



## U.S. Senate Committee on Appropriations

*PRESS RELEASE*

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### **Summary: Fiscal Year 2013 Homeland Security Appropriations**

Washington, D.C. – The U.S. Senate Appropriations Subcommittee on Homeland Security today approved fiscal year 2013 funding legislation that totals \$45.2 billion in discretionary budget authority, a reduction of \$1 billion below the fiscal year 2012 enacted level.

#### **Overview:**

One year after the death of Osama bin Laden and seven months after the death of Anwar al-Awlaki, Congress could decide that it is time to reduce its commitment to securing the homeland. That would be a mistake. Recent intelligence highlights the significant and evolving threats to America's homeland.

In recent remarks at the Woodrow Wilson International Center for Scholars, the Assistant to the President for Homeland Security and Counterterrorism concluded that, "Despite the great progress we've made against al Qaeda, it would be a mistake to believe this threat has passed. Al Qaeda and its associated forces still have the intent to attack the United States. And we have seen lone individuals, including American citizens--often inspired by al Qaeda's murderous ideology--kill innocent Americans and seek to do us harm."

Threats from abroad continue to be a serious concern, as evidenced by the 2009 Christmas Day bomb plot, the October 2010 air cargo bombing attempt, and efforts as recently as April 2012 by al Qaeda in the Arabian Peninsula to place non-metallic explosives on aircraft bound for the United States. We also face persistent cybersecurity threats from individuals, sophisticated criminal organizations, and nation states that desire to do us harm.

The threat of homegrown terrorism continues. The Fort Hood shooting was committed by a United States citizen. The New York City subway bomb plot was organized by a legal resident alien. The Times Square bombing attempt was precipitated by a naturalized citizen.

In addition to these man-made threats, natural disasters continue to have a significant impact in cities and rural communities. The Department of Homeland Security must prepare for and respond to such natural disasters. In 2011, the President issued 99 disaster declarations in 48 States. According to the Department of Commerce, the United States suffered 14 disasters that cost over \$1 billion each, the most since it has been keeping records.

Finally, the Department must effectively carry out its many legacy statutory responsibilities, including securing our borders, enforcing our immigration laws, facilitating trade, protecting our currency, securing cyber systems, combating drug trafficking, securing the aviation sector and other modes of transportation, and promoting the safety of life and property at sea. As the economy improves, it is expected that there will be increased demand for Department of Homeland Security missions, particularly trade, border security, immigration enforcement, maritime safety, and aviation security.

### **Bill Summary**

#### **United States Coast Guard**

- The bill provides \$10.335 billion, of which \$8.913 billion is discretionary spending and \$1.423 billion is mandatory spending. The discretionary level is \$20 million above fiscal year 2012 and \$307 million and 363 positions above the request (when \$254 million is excluded for Overseas Contingency Operations).
- The bill includes funding to support over 41,600 military employees, 250 cutters, 1,800 boats, and 190 aircraft protecting over 95,000 miles of shoreline. The bill also provides targeted increases above the request to ensure that Coast Guard personnel serving on the front lines have the resources to accomplish their missions in fiscal year 2013 and in the future. Specific investments include:
  - \$620 million for the sixth National Security Cutter;
  - \$77 million for long-lead time material for the seventh National Security Cutter;
  - \$335 million for six Fast Response Cutters (four above the request);
  - \$8 million for initial acquisition planning and design of a new polar icebreaker;
  - \$10 million for military housing;
  - \$3.1 million for 26 billets to enhance oil spill response capabilities; and
  - \$25.2 million to reverse cuts proposed in the request for critical operational assets (one high endurance cutter, three patrol boats, and two air facilities).

#### **Transportation Security Administration (TSA)**

- The bill provides \$7.633 billion, \$208 million below fiscal year 2012. This amount is reduced by offsetting collections and fees, including the requested increase in the air passenger security fee for fiscal year 2013. The bill includes funding to support approximately 48,000 Transportation Security Officer FTEs, annualizes 145 behavior detection officers, annualizes 12 Visible Intermodal Prevention and Response Teams, and makes critical investments in explosives detection systems, passenger screening technologies, and air cargo security. The bill also provides a total of \$24 million for the Federal Flight Deck Officer program, \$11.5 million above the request.

