certify to the Committees on Appropria-
22 tions of the House of Representatives and the Senate may
23 not delegate such authority to perform that act unless spe-
24 cifically authorized herein.

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

6 SEC. 517. None of the funds made available in this
7 Act may be used to employ workers described in section
8 274A(h)(3) of the Immigration and Nationality Act (8
9 U.S.C. 1324a(h)(3)).

10 SEC. 518. Notwithstanding any other provision of
11 this Act, none of the funds appropriated or otherwise
12 made available by this Act may be used to pay award or
13 incentive fees for contractor performance that has been
14 judged to be below satisfactory performance or perform-
15 ance that does not meet the basic requirements of a con-
16 tract.

17 SEC. 519. (a) None of the funds made available in
18 this Act may be used to maintain or establish a computer
19 network unless such network blocks the viewing,
20 downloading, and exchanging of pornography.

21 (b) Nothing in subsection (a) shall limit the use of
22 funds necessary for any Federal, State, tribal, territorial,
23 or local law enforcement agency or any other entity car-
24 rying out criminal investigations, prosecution, or adjudica-
25 tion activities.

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

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

19 (b) For purposes of this section the term “inter-
20 national conference” shall mean a conference occurring
21 outside of the United States attended by representatives
22 of the United States Government and of foreign govern-
23 ments, international organizations, or nongovernmental
24 organizations.

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

3 (d) Employees who attend a conference virtually
4 without travel away from their permanent duty station
5 within the United States shall not be counted for purposes
6 of this section, and the prohibition contained in this sec-
7 tion shall not apply to payments for the costs of attend-
8 ance for such employees.

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

13 SEC. 523. (a) None of the funds made available to
14 the Department of Homeland Security by this or any other
15 Act may be obligated for the implementation of any struc-
16 tural pay reform or the introduction of any new position
17 classification that will affect more than 100 full-time posi-
18 tions or costs more than \$5,000,000 in a single year be-
19 fore the end of the 30-day period beginning on the date
20 on which the Secretary of Homeland Security submits to
21 Congress a notification that includes—

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

1 (2) funding required for such change for the
2 current fiscal year and through the Future Years
3 Homeland Security Program;

4 (3) justification for such change; and

5 (4) for a structural pay reform, an analysis of
6 compensation alternatives to such change that were
7 considered by the Department.

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

9 (1) it was proposed in the President’s budget
10 proposal for the fiscal year funded by this Act; and

11 (2) funds for such change have not been explic-
12 itly denied or restricted in this Act.

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

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

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

23 (2) the report contains proprietary information.

24 (c) The head of the agency posting such report shall
25 do so only after such report has been made available to

1 the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate for not less than 45 days ex-
3 cept as otherwise specified in law.

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

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

10 SEC. 526. The authority provided by section 532 of
11 the Department of Homeland Security Appropriations
12 Act, 2018 (Public Law 115–141) regarding primary and
13 secondary schooling of dependents shall continue in effect
14 during fiscal year 2024.

15 SEC. 527. (a) None of the funds appropriated or oth-
16 erwise made available to the Department of Homeland Se-
17 curity by this Act may be used to prevent any of the fol-
18 lowing persons from entering, for the purpose of con-
19 ducting oversight, any facility operated by or for the De-
20 partment of Homeland Security used to detain or other-
21 wise house aliens, or to make any temporary modification
22 at any such facility that in any way alters what is observed
23 by a visiting Member of Congress or such designated em-
24 ployee, compared to what would be observed in the absence
25 of such modification:

1 (1) A Member of Congress.

2 (2) An employee of the United States House of
3 Representatives or the United States Senate des-
4 igned by such a Member for the purposes of this
5 section.

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

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

14 SEC. 528. (a) For an additional amount for “Federal
15 Emergency Management Agency—Federal Assistance”,
16 \$3,000,000, to remain available until September 30, 2025,
17 exclusively for providing reimbursement of extraordinary
18 law enforcement or other emergency personnel costs for
19 protection activities directly and demonstrably associated
20 with any residence of the President that is designated or
21 identified to be secured by the United States Secret Serv-
22 ice.

