Department of Homeland Security Appropriations: FY2027 Provisions

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SUMMARY

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September 5, 2026

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Through appropriations legislation, Congress provides not only budget authority for federal agencies and departments to operate, but also legally binding direction on how that budget authority can (or cannot) be used.

These directions may appear in three places in an appropriations act:

1. in the language of individual appropriations;
2. in administrative provisions at the end of a title; and
3. in general provisions at the end of a bill (or division, in the case of a consolidated measure, where multiple bills are combined in one).

Some of these directions directly relate to the management of budget authority enacted in the measure, while others relate to policy or operational matters. Sometimes enacted appropriations measures include authorizing (or "legislative") provisions as well.

As with any legislation, these provisions are not unchanging. Due to the passage of time or other legislative developments, a provision may require adjustment or lose its relevance. Provisions enacted in appropriations legislation are a focus of negotiations between the parties and between the chambers during the appropriations process and may evolve until a compromise is reached in the final measure.

Rather than detailing the entire catalog of administrative and general provisions in each of the various versions of the Department of Homeland Security (DHS) Appropriations Act, 2027 (H.R. 9310, 119th Congress), this report focuses on the proposed substantive changes from the FY2026 baseline (current law), as established by the DHS Appropriations Act, 2026 (P.L. 119-86). This report discusses potential changes from that baseline, as reflected in the

- detailed proposals for administrative and general provisions made in the Trump Administration's FY2027 Budget Appendix outlining the appropriations request for DHS; and
- administrative and general provisions in House Appropriations Committee (HAC)-reported H.R. 9310.

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Introduction

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This report focuses on these administrative and general provisions under consideration in the FY2027 appropriations process for the Department of Homeland Security (DHS). It describes the proposed substantive changes in administrative and general provisions from the FY2026 current law baseline that are reflected in the Trump Administration's FY2027 budget request for DHS, the House Appropriations Committee (HAC)-reported FY2027 DHS appropriations bill.

Scope and Methodology

This report focuses on administrative and general provisions included in the

- detailed proposals for administrative and general provisions made in the Administration's FY2027 Budget Appendix, outlining the appropriations request for DHS; and
- administrative and general provisions in House Appropriations Committee-reported H.R. 9310 (119th Congress).

Rather than listing all the administrative and general provisions considered, this report uses the administrative and general provisions of the enacted DHS Appropriations Act, 2026, as a basis for comparison, and notes changes from that starting point.

For each title of the bill, this report provides a list of the components[1] funded in the title and a tally of provisions included in the DHS Appropriations Act, 2026. This information is followed by sections analyzing the Administration's FY2027 appropriations request and the House Appropriations Committee-reported H.R. 9310. Subsections describe FY2026 provisions that were not included in the FY2027 request, substantive changes to provisions carried forward from

[1] In this report, DHS "components" are the largest organizational units within the department as reflected in the appropriations measure. This does not universally conform to the DHS organizational charts: several offices reflected therein are funded in groups from single operations accounts in Title I. These groups are: the Office of the Secretary and Executive Management; the Management Directorate; and Intelligence, Analysis, and Situational Awareness.

FY2026 (ones that would alter the practical effects of the FY2026 provisions), and provisions added for FY2027.

Keeping the "Change"

The terms "change," "deletion," "modification," and "addition" require a baseline for comparison. In appropriations analysis, this baseline is often the previous fiscal year's act. In cases when annual appropriations are resolved several months before the request for the coming fiscal year is made, this does not present a problem: a request for the coming year is compared to the current year.

As has happened several times over the history of the DHS appropriations act, the Administration's FY2027 budget request was formulated and released before the FY2026 measure was enacted. This complicates the applicability of those baseline terms when comparing the provisions of the two documents because the FY2027 request is not the next step in the process—it is not a response to the finalized FY2026 measure.

Some may therefore question if it is accurate to call a difference between the FY2026 enacted appropriation and the FY2027 budget request a "change." This report—and companions in a series of reports on DHS appropriations laws' administrative and general provisions—describes the differences as changes, using the above comparative terms, because this series provides analysis across fiscal years, not just from one enacted measure to the next. The budget request is the beginning of the yearly process, whether the previous year's process is complete or not. This approach allows the reports to analyze the appropriations committees' work separately and as a response to both the Administration's request and the current fiscal year enacted measure.

To provide additional context for analyzing the budget request, information comparing the Administration's FY2027 request with its FY2026 request is provided for each title.

The general structure of main titles in the DHS appropriations bill include:[2]

- **Title I – Departmental Management and Operations**—headquarters functions;
- **Title II – Security, Enforcement, and Investigations**—law enforcement operational components;
- **Title III – Preparedness and Recovery**—FEMA and related functions;
- **Title IV – Research and Development, Training, Assessments, and Services**—specialized components; and
- **Title V – General Provisions**.

Given the amount of funding provided and the number of administrative provisions, this report starts with Title II, then moves to the other operational components in Title III, the support components in Title IV, and the headquarters components in Title I. The final section of this report covers general provisions in Title V.

Section numbers often differ across the various versions of acts and bills. To avoid confusion between years and versions, sections are referenced as follows:

- **FY2026 Sections:** the sections of the FY2026 act are referred to as "FY2026 Sections";
- **Proposed Sections:** new sections proposed in the Administration's FY2027 budget request are referred to as "Proposed Sections"; and
- **HAC Sections:** the sections of H.R. 9310 (the Department of Homeland Security Appropriations Act, 2027) as reported by the House Appropriations Committee are referred to as "HAC Sections."

[2] Each of the first four titles has a group of administrative provisions at the end, providing directions to individual components in the title. The fifth title is made up of general provisions, which may be drafted to affect a single component, multiple components, or the entire department.

Appendices include a glossary of abbreviations, a summary of changes in appropriations language in the measure, and a brief discussion of the longer-term history of the general and administrative provisions in the DHS appropriations act.

Security, Enforcement, and Investigations Administrative Provisions (Title II)[3]

Title II of annual DHS appropriations measures typically covers appropriations for

- U.S. Customs and Border Protection (CBP);
- U.S. Immigration and Customs Enforcement (ICE);
- the Transportation Security Administration (TSA);
- U.S. Coast Guard (USCG); and
- U.S. Secret Service (USSS).

Title II of the FY2026 DHS appropriations act included 29 administrative provisions.

Administration-Proposed Changes

The Trump Administration proposed 23 administrative provisions for Title II of the FY2027 DHS appropriations act. The Administration's FY2027 request did not include 12 of the provisions from Title II of the FY2026 act, proposed modifying two from their FY2026 form, and would add six new administrative provisions to the title. With the exception of one modification in proposed Section 210, the requested Title II administrative provision mirrors the Administration's request for FY2026.

Administration-Proposed Deletions

The Administration had already proposed removing five of the administrative provisions in Title II as part of their FY2026 budget request:

FY2026 Section 204: Included since FY2014 in annual appropriations,[4] this administrative provision restricted DHS from studying or implementing a border crossing fee at land ports of entry.

- This provision was included as HAC Section 207.

FY2026 Section 206: Included in an FY2019 border security supplemental,[5] and since FY2020 in annual appropriations,[6] this administrative provision restricted the ability of DHS to reduce vetting operations at existing locations unless specifically authorized by law.

- This provision was included as HAC Section 209.

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[3] CRS analysis of Office of Management and Budget, *Fiscal Year 2027 Budget of the U.S. Government: Appendix,* April 3, 2026, pp. 503-562, https://www.govinfo.gov/content/pkg/BUDGET-2027-APP/pdf/BUDGET-2027-APP-2-10.pdf (hereinafter, *FY2027 Appendix*); and House Appropriations Committee (HAC)-reported H.R. 9310.

[4] It first appeared as a proviso in U.S. Customs and Border Protection's (CBP) annual Salaries and Expenses appropriation (P.L. 113-76), then as an administrative provision beginning in FY2017 (P.L. 115-31, Div. F, Section 208).

[5] P.L. 116-26, Section 305.

[6] P.L. 116-93, Div. D, Section 211.

FY2026 Section 215: Included since FY2008 in annual appropriations measures,[7] this administrative provision barred the use of funds to reduce the USCG Operations Systems Center's mission or its staffing levels.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 216: Included since FY2008 in annual appropriations measures,[8] this administrative provision barred the use of funds in the bill to contract out the work of the National Vessel Documentation Center.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 217: Included in some form since FY2007 in annual appropriations measures,[9] this administrative provision allowed funds to be used to alter operations in the USCG Civil Engineering Program but barred the reduction of operations within any civil engineering unit except as specifically authorized in a subsequently enacted law.

- This provision was not included in HAC-reported H.R. 9310.

Provisions Enacted After the Request

Seven Title II provisions not included in the FY2027 request were new in FY2026:

FY2026 Section 207: This new administrative provision mirrored Section 90004(b) and (c) from P.L. 119-21, which restricts the funds provided for CBP border security assets and infrastructure procurement in this measure or any previous appropriations measure from being used to purchase surveillance systems that are not autonomous.

- This provision was included as HAC Section 211.

