



# COMMITTEE *on* APPROPRIATIONS

CHAIRWOMAN BARBARA A. MIKULSKI

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**SUMMARY: FISCAL YEAR 2015 DEPARTMENT OF HOMELAND SECURITY  
APPROPRIATIONS BILL**  
*Full Committee Mark: June 26, 2014*

**Washington, DC** – The Committee on Appropriations today approved a fiscal year 2015 Homeland Security bill that provides \$47.2 billion, \$643 million above the fiscal year 2014 enacted level. Of this total, \$45.65 billion is for discretionary programs, including \$213 million for Coast Guard overseas contingency operations and \$6.4 billion for the Federal Emergency Management Agency (FEMA) Disaster Relief Fund. After excluding these two adjustments, the net discretionary appropriation for the Department of Homeland Security (DHS) is \$39 billion. Even with this modest increase, discretionary appropriations for DHS have declined by 8.3 percent since fiscal year 2010.

**U.S. Senator Mary Landrieu (D-La.)**, Chairman of the Appropriations Subcommittee on Department of Homeland Security, issued the following statement:

*"We must invest in our national security infrastructure to prevent and mitigate against threats to our homeland that come by air, land, sea and cyber space. This bill does that and supports thousands of jobs while preparing the next generation of national security experts, emergency responders and cyber warriors. The investments we make today will determine the outcomes we experience tomorrow. We also restore funding for FEMA's flood mapping program to build on the progress we made last year to craft a National Flood Insurance Program that the nation's 5.5 million families who have policies can live with, grow with, and prosper with. I thank Sen. Coats for his hard work on this bill. He has been a true partner as we work to keep our homeland safe."*

**U.S. Senator Barbara Mikulski (D-Md.)**, Chairwoman of the Appropriations Committee, issued the following statement:

*"I want to commend Senator Landrieu and Senator Coats for their outstanding work on this bill and their commitment to first responders, our anti-terrorism efforts, emergency preparedness initiatives and cybersecurity programs. They worked the way this entire committee works, which*

*is with a spirit of bipartisanship and dedication to finding common ground. They did not allow budget constraints to limit our ability to get our work done on behalf of the American people.*

*“The resources provided in this bill are so important and touch the lives of Americans every day, especially in times of disaster. That’s one reason why I feel strongly that the bill funding the Department of Homeland Security is one of our most important bills, providing for our domestic defense and public safety. The bill funds our first responders, who help protect us from homegrown terrorism, aids communities recovering from devastating weather events and trains cyber warriors to prevent hacking attacks against government and the private sector. This bill also includes resources for us to address the humanitarian crisis along our Southern border, which has seen tens of thousands of young children, often unaccompanied by any adult, making the dangerous journey into the United States. We need to help these children and address this situation, both in the long term and short term. I look forward to working with my colleagues to bring this bill to the floor.”*

### **Bill Summary**

Although we have been spared from new terrorist attacks on the level of what the nation experienced during the devastating attack of September 11<sup>th</sup> 2001, the Boston marathon bombing of 2013 reminded us that complacency is not an option. The threat of terrorism is ever present and our nation faces an increasing number of homegrown terror plots originating within our own borders where plotters may be American citizens, legal permanent residents or visitors radicalized in the United States. At the same time, individuals and terrorist groups abroad remain committed to attacking our homeland and we cannot lessen our vigilance against those threats.

We also face dire consequences from cyber intrusions and hacking from rogue governments, organizations and individuals. And the constant threat of intense natural disasters is not likely to lessen in any measureable amount in coming years. Hurricane Sandy and the recent line of tornadoes that tore through our heartland serve as stark reminders of the devastating impact storms and flooding can have on our cities, coastlines and rural areas. In addition to all of these threats, we are faced with a growing humanitarian crisis as thousands of unaccompanied children cross our southern border to escape instability and gang and drug fueled violence across Central America. This bill addresses these realities and ensures that other equally vital missions of the department, such as enforcing our immigration laws, facilitating legitimate trade and travel, protecting our currency, interdicting illegal drugs and migrants and rescuing mariners in distress, are adequately funded. This bill supports DHS’ efforts to secure the nation from all of threats by funding **five** core mission areas:

- preventing terrorism and enhancing security;
- securing and managing U.S. borders;
- enforcing and administering our immigration laws;
- safeguarding and securing cyberspace; and
- ensuring resilience to disasters.