- As a follow-up to the Subcommittee hearing on promoting economic growth through facilitating travel to the United States, the bill includes language directing TSA to submit a strategy for expanding the availability of TSA’s risk-based screening program known as “Pre-Check” to additional passengers and airports. Language is also included requiring TSA to allow cabin crew members to participate in the Known Crewmember program, which provides expedited access to the sterile area of the airport. For Advanced Imaging Technology units, TSA is required to conduct a health study on machines that emit radiation.
- The bill includes several funding oversight requirements including expenditure plans for checkpoint security technology investments, explosives detection systems for checked baggage, and air cargo security. In addition, language is included requiring TSA to provide a five-year investment plan forecast for passenger screening technologies.

### **U.S. Customs and Border Protection (CBP)**

- The bill provides \$11.973 billion, \$378 million above fiscal year 2012. This level:
  - Funds 21,370 Border Patrol agents, sustaining the increased levels approved in the fiscal year 2010 Supplemental and 21,186 CBP officers working at the ports of entry;
  - Adds \$71 million above the request for procurement, operations, and maintenance of critical air and marine assets used to defend our borders – including one additional multi-role enforcement aircraft, enhanced radar for unmanned aircraft systems, and \$19 million to increase flight hours to 96,000 hours – the fiscal year 2011 level; and
  - \$2 million for officer and agent integrity programs, including polygraph testing.
- Jones Act: The bill continues a provision prohibiting waiver of the Jones Act for transporting releases of oil from the Strategic Petroleum Reserve until the Secretary, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels. The Secretary must also notify the Congress within two business days of any request for waivers. CBP also is directed to develop a system to track the status of all Jones Act violations, and to regularly report to Congress on specific Jones Act violations, findings of fact, parties found to be at fault, amount of penalty assessments, and status of collections.

### **U.S. Immigration and Customs Enforcement (ICE)**

- The bill provides \$5.642 billion, \$220 million below fiscal year 2012. This level:
  - Provides a total of \$2.696 billion for detention and removal operations, \$17 million above the request;
  - Provides a total of \$18 million by transfer from CBP for visa overstay analysis as part of US-VISIT;

- Provides funding to maintain current staffing levels for Special Agents and immigration officials, including the agents and officers previously hired in support of investigations on the Southwest border; and
  - Provides an additional \$5 million for support to overseas vetted law enforcement units. These units work with ICE agents on drug, weapons, and human trafficking/smuggling investigations.
- The bill provides an appropriate immigration enforcement balance between detention beds and alternatives, providing the resources to detain individuals who should properly be detained while providing greater flexibility regarding individuals who do not meet a higher detention threshold. The bill is \$27 million above the request to fund an additional 600 detention beds. This brings the level of detention beds to 33,400 – the level mandated in the fiscal year 2010 and 2011 Acts – but 600 beds below the fiscal year 2012 enacted level.
  - \$25 million above the enacted level for the Alternatives to Detention (ATD) program, increasing the potential number of aliens placed on detainers by 6,000-7,000. This provides a robust increase to the ATD program.

#### **United States Citizenship and Immigration Services (USCIS)**

- The bill provides \$117 million in direct appropriations, \$14.5 million above fiscal year 2012. This level:
  - Fully funds the \$112 million request to maintain and improve the employment eligibility verification system known as E-Verify; and
  - Provides \$10 million for immigrant integration grants, \$5 million through appropriations and an additional \$5 million from fee funds.

#### **United States Secret Service (USSS)**

- The bill provides \$1.613 billion, \$11.8 million above the request. This level:
  - Restores \$8.4 million for grants and forensic support for missing and exploited children;
  - Adds \$4.3 million above the request for priority domestic investigations; and
  - Continues the ongoing, multi-year modernization effort for critical White House and other Secret Service information technology and communications systems.