FY2026 Section 208: This new administrative provision, which first appeared as HAC Section 242, required the DHS Secretary to ensure a policy on the treatment of pregnant women, new and/or nursing mothers, and infants, "or substantively similar standards of treatment developed in consultation with maternal and pediatric health providers and experts," is in effect and implemented "to safeguard the health, safety, and rights of pregnant individuals in [CBP] custody."

- This provision was included as HAC Section 215.

FY2026 Section 212: This new one-time administrative provision, which first appeared as HAC Section 233, modified the *U.S. Code* to change an annual reporting requirement on the disposition of money left at TSA airport checkpoints into an annual briefing requirement.

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[7] It first appeared as a general provision in the FY2008 Department of Homeland Security (DHS) appropriations act (P.L. 110-161, Div. E, Section 548), then as an administrative provision beginning in FY2017 (P.L. 115-31, Div. F, Section 220).

[8] It first appeared as a general provision in the FY2008 DHS appropriations act (P.L. 110-161, Div. E, Section 549), then as an administrative provision beginning in FY2017 (P.L. 115-31, Div. F, Section 221).

[9] It first appeared as a general provision in the FY2007 DHS appropriations act (P.L. 109-295, Section 552), as a complete restriction on the use of funds to alter or reduce operations within the Civil Engineering Program until the appropriations committees approved a plan for such changes. A general provision in a supplemental appropriations measure altered the restriction, barring the use of funds for such changes until enactment of a law authorizing them, and indicating that the restriction applied to funds provided in "this or any other Act" (P.L. 110-28, Section 6403). In the FY2009 DHS annual appropriations measure the language changes to specifically allow alteration of operations, but not reduction of operations within any unit until specifically authorized by a subsequent act (P.L. 110-329, Div. D, Section 524). It became an administrative provision in FY2017 (P.L. 115-31, Div. F, Section 222).

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 219: This new administrative provision, which first appeared as House Section 230, would add $98 million for the purchase and support of MQ-9 "Reaper" unmanned aircraft and restrict DHS from either purchasing armed long-range unmanned aircraft or arming long-range unmanned aircraft.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 220: This new administrative provision, which first appeared as House Section 231, restricted the use of Coast Guard funds provided in the bill for implementation of plans described in the "Force Design 2028" report until the appropriations committees receive detailed briefings on the initiatives involved.[10]

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 225: This one-time administrative provision, which first appeared as House Section 236, directed $2 million of USSS Operations and Support appropriations to a grant for existing National Computer Forensics Institute facilities.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 226: This one-time administrative provision, which first appeared as House-passed Section 237, retroactively modified the *U.S. Code* to raise the limit on overtime pay in calendar 2024 for the USSS personnel that performed protective duties in calendar 2024, required an analysis on operational demands placed on USSS personnel by the increases in the Service's protection mission, and allowed additional USSS appropriations to be used for overtime pay.

- This provision was not included in HAC-reported H.R. 9310.

Administration-Proposed Modification

FY2026 Section 211: Included since FY2020, this administrative provision required the Administrator of the TSA to submit to certain congressional committees a single report that fulfills the requirements of a Capital Investment Plan, a five-year technology investment plan, and an Advanced Integrated Passenger Screening Technologies report within a certain amount of time. The Administration proposed dropping language that had been added to the description of the Capital Investment Plan in the FY2023 act that required it to be "both constrained and unconstrained."[11]

- The modification was not included in H.R. 9310.

Administration-Proposed Additions

Five of the Administration's six proposed additions to Title II were provisions that had been included in prior DHS appropriations acts but were not included in the FY2026 act because the ICE appropriations they addressed were not included in that FY2026 act.

Proposed Section 208: This administrative provision had been included in DHS appropriations acts in some form since FY2009 until FY2026.[12] The last enacted form of this provision restricted

[10] Some information on Force Design 2028 is available at https://www.uscg.mil/Leadership/Commandants-Initiatives/ForceDesign2028/.

[11] The Biden Administration had made a similar proposal in its FY2024 and FY2025 requests.

[12] The provision first appeared as a proviso in FY2009 (P.L. 110-329), as a proviso in the U.S. Immigration and (continued...)

the ability of ICE to continue detention service contracts with a given facility if it failed to attain a median score on its two most recent overall performance evaluations. The Administration proposed returning this provision to the bill, changing it to allow the contracts to continue, but limiting new intakes at the given facility. The Administration also proposed allowing the restriction to be lifted if ICE took the necessary steps to bring the facility into compliance and submitted an evaluation report to the DHS appropriations subcommittees. The Administration requested the same modifications in FY2026.

- The provision was included as HAC Section 218, without the proposed modification.

Proposed Section 209: The Administration proposed restoring an administrative provision that had been included in DHS appropriations acts from FY2020 until FY2026, allowing the Secretary to transfer and reprogram money in the bill to ICE to detain aliens prioritized for removal, notwithstanding the bill's limitations on transfers and reprogrammings in Section 503.

- The provision was included as HAC Section 219.

Proposed Section 210: The Administration proposed restoring an administrative provision that had been included in DHS appropriations acts from FY2020 until FY2026, stating that ICE must publicly report on the population of detained aliens. The provision (as it last appeared in FY2025) required the reporting on a semi-monthly basis. The Administration proposed making it a monthly requirement for FY2027.

- The provision was included as HAC Section 220, without the proposed modification.

Proposed Section 211: The Administration proposed restoring part of an administrative provision that had been included from FY2021 until FY2026. The proposed section would carry forward (by reference) part of another administrative provision from the FY2020 DHS appropriations act: Section 217, which required reporting on "287(g) agreements," under which local law enforcement works with ICE on enforcement of immigration laws. The provision as last enacted had also carried forward another provision: Section 216, which barred the use of information shared by the Department of Health and Human Services to detain or take steps in the removal process against a sponsor of an unaccompanied minor, potential sponsor of that minor, or member of that household (with some exceptions based on risks of exploitation).

- The provision was included, with the modification, as HAC Section 221.

Proposed Section 212: The Administration proposed restoring an administrative provision, first appearing in FY2024, that required ICE to submit an obligation plan to the appropriations committees for funding provided in the bill.

- The provision was included as HAC Section 222, with modifications to shorten the deadline from 45 days after enactment to 30 days, provide details of required elements, and mandate monthly updates.

The Administration, as it had for FY2026, also proposed adding a slightly modified version of a prior administrative provision applying to the USCG.

Customs Enforcement (ICE) Salaries and Expenses appropriation, and then as an administrative provision starting in FY2017 (P.L. 115-31, Div. F, Sec. 211). In FY2011 and FY2025, the provision was in effect under the terms of a continuing resolution (CR).

Proposed Section 223: The Administration proposed restoring an administrative provision that would provide greater reprogramming[13] flexibility for the USCG: up to $10 million each in its Operations and Support appropriation to or from its Military Personnel category and between its Field Operations funding subcategories. The stand-alone authority to reprogram Military Personnel funding was first provided in FY2014, and the stand-alone authority to reprogram Field Operations funding was added in FY2022.[14] The provision has not appeared since the FY2023 DHS appropriations act. The original version of the provision allowed reprogramming after June 30, the cutoff date for reprogramming of funds in the measure as provided by Section 503. Current iterations of Section 503 include a cutoff date of June 15, so this proposed section would provide the authority in a similar fashion after that date.

- The provision was not included in HAC-reported H.R. 9310.

Other House Appropriations Committee-Proposed Changes

HAC-reported H.R. 9310 included 41 administrative provisions in Title II. Aside from the changes noted above, the HAC proposed dropping one provision that had been included in the FY2026 enacted measure.

Other HAC-Proposed Deletions

FY2026 Section 213: This general provision, included in the DHS appropriations act in various forms since FY2008,[15] blocks the use of appropriated funds for issuing recreational endorsements for pleasure craft. It requires such activities to be paid for by fees collected from the vessel owners, although documentation functions can be performed by personnel who normally perform them for non-recreational vessels in the event of a backlog of applications.

Other HAC-Proposed Modifications

Aside from the "Proposed Section 212" modifications noted above, HAC-reported H.R. 9310 included one modification to a returning Title II administrative provision.

FY2026 Section 223: This administrative provision allows the USSS to reprogram up to $15 million within its Operations and Support appropriation. It first appeared in a different form in the FY2013 DHS Appropriations Act.[16] The HAC-reported version modifies the provision, increasing the limit to $50 million, but specifies that the reprogramming is allowed between the Protection of Persons and Facilities activity and the Presidential Campaigns and National Special Security Events activity. It also would require monthly reporting on any reprogramming that occurs under this authority.

- The modified provision was included as HAC Section 239.

[13] "Reprogramming" is moving funding between activities within an appropriation. This is governed for the department by Section 503 of the DHS appropriations act each year.

[14] The Military Personnel flexibility was the final proviso under the USCG Operating Expenses appropriation in P.L. 113-76. It became an administrative provision in FY2017 (P.L. 115-31, Div. F, Sec. 219). The Field Operations flexibility first appeared in the FY2022 act (P.L. 117-103, Div. Sec. 224).