## **Preventing Terrorism and Enhancing Security:**

Guarding the United States against terrorism is the cornerstone of homeland security. To do so, the department focuses on: preventing terrorist attacks; addressing evolving threats to our maritime and transportation systems as well as to the global supply chain; preventing the unauthorized acquisition, importation or use of chemical, biological, radiological and explosive materials; investing in cutting edge research to address chemical, biological, explosive and nuclear threats; and reducing the vulnerability of critical U.S. infrastructure to terrorist attacks and other hazards. Every agency within DHS has an important role in these efforts.

The bill provides \$10.214 billion to the **Coast Guard**, of which \$8.637 billion is discretionary spending and \$1.576 billion is mandatory spending. When overseas contingency operations are excluded, the discretionary level is \$273 million above the request and \$89 million below fiscal year 2014. The Coast Guard is responsible for securing our maritime safety and is the only military organization within DHS. Unlike military services in the Department of Defense, the Coast Guard is also a law enforcement and regulatory agency with broad domestic authorities. Funding provided in this bill supports approximately 41,000 military employees, 250 cutters, 1,800 boats and 190 aircraft that protect more than 95,000 miles of shoreline.

The Administration proposed several cuts that would have severely hampered the Coast Guard's ability to carry out its 11 statutory missions. Those proposals included a reduction of 700 military billets, the movement of 600 reservists to inactive status, the decommissioning of critical assets and a 21 percent reduction in capital expenditures. Together, those cuts would have required the agency to continue to operate one of the oldest naval fleets in the world instead of procuring new assets. Instead, the Committee bill restores 231 military billets and 300 reservists so the Coast Guard's capability to respond to major events, such as a hurricane, mass migration, oil spill or earthquake is not impeded by a lack of adequately trained and equipped personnel. The bill includes a total of \$1.3 billion for capital expenditures, \$244 million more than the request.

The following key capital investments are included in the subcommittee's bill:

- \$638 million for the acquisition of the eighth and final National Security Cutter;
- \$318 million for six Fast Response Cutters (four above the request);
- \$20 million for the pre-acquisition work of the Offshore Patrol Cutter;
- \$6 million for the acquisition planning and design of a new polar icebreaker;
- \$8 million to reactivate a legacy heavy polar icebreaker; and
- \$6 million for military housing.

The bill provides a total of \$7.23 billion for the **Transportation Security Administration** (TSA), \$71 million below the request and \$131 million below fiscal year 2014. This amount is reduced by current law offsetting collections and fees totaling \$2.4 billion and rejects the Administration's proposal to modify the aviation security passenger fee and reinstate the Aviation Security Infrastructure Fee. TSA is responsible for protecting all modes of

transportation through a security system that permits the free movement of people and commerce. The bill includes funding for about 44,000 Transportation Security Officer full-time equivalents (FTE), a reduction of more than 3,000 as a result of TSA's risk based security initiatives. A total of 31 Visible Intermodal Prevention and Response Teams and 921 canine teams are also supported.

The bill includes \$162.5 million for explosives detection technologies to screen passengers and their belongings at airports and \$99.6 million for Secure Flight, which matches passenger data against portions of the Terrorist Screening Database. The bill also requires a multi-year technology investment plan and requires TSA to work with its industry partners to establish a stronger manufacturing base.

The bill provides \$275 million for infrastructure protection within the National Protection and Programs Directorate (NPPD), \$4 million above the request and \$11.7 million above fiscal year 2014. Within this total is:

- \$68 million for infrastructure analysis, \$4 million above the request to ensure the nation's critical power, water, transportation and manufacturing infrastructures are as resilient as possible including:
  - \$10 million for the Office of Bombing Prevention to advance training, analysis and awareness; and
  - \$17 million for vulnerability and risk assessments of critical infrastructure
- \$86.7 million to implement Chemical Facilities Anti-Terrorism Standards, \$5.7 million above the fiscal year 2014 level, to secure certain chemicals against use by terrorist. NPPD is also directed to work with industry on the continued implementation of the program by balancing the needs of security with efficient business management.

