

EXPLANATORY STATEMENT FOR THE HOMELAND
SECURITY APPROPRIATIONS BILL, 2023

OVERVIEW AND SUMMARY OF THE BILL

Fiscal year 2023 represents the 20th annual appropriations cycle for the Department of Homeland Security. The Department continues to mature and prove its value to our Nation during periods of calm and adversity, and the Committee applauds the Department for maintaining our overall national security posture, especially in light of developing challenges and threats, without forsaking the mission to safeguard the American people and that of our homeland.

The Committee acknowledges the success in executing the Department's substantial missions is primarily due to the dedication of Department personnel and the Committee is grateful to the thousands of personnel across the Department for their dedication to public service and recognizes the contributions and sacrifices of their families.

The last 19 years have seen significant growth and change for the Department. A Department of 160,000 people in 2003, now stands at over 250,000 today. Early vulnerabilities and security risks with air travel and cargo screening have been targeted and minimized, but new ones continue to emerge. Every day, our adversaries find new ways to challenge the security of our Nation, from widespread disinformation campaigns, to the unprecedented growth in cyber-attacks, requiring the Department to remain agile and alert. During this time we have seen the Department respond with innovative technologies developed and incorporated into operations and services, such as fundamentally changing the speed at which travelers and goods enter our country and narcotics and other illicit items are identified and seized and the Department is commended for these targeted and innovative responses.

As the Department begins its 20th year, the Committee continues to emphasize initiatives to connect and integrate programs across the homeland security enterprise in order to meaningfully quantify the value of new investments in improving operational capabilities and achieving performance improvements. This type of work must become common practice and not isolated exceptions. The Committee strongly encourages the Department to identify how investments in one component may impact resource needs at another, to ensure those investments are maximized and we are not diminishing the value of those investments by unnecessarily creating bottlenecks or imbalances in Department capabilities. It is essential that the Department is able to make data-driven decisions on how billions of taxpayer dollars are spent each year.

It is paramount that the Department ensures future requests for investments are informed by workload analyses and other models

and actively examine new, innovative capabilities to successfully meet mission goals. The Committee calls on the Department to incorporate into future budget submissions the data resulting from modeling efforts and other analytics that directly speak to future workload impacts and operational requirements. The Committee acknowledges that the management and oversight challenges inherent to such a large and maturing government organization are compounded by a complex and volatile threat environment and an unprecedented demand on the services the Department provides. The Committee expects the Department to continue gaining management and cost efficiencies by consolidating cross-component efforts while allowing components a reasonable flexibility necessary to respond quickly to changing or emergent threats.

The Committee recommends a total appropriation of \$81,905,414,000 for the Department of Homeland Security for fiscal year 2023. Of this amount, \$79,861,000,000 is for discretionary programs including \$19,945,000,000 for the Disaster Relief Fund designated by the Congress as disaster relief pursuant to Public Law 112–25. This recommended level and the accompanying direction in the bill and report advance key priorities across the Department, including: (1) investments that encourage modern and realistic approaches to immigration processing, including, investments in the United States Citizenship and Immigration Services [USCIS] to process asylum seekers, meet refugee processing goals, address backlogs, and provide funding for the first time for legal counsel for asylum seekers; (2) targeted reductions to wasteful detention beds and direction to right-size contract funding for the current fiscal year, encouraging public accountability and aligning funding to actual fiscal years; (3) resources to manage border requirements while also pressing to accelerate innovative capabilities (such as leveraging artificial intelligence to transform how vehicles and cargo are scanned when entering the U.S.) and creating new pathways to reduce pressure on the southwest border that improve how our Nation responds to noncitizens seeking protection; (4) funding to help safeguard against, and enable the recovery from, natural and manmade disasters that includes building resiliency into recovery efforts; (5) enhancing capabilities to detect and respond to growing numbers of cybersecurity threats from around the world, including threats to both the Federal Government, as well as non-Federal critical infrastructure and services; and (6) modernizing Coast Guard’s surface and air fleets, enhancing our Nation’s maritime safety and security capabilities and protecting our interests, all the way from our inland waterways to the polar regions of the globe..

Fiscal year 2023 funding levels cited in this explanatory statement reflect the enacted amounts in the Consolidated Appropriations Act, 2022 (Public Law 117–103), adjusted for comparability where noted, and do not include supplemental appropriations.

BILL FUNDING PRIORITIES

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 Request	Committee recommendation
Title I—Departmental Management Operations	2,903,408	3,198,021	3,190,728
Title II—Security, Enforcement, and Investigations ...	43,181,125	43,216,148	45,453,700
Title III—Protection, Preparedness, Response, and Recovery	26,481,699	27,349,733	28,452,101
Title IV—Research, Development, Training, and Serv- ices	2,103,554	2,640,432	2,654,080
Title V—General Provisions	1,629,214	.....	110,391
Total, new budget (obligational authority)	76,299,000	76,404,334	79,861,000

REFERENCES

Any reference in this explanatory statement to the Secretary shall be interpreted to mean the Secretary of Homeland Security.

