

Policy Backgrounder

Congress Struggles with DHS Funding and Reconciliation

Congress has had difficult negotiations to pass funding for the Department of Homeland Security (DHS) to end the partial government shutdown and adopt a budget resolution to guide a reconciliation bill that would fund two DHS agencies and possibly address other areas. The President has asked for a reconciliation bill by June 1.

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- At the end of March, the White House and Congressional Republican leaders agreed to a funding deal for DHS that would split off immigration and border security operations to be funded through a reconciliation bill -- which can pass the Senate with only 51 votes rather than 60 -- with the rest of the agency funded through the normal appropriations process.
- At the end of April, the Senate passed a budget resolution that would fund Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) for three years (through the end of the President's term).
- After the Administration claimed that its alternative sources of funding for DHS agencies were scheduled to run out at the start of May, the House ultimately adopted the budget resolution and passed funding for the rest of DHS until September 30. Republicans will now turn to crafting and passing a reconciliation bill by the President's June 1 deadline.
- The bill will likely be narrow, missing the opportunity for changes to the tax code that could affect business and also avoiding politically difficult votes before the midterms.

Senate Passes Budget Resolution

In early April, Senate Republicans [proposed](#) a two-track plan for DHS funding: a first track with funding for most DHS agencies through the standard appropriations process and a second track with funding for ICE and CBP through a reconciliation bill, which requires only a simple majority to pass in the Senate. However, Congress did not complete the first track before its Easter recess.¹ In the meantime, the President signed an Executive Order to pay all DHS employees as the shutdown continued through April.²

Senate Republicans also turned to drafting a budget resolution to guide the reconciliation process. The White House agreed to keep the bill narrow in scope, simply funding ICE and CBP for three years.³ The Senators also did not commit to offsetting the cost of the bill, arguing that this funding would normally go through the standard appropriations process.

The budget resolution ultimately adopted directs the Homeland Security and Judiciary Committees in the House and Senate to allocate up to \$70 billion over 10 years for ICE and CBP.⁴ After a “vote-a-rama” of potential amendments, including some on cost-of-living issues designed to force politically difficult votes, it passed 50-48, with two Republicans voting no.⁵

House Struggles to Adopt Resolution and DHS Funding

Many House Republicans initially reacted negatively to the two-track plan, with some favoring all DHS funding through reconciliation and adding other legislative priorities to the second reconciliation bill.⁶ Some centrist House GOP Members had concerns about setting a precedent of using reconciliation to fund agencies that would normally go through the appropriations process.⁷ These tensions led to delays in the House moving forward.⁸

Towards the end of April, the White House warned that DHS agencies would run out of contingency funding at the beginning of May, ratcheting up pressure on the House.⁹ The first step for the House was passing a rule to bring the budget resolution for a vote on the House floor. House Republicans on the Rules Committee struggled to fight off dozens of amendments from Democrats intended to secure defections from disgruntled Republicans.¹⁰ The rule passed the Committee by a vote of 9-4¹¹ and the full House 216-210 on April 29.¹²

Later that day, the full House proceeded to vote on the budget resolution itself. The vote was held open for five hours as Republican leadership dealt with objections to unrelated spy power and agriculture legislation, demonstrating the general struggles facing the House Republican conference to pass legislation under such narrow margins.¹³ After resolving these disputes, House Republicans passed the budget resolution by a party-line vote of 215-211.¹⁴ With reconciliation moving forward, the House then adopted the DHS FY2026 appropriations bill by voice vote on April 30, ending the longest partial shutdown of the Federal government in US history.¹⁵ Despite the end of the shutdown, there may still be lingering effects to airport security screening and disaster response efforts this Summer from disruptions to standard DHS planning and operations during the 76-day shutdown.¹⁶

Towards Reconciliation

With passage of the budget resolution, Congressional Republicans are now proceeding with drafting the second reconciliation bill of the President's term. This week, the Senate Committees on the Judiciary and Homeland Security & Government Affairs released bill text of their portions of the reconciliation bill, totaling over \$70 billion. The Homeland Security text includes \$19.1 billion for CBP personnel, \$7.5 billion for ICE Homeland Security Investigations personnel, and \$6 billion for border security, technology, and screening activities.¹⁷ The Judiciary text provides \$3.5 billion for CBP agents and support staff, \$30.7 billion for ICE operations, \$2.5 billion in general funding for DHS, \$1.5 billion for law enforcement operations at the DOJ, and \$1 billion for the Secret Service for the "purposes of security adjustments and upgrades" for the President's White House ballroom project.¹⁸

Consistent with the earlier agreement with the White House, the funding included in the bill text is allocated for FY2026 and remains available to spend for three years until the end of FY2029. Congress will now spend the rest of May debating the reconciliation bill text with the goal of passing ICE and CBP funding -- not offsetted by funding cuts in other areas -- via a party-line vote by the President's deadline of June 1.

Reconciliation bills, which can be adopted only once per fiscal year, are different than others in the Senate. While Senate approval of bills normally requires 60 votes to invoke cloture and thus end debate on a bill, reconciliation bills require only 51 votes. Any amendments to the bill are subject to the Senate Parliamentarian using the "Byrd Rule" to exclude amendments in areas that are "extraneous" (not germane) to the budget, that seek to adopt a broader policy change, increase the deficit beyond a 10-year period, or seek to change Social Security. Any Senator may raise the Byrd Rule on a point of order.

All this increases the chances of a narrow bill now. Similar considerations and the desire to avoid politically difficult votes before the midterms make it quite challenging for Congress to adopt a third reconciliation bill that could address other matters such as tax changes in the narrow period between the beginning of the new fiscal year on October 1 and the midterms.

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Endnotes

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- ¹⁸ Majority Press, "[Grassley Releases Senate Judiciary Title of Reconciliation Bill to Fund Law Enforcement, Safeguard American Communities](#)", *U.S. Senate Committee on the Judiciary*, May 4, 2026.