#### **Science and Technology (S&T)**

- The bill provides \$831 million, \$163 million above fiscal year 2012. This will bring S&T funding back to fiscal year 2011 levels. Funds are for Research and Development in the following areas: biological defense, explosives defense, cyber security, first responders, border security, chemical countermeasures, and interoperability.

## **Domestic Nuclear Detection Office (DNDO)**

- The bill provides \$328 million, \$38 million above fiscal year 2012. This amount includes \$28 million for the purchase of handheld portable radiation detectors for DHS personnel, \$22 million for the Securing the Cities program, and \$84 million for research and development of next-generation detection technologies.

## **Federal Emergency Management Agency (FEMA)**

- The bill provides \$6.089 billion for the Disaster Relief Fund, of which \$5.481 billion is provided pursuant the Budget and Control Act disaster relief adjustment, as requested. Based on current estimates, this funding will support the estimated costs associated with an average disaster year and the costs of recovery from previous major disasters such as Hurricanes Katrina, Rita, Gustav, Ike, and Irene and the major tornados and floods of 2011.
- The bill provides \$979 million for FEMA Salaries and Expenses, \$52 million below the comparable fiscal year 2012 level and \$26 million above the President's request. The amount below fiscal year 2012 demonstrates a reduction in operating costs through streamlining business practices. This bill does not include proposed cuts to FEMA's base for policy programs – such as dam safety and hurricane and earthquake preparedness. Further, it continues funding for modernization of information technology systems which are critical to sustaining FEMA's reform after the Post-Katrina Emergency Management and Reform Act.
- The bill provides \$1.41 billion for state and local grant programs, \$369 million above the comparable fiscal year 2012 level. The bill does not include grant reform as proposed in the President's budget request due to the lack of specific detail regarding how funds would be distributed. The Department is directed to continue working with stakeholders and the authorizing committees on a reform proposal. Included in the total is:
  - \$415 million for State Homeland Security Grants;
  - \$55 million for Operation Stonegarden;
  - \$664 million for the Urban Area Security Initiative;
  - \$13 million for Non-profit Security Grants;
  - \$119 million for Transit and Rail Security Grants;
  - \$13 million for Amtrak security; and
  - \$132 million Port Security grants.
- The bill also provides funding for the following programs:
  - \$337.5 million each for the fire equipment grant program and the firefighter hiring grant program (\$675 million total), additionally, the Secretary may waive certain provisions of the firefighter hiring program, if conditions warrant;
  - \$350 million for Emergency Management Performance Grants;

- \$7.5 million to reimburse State and local governments for prevention and preparedness - costs related to National Special Security Events;
- \$35 million for Predisaster Mitigation grants;
- \$97.3 million for Flood Mapping and Risk Analysis;
- \$44 million for the United States Fire Administration;
- \$150 million for the Emergency Food and Shelter Program;
- \$158 million is for the National Domestic Preparedness Consortium;
- \$26 million for continuing training grants; and
- \$17.8 million for the Emergency Management Institute

### **National Protection and Programs Directorate (NPPD)**

The bill provides \$1.2 billion in total for NPPD, \$281 million above fiscal year 2012. Included in the total is:

- \$755 million for cybersecurity programs, \$312 million above fiscal year 2012. Of this amount \$16.9 million, \$2 million above fiscal year 2012, is for cybersecurity education programs. Such programs are vital to our future cybersecurity and are a critical companion to the technical tools needed to combat this threat. Also included in the total is \$183 million for a new program proposed in the budget to better protect civilian Federal networks through real time analysis of day-to-day activity.
- \$270 million for critical infrastructure programs, \$25.7 million below fiscal year 2012 and \$14 million above the President’s budget request. Of this amount, \$86.5 million is for the continued implementation of the Chemical Facilities Anti-Terrorism Standards, which is \$7 million below fiscal year 2012 but \$12 million above the President’s request.