23 (b) Subsections (b) through (f) of section 534 of the
24 Department of Homeland Security Appropriations Act,
25 2018 (Public Law 115–141), shall be applied with respect

1 to amounts made available by subsection (a) of this section
2 by substituting “October 1, 2024” for “October 1, 2018”
3 and “October 1, 2023” for “October 1, 2017”.

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

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

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

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

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

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

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

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

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

13 (1) death of,

14 (2) potential sexual assault or abuse per-
15 petrated against, or

16 (3) allegation of abuse, criminal activity, or dis-
17 ruption committed by

18 an individual held in the custody of the Department of
19 Homeland Security.

20 (b) The records referred to in subsection (a) shall be
21 made available, in accordance with applicable laws and
22 regulations, and Federal rules governing disclosure in liti-
23 gation, to an individual who has been charged with a
24 crime, been placed into segregation, or otherwise punished

1 as a result of an allegation described in paragraph (3),
2 upon the request of such individual.

3 SEC. 531. Section 519 of division F of Public Law
4 114–113, regarding a prohibition on funding for any posi-
5 tion designated as a Principal Federal Official, shall apply
6 with respect to any Federal funds in the same manner
7 as such section applied to funds made available in that
8 Act.

9 SEC. 532. (a) Not later than 10 days after the date
10 on which the budget of the President for a fiscal year is
11 submitted to Congress pursuant to section 1105(a) of title
12 31, United States Code, the Under Secretary for Manage-
13 ment of Homeland Security shall submit to the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate a report on the unfunded priorities, for
16 the Department of Homeland Security and separately for
17 each departmental component, for which discretionary
18 funding would be classified as budget function 050.

19 (b) Each report under this section shall specify, for
20 each such unfunded priority—

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

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

4 (3) account information, including the following
5 (as applicable):

6 (A) appropriation account; and

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

8 and

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

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

13 (1) is not funded in the budget referred to in
14 subsection (a);

15 (2) is necessary to fulfill a requirement associ-
16 ated with an operational or contingency plan for the
17 Department; and

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

20 (A) additional resources had been available
21 for the budget to fund the requirement;

22 (B) the requirement has emerged since the
23 budget was formulated; or

24 (C) the requirement is necessary to sustain
25 prior-year investments.

1 SEC. 533. (a) Not later than 10 days after a deter-
2 mination is made by the President to evaluate and initiate
3 protection under any authority for a former or retired
4 Government official or employee, or for an individual who,
5 during the duration of the directed protection, will become
6 a former or retired Government official or employee (re-
7 ferred to in this section as a “covered individual”), the
8 Secretary of Homeland Security shall submit a notifica-
9 tion to congressional leadership and the Committees on
10 Appropriations of the House of Representatives and the
11 Senate, the Committees on the Judiciary of the House of
12 Representatives and the Senate, the Committee on Home-
13 land Security of the House of Representatives, the Com-
14 mittee on Homeland Security and Governmental Affairs
15 of the Senate, and the Committee on Oversight and Re-
16 form of the House of Representatives (referred to in this
17 section as the “appropriate congressional committees”).

18 (b) Such notification may be submitted in classified
19 form, if necessary, and in consultation with the Director
20 of National Intelligence or the Director of the Federal Bu-
21 reau of Investigation, as appropriate, and shall include the
22 threat assessment, scope of the protection, and the antici-
23 pated cost and duration of such protection.

24 (c) Not later than 15 days before extending, or 30
25 days before terminating, protection for a covered indi-

1 vidual, the Secretary of Homeland Security shall submit
2 a notification regarding the extension or termination and
3 any change to the threat assessment to the congressional
4 leadership and the appropriate congressional committees.

5 (d) Not later than 45 days after the date of enact-
6 ment of this Act, and quarterly thereafter, the Secretary
7 shall submit a report to the congressional leadership and
8 the appropriate congressional committees, which may be
9 submitted in classified form, if necessary, detailing each
10 covered individual, and the scope and associated cost of
11 protection.