[15] The basic restriction on the use of non-fee resources was a proviso in the USCG Operating Expenses appropriation in P.L. 110-161, Division E. It first appeared as an administrative provision in P.L. 115-31, Division F, Section 218, with the exception for personnel performing non-recreational vessel documentation.

[16] Similar flexibility first appeared as a proviso in the USSS Salaries and Expenses appropriation in P.L. 113-6, Division D. It became an administrative provision in FY2017 (P.L. 115-31, Division F, Section 227).

Other HAC-Proposed Additions

Two HAC-reported Title II administrative provisions would restore and expand the scope of provisions that had been included in prior years' appropriations bills, but had not been in effect since the FY2025 act:

HAC Section 210: This administrative provision, the first version of which appeared in the FY2018 DHS Appropriations Act, in the past restricted the use of funding in the bill to build border barriers in certain areas.[17] The FY2027 version of the provision would apply the restriction to funding provided in P.L. 119-21, the FY2025 reconciliation law, as well.

HAC Section 218: Included since FY2015 in annual appropriations measures (with the exception of FY2026),[18] this administrative provision barred DHS from continuing a delegation of immigration law enforcement authority if the DHS Office of Inspector General (OIG) determines that the terms of the underlying agreement governing the delegation have been materially violated.

Several HAC-reported Title II administrative provisions have appeared in past HAC-reported versions of the DHS appropriations act, but not enacted.

HAC Section 212: This administrative provision would restrict the use of funds to admit foreign students on an F or M visa if the institution the student will attend is not accredited by a nationally recognized accrediting agency or an association recognized by the Secretary of Education.[19]

HAC Section 213: This administrative provision would restrict the use of funds to parole nationals of the People's Republic of China into the Commonwealth of the Northern Mariana Islands for temporary visits without a visa (this had been added in an en bloc amendment at the FY2025 full committee markup).

HAC Section 216: This administrative provision would restrict the use of funds to reduce the participation in the 287(g) program, under which local law enforcement works with ICE on enforcement of immigration laws, or diminishing the delegation of law enforcement authority involved. However, such reductions can be made in cases where the DHS Office of Inspector General finds the terms of the agreement underlying the delegation have been violated (an exception spelled out in HAC Section 218).

HAC Section 224: This administrative provision would restrict the use of funds to reduce the presence of ICE enforcement attachés at U.S. embassies or consulates. Such reductions may be made in cases when the secretary provides a written explanation of why the work of the attaché undermines U.S. foreign policy interests in that country, or if the country ceases collaboration on relevant law enforcement activities.

HAC Section 225: This administrative provision would restrict the use of funds to transport unlawfully present aliens into the U.S. interior for purposes other than the enforcement of immigration laws, except for unaccompanied alien children.

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[17] P.L. 115-141, Division F, Section 230. The initial version only restricted construction within the Santa Ana National Wildlife Refuge.

[18] It first appeared as a proviso in the FY2015 ICE Salaries and Expenses annual appropriation (P.L. 114-4), then as an administrative provision beginning in FY2017 (P.L. 115-31, Div. F, Sec. 210). It was not included in the FY2026 act, at least in part because no funding for ICE was included in the measure.

[19] A similar amendment that referenced the I-20 document that provides supporting information on a student with an F or M visa status was included as Section 242 in the FY2024 HAC-reported measure.

HAC Section 226: This administrative provision would restrict the use of ICE funding to "pay for or facilitate an abortion," with some exceptions, or to require a person to "perform or facilitate in any way the performance of, any abortion."

HAC Section 227: This administrative provision would restrict the use of funds in the bill for the administration of hormone therapy medication or performance or facilitation of any surgery for any person in ICE custody "for the purpose of sex-rejecting care."[20]

HAC Section 228: This administrative provision would direct the Secretary of DHS to allocate ICE Operations and Support appropriations to maintain the maximum average daily population of detainees throughout the fiscal year, and to ensure "every alien on the non-detained docket is enrolled into the Alternatives to Detention Program with mandatory GPS monitoring throughout the duration of all applicable immigration proceedings."

HAC Section 229: This administrative provision declares state and local laws regarding employment or minimum compensation inapplicable to persons held in immigration-related detention.

HAC Section 230: This administrative provision would restrict the use of funds to execute an inspection of an ICE-contracted detention facility except for compliance with the National Detention Standards for Non-Dedicated Facilities, as revised in 2019, if the facility is subject to those standards.

Three Title II administrative provisions in HAC-reported H.R. 9310 had not appeared in previous DHS appropriations bills.

HAC Section 223: This new administrative provision would require ICE to present a written execution plan for detention facility funding provided in the FY2025 reconciliation law, with quarterly updates.[21]

HAC Section 234: This new administrative provision would bar TSA from charging or collecting fees to pay for a program vetting travelers that lack acceptable identification for admission through airport security screening.

HAC Section 241: This new administrative provision would require the USSS to submit a list of unfunded requirements to the appropriations committees no later than 30 days after the release of the President's budget request.

Protection, Preparedness, Response, and Recovery Administrative Provisions (Title III)[22]

Title III of annual DHS appropriations measures currently covers appropriations for

- the Cybersecurity and Infrastructure Security Agency (CISA); and
- Federal Emergency Management Agency (FEMA).

Title III of the FY2026 DHS appropriations act included 14 administrative provisions.

[20] A previous version of this administrative provision referenced "gender-affirming care."

[21] P.L. 119-21, Section 90003, included $45 billion for that purpose, which would remain available until the end of FY2029.

[22] CRS analysis of *FY2027 Appendix* and House Appropriations Committee (HAC)-reported H.R. 9310.

Administration-Proposed Changes

The Trump Administration proposed 10 administrative provisions for Title III of the FY2027 DHS appropriations act. The Administration's FY2027 request did not include four of the provisions from Title III of the FY2026 act, proposed modifying four from their FY2026 form (including consolidating two provisions), and would add one new administrative provision to the title. With the exception of the treatment of the administrative provisions pertaining to Assistance to Firefighter Grants and Staffing for Adequate Fire and Emergency Response Grants, the request mirrors the Administration's request for FY2026.

Administration-Proposed Deletions

FY2026 Section 303: Included in some form since FY2004 (the first DHS annual appropriations act), this administrative provision provided a timeline for the application process for several preparedness grants funded through FEMA's Federal Assistance appropriation. The original provision—which appeared as proviso in the State and Local Programs appropriation for the Office for Domestic Preparedness—required the agency to meet a timeline for formula-based grants and law enforcement terrorism prevention grants.[23]

- The provision was included as HAC Section 303, but a subsection that had been added in FY2026 reducing FEMA Operations and Support appropriations for mission support activities for every day the timeline was missed was not carried forward in HAC-reported H.R. 9310.

FY2026 Section 312: This administrative provision, first included in the FY2026 act, mandated a three- to five-year period of performance for FEMA preparedness grants.

- The provision was included as HAC Section 312, adding two new grants to its coverage.

FY2026 Section 313: This administrative provision, first included in the FY2026 act, required FEMA to post an interactive dashboard for public tracking of FEMA disaster assistance applications.

- The provision was included as HAC Section 313.

FY2026 Section 314: This administrative provision, first included in the FY2026 act, prohibited DHS from using funds provided in the bill to pause training or grants without ten-day advance notice to the appropriations committees.

- The provision was included as HAC Section 314.

Administration-Proposed Modifications

FY2026 Section 304: Included since FY2017, this administrative provision required FEMA to brief the appropriations committees on the award of certain preparedness grants at least five business days prior to the public announcement of the award. In FY2023, the provision was modified to add a reduction of the FEMA Operations and Support appropriation should FEMA announce such grant awards without meeting the five-business-day notice requirement. The administration proposed dropping the briefing requirements for two grants it did not fund in its

[23] Appropriations language became more specific as to grant funding levels over time, and the direction to (what had become) FEMA took on its current general structure in the FY2012 act (P.L. 112-74). The proviso became an administrative provision in the FY2017 act (P.L. 115-31, Sec. 304).

FY2027 request, and dropping the provision that would potentially reduce FEMA operating funds.

- The provision was included as HAC Section 304, without modifications.

FY2026 Sections 307 and 309 / Proposed Section 310: The administration proposed consolidating two long-standing administrative provisions related to firefighter-supporting grants into one. FY2026 Section 307 had appeared in some form in DHS appropriations legislation since the FY2011 full-year CR,[24] waiving certain requirements of the Staffing for Adequate Fire and Emergency Response grant program.[25] After FY2015, this provision did not appear for two years but returned in FY2018, allowing, but not requiring, FEMA to grant waivers of certain requirements. FY2026 Section 309 has been included since FY2021, allowing FEMA to grant waivers of the matching and maintenance of expenditure requirements of the Assistance to Firefighters Grant Program.[26] These waivers are usually granted for communities facing economic hardship.

- The combined sections appear as Section 310 of HAC-reported H.R. 9310.

FY2026 Section 311: This administrative provision required unobligated balances for activities funded by FEMA's National Predisaster Mitigation Fund to be transferred to the mitigation set-aside under the Disaster Recovery Reform Act.[27] The Administration proposed making the transfer of resources an option, rather than a requirement.