### **Office of Health Affairs (OHA)**

- The bill provides \$168.3 million for the Office of Health Affairs, which is \$851 thousand above fiscal year 2012. Included in the total is \$125 million for the BioWatch program, an increase of \$11 million from FY 2012; however, funding for Generation 3 technology is withheld until the Secretary certifies that continued development is prudent. Also, \$2 million is included for the Chemical Defense program, of which \$1.5 is available to complete additional demonstration pilots in areas at high risk of chemical incidents.

### **Office of Inspector General (OIG)**

- The mark provides \$146.7 million, \$5.7 million above fiscal year 2012. This level:
  - Fully funds the \$2.7 million request to complete the mandated 9/11 Commission Act audits;
  - Provides \$3 million above the request for integrity investigations; and
  - Includes a \$24 million transfer from the FEMA Disaster Relief Fund for disaster investigations and audits.

## **Federal Law Enforcement Training Center (FLETC)**

- The mark provides \$258.3 million, \$13.1 million below the 2012 level to:
  - Fully fund 1,103 employees, trainers, and instructors to provide basic and advanced law enforcement training for over 90 Federal, state, local, tribal, and international law enforcement agencies in four domestic and four international law enforcement academies.

## **Administrative Savings**

- In an effort to maximize resources for front line missions, the bill: approves \$850 million of administrative savings; approves \$192 million of rescissions of low priority programs; limits non-competitive contracts; requires reporting to the Inspector General on expenditures on conferences; limits travel to international conferences; requires 32 expenditure plans to promote congressional oversight and effective execution of appropriated funds (prohibiting the obligation of \$589 million until such plans are delivered to Congress); consolidates eight grant programs; and increases public integrity funding for the Inspector General and U. S. Customs and Border Protection. These cuts come on top of over \$800 million of similar savings and over \$204 million of rescissions in the FY 2012 DHS Act.

## **Travel Initiatives**

- During the Subcommittee's March 21, 2012, hearing on promoting economic growth through facilitating travel, many witnesses called for a greater effort by Customs and Border Protection and the Transportation Security Administration to better facilitate travel and tourism within and to the U.S. The bill includes a total of \$24 million for specific initiatives to facilitate travel to and within the United States as follows:
  - \$10 million above the request is included for expansion of preclearance operations, including staffing, at foreign airports for people traveling to the U.S. Currently, CBP conducts preclearance operations at 15 overseas airports in 5 countries. Pre-cleared travelers and their baggage are screened at the departure airports and the entire immigration and customs interview process occurs prior to boarding the plane. Upon arrival in the U.S., these travelers do not need to stand in the long processing lines. The bill adds 45 new officer positions at preclearance locations to encourage more tourism and expand flights to the U.S.
  - \$4.5 million above the request is included for expansion of the popular Global Entry program to 5 additional airports (bringing the total funded in this bill to 9 airports). Global Entry is a program that allows people who have provided additional background information on themselves and paid a \$100 fee to expedite their customs and immigration inspections upon arrival in the U.S. It currently operates in 20 airports.

- \$2.5 million above the request is included for improved signage and other information welcoming foreign travelers to U.S. airports;
- Language is included requiring CBP to be more transparent with airport authorities in its staffing decisions , highlighting the training received by CBP officers on etiquette and courtesy during the entry inspection process, and reminding CBP officers that they are the first face of the U.S. for travelers to this country.
- The bill includes \$7 million, as requested, for TSA’s Pre-Check Trusted Traveler program. Based on the overwhelming support for the program at the hearing, language is included requiring TSA to report on its plans to expand Pre-Check to passengers who currently do not qualify for the program, including a timeline and milestones for future expansion of Pre-Check, and a description of security measures to ensure eligible passengers are fully vetted; and
- Bill language requiring TSA to allow flight attendants to participate in the same expedited screening program available to airline pilots.
- Bill language that would increase the number of countries that participate in the Visa Waiver Program, facilitating travel from countries such as Poland. This reform, which is supported by the Chamber of Commerce and the U.S. Travel Association, could generate hundreds of millions of dollars of economic activity and thousands of new jobs.