Any reference to the Department shall be interpreted to mean the Department of Homeland Security.

Any reference to a departmental component shall be interpreted to mean offices, components, directorates, or other organizations within the Department of Homeland Security.

Any reference to the budget request or the request shall be interpreted to mean the budget of the U.S. Government, fiscal year 2023.

Any reference to FTE shall mean full-time equivalents.

Any reference to PPA shall mean program, project, and activity.

Any reference to GAO shall mean the Government Accountability Office.

Any reference to OIG shall mean the Office of the Inspector General of the Department of Homeland Security.

Any reference to IT shall mean information technology.

Any reference to SLTT shall mean State, Local, Tribal, and Territorial.

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT, OPERATIONS,
INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

The Office of the Secretary and Executive Management [OSEM] supports the Department by providing direction, management, and policy guidance to operating components. The programs, projects, and activities funded by this appropriation include: the Office of the Secretary [OE]; the Office of Policy [OPE]; the Office of Public Affairs [OPA]; the Office of Legislative Affairs [OLA]; the Office of Partnership and Engagement [OPE]; the Office of General Counsel [OGC]; the Office for Civil Rights and Civil Liberties [OCRCL]; the Office of the Citizenship and Immigration Services Ombudsman [CIS Ombudsman]; the Office of the Immigration Detention Ombudsman [OIDO]; and the Privacy Office [PRIV].

COMMITTEE RECOMMENDATIONS

The Committee recommends \$326,045,000 for OSEM, which is \$9,865,000 above the budget request amount and \$54,992,000 above the fiscal year 2022 enacted level. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and budget request levels:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Office of the Secretary	15,846	38235	38,236
Office of Public Affairs	7,916	9889	9,889
Office of Legislative Affairs	7,112	6931	7,296
Office of General Counsel	26,847	28929	28,929
Privacy Office	17,929	18967	18,966
Office of Strategy, Policy, and Plans	73,041	74,565	74,565
Office for Civil Rights and Civil Liberties	42,160	39479	39,479
Office of Citizenship & Immigration Services Ombudsman	8,419	9738	9,738
Office of the Immigration Detention Ombudsman	23,204	20259	20,259
Office of Partnership & Engagement	13,579	9877	9,877
Office of Health Security and Resilience .....	.....	.....	48,811
Federal Assistance	35,000	25,000	20,000
Total, Office of Secretary and Executive Management	271,053	316,180	326,045

OPERATIONS AND SUPPORT

Appropriations, 2022	\$236,053,000
Budget estimate, 2023	291,180,000
Committee recommendation	306,045,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$306,045,000 for Operations and Support [O&S], which is \$14,865,000 above the budget request amount and \$69,992,000 above the fiscal year 2022 enacted level.

Adequate Budget Justifications.—The Committee expects the Department to provide complete justification materials with the fiscal year 2024 budget request and to provide details for each office and program, clearly describing and accounting for current services, transfers, adjustments to base, and program changes.

Assessing Advanced Asylum and Parole Requests.—In April 2022, President Biden announced a new process to facilitate a streamlined pathway for Ukrainian citizens and their immediate family to seek protection in the United States. If all requirements are met, including applicable background, security and health related checks are complete, Ukrainian citizens and their families are authorized to travel to the U.S. Upon arriving at a U.S. Port of Entry, CBP then conducts all inspections prior to issuing a term of parole. Recognizing that quicker processing is likely to permit CBP to focus their interests on the prioritization of trade of travel, the Committee encourages the Department to explore whether such approaches can be expanded further. The Committee directs the Secretary to examine whether a model similar to what was used for Ukrainian nationals, as well as the Central American Minors program, may be employed to process some noncitizens in advance to help deter individuals from making dangerous and costly journeys to the U.S. While the Committee recognizes that U.S. law does not proscribe a manner to seek asylum, the Committee recognizes that a safe, orderly process will ultimately be a significantly safer option for noncitizens and their families, while having the potential to reduce impacts to Department resources and permit CBP to prioritize trade and travel. The Department is encouraged to consult with Federal partners, including the Department of State, to consider appropriate expansion and outreach. Within 180 days of the date of enactment of this act, the Secretary shall submit to the Committee, in consultation with the State Department, an assessment of such an approach, along with recommended steps to leverage the path (or portions of the path) developed under the “Uniting for Ukraine” initiative for further use.】

Biometric Exit and Visa Overstay.—The Department is directed to provide a spend plan for H-1B and L-1 fee revenues and any other resources being applied to biometric exit implementation not later than 30 days after the date of enactment of this act. The Committee further directs the Department to brief the Committee within 180 days of the date of enactment of this act, to detail ongoing efforts to address entry and exit data collection and exchange in the land border environment. Further, pursuant to section 1376 of title 8, United States Code, the Department is required to collect data on nonimmigrants who have overstayed their visas and to re-

port annual estimates to Congress. The Committee expects that the Department will provide the report on an annual basis. As previously required, the Department shall submit an updated report outlining its comprehensive strategy for overstay enforcement and deterrence not later than 180 days after the date of enactment of this act. The report shall detail the ongoing actions to identify individuals who have overstayed their visas, including those necessary to improve the capabilities to report such information; notify individuals of their required departure dates in advance; track such overstays for enforcement action; refuse or revoke current and future visas and travel authorization; and otherwise deter violations or take enforcement action.

