

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 2750**

To amend the Homeland Security Act of 2002 to authorize the Operation Stonegarden grant program, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. JOHNSON (for himself and Mr. PETERS)

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Operation Stonegarden  
5 Authorization Act”.

6 **SEC. 2. OPERATION STONEGARDEN.**

7 (a) IN GENERAL.—Subtitle A of title XX of the  
8 Homeland Security Act of 2002 (6 U.S.C. 601 et seq.)  
9 is amended by adding at the end the following:

1 **“SEC. 2009. OPERATION STONEGARDEN.**

2       “(a) **ESTABLISHMENT.**—There is established in the  
3 Department a program, which shall be known as ‘Oper-  
4 ation Stonegarden’, under which the Secretary may award  
5 grants to States that border Canada or Mexico, States  
6 with an international maritime border, and eligible law en-  
7 forcement agencies for the purpose of enhancing border  
8 security.

9       “(b) **ELIGIBLE LAW ENFORCEMENT AGENCIES.**—A  
10 law enforcement agency is eligible to receive a grant under  
11 this section if the agency, either directly or through the  
12 State in which agency is located, if the agency—

13               “(1) is located in—

14                       “(A) a State bordering Canada or Mexico;

15               or

16                       “(B) a State or territory with an inter-  
17 national maritime border; and

18               “(2) is involved in an active, ongoing, U.S. Cus-  
19 toms and Border Protection operation coordinated  
20 through a sector office.

21       “(c) **PERMITTED USES.**—Grant funds received under  
22 this section may be used by a State or an eligible law en-  
23 forcement agency for—

24               “(1) equipment, including maintenance and  
25 sustainment costs;

1           “(2) personnel, including overtime and backfill  
2           for law enforcement personnel or non-law enforce-  
3           ment personnel who support enhanced border law  
4           enforcement activities;

5           “(3) allowable and approved personnel costs, in-  
6           cluding salaries, fringe benefits, overtime and back-  
7           fill for dedicated intelligence analysts supporting Op-  
8           eration Stonegarden operations in support of en-  
9           hanced border law enforcement activities

10           “(4) any activity permitted for Operation  
11           Stonegarden under—

12                   “(A) the Department of Homeland Secu-  
13                   rity’s most recent Homeland Security Grant  
14                   Program Notice of Funding Opportunity; or

15                   “(B) the Federal Emergency Management  
16                   Agency’s Preparedness Grants Manual; and

17           “(5) any other appropriate activity, as deter-  
18           mined by the Secretary.

19           “(d) PERIOD OF PERFORMANCE.—The Secretary  
20           may award grants under this section to grant recipients  
21           for a period of not less than 36 months.

22           “(e) REPORT.—The Secretary shall submit a report,  
23           for each of the fiscal years 2020 through 2024, to the  
24           Committee on Homeland Security and Governmental Af-  
25           fairs of the Senate and the Committee on Homeland Secu-

1 rity of the House of Representatives that contains infor-  
2 mation on the expenditure of grants made under this sec-  
3 tion by each grant recipient.

4 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
5 is authorized to be appropriated \$110,000,000 for each  
6 of the fiscal years 2020 through 2024 for grants under  
7 this section.”.

8 (b) CONFORMING AMENDMENT.—Section 2002(a) of  
9 the Homeland Security Act of 2002 (6 U.S.C. 603(a)) is  
10 amended to read as follows:

11 “(a) GRANTS AUTHORIZED.—The Secretary may  
12 award grants under sections 2003, 2004, and 2009 to  
13 State, tribal, territorial, and local governments, as appro-  
14 priate.”.

15 (c) CLERICAL AMENDMENT.—The table of contents  
16 in section 1(b) of the Homeland Security Act of 2002 is  
17 amended by inserting after the item relating to section  
18 2008 the following:

“Sec. 2009. Operation Stonegarden.”.