- The provision was included as HAC Section 311, without the modification.

Administration-Proposed Additions

Proposed Section 309: This proposed administrative provision would extend the termination date of the State and Local Cybersecurity Grant Program from the end of FY2026 until the end of FY2027.

- The provision was not included in HAC-reported H.R. 9310.

Other House Appropriations Committee-Proposed Changes

Other HAC-Proposed Modifications

Other than the modification noted above to HAC Section 303, no other modifications were proposed in HAC-reported Title III of H.R. 9310.

Other HAC-Proposed Additions

HAC Section 315: This administrative provision would amend the Predisaster Hazard Mitigation section[28] of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (hereinafter "the

[24] P.L. 112-10, Sec. 1633.

[25] Waivers of Staffing for Adequate Fire and Emergency Response (SAFER) Act requirements first appeared in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5, Section 603), waiving matching requirements for grants. A legislative history of the waiver provisions is available in CRS Report RL33375, *Staffing for Adequate Fire and Emergency Response: The SAFER Grant Program*, by Lennard G. Kruger and Jill C. Gallagher.

[26] 15 U.S.C. §2229. The language broadens existing waiver authority already provided in subsection (k).

[27] P.L. 115-254, Division D.

[28] Section 203, or 42 U.S.C. §5133.

Stafford Act").[29] It would change the authorization to require (rather than allow) the establishment of a predisaster hazard mitigation program, and make several adjustments to the program's statutory authorities. The initial version of this provision was adopted as an amendment in HAC full committee markup for FY2026.

Research, Development, Training, and Services Administrative Provisions (Title IV)[30]

Title IV of annual DHS appropriations measures currently covers appropriations for

- U.S. Citizenship and Immigration Services (USCIS);
- Federal Law Enforcement Training Centers (FLETC); and
- the Science and Technology Directorate (S&T).[31]

Title IV of the FY2026 DHS appropriations act included seven administrative provisions.

Administration-Proposed Changes

The Trump Administration proposed seven administrative provisions for Title IV of the FY2027 DHS appropriations act, making no substantive changes. This mirrors the request for FY2026.

Other House Appropriations Committee-Proposed Changes

The House Appropriations Committee proposed adding eight administrative provisions to Title IV of the FY2027 DHS Appropriations Act. All of these provisions had been included in the HAC-reported version of the FY2026 DHS Appropriations Act, but none were in the House-passed or enacted versions.

HAC Section 404: This administrative provision, also included in the House-passed version of the FY2024 DHS appropriations act,[32] would restrict the use of funds for issuance of employment authorization to aliens whose applications for asylum have been denied, or who were convicted of a federal or state crime while their application was pending.

HAC Section 405: This administrative provision would limit the amount of fee revenue USCIS could use for official reception and representation expenses in FY2026 to $2,500.

HAC Section 406: This administrative provision would bar any company identified as a Chinese military company operating in the United States, or their subsidiaries, from sponsoring H-1B workers.

HAC Section 407: This administrative provision would restrict the ability of an immigration officer to make a determination that an alien has a credible fear of persecution under immigration law. Immigration officers would be restricted in determining this credible fear exists unless—after taking into account the credibility of the statements made by the alien in support of their claim

[29] 42 U.S.C. §5121 *et seq.*

[30] CRS analysis of *FY2027 Appendix* and House Appropriations Committee (HAC)-reported H.R. 9310.

[31] From FY2019 through FY2025, this title had also included the Countering Weapons of Mass Destruction Office. The FY2026 budget requested—and the FY2026 DHS appropriations act provided for—its reorganization into other components.

[32] H.R. 4367 (118th Congress), Section 405.

and such other facts that are known to the officer—"the alien more likely than not could establish eligibility for asylum ... and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true." This restriction essentially would make the credible fear of persecution standard more restrictive: current law defines the finding of a "credible fear of persecution" as there being a "significant possibility" that the alien could establish eligibility for asylum (rather than "more likely than not") and does not speak directly to the truthfulness of "statements made by, and on behalf of, the alien in support of the alien's claims."

HAC Section 408: This administrative provision would restrict the ability of immigration officers in cases when an alien transited a third country en route to the Unites States to either 1) make a determination that that alien has a credible fear of persecution, or 2) grant asylum to that alien. Exceptions are provided for cases when

- the alien demonstrates they applied for protection from persecution or torture in each transit country and received a final denial in each country; or
- the alien demonstrates they were a victim of a "severe form of trafficking" and as a result could not apply for protection from persecution in each transit country; or
- the countries the alien transited were not parties to the U.N. Convention or Protocol on the status of refugees or the U.N. Convention against Torture.

HAC Section 409: This administrative provision would allow employers who received labor certification under the H-2B temporary nonagricultural worker program in each of the past five fiscal years to be eligible to bring in cap-exempt H-2B workers in FY2026 for the highest number of H-2B positions for which they received labor certification in any one of those five years.

HAC Section 410: This administrative provision would direct that work performed on agricultural operations (defined to include the production and marketing of agricultural commodities and livestock) be considered temporary or seasonal work for purposes of the H-2A temporary agricultural worker program.

HAC Section 411: This new administrative provision would amend the Immigration and Nationality Act to create a program to provide visas for carnival or circus workers.

Departmental Management, Intelligence, Situational Awareness, and Oversight Administrative Provisions (Title I)[33]

Title I of annual DHS appropriations measures currently covers appropriations for

- the Office of the Secretary and Executive Management;
- the Management Directorate;
- Intelligence, Analysis, and Situational Awareness; and
- the OIG.

Title I of the FY2026 DHS appropriations act included nine administrative provisions.

[33] CRS analysis of *FY2027 Appendix* and House Appropriations Committee (HAC)-reported H.R. 9310.

Administration-Proposed Changes

The Trump Administration proposed five administrative provisions for Title I of the FY2027 DHS appropriations act. The Administration's FY2027 request did not include four of the provisions from Title I of the FY2026 act, and proposed modifying one from its FY2026 form. The Administration's request for Title I administrative provisions mirrors its request for FY2026.

Administration-Proposed Deletions

FY2026 Section 106: Carried since FY2022, this administrative provision requires the DHS Under Secretary for Management to report to the appropriations committees on new pilot or demonstration programs before DHS could obligate money from the act for them. The reporting would only be required if the program proposed to use more than 10 full-time equivalents (FTE) or expend $5 million, with some exceptions provided for IT contract work and programs specifically directed by Congress.

- This provision was included as HAC Section 106.

FY2026 Section 107: This administrative provision, new in FY2026,[34] bars the use of funds by the DHS Office of Intelligence and Analysis from conducting "covered activities," which are defined by reference as

1. conducting an interview with anyone with a pending criminal case without the consent of the interviewee after they have consulted with counsel;
2. intelligence collection targeting journalists in the performance of journalistic functions; or
3. conducting an interview for intelligence collection with a United States person absent a reasonable belief based on fact and circumstances that the person may possess significant foreign intelligence.

- This provision was included as HAC Section 107.

FY2026 Section 108: This administrative provision requires quarterly reports to the appropriations committees from the DHS Office of Inspector General on oversight of DHS funding in P.L. 119-21 (including a review of spending plans and a summary of audits being conducted). The provision also requires an annual comprehensive report with recommendations from the DHS OIG.

- This provision was included as HAC Section 108.

FY2026 Section 109: This administrative provision, new in FY2026, provided an additional $20 million to the Office of the Secretary for procurement, deployment, and operations of body-worn cameras for law enforcement officers working in immigration enforcement. It also required a spending plan to be submitted to the appropriations committees within 30 days of enactment.

- This provision was included as HAC Section 109, with $40 million rather than $20 million.

[34] Although it first appeared in appropriations in the FY2026 act, it continued a restriction put in place for FY2025 by the Intelligence Authorization Act for Fiscal Year 2025 (P.L. 118-159, Division F, Title LXIII, Section 6303).

Administration-Proposed Modification

FY2026 Section 102: This long-standing administrative provision, requiring a monthly budget and staffing report to the appropriations committees for the department, was modified in the FY2026 act to note that the initial report for the fiscal year would provide the baseline for staffing changes under Section 503 of the act. This baseline had previously not been explicitly stated in legislative language. The Administration proposed dropping that modification.

- This provision was included as HAC Section 102, with the modification made in FY2026 intact.

Other House Appropriations Committee-Proposed Changes

Aside from the modification noted in HAC Section 109, no other changes were proposed from the FY2026 baseline in HAC-reported H.R. 9310.

General Provisions (Title V)[35]

As noted earlier, Title V of the annual DHS appropriations act has historically contained general provisions, the impact of which may reach across the government, apply to the entire department, affect multiple components, or focus on a single activity. Title V often includes provisions that make additional appropriations and others that make rescissions—cancellations of previously provided but unobligated budget authority. They reduce the net budget authority provided by the bill, lowering its "score" against budget allocations and statutory budget limits. Traditionally, they are found at the end of Title V of the DHS Appropriations Act. As they are distinct in form and function from the policy provisions of Title V, those provisions are addressed separately at the end of the section.