Charging Document Backlog.—The Committee is concerned with the growing backlog of noncitizens who have been released into the country by Customs and Border Protection [CBP] without charging documents. Within 30 days of the date of enactment of this act, the Secretary shall provide to the Committee a plan to reduce the number of noncitizens released into the interior without charging documents, as well as a plan to decrease Immigration and Customs Enforcement's [ICE] backlog for issuing such charging documents, which shall include any necessary resource requirements. The Department shall update the Committee monthly on the implementation of such plan.

Correct Addresses for Noncitizen Final Destination.—The Committee is concerned that some noncitizens leaving the physical custody of the Department do not have the correct mailing address on their release paperwork which includes their actual final destination, but rather have physical addresses of local organizations. The failure to include the correct mailing address makes it significantly harder for the noncitizen to receive information from the Department, preventing the noncitizen from fully complying with all immigration processes. The Department is encouraged to examine the current policies and procedures relating to the collection of mailing addresses for those noncitizens who come into the physical custody or are otherwise encountered by the Department and is discouraged from supplying addresses where the noncitizen cannot provide.

Consolidation of Detention Inspections into the Office of Immigration Detention Ombudsman.—The Committee believes that an aggressive, and well-funded, internal and external inspection program is essential to ensure that individuals in the physical custody of the Department reside in safe, secure and humane environments. The Office of the Immigration Detention Ombudsman was created to help facilitate additional oversight of detention facilities, however, after the Ombudsman's creation, other Departmental components continue to also conduct detention oversight, resulting in multiple, overlapping efforts and resource competition. Within 60 days of the date of enactment of this act, the Committee directs the Department to give the Committee a plan to consolidate detention inspection efforts into the Ombudsman's Office. The plan shall include the movement of personnel as necessary in order to consolidate detention inspection efforts and personnel into the Ombudsman's Office. The consolidation plan shall not apply to the Office

of Inspector General [OIG], which shall continue its ongoing detention inspection efforts.

Border-Related Data and Transparency.—The Committee appreciates the Department’s recent submission of the fiscal year 2020 and 2021 Border Security Metrics Reports as required under the National Defense Authorization Act of 2017 (Public Law 114–328). The Department shall ensure that it produces this report in a timely fashion. In addition to these reporting requirements, within 30 days of the date of enactment of this act and quarterly thereafter, the Secretary, in consultation with other appropriate Federal officials, shall submit to the Committee a report that details the situational awareness of the southwest border that includes data related to the number of “got away” individuals and monthly apprehension rate data by sector. For the purposes of this reporting requirement, the Department shall use the definitions provided in section 223 of title 6, United States Code. Further, CBP has long described their process at arriving at estimates for “got away” individuals as more of “art than science,” and has cautioned attributing a false precision to the data. To assess options for improving the existing process, the Committee directs CBP to ensure a review by third party statistical experts on the current process, assumptions, and formulas used to derive the “got away” estimates and any proposed changes to improve such estimates, including proposed changes to statutory definitions, if applicable. CBP shall provide the Committee with the findings and recommendations from the review along with any steps the agency plans to take to change how they arrive at such estimates. The Committee continues its requirement that the Department submit quarterly Border Security Status reports and data on the deportation, or removal, of the parents of citizen children semiannually, as in prior years.

DATA Act Reporting.—The Committee expects the Department to submit timely, accurate, and complete financial and award information under existing Department of the Treasury reporting obligations in accordance with established management guidance, reporting processes, and data standards established under the requirements of the Digital Accountability and Transparency Act (Public Law 113–101).

Department’s Mission in Rural Areas.—The Office of Partnership and Engagement is directed to provide a briefing to the Committee not later than 90 days after the date of enactment of this act on its outreach efforts to rural communities and Tribes in their efforts to support the homeland security mission.

Ending Online Child Exploitation.—The Department is engaged in a number of commendable efforts to end human trafficking and child exploitation. The Committee directs the Department to brief the Committee semiannually on all of the required data pertaining to Department-wide efforts to combat human trafficking and child exploitation and provide the appropriate committees of jurisdiction with an updated comprehensive study on human trafficking as required in the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457).

