



NATIONAL CONFERENCE *of* STATE LEGISLATURES

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Department of Homeland Security Appropriations Bill, 2016

Senate Introduced Minibus September 30, 2015

Title I

Departmental Management and Operations

Title II

Security, Enforcement and Investigations

US Customs and Border Protection

- Appropriates \$8,779,325,000 for law enforcement relating to border security, immigration, customs, agricultural inspections, regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 police-type vehicles and contracting with individuals for personal services abroad. (\$8,459,657,000 last year)
- Requires that Border Patrol maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year. (same as last year)

Border Security Fencing, Infrastructure and Technology

- Appropriates \$373, 461,000 to remain available until September 30, 2017. (\$382,466,000 last year)

Air and Marine

- Appropriates \$754,614,000 to support State and local agencies in the enforcement or administration of laws enforced by DHS; in other law enforcement and emergency humanitarian efforts; and in other operations, salaries, and procurements. (\$750,000,000 last year)

Construction and Facilities Management

- Appropriates \$313,500,000 to maintain or construct buildings and facilities necessary to administer and enforce of customs, immigration and border security laws. (\$289,000,000 last year)

Immigration and Customs Enforcement

- Appropriates \$5,762,494,000 for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights. (\$5,932,756,000 last year)
 - Requires that not less than \$5.4 million shall be used to facilitate 287(g) agreements.
 - Prohibits funds be used to continue a delegation of law enforcement authority authorized under 287(g) if DHS determines that the terms of the agreement have been materially violated.
- Appropriates \$15.77 million to enforce laws against forced child labor.
- Requires that not less than \$1.6 be spent to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable. (same as last year)
 - DHS must prioritize removal of convicted aliens based on severity of crimes.
- Requires that no less than \$3,201,977,000 is used in enforcement, detention and removal operations including transportation of unaccompanied minor aliens. (\$3.43 billion last year)
- Requires that not less than \$15 million be used for investigation of intellectual property rights violations. (same as last year)
- Prohibits funds be used to continue any contract for the provision of detention services if the two most recent performance evaluations are less than “adequate” or the equivalent median score in any subsequent performance evaluation system.

Transportation Security Administration

- Appropriates \$5,582,528,000 for civil aviation security services. (\$5,639,095,000 last year)
 - Requires reporting and analysis of passenger screening, cost effective screener workforce and labor savings information.

Surface Transportation Security

- Appropriates \$122,728,000 for surface transportation security services. (\$123,749,000 last year)

Title III

Protection, Preparedness, Response and Recovery

Federal Emergency Management Agency

- Appropriates \$928,806,000 for FEMA operations. (\$934,396,000 last year)

State and Local Programs

- Appropriates \$1.5 billion for state and local grants, contracts, cooperative agreements and other activities to be used as follows (appropriation and all below same as last year):
 - \$467 million for State Homeland Security Grant Program.
 - \$55 million shall be used for Operation Stonegarden.
 - \$600 million for Urban Area Security Initiative.
 - \$100 million for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance. Funding must be provided directly to public transportation agencies.
 - \$100 million for Port Security Grants.
 - \$233 million to sustain current training, exercises, technical assistance and other programs.
 - \$162,991,000 must be used for training State, local and tribal emergency response providers.

Firefighter Assistance Grants

- Appropriates \$680 million for grants programs authorized by the Federal Fire Prevention and Control Act of 1974.

Emergency Management Performance Grants

- Appropriates \$350 million for emergency management performance grants as authorized by the National Flood Insurance Act of 1968, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Earthquake Hazards Reduction Act of 1977, and Reorganization Plan No. 3 of 1978. (same as last year)

Disaster Relief Fund

- Appropriates \$7,374,693,000 to carry out the Robert T. Stafford Disaster Relief and Emergency Assistance Act. (\$7,033,464,494 last year)

- Mandates no less than \$6,712,953,000 be available for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

National Flood Insurance Fund

- Appropriates \$181,198,000 for activities under the National Flood Insurance Act of 1968. (\$179,294,000 last year)
 - Designates that \$155,899,000 shall be available for flood plain management and flood mapping. (\$155,535,000 last year)

National Pre-Disaster Mitigation Fund

- Appropriates \$100,000,000 to remain available until expended.

Title IV

Research, Development, Training and Services

United States Citizenship and Immigration Services

- Appropriates \$119,671,000 for E-Verify (\$124,435,000 last year) however:
 - Sect. 519 requires that USCIS may not use these funds to grant an immigration benefit unless the results of required background checks have been received and the results do not preclude the granting of the benefit (Found under Title IV, Sec. 519).

Title V

General Provisions

Provides conditions on the use of certain appropriated funds as follows:

- (Sec. 527) None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.
- (Sec. 532) These funds may not be used to employ unlawful aliens as defined by Section 8 USC 1324a(h)(3).
- (Sec. 536(b)) None of the funds made available to USCIS for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.
- (Sec. 542) The Secretary of Homeland Security shall ensure enforcement of all immigration laws.
- (Sec. 543 (a) and (b)) No funds will be made available to maintain or establish a computer network unless the network blocks the viewing, downloading and exchanging of pornography. Nothing shall limit the use of funds for any Federal, State, tribal or local

law enforcement agency or any other entity carrying out criminal investigations, prosecutions or adjudication activities.

- (Sec. 545) No funds may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.
- (Sec. 546) No funds may be used to provide funding for the position of Public Advocate, or a successor position, within U.S. Immigration and Customs Enforcement.
- (Sec. 553) Prohibits the establishment, collection or imposition of any new border crossing fee at either the southern or northern border. This section also prohibits conduction any study relating to the imposition of a border crossing fee.
- (Sec. 558) None of the funds appropriated by this or any other Act of this or any other fiscal year may be used to implement, administer, carry-out, or enforce Executive Order 13690 (80 Fed. Reg. 6425; relating to the Federal Flood Risk Management Standard) or the amendments made by such Order.

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