12 SEC. 534. (a) None of the funds provided to the De-
13 partment of Homeland Security in this or any prior Act
14 may be used by an agency to submit an initial project pro-
15 posal to the Technology Modernization Fund (as author-
16 ized by section 1078 of subtitle G of title X of the National
17 Defense Authorization Act for Fiscal Year 2018 (Public
18 Law 115–91)) unless, concurrent with the submission of
19 an initial project proposal to the Technology Moderniza-
20 tion Board, the head of the agency—

21 (1) notifies the Committees on Appropriations
22 of the House of Representatives and the Senate of
23 the proposed submission of the project proposal;

24 (2) submits to the Committees on Appropria-
25 tions a copy of the project proposal; and

1 (3) provides a detailed analysis of how the pro-
2 posed project funding would supplement or supplant
3 funding requested as part of the Department’s most
4 recent budget submission.

5 (b) None of the funds provided to the Department
6 of Homeland Security by the Technology Modernization
7 Fund shall be available for obligation until 15 days after
8 a report on such funds has been transmitted to the Com-
9 mittees on Appropriations of the House of Representatives
10 and the Senate.

11 (c) The report described in subsection (b) shall in-
12 clude—

13 (1) the full project proposal submitted to and
14 approved by the Fund’s Technology Modernization
15 Board;

16 (2) the finalized interagency agreement between
17 the Department and the Fund including the
18 project’s deliverables and repayment terms, as appli-
19 cable;

20 (3) a detailed analysis of how the project will
21 supplement or supplant existing funding available to
22 the Department for similar activities;

23 (4) a plan for how the Department will repay
24 the Fund, including specific planned funding
25 sources, as applicable; and

1 (5) other information as determined by the Sec-
2 retary.

3 SEC. 535. Within 60 days of any budget submission
4 for the Department of Homeland Security for fiscal year
5 2025 that assumes revenues or proposes a reduction from
6 the previous year based on user fees proposals that have
7 not been enacted into law prior to the submission of the
8 budget, the Secretary of Homeland Security shall provide
9 the Committees on Appropriations of the House of Rep-
10 resentatives and the Senate specific reductions in proposed
11 discretionary budget authority commensurate with the
12 revenues assumed in such proposals in the event that they
13 are not enacted prior to October 1, 2024.

14 SEC. 536. None of the funds made available by this
15 Act may be obligated or expended to implement the Arms
16 Trade Treaty until the Senate approves a resolution of
17 ratification for the Treaty.

18 SEC. 537. No Federal funds made available to the
19 Department of Homeland Security may be used to enter
20 into a procurement contract, memorandum of under-
21 standing, or cooperative agreement with, or make a grant
22 to, or provide a loan or guarantee to, any entity identified
23 under section 1260H of the William M. (Mac) Thornberry
24 National Defense Authorization Act for Fiscal Year 2021
25 (Public Law 116–283) or any subsidiary of such entity.

1 SEC. 538. None of the funds appropriated or other-
2 wise made available in this or any other Act may be used
3 to transfer, release, or assist in the transfer or release to
4 or within the United States, its territories, or possessions
5 Khalid Sheikh Mohammed or any other detainee who—

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

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

11 SEC. 539. (a) The Secretary of Homeland Security
12 (in this section referred to as the “Secretary”) shall, on
13 a bimonthly basis beginning immediately after the date of
14 enactment of this Act, develop estimates of the number
15 of migrants anticipated to arrive at the southwest border
16 of the United States.

17 (b) The Secretary shall ensure that, at a minimum,
18 the estimates developed pursuant to subsection (a)—

19 (1) cover the current fiscal year and the fol-
20 lowing fiscal year;

21 (2) include a breakout by demographics, to in-
22 clude single adults, family units, and unaccompanied
23 children;

24 (3) undergo an independent validation and
25 verification review;

1 (4) are used to inform policy planning and
2 budgeting processes within the Department of
3 Homeland Security; and

4 (5) are included in the budget materials sub-
5 mitted to Congress in support of the President’s an-
6 nual budget request pursuant to section 1105 of title
7 31, United States Code, for each fiscal year begin-
8 ning after the date of enactment of this Act and, for
9 such budget materials shall include—

10 (A) the most recent bimonthly estimates
11 developed pursuant to subsection (a);

12 (B) a description and quantification of the
13 estimates used to justify funding requests for
14 Department programs related to border secu-
15 rity, immigration enforcement, and immigration
16 services;

17 (C) a description and quantification of the
18 anticipated workload and requirements result-
19 ing from such estimates; and

20 (D) a confirmation as to whether the budg-
21 et requests for impacted agencies were devel-
22 oped using the same estimates.