Executive Order on Promoting Access to Voting.—The President issued Executive Order 14019 on March 7, 2021, entitled “Promoting Access to Voting.” Not later than 60 days after the date of

enactment of this act, the Department shall provide a brief on any plans developed and actions taken with respect to Executive Order 14019.

Family Reunification.—The Committee expects that the Department will, consistent with assessments that it is in the best interest of the child, and whenever possible, ensure that separated family units are reunited prior to removal or deportation, released from CBP or Bureau of Prisons custody, or remain together upon transfer to ICE or ORR custody. The Committee expects the Department to ensure that individuals transferred from CBP to ICE custody, currently in ICE custody, or under ICE supervision, have opportunities to report family separation incidents; to verify the status, location, and disposition of family members; and to regularly communicate by telephone with one another. The Department shall also ensure that agents and officers are properly trained in child welfare screening for child victims of trafficking, in accordance with the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457).

Family Reunification Task Force [FRTF].—The Committee supports the principles of Executive Order 14011, “Establishing of Interagency Task Force on the Reunification of Families.” The Committee notes that the failed policies of family separation inflicted untold harm on children and families and resulted in costs saddled onto the American taxpayer in the form of litigation expenses, agency inefficiencies, while failing to make the border secure or deter future migration. The Committee directs the FRTF to provide the Committee with a spend plan within 90 days of the date of enactment of this act, and, not less than quarterly thereafter, update the Committee on the FRTF efforts. Further, FRTF is directed to immediately update the Committee upon finalizing any settlements with separated families that involve the expenditure of Department funds.

Family Separation from Parents and Legal Guardians.—The Committee remains concerned about the lasting traumatic harm inflicted on children when they are separated from their parents and legal guardians. The Committee strongly discourages any such family separations, absent a specific documented determination by a State-licensed child welfare professional that such separation is in the best interests of a child. When making such a determination, the Committee reminds the Department that general criminal convictions unrelated to the health, safety or welfare of the child, are irrelevant for the purposes of making a recommendation to separate a child from their parent or legal guardian. The Department is directed to provide the Committee with a monthly report, which will be made public on the Department’s website, documenting when and where all family separations occur, whether a State-licensed child welfare professional determined that those separations were in the best interests of the child; the ages of all children separated from their family units; the nature of administrative or criminal charges filed against the adult family members; and the frequency of instances where family units are removed or deported separately.

Future Goods and Services for Homeland Security Feasibility Report.—The Secretary, in conjunction with Federal Emergency Man-

agement Agency [FEMA] and Cybersecurity and Infrastructure Security Agency [CISA], as well as relevant departmental components and other Federal agencies and departments, shall provide a report to the Committee not later than 90 days after the date of enactment of this act on the feasibility of producing an annual projection of needs for goods and services regarding response to and recovery from nationwide events. The feasibility report shall detail the ways in which sourcing domestic and foreign supplies affects response and recovery preparedness and shall include the potential impact of the development of a program that communicates anticipated national needs on the reliability of the supply chain.

Improving the Access of the Office of Inspector General.—The Committee is concerned about whether the OIG has appropriate and timely access to information within the Department. Within 90 days of the date of enactment of this act, an annually thereafter, the Department shall provide the Committee with a report concerning OIG access which shall include, at a minimum, a comprehensive list of databases owned and operated by the Department, and its major subcomponent agencies, specifying whether OIG has been provided direct access to each of those database; the reason for such denials; the number of OIG database individual access requests that have been denied, or delayed more than 30 days, during fiscal year 2021 and 2022; and a list of the name of each draft OIG report wherein the Department took longer than 30 days to provide comments to OIG. Furthermore, within 180 days of the date of enactment of this act, the Department is directed to revise Management Directive 0810.1 to ensure the directive complies with the Inspector General Act of 1978, as amended, and report to the Committee on the updated directive, specifying which guidance was updated, if any.

Joint Requirements Council [JRC].—The Department is directed to continue to provide quarterly briefings on the JRC, which, at a minimum, shall include specific identification of accomplishments for the preceding quarter, particularly those that have resulted in resource alignment.

Messaging Impacts on Arrivals.—The Committee is aware of numerous messaging campaigns intended to influence foreign nationals before they depart for the United States, including those efforts aimed at disinformation spread by criminal human smugglers. Within 60 days of the date of enactment of this act, the Department shall brief the Committee on the extent of these efforts, which shall include the Department's views on the efficacy of various messages and messaging mediums.

Parole Quarterly Report.—The Department is reminded of the request in Public Law 117–103 to produce a quarterly report on its use of parole authority, including the number of parole requests received and granted, and for those granted, the rationale for each grant and its duration.