Some Provisions are More General than Others

There are general provisions not included in this report that affect DHS; their effect is so broad they cover the entire federal government. Title VII of the Financial Services and General Government Appropriations Act includes these broad general provisions, which address a range of issues.

Title V of the FY2026 DHS appropriations act included 49 general provisions.

Administration-Proposed Changes

The Trump Administration proposed 33 general provisions for the FY2027 DHS appropriations act. The Administration's FY2027 request did not include 16 of the provisions from Title V of the FY2026 act, and proposed modifying six from their FY2026 form. With four exceptions, the requested general provisions mirror those requested for FY2026.[36]

[35] CRS analysis of *FY2027 Appendix* and House Appropriations Committee (HAC)-reported H.R. 9310.

[36] The four exceptions are modifications to FY2026 Sections 506, 513, and 522, and no request for what had appeared as FY2025 Section 539—a one-time provision that had been included in the FY2026 request as FY2025 appropriations had yet to be resolved.

Administration-Proposed Deletions

FY2026 Section 530: This general provision, which first appeared in the FY2021 DHS appropriations act,[37] required the DHS Under Secretary for Management to submit an unfunded requirements list to the appropriations committees for any activities funded as a part of the defense budget function.

- This provision was included as HAC Section 530.

FY2026 Section 532: This general provision, which first appeared in the FY2022 DHS appropriations act,[38] requires DHS components applying to the Technology Modernization Fund for resources to provide information to the appropriations committees on their initial proposals. The provision further requires DHS to provided additional information to the committee 15 days before any funds provided to DHS by the Technology Modernization Fund can be obligated, including copies of the full project proposal, interagency agreements, and plans for repayment.

- This provision was included as HAC Section 532.

FY2026 Section 533: This general provision, which first appeared in the FY2017 DHS appropriations act,[39] required the Administration to identify discretionary offsets when legislatively unauthorized fee increase proposals are made in the budget request to support current activities, regardless of the prospective nature of those additional revenue sources.

- This provision was included as HAC Section 533.

FY2026 Section 536: This general provision, which first appeared in the FY2012 DHS appropriations act,[40] prohibited the use of funds for the transfer or release of certain individuals detained at U.S. Naval Station Guantanamo Bay, Cuba, into or within the United States.

- This provision was included as HAC Section 536.

FY2026 Section 537: This general provision, a variant of which first appeared in the FY2023 DHS appropriations act,[41] required the Secretary to develop and share monthly estimates on the number of migrants anticipated to arrive at the U.S.-Mexico border, and use those estimates to inform policymaking and budget processes.

- This provision was included as HAC Section 537.

FY2026 Section 538: This general provision, new in FY2026, required monthly estimates of the number of individuals anticipated to be detained and removed from the United States. If the reporting requirements are not met, DHS's authority to transfer or reprogram funds would be suspended. This provision was structurally similar to FY2026 Section 537, described above.

- This provision was included as HAC Section 538.

FY2026 Section 539: This general provision, which first appeared in the FY2024 DHS appropriations act, required alternatives and cost-benefit analyses before the Secretary of DHS

[37] P.L. 115-31, Division F, Section 544.

[38] P.L. 117-103, Division F, Section 539.

[39] P.L. 115-31, Division F, Section 532.

[40] P.L. 112-74, Division D, Section 541. The provision was also included in the Full Year Continuing Appropriations Act, 2010 (P.L. 112-10, Div. B) as Section 1112.

[41] P.L. 117-328, Division F, Section 545.

could request assistance from the Department of Defense for border security operations.[42] The provision also required reporting to the appropriations committees on the support requested, the analyses, and the operational impact on DHS operations.

- This provision was included as HAC Section 539.

FY2026 Section 541: This general provision, new in FY2026, imposed a $100,000 daily reduction on certain funding for the Office of the Secretary and Executive Management for every day when

1. the statutory deadline for filing the monthly report on Disaster Relief Fund activity is missed; or
2. the number of requests for disaster assistance reimbursement from declared disasters for individual or public assistance that have been in "final review" for more than 60 days exceeds 500.

- This provision was included as HAC Section 546.

FY2026 Section 542: This general provision extended, through FY2026, a COVID-19 pandemic-era authority for medical personnel working for DHS to practice medicine (as part of their federal duties) anywhere in the country, as long as they have a current, valid license, and are not affirmatively excluded from practicing. This authority was initially granted by the CARES Act and was extended through general provisions in FY2022 and FY2023.

- This provision was included as HAC Section 547.

FY2026 Section 543: This general provision, new to the DHS appropriations act in FY2026, indicated that statutory funding directions for classified appropriated amounts are included in a classified annex accompanying the bill.

- This provision was included as HAC Section 548.

FY2026 Section 544: This general provision, new to the DHS appropriations act in FY2026, authorized the Director of National Intelligence, with the approval of the DHS Secretary and OMB, to transfer funds for the National Intelligence Program using the transfer and reprogramming authorities and limits in Section 503 of the FY2026 DHS appropriations act.

- This provision was included as HAC Section 549.

FY2026 Section 545: This general provision, new to the DHS appropriations act in FY2026, required an obligation plan for all appropriations for DHS and fee revenues retained by DHS pursuant to P.L. 119-21, the FY2025 reconciliation act.

- This provision was included as HAC Section 550.

FY2026 Section 546: This general provision, which first appeared in the FY2019 DHS appropriations act in a slightly different form,[43] prevented DHS from blocking oversight visits to immigration detention facilities by Members of Congress or their designated staff with funds provided in the act.

- This provision was included as HAC Section 551, with two modifications:

[42] The Department of Defense is currently "using a secondary Department of War designation," under Executive Order 14347, September 5, 2025.

[43] P.L. 116-6, §532.

1. The restriction on the use of funds was broadened to the universe of "federal funds," as opposed to the funds provided in the measure; and
2. The DHS OIG is to report to the appropriations committees if this section is materially violated.

FY2026 Section 547: This one-time general provision provided a $30 million supplemental appropriation for security for Supreme Court Justices.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 548: This one-time general provision provided a $140 million supplemental appropriation for a pay raise for air traffic controllers.

- This provision was not included in HAC-reported H.R. 9310.

FY2026 Section 549: This general provision, an aspect of the FY2026 act including no funding for the U.S. Border Patrol, barred funds provided in the bill from being transferred to CBP Operations and Support's Border Security Operations activity.

- This provision was not included in HAC-reported H.R. 9310.

Administration-Proposed Modifications

FY2026 Section 503: This section is one of the original general provisions included in the annual DHS appropriations bill since FY2004.[44] The administration proposed removing restrictions on transfers (moving budget authority between appropriations) and reprogrammings (changing the distribution of budget authority between programs, projects, and activities [PPAs] within an appropriation) that were added in the FY2024 act. The additional restrictions prevented the use of transfers or reprogrammings to change grant program funding levels or to create new PPAs not approved by Congress.[45] The Administration also proposed that any funds transferred to an "immigration emergency fund" established in 1986[46] remain available until expended—unlike most DHS funds, which are only available for one to five years. Such transfers have been authorized from DHS periodically since an FY2010 supplemental appropriations measure.[47]

- This provision was included as HAC Section 503, without the requested modification.

FY2026 Section 506: This general provision, a version of which has been included in every DHS appropriations act since the establishment of the Department, deems funding for intelligence activities in the bill to have been specifically authorized by Congress until such authorization is enacted, and if the funding exceeds the amount in the authorization measure, the excess would be transferred to the Management Directorate's Operations and Support appropriation. In a departure from the FY2026 request, the Administration proposed a technical modification that reflected their proposed reorganization of the Management Directorate into the Office of the Secretary and Executive Management.

- This provision was included as HAC Section 506, without the requested modification.

[44] P.L. 108-90, Section 503.

[45] P.L. 118-47, Division C, Section 503(d)(2) and (d)(3).

[46] P.L. 99-603, Section 113.

[47] P.L. 111-212, Section 601. The provision first appeared in an annual appropriations measure for DHS in the FY2011 full-year CR (P.L. 112-10, Section 1654).

FY2026 Section 507: This general provision, included in every DHS appropriations act since the establishment of the department, sets advance notification requirements for DHS grant and contract awards. Two modifications were made in FY2026: Subsection (a) was modified in FY2026 to include grants from the Disaster Relief Fund in excess of $100,000; and subsection (b) which provides exceptions to advance notification in certain emergency circumstances was modified shorten the length of time in which notice was to be provided after the fact from five business days to three. The Administration proposed the Section without the FY2026 changes.

- This provision was included as HAC Section 507, using the same language as enacted for FY2026.

FY2026 Section 513: This general provision first appeared in FY2007 and bars the use of funds to carry out departmental reorganization under Section 872 of the Homeland Security Act,[48] unless explicitly authorized by Congress. In FY2022, an exception was included in the provision to allow a specific reorganization of certain functions that had been under the Countering Weapons of Mass Destruction Office (CWMD). In FY2026, the Administration proposed an exception to allow for the complete dismantling of that office and transferring its functions and resources to other elements of DHS. The version of the provision enacted in FY2026 allowed for the dismantling of CWMD, but provided specific directions for the distribution of its programs and resources by statutory reference to the explanatory statement. In the FY2027 budget request, the Administration slightly modified its FY2026 proposal, asking for the same broad flexibility for reorganization, but not including the request for the authority to discontinue the office.