23 (c) The Secretary shall share the bimonthly estimates
24 developed pursuant to subsection (a) with the Secretary
25 of Health and Human Services, the Attorney General, the

1 Secretary of State, and the Committees on Appropriations
2 of the House of Representatives and the Senate.

3 SEC. 540. None of the funds appropriated or other-
4 wise made available by this Act may be made available
5 to establish or support the activities of:

6 (1) a Disinformation Governance Board at the
7 Department of Homeland Security, or any other en-
8 tity carrying out similar activities relating to mis-,
9 dis-, or mal-information in a similar manner or to a
10 similar extent to such a Board; or

11 (2) any entity responsible, directly or indirectly,
12 under color of countering mis-, dis-, or mal-informa-
13 tion or otherwise, for instructing, influencing, direct-
14 ing, or recommending that private companies censor,
15 prohibit, or obstruct lawful and constitutionally pro-
16 tected speech of United States persons on social
17 media platforms, including by—

18 (A) terminating speakers' accounts;

19 (B) temporarily suspending accounts;

20 (C) imposing warnings or strikes against
21 accounts to stop future speech;

22 (D) “shadowbanning” speakers;

23 (E) demonetizing content or speakers;

24 (F) adjusting algorithms to suppress or de-
25 emphasize speakers or messages;

- 1 (G) deboosting speakers or content;
- 2 (H) promoting or demoting content;
- 3 (I) placing warning labels or explanatory
- 4 notes on content;
- 5 (J) suppressing content in other users'
- 6 feeds;
- 7 (K) promoting negative comments on
- 8 disfavored content;
- 9 (L) requiring additional click-through(s) to
- 10 access content; or
- 11 (M) any other such methods.

12 SEC. 541. None of the funds appropriated or other-
13 wise made available by this Act may be made available
14 to require an employee of the Department of Homeland
15 Security to receive a vaccination against COVID-19.

16 SEC. 542. None of the funds appropriated or other-
17 wise made available by this Act may be made available
18 to administer, implement, or enforce the rules entitled
19 “Amended Order Implementing Presidential Proclamation
20 on Advancing the Safe Resumption of Global Travel Dur-
21 ing the COVID–19 Pandemic” (87 Fed. Reg. 20405 et
22 seq.) or “Notification of Temporary Travel Restrictions
23 Applicable to Land Ports of Entry and Ferries Service Be-
24 tween the United States and Mexico” (87 Fed. Reg.
25 24041) (or any successor rules).

1 SEC. 543. (a) None of the funds appropriated or oth-
2 erwise made available by this Act may be made available
3 to:

4 (1) classify or facilitate the classification of any
5 communications by a United States person as mis-
6 , dis-, or mal-information; or

7 (2) partner with or fund nonprofit or other or-
8 ganizations that in any way instruct, influence, di-
9 rect, or recommend that private companies in any
10 way censor, prohibit, or obstruct lawful and constitu-
11 tionally protected speech of United States persons
12 on social media platforms, including by—

13 (A) terminating speakers' accounts;

14 (B) temporarily suspending accounts;

15 (C) imposing warnings or strikes against
16 accounts to stop future speech;

17 (D) “shadowbanning” speakers;

18 (E) demonetizing content or speakers;

19 (F) adjusting algorithms to suppress or de-
20 emphasize speakers or messages;

21 (G) deboosting speakers or content;

22 (H) promoting or demoting content;

23 (I) placing warning labels or explanatory
24 notes on content;

1 (J) suppressing content in other users’
2 feeds;

3 (K) promoting negative comments on
4 disfavored content;

5 (L) requiring additional click-through(s) to
6 access content; or

7 (M) any other such methods.