Plan for Southwest Border Security and Preparedness.—On April 26, 2022, the Secretary issued a Department-wide plan to manage an unprecedented number of noncitizens travelling to the southwest border, while continuing to interdict narcotics and other illicit goods. Within 120 days of the date of enactment of this act, the Committee directs the Department to provide an update on the ac-

tions outlined in the plan, to include changes in processing capacity, transportation capabilities, holding capacity, and medical services. The report shall include a breakdown of the resources supporting the plan along with partnerships with other Federal agencies, State and local governments, nonprofits and nongovernmental organizations providing services to noncitizens along the southwest border.

Quarterly Obligation Reports.—The Department shall continue to submit quarterly obligation reports to the Committee for all reception and representation expenses as required in prior years. The Department shall refrain from using funds available for reception and representation expenses to purchase unnecessary collectibles or memorabilia.

Recalcitrant Countries.—Not later than 30 days after the date of enactment of this act, the Department shall, in consultation with the Department of State and other relevant agencies, submit a report on efforts to remove noncitizens encountered from countries who currently refuse to accept returns. The report shall be submitted in unclassified form but may contain a classified annex.

Records Management.—The Committee expects the Department to maintain records and respond to records requests, consistent with the requirements of section 552 of title 5, United States Code, for information related to all detainees in the custody of the Department, regardless of whether such detainees are housed in a Federal or non-Federal detention facility. The Committee further notes that the Department should not withhold records from disclosure unless the Department reasonably foresees that disclosure would harm an interest protected by an exemption described in section 552(b) of title 5, United States Code or is otherwise prohibited by law.

Separation of Family Units.—The Committee remains concerned about the separation of children from other family members who may not be the parent or legal guardian, including children who arrive with an adult sibling, grandparent, or other family kinship unit. The Committee notes that the Department has initiated a program, in coordination with the Department of Health and Human Services [HHS], to process these family units while maintaining family unity, without a change in the law. The Department is directed to provide the Committee with monthly updates on this program, including but not limited to the number of children and/or family units processed by the program, the number of successful sponsorships facilitated at the border by the program, any instances of fraud, trafficking, false family claims, or other unsuccessful disenrollments of the program, and efforts by the Department to ensure the safety and welfare of children. The Committee is also aware that some children arriving with other family members, are sometimes classified as “accompanied” children or otherwise deprived of statutory protections provided for unaccompanied children in existing law when they are expelled or not processed as an unaccompanied child. The Committee is concerned that the Department lacks unified definitions, policies, and field guidance, informed by child welfare experts, reflecting a more accurate definition of family unit. The Committee directs the Department to develop consistent policy addressing these family units in collabora-

tion with other Federal agencies that work with unaccompanied children and informed by child welfare principles. The policy shall seek to maintain family unity for children arriving without a parent or legal guardian, preserve the child's right to seek humanitarian protection and/or be released from the Department's custody pursuant to Federal law, and facilitate and expedite necessary processing to place or release the child with the arriving individual consistent with existing law and policy regarding unaccompanied child sponsors. Not later than 90 days after the date of enactment of this act, the Department shall brief the Committee on any changes resulting from this direction to policy.

State Police and Crime Labs.—The work of CBP, ICE, the Coast Guard, and the Secret Service includes investigations and operations in communities throughout the United States. As a result, the Department often shares capabilities and relies upon cooperation with SLTT and foreign law enforcement agencies, including State police crime labs. These labs provide the Department with a number of critical capabilities, including fingerprint, drug, and cellular telephone analysis. Likewise, these capabilities are the same services shared among SLTT and foreign law enforcement agencies. Coordination among these agencies not only ensures efficient use of resources, it also improves public safety outcomes. To that end, the Department should continue to work with State crime labs where available, particularly in areas not adequately served by Department labs or other Federal facilities. The Department should also continue to provide any assistance that is appropriate to State police crime labs to ensure Federal requirements do not burden State resources. Moreover, in areas where the Department frequently relies on State crime labs, additional support may be appropriate to prevent the accumulation of backlogs that can slow investigations. The Department shall report on its use of and partnerships with State crime labs, including funds associated with such partnerships, and should fully reimburse State crime labs for the service they provide to the Department.

Study of Costs Absorbed by Components and Funding Alignment.—The Committee is aware that for many years challenges have existed in aligning funding across multiple components' function, capabilities, and activities at the border. Additionally, the Committee is aware that many of the prior solutions are drastically outdated and do not account for the increased costs associated with 2022 realities, such as the 2011 agreement for medical costs associated with individuals in CBP custody, and transportation challenges from the border for noncitizens. Within 180 days of the date of enactment of this act, the Committee directs the Secretary to examine the funding sources and agreements between all components with a permanent presence at the border to determine whether funding sources should be realigned or agreements updated or terminated and shall make such recommendations to the Committee in its fiscal year 2024 Budget Request, including any proposed language changes. Such examination shall include, at a minimum, health and medical costs for all noncitizens, regardless of which component has legal custody, transportation-related expenses, and housing and custody costs. The review shall properly examine downstream costs on components if one component engages in a

significant policy change, such as release of noncitizens without proper processing, and make recommendations on the proper alignment of funding. Until such time as the recommendations described herein are made and subsequent action taken by Congress, all such funding sources and required transfers and agreements shall occur as proscribed in this act or fiscal year 2022.

