

## Union Calendar No. 162

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3128

[Report No. 114-215]

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

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IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2015

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

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## A BILL

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

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

7                               TITLE I

8                       DEPARTMENTAL MANAGEMENT AND  
9                               OPERATIONS

10               OFFICE OF THE SECRETARY AND EXECUTIVE  
11                               MANAGEMENT

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

## 1 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

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

## 1 OFFICE OF THE CHIEF FINANCIAL OFFICER

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

## 13 OFFICE OF THE CHIEF INFORMATION OFFICER

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

## 1 ANALYSIS AND OPERATIONS

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

## 12 OFFICE OF INSPECTOR GENERAL

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

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

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

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

21                                   AUTOMATION MODERNIZATION

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

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

4 BORDER SECURITY FENCING, INFRASTRUCTURE, AND  
5 TECHNOLOGY

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

10 AIR AND MARINE OPERATIONS

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



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

14 CONSTRUCTION AND FACILITIES MANAGEMENT

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

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

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

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

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

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

## 1 AUTOMATION MODERNIZATION

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

## 5 CONSTRUCTION

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

## 11 TRANSPORTATION SECURITY ADMINISTRATION

## 12 AVIATION SECURITY

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

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

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



## 1 SURFACE TRANSPORTATION SECURITY

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

## 6 INTELLIGENCE AND VETTING

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

## 11 TRANSPORTATION SECURITY SUPPORT

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

## 18 COAST GUARD

## 19 OPERATING EXPENSES

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

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

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

7 ENVIRONMENTAL COMPLIANCE AND RESTORATION

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

13 RESERVE TRAINING

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

18 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

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

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

## 1 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

## 15 RETIRED PAY

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

## 1 UNITED STATES SECRET SERVICE

## 2 SALARIES AND EXPENSES

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

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

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



1 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND  
2 RELATED EXPENSES

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

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

10 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE  
11 MANAGEMENT AND ADMINISTRATION

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

18 INFRASTRUCTURE PROTECTION AND INFORMATION  
19 SECURITY

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

## 1 FEDERAL PROTECTIVE SERVICE

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

## 7 OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

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

## 15 OFFICE OF HEALTH AFFAIRS

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

1           FEDERAL EMERGENCY MANAGEMENT AGENCY  
2                           SALARIES AND EXPENSES

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

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

11 STATE AND LOCAL PROGRAMS

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

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

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

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

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

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

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

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

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

#### 4 FIREFIGHTER ASSISTANCE GRANTS

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

#### 12 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

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

#### 20 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

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

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

11 UNITED STATES FIRE ADMINISTRATION

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

17 DISASTER RELIEF FUND

18 (INCLUDING TRANSFER OF FUNDS)

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



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

16 FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

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

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

3 NATIONAL FLOOD INSURANCE FUND

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

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

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

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

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

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

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

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

3 NATIONAL PREDISASTER MITIGATION FUND

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

8 EMERGENCY FOOD AND SHELTER

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

15 TITLE IV

16 RESEARCH, DEVELOPMENT, TRAINING, AND  
17 SERVICES

18 UNITED STATES CITIZENSHIP AND IMMIGRATION

19 SERVICES

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

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

19 FEDERAL LAW ENFORCEMENT TRAINING CENTER  
20 SALARIES AND EXPENSES

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

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

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

15 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND  
16 RELATED EXPENSES

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

## 1                                   SCIENCE AND TECHNOLOGY

## 2                                   MANAGEMENT AND ADMINISTRATION

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

## 10                               RESEARCH, DEVELOPMENT, ACQUISITION, AND

## 11   OPERATIONS

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

## 22                               DOMESTIC NUCLEAR DETECTION OFFICE

## 23   MANAGEMENT AND ADMINISTRATION

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



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

5 RESEARCH, DEVELOPMENT, AND OPERATIONS

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

10 SYSTEMS ACQUISITION

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

16 TITLE V

17 GENERAL PROVISIONS

18 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (d) A notification under this section—

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

6           (3) justification for such change; and

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

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

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

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

20           (2) the report contains proprietary information.

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

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

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

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

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

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

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

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

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

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

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

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

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

16                 (1) Operations and Support.

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

19                 (3) Research and Development.

20                 (4) Federal Assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## (RESCISSIONS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (RESCISSION)

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

12 (RESCISSION)

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

## 1 SPENDING REDUCTION ACCOUNT

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

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

Union Calendar No. 162

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 3128**

[Report No. 114-215]

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**A BILL**

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

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JULY 21, 2015

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