8 (b) Any officer or employee of the Federal Govern-
9 ment whose salary is funded by this Act and who conducts
10 any activity described in subsections (a)(1) or (a)(2) shall
11 be removed from the Federal service.

12 SEC. 544. None of the funds appropriated or other-
13 wise made available by this Act may be made available
14 to implement, administer, or enforce the rule related to
15 “Circumvention of Lawful Pathways” (88 Fed. Reg.
16 11704).

17 SEC. 545. None of the funds appropriated or other-
18 wise made available by this Act may be made available
19 to implement, administer, apply, enforce, or carry out the
20 Equity Action Plan of the Department of Homeland Secu-
21 rity, or Executive Order 13985 of January 20, 2021 (86
22 Fed. Reg. 7009, relating to advancing racial equity and
23 support for under-served communities through the federal
24 government), Executive Order 14035 of June 25, 2021
25 (86 Fed. Reg. 34593, relating to diversity, equity, inclu-

1 sion, and accessibility in the federal workforce), Executive
2 Order 14091 of February 16, 2023 (88 Fed. Reg. 10825
3 relating to further advancing racial equity and support for
4 underserved communities through the federal government)
5 or any program, project, or activity that promotes or ad-
6 vances Critical Race Theory or any concept associated
7 with Critical Race Theory.

8 SEC. 546. None of the funds appropriated or other-
9 wise made available by this Act under the heading “Office
10 of the Secretary and Executive Management—Operations
11 and Support” may be made available for the purpose of
12 paying counsel outside the Federal Government—

13 (1) before the date on which all funds provided
14 in section 211(a)(1) of this Act are obligated; and

15 (2) to prepare for or defend against impeach-
16 ment.

17 SEC. 547. (a) None of the funds appropriated or oth-
18 erwise made available by this Act may be made available
19 to be used to purchase, maintain, or continue to operate
20 any Unmanned Aircraft Systems that are manufactured
21 in the People’s Republic of China or a country identified
22 as a foreign adversary in the Annual Threat Assessment
23 of the U.S. Intelligence Community or by an entity domi-
24 ciled in the People’s Republic of China or a country identi-

1 fied as a foreign adversary in the most recent Annual
2 Threat Assessment of the U.S. Intelligence Community.

3 (b) Nothing in subsection (a) shall limit the use of
4 funds for counterintelligence, research and development,
5 test and evaluation, or counter Unmanned Aircraft Sys-
6 tem mitigation efforts, including the activities of the Coast
7 Guard authorized by section 8414 of Public Law 116–283
8 (14 U.S.C. 1156 note).

9 SEC. 548. (a) Section 538 of the Department of
10 Homeland Security Appropriations Act, 2022 (division F
11 of Public Law 117–103) is amended—

12 (1) in subsection (b), by striking “may” and in-
13 serting “shall”; and

14 (2) by striking subsection (d) and inserting the
15 following:

16 “(d) Amounts in the Fund may not be ob-
17 ligated until after the date on which the Act
18 making full-year appropriations for the Depart-
19 ment of Homeland Security for the applicable
20 fiscal year is enacted into law, subject to sub-
21 section (e).

22 “(e) The Committees on Appropriations of
23 the House of Representatives and the Senate
24 shall be notified at least 15 days in advance of
25 the planned use of funds.”.

1 (b) The amendments made by this section shall apply
2 to amounts transferred under such section 538 on or after
3 the date of enactment of this Act.

4 SEC. 549. (a) None of the funds appropriated or oth-
5 erwise made available by this Act or any other Act shall
6 be used to execute an inspection of any detention facility
7 that is in a contractual agreement with U.S. Immigration
8 and Customs Enforcement for the provision of detention
9 services within six months of a previous inspection of such
10 facility.

11 (b) Subsection (a) shall not apply with respect to in-
12 spections executed by the Office of Inspector General.

13 SEC. 550. (a) None of the funds appropriated or oth-
14 erwise made available by this Act or any other Act shall
15 be used to execute an inspection of any detention facility
16 that is in a contractual agreement with U.S. Immigration
17 and Customs Enforcement for the provision of detention
18 services, except solely for compliance with the terms, con-
19 ditions, and standards found within the National Deten-
20 tion Standards 2019 for U.S. Immigration and Customs
21 Enforcement.