Tribal Consultation.—Department personnel interact with Tribes and thousands of Tribal members every day. Some Department personnel do not have training on Tribal issues, which may lead to misunderstandings that negatively impact Tribes, Tribal members, and ultimately, the Department. The Committee recognizes that the Department is required under Executive Order 13175 to consult and coordinate with Tribal governments. Within 180 days of the date of enactment of this act, the Department shall consult and work with Tribes to improve the mandatory base level training course for Department personnel, including but not limited to FTE, part time employees, and contractors, who have regular interactions with Tribal members or are likely to encounter Tribal members at their duty station.

Women in Law Enforcement.—Within 90 days of the date of enactment of this act, the Department shall brief the Committee on current Department-wide efforts to recruit and retain women in law enforcement. At a minimum, the briefing shall include information of all law enforcement components detailing: an overview of current recruitment and retention efforts of women by component; with base funding for such efforts; success of current efforts including identification of the metrics of success by fiscal year; and the current percentage of women in law enforcement and their seniority per component. The briefing shall also identify planned recruitment and retention efforts by component for the next fiscal year, any funding requirements to improve the recruitment and retention of women in law enforcement fields by component with comparisons of similar efforts by other Federal law enforcement agencies, including the Department of Justice, and provide recommendations by component for new programs or efforts that would further support the recruitment and retention of women in law enforcement.

OFFICE OF STRATEGY, POLICY, AND PLANS

Center for Prevention Programs and Partnerships.—The Committee strongly supports recent efforts to comprehensively combat all forms of terrorism and targeted violence, while balancing the fundamental privacy, civil rights and liberty interests of citizens and residents alike. The Committee supports the transition to the new Center for Prevention Programs and Partnerships [CP3], which will utilize a community-based approach, including reliance on evidence-based, local prevention frameworks, to prevent targeted violence and terrorism. The Committee recognizes both the importance of community resilience to preventing terrorism and the chronic underfunding of community resilience programs. These programs prevent extremist conspiracies from taking hold in our communities and enable intervention to help at-risk individuals before they choose violence. In order to scale the impact of the CP3, the Committee recognizes a need to study whether some grants

should be administered by other departments and whether grants should be consolidated into a smaller number of larger grantees to provide sub-grants to local projects while distancing the program from security officials. The Committee also recognizes the importance of transparency, program evaluation and consistent community engagement to successful resilience programming.

The Committee directs the Department to coordinate with the Department of Justice, the Federal Bureau of Investigation, and key public safety officials across the Nation to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism. The Committee further directs the Department to review the anti-terrorism training and resource programs that the Department provides to Federal and SLTT law enforcement agencies and ensure that such programs include training and resources to assist SLTT law enforcement agencies in understanding, detecting, deterring, and investigating acts of domestic terrorism and extremists' activities targeting infiltration of law enforcement agencies. The Committee also directs the Department to report to the Committee within 90 days of the date of enactment of this act on the Department's assessment of the domestic terrorism threat, including extremists' activities targeting infiltration of Federal and SLTT law enforcement agencies. Such report shall also include an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding fiscal year. Within 180 days of the date of enactment of this act, the Department shall produce a report that provides a description of all procedural and substantive privacy, civil rights, and civil liberties protections applicable to CP3 programs, whether administered directly by the Department, through grant recipients, or by other third parties, and a detailed description of how CP3 monitors grant recipient compliance with Federal civil rights laws pursuant to 44 C.F.R. Part 7, as well as of any other applicable statutory or regulatory provisions.

Policy on Legal Orientation and Access within all Department Facilities.—The Committee is concerned that noncitizens do not have a sufficient understanding of their rights, obligations, and responsibilities within the immigration system. The Committee is aware that immigration-benefit request outcomes and the pace of processing can be substantially different when all parties are represented by competent counsel. Within 180 days of the date of enactment of this act, the Department in cooperation with the OCRCL, shall brief the Committee on the benefits, challenges and the potential overall impact on the immigration system, if legal orientation and access programs were required or permitted in all custody and detention facilities. The briefing shall discuss the specific changes necessary to facilitate legal orientation and meaningful access if conducted in facilities where the right to counsel does not presently exist and identify the necessary funding requirements.