The bill provides \$125 million for the **Office of Health Affairs**, \$1 million below the request and \$2 million below the fiscal year 2014 level. Included in the total is \$84.6 million to sustain the current operations of the biological sensors deployed throughout the United States. No funding has been provided for the acquisition of the BioWatch Generation 3 because this developmental program was canceled on April 24, 2014. The recommended level also includes funding for biosurveillance pilots and chemical defense guidelines to promote early warning and situational awareness of high risk incidents.

The bill provides a total of \$300 million for the **National Bio and Agro Defense Facility**, the same level as requested and \$104 million below fiscal year 2014. This facility will house research to prevent the accidental or intentional introduction of deadly animal diseases into the United States. This funding level is the final segment necessary for construction of the facility and will permit the department to fully leverage funding contributions made by the state of Kansas.

A total of \$26 million, \$5 million above fiscal year 2014, is provided to strengthen the department's ability to **safeguard and share classified information** with its federal, state and local partners, and to help deter the unauthorized release of such information. In the wake of past and recent public disclosures of critical national security information, such safeguards are vital to ensuring effective controls are in place to prevent the illicit removal and dissemination of classified information.

### **Securing and Managing The Border:**

The protection of our nation's land, air and sea borders from the illegal entry of people, weapons, drugs and other contraband while also facilitating lawful travel and trade is a vital mission of DHS, because the nation's economic prosperity depends on it. To do so, the department focuses on three interrelated areas: effectively securing U.S. air, land and sea borders; safeguarding and streamlining lawful trade and travel; and disrupting and dismantling transnational criminal and terrorist organizations. Examples of how this bill funds these efforts follow:

The bill provides \$12.567 billion for **Customs and Border Protection (CBP)**, \$18 million below the request and \$480 million above fiscal year 2014. This level:

- Funds 21,370 Border Patrol agents, sustaining the increased levels approved in the fiscal year 2010 Border Security Supplemental Appropriations Act;
- Sustains 23,775 CBP officers currently working at our 329 ports of entry today and funds an additional 1,000 new CBP officers. These additional CBP officers will expedite the processing of tourists and trade at our air and sea ports, which is vital to our economy. With funds from the fiscal year 2014 appropriation and this recommendation, the Committee will have supported the hiring of 3,000 new CBP officers through fiscal year 2016;
- Provides \$77 million above the request for CBP to provide initial processing, medical care, feeding, shelter and clothing for the estimated 145,000 unaccompanied immigrant children they will encounter in fiscal year 2015;
- Directs \$10 million for maintaining trusted traveler programs such as additional Global Entry kiosks, more mobile document readers, expanding the integrated traveler process and expanding activities at existing preclearance locations; and
- Gives significant attention to CBP's responsibilities for collecting duties and tariffs as well as enforcing the antidumping and countervailing duty requirements of the international trade system.

The bill provides \$249 million for the **Office of Biometric Identity Management**, \$2 million below the request and \$22 million above fiscal year 2014. This funding helps assure national security, public safety and the integrity of our immigration laws. By sharing real-time biometric and identity data between the Departments of Homeland Security, Justice, Defense and State we can monitor who legally enters and exits the country.

The bill provides \$306 million for the **Domestic Nuclear Detection Office (DNDO)**, \$2 million above the request and \$21 million above fiscal year 2014. This amount includes \$49 million for the purchase of human portable radiation detectors for DHS personnel, \$19 million for the Securing the Cities program and \$69 million for research and development of next-generation detection technologies.

### **Enforcing and Administering our Immigration Laws:**

In the area of immigration, DHS is focused on ensuring enforcement of U.S. immigration laws while streamlining and facilitating the legal immigration process. To do so, the department identifies and removes criminal aliens who pose a threat to public safety and targets employers who knowingly and repeatedly break the law. This bill provides resources for these enforcement efforts while also providing resources to promote adherence to worksite-related laws and immigrant integration. Specifically:

The bill provides \$5.508 billion for **Immigration and Customs Enforcement (ICE)**, \$149 million above the request and \$106 million below fiscal year 2014. This funding:

- Provides a total of \$2.725 billion for detention and removal operations, \$156 million above the request. This level provides an appropriate immigration enforcement balance with \$1.87 billion to support 31,039 detention beds and \$94 million for the Alternatives to Detention (ATD) program;
- Provides \$87.6 million above the request for the transportation of unaccompanied immigrant children— often via commercial or charter aircraft – from DHS custody to the legally required shelters operated by the Office of Refugee Resettlement within Department of Health and Human Services;
- 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
- Directs not less than \$30 million, \$5 million above the request, for human trafficking and smuggling investigations, intellectual property rights violations and investigations into trade compliance and commercial trade fraud. This builds on the recent success of ICE special agents who have seized more than \$1 billion in currency and made more than 6,000 criminal arrests.

