

EXHIBIT D

114TH CONGRESS }
 2d Session } HOUSE OF REPRESENTATIVES { REPORT
 114-668

DEPARTMENT OF HOMELAND SECURITY
 APPROPRIATIONS BILL, 2017

JULY 6, 2016.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. CARTER of Texas, from the Committee on Appropriations,
 submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 5634]

The Committee on Appropriations submits the following report in
 explanation of the accompanying bill making appropriations for the
 Department of Homeland Security for the fiscal year ending Sep-
 tember 30, 2017.

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Section 306. The Committee continues a provision that authorizes the use of funds for certain purposes pertaining to FEMA training facilities.

Section 307. The Committee continues a provision that requires the submission of a monthly DRF report.

Section 308. The Committee continues a provision regarding the availability of National Flood Insurance Fund revenue.

Section 309. The Committee continues a provision that requires five day advance notification for certain grant awards under “FEMA—Federal Assistance”.

Section 310. The Committee continues a provision prohibiting the use of funds for the National Preparedness Grant Program or any successor grant program unless authorized by Congress.

Section 311. The Committee continues a provision allowing reimbursements for the costs of providing humanitarian relief to unaccompanied alien children and to alien adults and their minor children to be an eligible use for certain Homeland Security grants.

TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Appropriation, fiscal year 2016	\$119,671,000
Budget request, fiscal year 2017	129,139,000
Recommended in the bill	119,139,000
Bill compared with:	
Appropriation, fiscal year 2016	– 532,000
Budget request, fiscal year 2017	– 10,000,000

Mission

The mission of United States Citizenship and Immigration Services (USCIS) is to adjudicate and grant immigration and citizenship benefits, provide accurate and useful information to customers, and promote an awareness and understanding of citizenship in support of immigrant integration, while protecting the integrity of the nation’s immigration system. Funded primarily through fees, the only discretionary spending is for the E-Verify program, an information technology system that enables employers to determine a job applicant’s eligibility to work in the United States.

OPERATIONS AND SUPPORT

Appropriation, fiscal year 2016	\$107,001,000
Budget request, fiscal year 2017	103,912,000
Recommended in the bill	103,912,000
Bill compared with:	
Appropriation, fiscal year 2016	– 3,089,000
Budget request, fiscal year 2017	– – –

Recommendation

The Committee recommends \$103,912,000 in discretionary funding for Operations and Support, the same as the amount requested and \$3,089,000 below the amount provided in fiscal year 2016.

An administrative provision is included in title IV of this bill directing that none of the fees collected, including any deposits into the Immigration Examinations Fee Account, may be obligated to

expand the existing Deferred Action for Childhood Arrivals program or the proposed Deferred Action for Parents of Americans and Lawful Permanent Residents program, as outlined in a memorandum signed November 20, 2014, by the Secretary of Homeland Security, while the preliminary injunctive order of the United States District Court for the Southern District of Texas entered February 16, 2015, in the matter of the *State of Texas v. United States of America* remains in effect.

From within the total fee revenue collected, the Committee directs USCIS to provide not less than \$29,000,000 to continue conversion of immigration records to digital format.

The Committee directs DHS to administer the H-2B and H-2A programs in a manner consistent with the law and to continue processing applications.

The Committee is aware of concerns about the admission of H-2A workers into the United States who have been found to be in violation of the terms or conditions of a prior admission under the H-2A program. USCIS regulations maintain that foreign nationals found to be in violation of H-2A terms and conditions must be barred from participating in the program for five years. USCIS is directed to brief the Committee, jointly with CBP and ICE, on the enforcement of 8 CFR Part 214.2(5)(viii), related to violations of H-2A status, including the number of workers found to be in violation over the last five years, by category of violation; mechanisms in place to ensure that barred workers are not readmitted within a five-year period; a description of any exceptions to the five-year bar; and the number of workers admitted into the United States, if any, under such exceptions.

The Committee remains concerned about fraudulent applications for immigration benefits, including allegations of fraud related to Special Immigration Juvenile (SIJ) petitions, Asylum petitions, and O-1B and O-2 visa petitions. To address this concern, USCIS shall brief the Committee within 90 days of the date of enactment of this Act on its framework for prioritizing Immigration Benefit Fraud Assessments, including the agency's plan for conducting assessments in fiscal year 2017. The briefing should also address how the SIJ, Asylum, O-1B, O-2, and other programs are currently applying fraud prevention and detection techniques, including data on the number of fraudulent petitions identified during the past three fiscal years for each program, and assess whether additional fraud identification and prevention measures are needed.

The Committee strongly supports the efforts of the Monitoring and Compliance Division to ensure the appropriate use of E-Verify, and is aware that USCIS intends to finalize an independent review of E-Verify's accuracy and implement the Final Non-Confirmation (FNC) review process for E-Verify before the end of fiscal year 2016. USCIS is directed to include in its budget justification materials for fiscal year 2018, the amount obligated for the Monitoring and Compliance Division during the prior year, the amount estimated for the current year, and the amount proposed for the budget year. The Committee also notes the agency's continuing verification modernization efforts, which will facilitate future growth and accuracy in E-Verify use, and directs USCIS to keep the Committee apprised of its plans and timelines for system improvements.