Small Unmanned Aircraft Systems [sUAS] Procurement.—The Committee remains concerned about the threat of foreign-made sUAS collecting intelligence on U.S. national security facilities and critical infrastructure. For the purposes of securing and protecting infrastructure critical to national security, requirements for pur-

chases of American-made UAS should be implemented as soon as practicable. Until such requirements are in place, for any acquisition using funds in this act, including those by Federal grant recipients, the Department shall require certification of review of the industry alert, and any subsequent UAS guidance, and completion of a risk assessment that considers the proposed use of the foreign-made UAS. The Committee directs the Department to conduct a review of domestically produced alternatives and update guidance, as appropriate.

OFFICE OF PARTNERSHIPS AND ENGAGEMENT

Blue Campaign.—The Department is directed to sustain the program at not less than its total fiscal year 2022 level. The recommendation does not concur with the proposed transfer of the Blue Campaign from OPE to the Department’s Center for Countering Human Trafficking, located within ICE’s Homeland Security Investigations [HSI]. The Committee is willing to reconsider the movement of the program after the Department has adequately responded to the Committee’s request for information about the proposed move, including a description of its outreach efforts to stakeholder groups, an analysis of the potential impact of the move on undocumented victims of trafficking, and detailed mitigation efforts for victims of trafficking of any such potential impacts identified in such analysis. As a part of this analysis, the Department is encouraged to engage stakeholders about the potential impact on victims of trafficking if the Blue Campaign is permanently housed in ICE.

OFFICE OF GENERAL COUNSEL

OGC Caseloads and Staffing.—Within 90 days of the date of enactment of this act, OGC shall provide a briefing to the Committee on current average caseload per attorney and staffing levels, goals, and requirements by division.

OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES

Equal Employment Opportunity Complaints [EEOC].—The OCRCL provides advice to Department leadership on civil rights and civil liberties issues impacting Department programs and/or activities. Additionally, the Complaints Management and Adjudication Section [CMAS] within OCRCL, leads the processing of EEO complaints throughout the Department. CMAS prepares final actions on formal EEO complaints filed by Department employees, former employees, and applicants for employment who allege discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1967, as amended; the Equal Pay Act of 1963; the Rehabilitation Act of 1973, as amended; the Genetic Information Nondiscrimination Act of 2008; and Executive Orders prohibiting discrimination on the bases of parental status. Federal-sector EEO complaint processing guidelines are set forth in EEOC regulations at Title 29, Code of Federal Regulations, Part 1614. CMAS also oversees the Department-wide complaint tracking system which provides the data CMAS uses to prepare Departmental reports, which provide accountability to the Department, to Federal employees, and to the

public. The Committee is concerned about whether the Department is meeting all regulatory, statutory and internal deadlines concerning the adjudication and consideration of EEOC-related complaints. Within 30 days of the date of enactment of this act, the Department shall brief the Committee on the status of the Equal Employment Opportunity Program and all related complaints. Such briefing shall include identification of adjudication timelines or processing goals, current metrics, and shall identify the specific resource requirements necessary to achieve such goals, as applicable.

Language Access Programs.—Within 180 days of the date of enactment of this act, OCRCL shall conduct an analysis of existing language access plans for the Department. The report shall include but not limited to: (1) an assessment of current language access plans; (2) whether existing language access plans meet applicable requirements; and (3) whether any legal rights orientations are provided in the appropriate language for migrants participating in agency programs. Any recommendations developed after review of the existing plans shall utilize the four-factor analysis identified in Section 4 of the Department’s Master Language Access plan.

287(g) Agreements.—OCRCL shall conduct an assessment of every jurisdiction delegated law enforcement authority under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)). The office is directed to issue and publish online, with redactions only as required by the Freedom of Information Act [FOIA], an annual report for each participating jurisdiction including: (1) assessment of whether the terms of the delegation of authority are being followed, including whether participating jurisdictions are engaged in immigration enforcement activities outside the terms or scope of the agreement; (2) assessment of compliance with steering committee requirements including frequency of steering committee meetings, number of participants, and record of attendance at such meetings by ICE; (3) data and information related to individuals placed into removal proceedings by 287(g)-designated officers that would be necessary or useful in identifying patterns of racial profiling or other unconstitutional police practices, including nationality, race, gender, and criminal charges or convictions; (4) documentation of any alleged civil rights and liberty violations committed by the participating jurisdiction; (5) any plans for future expansion of or changes to the program in that participating jurisdiction; and, (6) any reports to the OIG or Secretary as to whether the terms of the agreement governing the delegation of authority have been materially violated and/or whether the participating jurisdiction has any alleged or reported pattern or practice of civil rights violations.

