



NATIONAL CONFERENCE *of* STATE LEGISLATURES

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H.R. 240

Department of Homeland Security Appropriations Act, 2015

Passed by the U.S. House of Representatives on January 14, 2015 with amendments.

Vote: 236 - 191

Title I

Departmental Management and Operations

Title II

Security, Enforcement and Investigations

US Customs and Border Protection-

- Appropriates \$8,459,657,000 solely for the purpose of hiring, training, and equipping U.S. Customs and Border Protection officers at ports of entry;
- 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.

Border Security fencing, infrastructure and technology-

- Appropriates \$382,466,000 to remain available until September 30, 2017.

Air and Marine

- Appropriates \$750,000,000 for salaries and procurement of marine vessels, unmanned aircraft systems and aircrafts, operations of which shall include the interdiction of narcotics and other goods; the provision of support to federal, state, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to federal, state, and local agencies in other law enforcement and emergency humanitarian efforts.

Construction and Facilities Management

- Appropriates \$289,000,000 for construction or renovation of buildings and facilities necessary to enforce customs, immigration and border security laws.

U.S. Immigration and Customs Enforcement

- Appropriates \$5,932,756,000 for necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights.
 - **Requires that not less than \$5.4 million be used towards facilitating 287(g) agreements.**
 - **Prohibits funds to be used to continue a delegation of law enforcement authorized under 287(g) if DHS determines that the terms of the agreement have been materially violated.**
 - Mandates that not less than \$15.7 million to be used towards enforcing laws against forced child labor.
 - Requires that not less than \$1.6 billion be used for identification of aliens who are convicted of a crime and are deportable, and their removal from the U.S.
 - DHS must prioritize crimes based on severity.
 - States that not less than \$3.43 billion be used for detention, enforcement and removal operations including transportation of unaccompanied minor aliens.
 - Stipulates that not less than \$15 million be used for investigation of intellectual property rights violations.

Transportation Security Administration

- Appropriates \$5,639,095,000 for civil aviation security services.
 - Requires reporting and analysis of passenger screening and pre check requirements and processes.

Surface Transportation Security

- Appropriates \$123,749,000 for surface transportation security activities.

Title III

Protection Preparedness, Response and Recovery

Federal Emergency Management Agency

- Appropriates \$934,396,000 for FEMA operations.

State and Local Programs

- Appropriates \$1,500,000,000 for state and local grants, contracts, agreements and other activities to be used as follows:
 - \$467 million for State Homeland Security Grant Program
 - Requires that not less than \$55 million must be used for Operation Stonegarden.

- \$600 million for Urban Area Security Initiative.
- \$100 million for Public Transportation Security Assistance, Railroad Security Assistance, Over-the-Road Bus Security. 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.
 - \$163 million shall be for training of state, local and tribal emergency response providers.
- \$233 million to sustain current training exercises, technical assistance and other programs.

Emergency Management Performance Grants

- Appropriates \$350,000,000 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.

Disaster Relief Fund

- Appropriates \$7,033,464,494 to carry out the Robert T. Stafford Disaster Relief and Emergency Assistance Act

National Flood Insurance Fund

- Appropriates \$179,294,000 for activities under the National Flood Insurance Act of 1968
 - Designates that \$155,535,000 be available for flood plain management and flood mapping.

Title IV

Research, Development, Training and Services

United States Citizenship and Immigration Services

- Appropriates \$124,435,000 for E-Verify however-
 - (Sec. 522) 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. 522).

Title V

General Provisions

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

- (Sec. 529) These funds may not be used to planning, testing, piloting or developing a national identification card.

- (Sec. 535) These funds may not be used to employ unlawful aliens as defined by Section 8 USC 1324a(h)(3).
- (Sec. 546) The Secretary of Homeland Security shall ensure enforcement of all immigration laws.
- (Sec. 547) Not later than July 1, 2015, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and the House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities.
- (Sec. 558) 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. 571) Allows the Secretary of Homeland Security to reprogram from within and transfer funds into “U.S. Customs and Border Protections Salaries and Expenses” as necessary to ensure the care and transportation of unaccompanied alien children.

Amendments

- **Congressman Robert Aderholt (R- AL) Amendment:** Prohibits federal funds or fees to be used for Deferred Action for Parental Accountability (DAPA).
 - Passed 237-190
- **Congressman Marsha Blackburn Amendment:** Prohibits federal funds or fees to be used for Deferred Action for Childhood Arrivals (DACA). This amendment may also adversely impact DREAMers.
 - Passed 218-209
- **Congressman Ron DeSantis (R- FL) Amendment:** Requires that the Department of Homeland Security (DHS) treat any alien convicted of any offense involving domestic violence, sexual abuse, child molestation, or child abuse or exploitation as being in the categories of aliens subject to DHS's highest civil immigration enforcement (jail or deportation).
 - Passed 278-149
- **Congressman Matt Salmon (R-AZ) Amendment:** Under the Affordable Care Act (ACA) employers must offer health insurance benefits to US citizens, but not to individuals in the US under the Deferred Action for Childhood Arrivals (DACA) program. The Salmon Amendment urges the President to do away with this discrepancy because it discourages employers from hiring US citizens due to the added expense of health insurance.
 - Passed 253-171
- **Congressman Aaron Schock (R-IL) Amendment:** States that it is the sense of Congress that The United States Citizenship and Immigration Services (USCIS) needs to reexamine its priorities to make sure that the interests of aliens who are following proper laws and procedures to become citizens prioritized above those who are not.
 - Passed 260-167

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