- This provision was included as HAC Section 513, without the authority to discontinue the office, and only granting the Secretary the authority to transfer funding as authorized in the FY2026 act.

FY2026 Section 522: This general provision, which first appeared in the DHS appropriations act in FY2013,[49] restricted the use of funds in the bill to reimburse federal agencies for participation in National Special Security Events. In a departure from the FY2026 request, the Administration proposed broadening the restriction to include funding made available to DHS in FY2027 "under any other provision of law"—which would encompass the resources provided in the FY2025 and FY2026 reconciliation laws.

- This provision was included as HAC Section 550, without the requested modification.

FY2026 Section 524: This general provision, which first appeared in the FY2024 DHS appropriations act, required reports provided by DHS to the appropriations committees to be posted on the DHS public website.[50] In FY2026, the provision was modified to suspend DHS's authority to transfer or reprogram funds if the requirements of the section are not met. In the FY2027 request, the Administration did not include this modification.

- This provision was included as HAC Section 524, using the same language as enacted for FY2026.

[48] 6 U.S.C. 452.

[49] P.L. 113-6, Section 568.

[50] P.L. 118-47, Division C, §524.

Other House Appropriations Committee-Proposed Changes

Other HAC-Proposed Modifications

Aside from the HAC Sections 513 and 551 modifications noted above, one other FY2026 general provision was modified in HAC-reported H.R. 9310.

FY2026 Section 504: This general provision, which has been included in DHS appropriations acts effectively since FY2017, extends the authorization of the DHS working capital fund.

- This provision was included as HAC Section 504, with modifications to provide for working capital fund operation through FY2028, without amending the underlying law.

Other HAC-Proposed Additions

Aside from the provisions that had been proposed for removal by the Administration, one provision removed for FY2026 that had been in effect for FY2025 was added back in HAC-reported H.R. 9310.

FY2024/2025 Section 541: This general provision, which first appeared in the FY2024 DHS appropriations act, directs the transfer of not less than $5 million in FY2024 DHS appropriations to ICE operations and support for the Blue Campaign—DHS's public awareness campaign on human trafficking.

- This provision was included as HAC Section 541.

Some HAC Sections were new to the measure:

HAC Section 555: This new general provision allows the DHS Secretary to accept title to non-federal real property to support operations at the FLETC facility in Artesia, New Mexico, by means of an exchange of property or interest under the Secretary's jurisdiction in New Mexico.

HAC-reported 556: This new general provision includes requirements for training of federal law enforcement personnel:

1. Within 90 days of enactment, basic training for all CBP and ICE personnel must include at least the training requirements and qualifications required as of January 1, 2025.
2. All DHS civilian law enforcement personnel must receive initial and recurring training on use of force that includes de-escalation tactics and training on lethal and less-than-lethal weapons, provided by DHS.
3. DHS must notify the appropriations committees of any modification to these training requirements within 60 days.

HAC Section 557: This new administrative provision would require DHS to procure and deploy visible numerical and agency identifiers for all DHS civilian law enforcement personnel carrying out immigration enforcement activities within 90 days, and requires their use and disclosure on demand while on duty. Quarterly reports on the status of the deployment would be required. The provision would also establish penalties for disclosing restricted personal information of immigration officers or their immediate families.

HAC Section 558: This new administrative provision would bar DHS civilian law enforcement personnel from knowingly detaining (unless they are subject to arrest for violation of state or federal law) or deporting U.S. citizens.

One added provision was an extension periodically enacted for DHS;

HAC Section 553: This general provision would extend the authorization of “other transaction authority” for the DHS Science and Technology Directorate through FY2027.[51]

Several provisions were added to HAC-reported H.R. 9310 that had been included in the HAC-reported FY2026 bill, but not enacted.

HAC Section 542: This general provision bars funding for classifying any communication by a U.S. person as “mis-, dis-, or mal-information” or partnering with organizations that in any way recommend that private companies in any way censor, prohibit, or obstruct lawful and constitutionally protected speech of a U.S. person on social media platforms. Furthermore, the provision would direct the removal from federal service any officer or employee funded by this act who carries out such actions.

HAC Section 543: This general provision bars funding for taking a “discriminatory action” (defined in the section) against a person on the basis of their beliefs regarding the definition of marriage as being between one man and one woman.

HAC Section 544: This general provision bars DHS funding for any political subdivision of a state that has in place any kind of policy that limits any government official or entity from communicating with DHS regarding the citizenship or immigration status of any individual, or has in place “any law, policy, or procedure” that “hinders the federal government from enforcing the immigration laws.”

HAC Section 545: This general provision bars funding for “diversity, equity, and inclusion initiatives, training, programs, offices, officers, policies, or any program, project, or activity that promotes or advances Critical Race Theory, or any concept associated with Critical Race Theory.” This is a simplification of Section 546 in the HAC-reported version of the FY2024 appropriations act, which barred funding for a range of Biden Administration plans, executive orders, and programs, projects, and activities.

HAC Section 552: This general provision bars the use of funds to procure computers, printers, or videoconferencing services from companies in which the People’s Republic of China has any ownership stake.

HAC Section 554: This general provision bars the use of funds to restrict people recording or documenting immigration enforcement activities, provided they do not interfere with the activities.

Three provisions were added in full-committee markup:

HAC Section 562: This new general provision would allow funding provided in P.L. 119-21 to reimburse local law enforcement costs for assistance requested by USSS to protect presidential residences to also be used for paying requested emergency personnel under similar terms.

HAC Section 563: This general provision, which has been included in HAC-reported DHS appropriations bills since FY2025, bars funding for establishing a Disinformation Governance Board at DHS, or “any other entities carrying out similar activities” related to misinformation.

[51] The first such extension was provided in Section 572 of the FY2008 DHS appropriations act (P.L. 110-161). The authorization was last extended in P.L. 117-136, Section 7227, through the end of FY2024.

HAC Section 564: This general provision is intended to keep ICE from removing an alien to a third country without an immigration judge-issued removal order to that country.

General Provisions Affecting the Score of the Act

In the past, certain general provisions have affected the discretionary "score" of the bill. These have included

- additional funding,
- offsetting the discretionary score through rescissions (cancellation of previously appropriated but unobligated budget authority) or using existing unobligated balances directly,
- transfers of budget authority to or from the Department, and
- provisions that make changes in mandatory programs (also known as "CHIMPS"), whose first-year costs (or savings) count as discretionary spending in their first year.

No such general provisions were included in the FY2026 DHS appropriations act, and none were requested for FY2027. However, three were included in HAC-reported H.R. 9310.

HAC Section 559: This general provision reduces the score of the bill by using unobligated balances from the "Cybersecurity Response and Recovery Fund" of the Infrastructure Investment and Jobs Act (P.L. 117-58), Division J, to offset the CISA Operations and Support appropriation.

HAC Section 560: This general provision rescinds $16.1 million from unobligated balances of previous appropriations.

HAC Section 561: This general provision rescinds $2.4 million from the Department of Homeland Security Nonrecurring Expenses Fund, which recaptures expired unobligated balances for use in information technology upgrades.

A fourth general provision, HAC Section 565, would create a "spending reduction account" in the bill. This special type of provision is required under current House procedure.[52] The number shown in the account represents the amount that the bill's allocation exceeds the subcommittee's allocation of budget authority under section 302(b) of the Congressional Budget Act of 1974. The number in account, therefore, does not affect the score of the bill.[53]

[52] H.Res. 5, Section 3(b), 119th Congress is the current iteration.

[53] Under the terms of H.Res. 5, Section 3(b)(1) and (2), when the House is in the Committee of the Whole, en bloc amendments can be offered that transfer budget authority from various appropriations in the bill to the spending reduction account. No other amendment to the account is in order.

Appendix A. Glossary of Abbreviations

Glossary

Acronym	Meaning
CAS	Common Appropriations Structure
CBP	U.S. Customs and Border Protection
CISA	Cybersecurity and Infrastructure Security Agency
CR	Continuing Resolution
CRS	Congressional Research Service
DHS	U.S. Department of Homeland Security
DRF	Disaster Relief Fund
FEMA	Federal Emergency Management Agency
FLETC	Federal Law Enforcement Training Centers
FTE	Full-Time Equivalents
HAC	House Appropriations Committee
ICE	U.S. Immigration and Customs Enforcement
OIG	Office of Inspector General
OMB	Office of Management and Budget
OSEM	Office of the Secretary and Executive Management
O&S	Operations and Support
PC&I	Procurement, Construction, and Improvements
R&D	Research and Development
S&T	Science and Technology Directorate
SAC	Senate Appropriations Committee
TSA	Transportation Security Administration
USCG	U.S. Coast Guard
USSS	U.S. Secret Service
SAC	Senate Appropriations Committee

Appendix B. Proposed Changes to Appropriations Language

Although administrative and general provisions provide most of the direction to DHS in the appropriations measure, if the language of the appropriations themselves changes, it may have an effect on the way the department does its business. From FY2026 to the FY2027 process, a handful of such changes were proposed.

