



# COMMITTEE *on* APPROPRIATIONS

## VICE CHAIRMAN PATRICK LEAHY

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**Contact:**  
Jay Tilton: (202) 224-2667

### SUMMARY

#### THE DEPARTMENT OF HOMELAND SECURITY FISCAL YEAR 2021 APPROPRIATIONS BILL

**Washington, D.C.** – The fiscal year 2021 Department of Homeland Security (DHS) bill provides \$69.859 billion in discretionary appropriations, of which \$17.142 billion is for major disaster response and recovery activities and \$840 million is designated as emergency spending. The net discretionary total is \$51.877 billion. Significant investments are made to protect the nation from all manner of threats, whether land, sea, air, or cyber. Funds are provided to improve preparedness at the federal, state, local, tribal, and territorial level; prevent and respond to terrorist attacks; and hire, train, and equip the DHS frontline workforce.

#### **Key Points and Highlights**

##### **DHS Headquarters Accounts**

The bill provides \$2.307 billion, \$91 million more than fiscal year 2020 and \$95 million less than the President’s budget request for DHS Headquarters Accounts. Funds are included for the Office of the Secretary and Executive Management, the Management Directorate, Office of the Inspector General, Office of Intelligence, and Operations Coordination.

##### **Customs and Border Protection (CBP)**

The bill provides \$15 billion for CBP, \$123 million more than fiscal year 2020 and \$520 million less than the President’s budget request. The bill provides \$1.375 billion for the construction of a barrier system on the southwest border, \$590 million less than the President’s request and equal to the amount that would have been available under a continuing resolution. The bill does not fund the President’s request to hire additional Border Patrol Agents. Separately, the bill provides \$840 million in emergency funding for the Office of Field Operations (OFO) to offset the loss of fees due to the pandemic’s impact on international travel.

In recognition that cameras help provide an accurate representation of law enforcement encounters while allowing agents and officers to safely perform their duties, the bill provides \$14 million for new body worn cameras and \$20 million for video recording equipment for border patrol stations. The bill also includes \$95 million for border security technology, \$142 million for priority facility needs, \$52 million for two Multi-Role Enforcement Aircraft, \$28.4 million for lightweight helicopters, and \$5 million to help maintain tribal roads.

The bill continues many fiscal year 2020 oversight requirements and directives for CBP, including, prohibitions on building barriers in certain sensitive locations, reporting requirements on the use of queues at ports of entry for asylum seekers, deaths in CBP custody, reporting requirements on children in CBP custody after three days, and reporting on border searches of electronic devices. The bill requires new reporting on CBP's specialty units, which now includes CBP's tactical units, and requires quarterly reporting on the status of the Northern Border Strategy Implementation Plan.

### **Immigration and Customs Enforcement (ICE)**

The bill provides \$7.97 billion, which is \$107 million less than fiscal year 2020 and \$1.96 billion less than the President's budget request. The bill funds 34,000 detention beds, which is 26,000 beds less than the President's budget request and 11,274 less than fiscal year 2020. Importantly, the bill does not mandate a floor for detention beds, meaning that ICE is not required to detain a minimum number of people. The bill also rejects the requests to hire more deportation officers and to use USCIS Immigration Examination Fees for ICE investigations. At the same time, the bill includes \$440 million for Alternatives to Detention (ATD), which is approximately \$86 million more than the President's budget request and \$120 million more than fiscal year 2020. In addition to case management services provided by ICE, the bill provides \$5 million for a new ATD case management pilot program administered by the Office of Civil Rights and Civil Liberties. The bill also provides \$3.16 million more than the President's request to address ICE's Freedom of Information Act (FOIA) backlog.

The bill continues and provides a number of new oversight requirements and directives, including:

- Requiring ICE to report weekly on the number of individuals in ICE custody who are subject to authority pursuant to Title 42;
- Requiring ICE to consider enrollment referrals for the ATD program from non-governmental organizations (NGOs) and community partners;
- Prohibiting ICE from using any funds to detain or remove a sponsor, or potential sponsor, of an unaccompanied alien child (UAC) based on information shared with DHS by Health and Human Services – with certain exceptions;
- Prohibiting ICE from using restraints on pregnant women held in detention;
- Requiring ICE to publicly report any new agreements relating to section 287(g) of the Immigration and Nationality Act (INA);
- Prohibiting ICE from destroying records related to the death of, potential sexual assault against, or abuse of individuals in its custody; and,
- Requiring ICE to sever contracts with detention facilities that fail two consecutive inspections.