The bill provides \$124.4 million in direct appropriations to **United States Citizenship and Immigration Services (USCIS)**, \$10 million below the request and \$10.5 million above fiscal year 2014. This level:

- Fully funds the \$124.4 million request to maintain and improve the employment eligibility verification system known as E-Verify, which has now processed more the 35 million cases, a six-fold increase since the program began in 2007; and
- Provides \$10 million for immigrant integration grants through fees.

### **Safeguarding and Securing Cyberspace:**

The Department of Homeland Security is responsible for securing unclassified federal civilian government networks and working with owners and operators of critical infrastructure to secure their networks through risk assessment, mitigation and incident response capabilities. To combat cybercrime, DHS leverages the skills and resources of its law enforcement agencies to investigate and prosecute cyber criminals. With cybersecurity threats evolving at an alarming rate, this bill provides resources to identify cyber attacks and probes, remediate against these threats and make our systems harder to strike. There were over 63,000 security incidents in 2013 and 1,367 confirmed data breaches. Individuals, companies, and industries are all vulnerable.

Of the \$1.213 billion recommended for the **National Protection and Programs Directorate's Infrastructure Protection and Information Security Program**, the bill provides a total of \$757 million for cybersecurity protection of federal networks and incident response, \$10.9 million above the request and \$35 million below fiscal year 2014. Included within this amount is:

- \$378 million for intrusion detection on civilian federal networks;
- \$141 million to build on a new monitoring and diagnostics program that began in 2013 to better protect civilian federal networks through real time analysis of day-to-day activity; and
- \$15.8 million for cybersecurity education to train future cyber professionals.

Within the \$1.635 billion included for the **Secret Service**, the bill provides \$104 million for the Secret Service-directed cyber training for state and local law enforcement officials, including judges; continues the growing cooperation between the Secret Service and the FBI in cybersecurity; and maintains the Secret Service's primary role in protecting U.S. financial systems in cyberspace. In the last four years, Secret Service cyber investigations have affected over 4,900 arrests and prevented approximately \$1.37 billion in fraud losses.

Within the \$5.505 billion provided to Immigration and Customs Enforcement, \$163.7 million is to support 761 FTEs in a variety of cyber investigations, including counter-child pornography as well as funding to operate the cyber crimes center.

The bill provides \$426 million for research, development and innovation within the Science and Technology Directorate, of which \$75 million is expected to be spent on **cybersecurity** activities. These funds will be used to support the development of next generation cyber defense technologies and transition them to federal, state and local operational end users.

### **Ensuring Disaster Resilience:**

The Department of Homeland Security is responsible for coordinating a comprehensive federal effort to prepare for, protect against, respond to, recover from and mitigate a terrorist attack, natural disaster or other large-scale emergency, while working with individuals, communities, the private and nonprofit sectors, faith-based organizations and federal, state and local partners to ensure a swift and effective recovery. Key efforts focus on building a ready and resilient nation by building our capacity to stabilize and recover from a catastrophic event, providing training to

our homeland security partners and leading and coordinating national partnerships to foster preparedness and resilience across the private sector.

The bill provides the requested \$7.033 billion for the **Disaster Relief Fund**, of which \$6.438 billion is provided pursuant the Budget Control Act disaster relief adjustment. This level is \$811.4 million above fiscal year 2014 and will support the estimated costs associated with an average disaster year as well as the costs of recovery from previous major disasters such as Hurricanes Sandy, Katrina, Rita, Gustav, Ike and Irene, along with major tornados, devastating floods and wildfires.

The bill provides \$936 million for **FEMA salaries and expenses**, \$11 million above the request and \$11.3 million below fiscal year 2014. The amount below fiscal year 2014 reflects a reduction in operating costs through streamlined business practices. Included in the amount is \$35.2 million for Urban Search and Rescue Teams which rescue and provide initial medical care of victims in large scale disasters. The Emergency Management Assistance Compact receives \$2 million so states can support each other's needs before the federal government has to get involved. This bill does not include proposed cuts to FEMA's dam safety, hurricane and earthquake preparedness programs. Further, it continues funding for the modernization of information technology systems which are critical to sustaining FEMA reforms since the Post-Katrina Emergency Management and Reform Act.