From the Administration's Request

Title II

U.S. Customs and Border Protection

Procurement, Construction, and Improvements (PC&I):

- Proposed dropping language referencing the allocation of funds by program, project, and activity from the detail table in the explanatory statement.

U.S. Immigration and Customs Enforcement

Operations and Support (O&S):

- Proposed restoring the O&S appropriation, which had not been included in the FY2026 act.

U.S. Coast Guard (USCG)

O&S:

- Proposed dropping a provision that allows passenger motor vehicle purchase or lease funding to be only for replacement of vehicles, and raises the number of vehicles from 30 to 50.
- Proposed dropping language making a portion of USCG O&S funding available for obligation for two years.
- Proposed increasing the limit on official reception and representation expenses to $35k from $23k.

Research and Development (R&D):

- Proposed dropping "maintenance, rehabilitation, lease, and operation of facilities and equipment" as an explicitly acceptable use of the appropriation.

Retired Pay:

- Proposed eliminating the appropriation.

U.S. Secret Service (USSS)

O&S:

- Proposed dropping a provision that limits the number of vehicles USSS can purchase for police-type use from the O&S appropriation to 652.
- Proposed dropping language making a portion of USSS O&S funding available for obligation for three years.

PC&I:

- Proposed making the entire appropriation available for three years, rather than a mix of three and five years.

Title III

Cybersecurity and Infrastructure Security Agency

O&S:

- Proposed dropping language referencing the allocation of funds by program, project, and activity from the detail table in the explanatory statement.
- Proposed dropping a specific set-aside for the National Infrastructure Simulation Analysis Center.

Federal Emergency Management Agency

O&S:

- Proposed removing the Emergency Management Assistance Compact (EMAC) set-aside within the appropriation.

Federal Assistance (FA):

- Proposed removing the set-aside for the Tribal Homeland Security Grant Program Security Grant program.
- Proposed removing the requirement of an even split in the Nonprofit Security Grant Program between high-risk urban areas and other areas.
- Proposed removing the set-aside for the Over-the Road Bus Security program;
- Proposed adding a 25% non-federal cost share for each grant awarded under the State Homeland Security Grant Program, Urban Area Security Initiative, Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance programs.
- Proposed eliminating funding for Regional Catastrophic Preparedness Grants, Rehabilitation of High Hazard Potential Dams, the Emergency Food and Shelter Program, and the Next Generation Warning System, as well as Community Project Funding and Congressional Directed Spending grants.
- Proposed not including specific funding allocations for activities under “training, exercises, technical assistance, and other programs” subappropriation, which had been added in FY2026.

Disaster Relief Fund (DRF):

- Proposed authorizing a $3 million transfer from the DRF to the Disaster Assistance Direct Loan Program Account to pay the administrative expenses of the Community Disaster Loan Program.

Title IV

U.S. Citizenship and Immigration Services

O&S:

- Proposed only allowing appropriations for the E-Verify program.
- Proposed removing language preventing appropriation from being construed to require reduction in fees.
- Proposed removing language allowing appropriated funds to be used for reception and representation expenses.

Title I

The Administration proposed combining the Management Directorate, Office of Intelligence and Analysis, and the Office of Situational Awareness into the existing Office of the Secretary and Executive Management.

Office of the Secretary and Executive Management

O&S:

- Proposed dropping language referencing the allocation of funds by program, project, and activity from the detail table in the explanatory statement.
- Proposed increasing the limit on official reception and representation expenses.

From HAC-reported H.R. 9310

Title II

U.S. Customs and Border Protection

O&S:

- Proposed dropping transfers to FEMA for the Shelter and Services Program.

U.S. Immigration and Customs Enforcement

PC&I:

- Proposed three-year funding for this account, rather than a mixture of three-year and five-year funding.

U.S. Secret Service

PC&I:

- Proposed a mixture of three-year and five-year funding for this account, rather than just three-year funding.

Title III

Cybersecurity and Infrastructure Security Agency

R&D:

- Proposed eliminating the appropriation.

Title IV

U.S. Citizenship and Immigration Services

O&S:

- Proposed removing funding for Refugee and International Operations Programs and backlog reduction.
- Proposed removing a limitation on the use of funding for official reception and representation expenses.

FA:

- Proposed eliminating the appropriation.

Title I

Office of the Secretary and Executive Management

FA:

- Proposed eliminating the appropriation.

Management Directorate

O&S:

- Proposed dropping “vehicle modernization” as an explicitly acceptable use of the appropriation

Appendix C. Evolution of Administrative and General Provisions in the DHS Appropriations Act

The structure of the annual DHS appropriations act has evolved significantly since its initial development in the FY2004 cycle.

Initial appropriations structures were not consistent across the bill, and departmental reorganizations shifted parts and responsibilities across the department. Even so, some of the original general provisions from the FY2004 act are included in the current annual appropriations act.

The overall structure of the department stabilized with the FY2008 act, and for a decade, the structure of the bill was relatively stable from year to year. With the enactment of the FY2017 act, two major changes occurred: a common appropriations structure was applied over almost all of the DHS components; and directive language was shifted from individual appropriations provisos and some Title V General Provisions into groups of "administrative provisions" at the end of each title. The structure of the bill has remained relatively consistent since.

The following appendix looks at each of these years—FY2004, as the first year; FY2008, as the year after the last wave of secretarial reorganization; and FY2017, as the first year of the Common Appropriations Structure and administrative provisions—to highlight where many of the long-standing provisions of the DHS appropriations act originated.[54]

The First DHS Appropriations Act: FY2004

The first annual appropriations measure for DHS was passed by Congress a week before the beginning of its fiscal year. Initial budget justification materials presented to Congress were minimal, but the bill moved relatively quickly and passed with near-unanimity.

While the titles of the DHS appropriations measure have changed slightly, and several components have been reorganized, the general structure of the titles of the measure has remained consistent:

- **Title I – Departmental Management and Operations**—headquarters functions;
- **Title II – Security, Enforcement, and Investigations**—law enforcement operational components;
- **Title III – Preparedness and Recovery**—FEMA and related functions;
- **Title IV – Research and Development, Training, Assessments, and Services**—specialized components; and
- **Title V – General Provisions**.

Appropriations Titles I-IV

Within the first four titles, however, component appropriations were structured differently. New components, like DHS headquarters and management functions, and the U.S. Visitor and Immigrant Status Indicator Technology project received single appropriations. Others, like USCG, received appropriations in structures paralleling what they had received in FY2003. New

[54] P.L. 108-90, P.L. 110-161, and P.L. 115-31, respectively.

major components—CBP and ICE—generally followed the structure of legacy Customs Service appropriations.

These appropriations included direction to the individual components through provisos within the statement of appropriations themselves, rather than as administrative or general provisions. Some of these were statutory directions to use certain amounts for certain activities, such as facilities improvements, while others were prohibitions on the use of funds, such as prohibitions on construction of border checkpoints. Some appropriations were withheld until certain conditions were met, such as providing a spending plan to the appropriations committees that met certain parameters. Administrative provisions were included in some appropriations measures at the time, often providing direction across multiple appropriations, but no such provisions appeared in the initial DHS appropriations act.

In what was standard practice for the time, rescissions (cancellation of previously appropriated budget authority) were included immediately after the statement of appropriations for the target account.

General Provisions

Twenty-one general provisions were included in the initial DHS appropriations act, and eight continue to be carried forward each year as general provisions in the annual act (current act citations are in parentheses):

- **FY2004 Section 501**—Budget authority provided by the act is not available after the fiscal year unless the bill specifically provides for it (FY2026 Section 501);
- **FY2004 Section 502**—Budget authority provided in prior acts for activities funded in this act may be transferred to and merged with funds in the applicable accounts (FY2026 Section 502);
- **FY2004 Section 503**—Establishes parameters for reprogrammings and transfers of budget authority in the bill (a modified version continued as FY2026 Section 503);
- **FY2004 Section 504**—Authorizes continued availability of up to 50% of unobligated salaries and expenses balances at the end of the fiscal year to be used in the following fiscal year (FY2026 Section 505);
- **FY2004 Section 508**—Deems funding for intelligence programs to be authorized until an intelligence authorization act for the fiscal year was signed into law (a modified version continued as FY2026 Section 506);
- **FY2004 Section 510**—Requires advance notice of grant awards (an expanded version continued as FY2026 Section 507);
- **FY2004 Section 511**—Blocks other agencies from building new federal law enforcement training facilities separate from existing ones without prior approval of the appropriations committees (FY2026 Section 508);
- **FY2004 Section 516**—Requires certain construction projects to have an approved prospectus to be funded (FY2026 Section 509); and
- **FY2004 Section 518**—No funds in the bill may be used in contravention of the Buy American Act (a modified version continued as FY2026 Section 511).

Several of these general provisions were one-time provisions that provided authorizations or restrictions beyond FY2004, or converted structure and functions of formerly independent components into DHS functions.