### **Transportation Security Administration**

The bill provides \$7.958 billion in total discretionary spending, \$144 million more than fiscal year 2020 and \$325 million more than the President's budget request. The total is partially offset by \$2.940 billion in air passenger security fees for a net discretionary total of \$5.018 billion. The bill fully restores important security measures proposed for elimination in the President's budget

request, including the Law Enforcement (LEO) Reimbursement program, the Visible Intermodal Prevention and Response (VIPR) program, and exit lanes staffing. The bill also sustains funding for 1,097 canine teams. The bill provides a total of \$100 million, \$71 million more than the President's budget request, for computed tomography (CT) units and credential authentication technology (CAT) machines to improve security and efficiency of passenger screening at TSA checkpoints. Finally, \$30 million is included to reimburse airports for in-line baggage screening systems built after 9/11.

### **Coast Guard**

The bill provides \$12.845 billion, \$879 million more than fiscal year 2020 and \$739 million more than the President's budget request. When mandatory funding is excluded, the discretionary total is \$10.975 billion. The bill includes increases for recruitment and retention; training; deferred maintenance; modernization of cutter connectivity, navigation, and domain awareness systems; cybersecurity; and child care. For major acquisitions, the bill includes \$2.264 billion. Investments include \$1.530 billion for vessels, \$312 million for aircraft, and \$363 million for construction of shore facilities.

### **United States Secret Service**

The bill provides \$2.438 billion, \$22 million more than fiscal year 2020 and \$77 million more than the President's budget request. A total of \$1.023 billion is for protection of the First Family, other protectees, and associated facilities; \$727 million is provided for domestic and international field operations, including \$6 million as a grant to support missing and exploited children investigations. An increase of \$1.6 million, for a total of \$7 million, is for the Cyber Fraud Task Force.

### **Cybersecurity and Infrastructure Security Agency (CISA)**

The bill provides \$2.025 billion, \$9 million more than fiscal year 2020 and \$267 million more than the President's budget request. A total of \$1.224 million is for cybersecurity activities, including protection of federal networks and information sharing with nonfederal partners; \$165 million for infrastructure security programs, including 23.9 million for bombing prevention; and \$157 million for emergency communications. The bill also includes \$45 million to provide state and local governments with election security support.

### **FEMA Federal Assistance**

The bill includes \$3.320 billion for grants and training to state, local, tribal, and territorial entities, \$131 million more than fiscal year 2020 and \$837 million more than the President's budget request. Grant programs are funded as follows:

- \$610 million for State Homeland Security, of which \$90 million is for Operation Stonegarden, \$90 million is for nonprofit security, and \$15 million is for tribal security;
- \$705 million for the Urban Area Security Initiative, of which \$90 million is for nonprofit security;
- \$100 million for Public Transportation Security, of which \$10 million is for Amtrak and \$2 million is for Bus Security;
- \$100 million for Port Security;

- \$720 million for Assistance to Firefighter and SAFER;
- \$355 million for Emergency Management Performance;
- \$263 million for Flood Hazard Mapping and Risk Analysis;
- \$130 million for Emergency Food and Shelter;
- \$12 million for Regional Catastrophic Preparedness;
- \$12 million for Rehabilitation of High Hazard Potential Dams;
- \$288 million for training, including \$49.3 million for the U.S. Fire Administration and \$21.5 million for the Emergency Management Institute;
- \$5 million (by transfer) to pilot case management for alternatives to detention; and
- \$20 million (by transfer) for Targeted Violence and Terrorism Prevention.

### **Disaster Relief**

The bill provides \$17.142 billion for the Disaster Relief Fund pursuant to the Budget Control Act disaster relief cap adjustment.

### **United States Citizenship and Immigration Services**

The bill includes \$128 million, \$5 million less than fiscal year 2020 and \$9 million more than the President’s budget request. A total of \$10 million above the request is included to support the Citizenship and Integration Grant Program, which provides grants to community-based organizations that assist individuals preparing for citizenship. The bill continues a number of oversight directives, including reporting on USCIS International Operations and refugee admissions and a new requirement that USCIS provide global immigration backlog information and quarterly budget reporting.

### **Science and Technology**

The bill provides \$766 million, \$29 million more than fiscal year 2020 and \$122 million more than the President’s budget request. The bill provides full funding for laboratory facilities, and \$44.5 million, \$4 million more than fiscal year 2020 and \$22.8 million more than the President’s budget for the University Centers of Excellence Program.

### **Countering Weapons of Mass Destruction**

The bill includes \$402 million, \$30 million less than fiscal year 2020 and \$25 million more than the President’s budget request. Funds are for the coordination with federal, state, local, and territorial governments and the private sector to prevent WMD use against the Homeland and promote readiness against chemical, biological, radiological, nuclear and health security threats.

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