The bill provides \$1.5 billion for **state and local preparedness grant programs**, the same level as fiscal year 2014. The bill does not include grant reform as proposed in the President's budget request. The legislative proposal is under consideration by the authorizing committees of jurisdiction. Instead, this bill continues to allocate funding in the same manner as in fiscal year 2014. Included in the total is:

- \$467 million for State Homeland Security Grants, including \$55 million for Operation Stonegarden;
- \$600 million for the Urban Area Security Initiative, including \$13 million for Non-profit Security Grants;
- \$100 million for Transit and Rail Security Grants, including \$10 million for Amtrak security;
- \$100 million for Port Security Grants; and
- \$233 million for education, training and exercises including:
  - \$29.5 million for continuing training grants;
  - \$20.6 million for the Emergency Management Institute; and
  - \$98 million for the National Domestic Preparedness Consortium.

The bill also provides funding for the following programs:

- \$340 million each for the Fire Equipment Grant program and the Firefighter Hiring Grant program, \$680 million total. Additionally, the Secretary of Homeland Security may waive certain provisions of the firefighter hiring program, if conditions warrant;
- \$350 million for Emergency Management Performance Grants;

- \$25 million for Predisaster Mitigation Grants;
- \$100 million for Flood Mapping and Risk Analysis;
- \$44 million for the United States Fire Administration; and
- \$100 million for the Emergency Food and Shelter Program.

### **Other Initiatives:**

- Bill language is included that would increase the number of countries participating in the Visa Waiver Program, facilitating travel from countries such as Poland. This reform, which is supported by the U.S. Chamber of Commerce and the U.S. Travel Association, could generate hundreds of millions of dollars in economic activity and thousands of new jobs.
- The bill continues a provision that was included in the fiscal year 2014 Homeland Security Appropriations Act, which authorizes CBP to form public-private partnerships to help upgrade land ports of entry (POEs) and pay overtime to CBP officers at POEs. It also expands the number of eligible airports that can participate in these pilots from five to seven a year.
- The bill requires CBP to submit an action plan for expediting the travel experience at U.S. international gateway airports through the use of innovative technology and changed methodology. This includes expanding the use of automated passport control kiosks to reduce a traveler's interaction with a CBP officer; expanding the use of these kiosks to travelers from visa waiver countries; taking advantage of the creativity of individual airports, such as expanding the use of "1-Stop" for express screening of passengers with proper documentation and only carry-on luggage; and reviewing how CBP allocates its personnel at airports of entry to include the consideration of non-law enforcement personnel covering processing duties. All of these efforts should streamline the U.S. entry process and minimize customs wait times.
- The bill calls for the department to develop a strategy to reduce the length of time it takes to hire new employees, which is well above the government-wide average and inhibits efforts to select high-quality candidates. Because DHS acquisition management remains on the Government Accountability Office's (GAO) "high risk" list, the bill requires GAO to evaluate select acquisitions across the department to ensure programs are on track to meet cost, schedule and capability goals and identify challenges the department faces in managing its large acquisition projects.
- The bill includes a general provision providing death benefits to the family of Gerardo Hernandez, a TSA Transportation Security Officer who was killed at the Los Angeles International Airport in November 2013.

### **Administrative Savings and Reforms:**

In an effort to maximize resources for front line missions, the bill: approves \$346 million of administrative savings; rescinds \$731 million from low priority programs; requires the Inspector General (IG) to report on non-competitive contracts; requires reporting to the IG on expenditures for conferences; limits travel to international conferences; requires the department to develop a plan to reduce its international footprint by 10 percent; allows for the decommissioning of eight Coast Guard patrol boats that have become too expensive to maintain, saving nearly \$6 million; requires FEMA to update its methodology for providing federal disaster assistance; statutorily mandates 22 expenditure and multi-year investment plans to promote congressional oversight and effective execution of appropriated funds; and requires all reports requested by the Committee to be posted on the department's website, except for those that may compromise homeland security or contain proprietary information. These cuts are in addition to the more than \$1.114 billion in similar savings and over \$693 million of rescissions created by the Department of Homeland Security Appropriations Act, 2014.

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