22 (b) Subsection (a) shall take effect for detention fa-
23 cilities operating under existing contracts, as of the date
24 of enactment of this Act, not later than 180 days after
25 the date of enactment of this Act.

1 SEC. 551. None of the funds appropriated or other-
2 wise made available by this Act shall be used to admit
3 an alien, who is a national of the Republic of Chile, under
4 section 217 of the Immigration and Nationality Act (8
5 U.S.C. 1187), until the Secretary of Homeland Security
6 verifies that the Republic of Chile provides access to ap-
7 propriate criminal databases and the Department of
8 Homeland Security screens Chilean nationals against such
9 criminal databases.

10 SEC. 552. (a) In general.—Notwithstanding section
11 7 of title 1, United States Code, section 1738C of title
12 28, United States Code, or any other provision of law,
13 none of the funds provided by this Act, or previous appro-
14 priations Acts, shall be used in whole or in part to take
15 any discriminatory action against a person, wholly or par-
16 tially, on the basis that such person speaks, or acts, in
17 accordance with a sincerely held religious belief, or moral
18 conviction, that marriage is, or should be recognized as,
19 a union of one man and one woman.

20 (b) Discriminatory action defined.—As used in sub-
21 section (a), a discriminatory action means any action
22 taken by the Federal Government to—

23 (1) alter in any way the Federal tax treatment
24 of, or cause any tax, penalty, or payment to be as-
25 sessed against, or deny, delay, or revoke an exemp-

1 tion from taxation under section 501(a) of the Inter-
2 nal Revenue Code of 1986 of, any person referred to
3 in subsection (a);

4 (2) disallow a deduction for Federal tax pur-
5 poses of any charitable contribution made to or by
6 such person;

7 (3) withhold, reduce the amount or funding for,
8 exclude, terminate, or otherwise make unavailable or
9 deny, any Federal grant, contract, subcontract, co-
10 operative agreement, guarantee, loan, scholarship, li-
11 cense, certification, accreditation, employment, or
12 other similar position or status from or to such per-
13 son;

14 (4) withhold, reduce, exclude, terminate, or oth-
15 erwise make unavailable or deny, any entitlement or
16 benefit under a Federal benefit program, including
17 admission to, equal treatment in, or eligibility for a
18 degree from an educational program, from or to
19 such person; or

20 (5) withhold, reduce, exclude, terminate, or oth-
21 erwise make unavailable or deny access or an entitle-
22 ment to Federal property, facilities, educational in-
23 stitutions, speech fora (including traditional, limited,
24 and nonpublic fora), or charitable fundraising cam-
25 paigns from or to such person.

1 (c) Accreditation; Licensure; Certification.—The
 2 Federal Government shall consider accredited, licensed, or
 3 certified for purposes of Federal law any person that
 4 would be accredited, licensed, or certified, respectively, for
 5 such purposes but for a determination against such person
 6 wholly or partially on the basis that the person speaks,
 7 or acts, in accordance with a sincerely held religious belief
 8 or moral conviction described in subsection (a).

9 (RESCISSIONS OF FUNDS)

10 SEC. 553. Of the funds appropriated to the Depart-
 11 ment of Homeland Security, the following funds are here-
 12 by rescinded from the following accounts and programs
 13 in the specified amounts: *Provided*, That no amounts may
 14 be rescinded from amounts that were designated by the
 15 Congress as an emergency requirement pursuant to a con-
 16 current resolution on the budget or the Balanced Budget
 17 and Emergency Deficit Control Act of 1985:

18 (1) \$800,000 from unobligated balances avail-
 19 able in the “Office of the Secretary and Executive
 20 Management—Operations and Support” account (70
 21 23/24 0100).

22 (2) \$4,100,000 from the unobligated balances
 23 available in the “Management Directorate—Office of
 24 the Chief Information Officer and Operations” ac-
 25 count (70 X 0113).

1 (3) \$1,473,000 from the unobligated balances
2 available in the “U.S. Customs and Border Protec-
3 tion—Procurement, Construction, and Improve-
4 ments” account (70 X 0532).