- **FY2004 Section 505**—Provided flexibility for DHS to use certain funds for specific types of purchases "in fiscal year 2004 and thereafter, unless otherwise provided";[55]
- **FY2004 Section 506**—Made the FEMA "Working Capital Fund" account available to DHS, and renamed it as "Department of Homeland Security Working Capital Fund";
- **FY2004 Section 507**—Made the FEMA "Bequests and Gifts" account available to DHS, and renamed it as "Department of Homeland Security, Gifts and Donations";
- **FY2004 Section 513**—Required customs declarations to ask "whether the passenger had been in the proximity of livestock";
- **FY2004 Sections 514 and 515**—Blocked funding for certain DHS actions that would prevent enforcement of certain laws against forced child labor,[56] or allow goods made with such labor to be brought into the country; and
- **FY2004 Section 520**—Authorized the Secretary to charge fees to pay for credentialing transportation workers.

Other provisions provided direction to the department or its components:

- **FY2004 Section 509**—Directed FLETC to establish an accrediting body for assessing federal law enforcement training programs, facilities, and instructors;[57]
- **FY2004 Section 512**—Required the Director of FLETC to ensure all its facilities are operated at optimal capacity;
- **FY2004 Section 517**—Blocked regulations requiring airport sponsors to provide space or services to TSA without compensation other than for security checkpoints;
- **FY2004 Section 519**—Blocked deployment of a particular passenger prescreening system until the Government Accountability Office (GAO) reported to Congress that the system met certain thresholds; and
- **FY2004 Section 521**—Directed the Secretary to get certified systems to inspect and screen air cargo on passenger aircraft, and until it is online, to use the known shipper program to prevent high-risk cargo from being carried on passenger planes.

The Post-Katrina DHS Appropriations Act: FY2008

After several years of reorganization, and the refocusing of departmental priorities through the Post-Katrina Emergency Management Reform Act (PKEMRA), the structure of DHS and its funding had shifted.

The DHS Appropriations Act, 2008, was enacted in a different fashion than its predecessors. The FY2004 act was a stand-alone measure, signed into law on the first day of the fiscal year. Each of

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[55] Future appropriations measures restated some of these authorities in different fashions: therefore, these should not be considered enduring authorities.

[56] As defined under section 307 of the Tariff Act of 1930 (19 U.S.C. §1307).

[57] This body, the Federal Law Enforcement Training Accrediting Board, was established, and has continued to receive direction from the administrative provisions under Title IV in the Department of Homeland Security Appropriations Act.

the next three years, the bill was enacted as a stand-alone measure within the first month of the fiscal year. The FY2008 act was signed into law as a division of a consolidated appropriations measure almost three months into the fiscal year. Some observers note this as an indicator of increasing challenges in passing the measure.

Appropriations Titles I-IV

The FY2008 act included several components that had not appeared in the first DHS appropriations act, as well as a reconstituted FEMA. New components are noted below, but the general structure of the titles of the measure remained, with slight changes to the names of Titles III and IV:

- **Title I—Departmental Management and Operations**—headquarters functions, now including specific appropriations for the Office of the Chief Financial Officer, the Office of the Chief Information Officer, Analysis and Operations, and Office of the Federal Coordinator of Gulf Coast Rebuilding;
- **Title II—Security, Enforcement, and Investigations**—law enforcement operational components;
- **Title III—Protection, Preparedness, Response and Recovery**—the new National Protection and Programs Directorate, the Office of Health Affairs, and the reconstituted FEMA;
- **Title IV—Research and Development, Training, and Services**—specialized components, including the Domestic Nuclear Detection Office;[58] and
- **Title V—General Provisions**

The structure of directions to individual components primarily through appropriations provisos remained unchanged from FY2004. However, rescissions now were included in the general provisions in Title V, in part because the evolving structure of the appropriations themselves did not necessarily align with the desired rescissions, which by their nature, come from prior year accounts.

General Provisions—Title V

Seventy-three general provisions were included in the FY2008 DHS appropriations act. They included several sections of significant length making changes to the *U.S. Code*, including legislation on the secure handling of ammonium nitrate (Section 563), modifications to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Section 564), and modifications to the International Registered Traveler Program (Section 565). In addition, a sixth title was included in the act, containing the "Border Infrastructure and Technology Modernization Act of 2007."

Several other general provisions that are still part of the current structure of the DHS appropriations act appeared in FY2008 (current act citations are in parentheses):

- **FY2008 Section 514**—Barred funding in the bill from being used to amend the Oath of Allegiance (FY2026 Section 512);

[58] The Information Analysis and Infrastructure Protection Directorate, which had appeared in this title in FY2004, was reorganized into Analysis and Operations and the National Protection and Programs Directorate and no longer appeared in this title in the FY2008 Act.

- **FY2008 Section 515**—Blocked funding for privatization of certain jobs at USCIS (a modified version appears in the FY2026 act as Section 402);
- **FY2008 Section 526**—Required a monthly budget and staffing report (a modified version appears in the FY2026 act as Section 102);
- **FY2008 Section 529**—Classifies FLETC instructor staff positions as inherently governmental functions (FY2026 Section 407);
- **FY2008 Section 537**—Blocked alteration of operations within the Civil Engineering Program of the USCG absent prior legislative authorization (a modified version appears in the FY2026 act as Section 217);
- **FY2008 Section 539**—Blocked obligation of funding from DHS headquarters accounts for grants or contracts not awarded under full and open competition, with some exceptions, which require reporting (a modified version appears in the FY2026 act as Section 101, requiring reporting on such contract awards);
- **FY2008 Section 541**—Blocked the use of funding for "any position designated as a Principal Federal Official" for Stafford Act-declared incidents (a modified version appears in the FY2026 act as Section 529);
- **FY2008 Section 546**—Blocked the Secretary's authority to reorganize the Department under Section 872 of the Homeland Security Act (FY2026 Section 513);
- **FY2008 Section 548**—Blocked reductions of the USCG's Operations Systems Center mission or its staffing levels (a modified version appears in the FY2026 act as Section 215);
- **FY2008 Section 549**—Blocked funding for privatization of certain jobs at USCG National Vessel Documentation Center (FY2026 Section 216);
- **FY2008 Section 558**—Blocked CBP from preventing private individuals from importing certain prescription drugs for their personal use (FY2026 Section 227); and
- **FY2008 Section 567**—Blocked the use of funds "for planning, testing, piloting, or developing a national identification card" (FY2026 Section 514).

The Common Appropriations Structure DHS Appropriations Act: FY2017

When DHS was established in 2003, components of other agencies were brought together over a matter of months, in the midst of ongoing budget cycles. Rather than developing a new structure of appropriations for the entire department, Congress and the Administration continued to provide resources through existing account structures when possible.

At the direction of Congress, in 2014 DHS began to work on a new Common Appropriations Structure (CAS), which would standardize the format of DHS appropriations across components. This would be the most significant restructuring of DHS appropriations since its establishment. In an interim report in 2015, DHS noted that operating with "over 70 different appropriations and over 100 Programs, Projects, and Activities ... has contributed to a lack of transparency, inhibited comparisons between programs, and complicated spending decisions and other managerial decision-making."[59]

After several years of work and negotiations with Congress, DHS made its first budget request in the CAS for FY2017, and implemented it while operating under the continuing resolutions funding the department in October 2016.[60] Part of the restructuring of the appropriations included the addition of administrative provisions, shifting instructions that had been included in language of specific appropriations or in general provisions into sections at the end of each title. **Table C-1** shows total general provisions and administrative provisions for enacted DHS appropriations acts since FY2015.

Table C-1. Tally of General and Administrative Provisions, FY2015-FY2026

(Annual appropriations measures)

	General Provisions	Administrative Provisions				
Fiscal Year	**Title V**	**Title I**	**Title II**	**Title III**	**Title IV**	**Total**
2015	78					78
2016	75					75
2017	44	8	28	12	9	101
2018	45	7	31	8	8	99
2019	40	6	31	9	8	94
2020	40	5	36	7	7	95
2021	42	6	35	11	7	101
2022	48	8	36	11	8	111
2023	49	8	36	11	7	111
2024	51	6	31	11	7	106
2025[a]						
2026[b]	49	9	29	13	7	107

Source: CRS analysis of enacted DHS appropriations.

Note: Administrative provisions first appeared in DHS annual appropriations in the FY2017 act (P.L. 115-56, Division F).

a. In FY2025, DHS was funded through a full-year continuing resolution (CR), P.L. 119-4, which essentially carried forward the terms of the administrative and general provisions from the FY2024 act (P.L. 118-47, Division C), with the exception of four general provisions and one administrative provision from Title II. FY2025 provisions are not shown, as those from FY2024 were only included by reference, and CR provisions do not meaningfully crosswalk into this analysis.

b. FY2026 DHS appropriations did not include appropriations for U.S. Border Patrol or U.S. Immigration and Customs Enforcement and therefore did not include administrative or general provisions specific to those elements of DHS.

[59] Office of the Chief Financial Officer, *A Common Appropriations Structure for DHS: FY2016 Crosswalk*, U.S. Department of Homeland Security, February 2, 2015, p. 2.

[60] The Coast Guard, due to limitations of its financial management system, did not implement the system until FY2019.

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