5 (4) \$1,842,000 from the unobligated balances
6 available in the “U.S. Customs and Border Protec-
7 tion—Border Security Fencing, Infrastructure, and
8 Technology” account (70 X 0533).

9 (5) \$452,000 from the unobligated balances
10 available in the “U.S. Customs and Border Protec-
11 tion—Air and Marine Interdiction, Operations,
12 Maintenance, and Procurement” account (70 X
13 0544).

14 (6) \$1,159,000,000 from the unobligated bal-
15 ances available under the heading “U.S. Customs
16 and Border Protection—Procurement, Construction,
17 and Improvements” of the amounts provided by
18 Public Law 116–93 for the construction of barrier
19 system along the southwest border.

20 (7) \$945,000,000 from the unobligated bal-
21 ances available under the heading “U.S. Customs
22 and Border Protection—Procurement, Construction,
23 and Improvements” of the amounts provided by
24 Public Law 116–260 for the construction of barrier
25 system along the southwest border.

1 (8) \$3,000,000 from the unobligated balances
2 available in the “U.S. Immigration and Customs En-
3 forcement—Operations and Support” account (70
4 23/24 0540).

5 (9) \$2,092,841 from the unobligated balances
6 available in the “U.S. Immigration and Customs En-
7 forcement—Operations and Support” account (70 X
8 0540).

9 (10) \$10,439 from the unobligated balances
10 available in the “U.S. Immigration and Customs En-
11 forcement—Automation Modernization” account (70
12 X 0543).

13 (11) \$154,515,000 from the unobligated bal-
14 ances available under the heading “Transportation
15 Security Administration—Operations and Support”
16 of the amounts provided by Public Law 117–328.

17 (12) \$22,600,000 from the unobligated bal-
18 ances available in the “Coast Guard—Acquisition,
19 Construction, and Improvements” account (70 X
20 0613).

21 (13) \$3,500,000 from the unobligated balances
22 available in the “Cybersecurity and Infrastructure
23 Security Agency—Procurement, Construction, and
24 Improvements” account (70 23/27 0412).

1 (14) \$2,000,000 from the unobligated balances
2 available in the “Cybersecurity and Infrastructure
3 Security Agency—Research and Development” ac-
4 count (70 23/24 0805).

5 (15) \$5,821,000 from the unobligated balances
6 available in the “Federal Emergency Management
7 Agency—National Predisaster Mitigation Fund” ac-
8 count (70 X 0716).

9 (16) \$800,000 from the unobligated balances
10 available in the “Federal Law Enforcement Training
11 Centers—Procurement, Construction, and Improve-
12 ments” account (70 20/24 0510).

13 (17) \$900,000 from the unobligated balances
14 available in the “Science and Technology Direc-
15 torate—Operations and Support” account (70 X
16 0800).

17 (18) \$388,522 from the unobligated balances
18 available in the “Countering Weapons of Mass De-
19 struction Office—Research and Development” ac-
20 count (70 22/24 0860).

21 (19) \$11,478 from the unobligated balances
22 available in the “Countering Weapons of Mass De-
23 struction Office—Research and Development” ac-
24 count (70 X 0860).

1 SEC. 554. Of the unobligated balances of amounts
2 made available under section 70001 of Public Law 117–
3 169, \$312,000,000 are hereby rescinded.

4 SEC. 555. Of the unobligated balances of amounts
5 made available in the Department of Homeland Security
6 Nonrecurring Expenses Fund (70 X 1914), \$3,800,000
7 are hereby rescinded.

8 SPENDING REDUCTION ACCOUNT

9 SEC. 556. The amount by which the applicable alloca-
10 tion of new budget authority made by the Committee on
11 Appropriations of the House of Representatives under sec-
12 tion 302(b) of the Congressional Budget Act of 1974 ex-
13 ceeds the amount of proposed new budget authority is \$0.

14 This division may be cited as the “Department of
15 Homeland Security Appropriations Act, 2024”.

Union Calendar No. 95

118TH CONGRESS
1ST Session

H. R. 4367

[Report No. 118-123]

A BILL

Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2024, and for other purposes.

JUNE 27, 2023

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