PRIVACY OFFICE

Collected Personal Information.—Within 180 days of the date of enactment of this act, the Secretary shall submit to the Committee, a report detailing the collection and use of personal information by all components of the Department. The report shall include information about the collection of personally identifiable data of U.S. and non-U.S. persons by all components of the Department, including data reflecting expressive or associational activities, and including but not limited to collection from social media platforms, data

brokers, electronic devices, applications for services and accreditations provided by components, encounters at ports of entry, and other travel information. It shall also include how the data is stored and shared, or accessed, which internal components it is shared with, which external partners inside and outside the Federal Government, including but not limited to local, State and Tribal law enforcement, foreign governments, and private businesses it is shared with, the legal basis for its collection, and all civil rights, civil liberties and privacy mechanisms that are used to protect the rights of individuals whose data is accessed, stored, or shared. Finally, the report shall address any mechanisms that allow individuals to seek redress if they believe that they are erroneously included in any of the lists maintained by the Department or erroneously subjected to additional screening, scrutiny, or surveillance as a result of a Department risk assessment process. The report shall be provided in an unclassified manner that can be shared with the public to the greatest extent possible and with a classified annex as necessary.

IMMIGRATION DETENTION OMBUDSMAN

Report on Ombudsman Independence.—The Committee is concerned that the Ombudsman Office is not truly independent of the Department, which necessarily impacts the Ombudsman’s ability to be impartial, fair, maintain confidentiality, and engage in a credible review process of complaints and concerns brought to the Ombudsman by employees, the public, or individuals in the physical custody of the Department. The Committee would like to see the Ombudsman truly become an independent entity that rests outside of the Department, similar to the independent authority of the Department OIG. Until such time as the Ombudsman can be moved from the Department, the Ombudsman is directed to report to the Committee, no less than monthly, any instances where the Ombudsman’s independence, impartiality, confidentiality, or fairness are impeded due to the organizational structure of the Ombudsman. Within 90 days of the date of enactment of this act, the Ombudsman shall report to the Committee on the pros and cons of moving the Ombudsman outside of the Department, creating a reporting structure similar to the OIG in funding and oversight. The report shall identify all such hurdles the office may face in effectuating that transition and absorbing other detention inspection staff and resources.

Report on Detention Inspection Consolidation.—The Committee believes that an aggressive, and well-funded, internal and external inspection program is essential to ensure that individuals in the physical custody of the Department reside in safe, secure and humane environments while in the Department’s care. The Office of Immigration Detention Ombudsman was created to help facilitate additional oversight of detention facilities, however, even after the Ombudsman’s creation, other Departmental components continue to conduct detention oversight, resulting in multiple, overlapping efforts and resource competition. Within 120 days of the date of enactment of this act, and after the consolidated detention inspection plan is finalized, the Office shall report to the Committee how such

transitions shall be carried about and adjust the base funding for the subsequent fiscal year.

FEDERAL ASSISTANCE

The committee recommends \$20,000,000 for Federal Assistance, which shall be transferred to the Federal Emergency Management Agency for evidence-based targeted violence and terrorism prevention grants.

Appropriations, 2022	\$35,000,000
Budget estimate, 2023	25,000,000
Committee recommendation	20,000,000

MANAGEMENT DIRECTORATE

The Management Directorate has responsibility for oversight of the management and operations of the Department. The specific activities funded by this appropriation include the Immediate Office of the Under Secretary for Management [IOUSM], the Office of the Chief Readiness Support Officer [CRSO], the Office of the Chief Human Capital Officer [CHCO], the Office of the Chief Security Officer [CSO], the Office of the Chief Procurement Officer [CPO], the Office of the Chief Financial Officer [CFO], the Office of the Chief Information [CIO], and the Office of Biometric Identity Management [OBIM].

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,308,645,000 for the Management Directorate, which is \$17,133,000 below the budget request amount and \$179,820,000 above the fiscal year 2022 enacted level. The Committee continues to support the Department’s efforts to provide greater transparency of the cost of management operations and to strengthen integration, coordination, and performance across components. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and budget request levels:

MANAGEMENT DIRECTORATE

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Immediate Office of the Under Secretary for Management	4,582	6,675	6,675
Office of the Chief Readiness Support Officer	250,663	319,791	319,791
Office of the Chief Human Capital Officer	141,860	152,218	147,218
Office of the Chief Security Officer	154,324	188,700	188,700
Office of the Chief Procurement Officer	93,945	92,940	92,940
Office of the Chief Financial Officer	104,820	111,713	116,713
Office of the Chief Information Officer	646,248	630,850	630,850
Office of Program Accountability and Risk Management	16,174	21,033	21,033
Office of Biometric Identity Management	224,393	229,480	229,480
Unallocated by PPA	177,061	.....	.....
Total, Operations and Support	1,637,009	1,753,425	1,753,400
Construction and Facility Improvements	359,700	390,000	390,000
Mission Support Assets and Infrastructure	111,164	144,293	144,293
Homeland Advanced Recognition Technology	20,952	38,085	20,952

MANAGEMENT DIRECTORATE—Continued
 [In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Subtotal, Procurement, Construction, and Improvements	491,816	572,378	555,245
Total, Management Directorate	2,128,825	2,325,778	2,308,645

OPERATIONS AND SUPPORT

Appropriations, 2022	\$1,637,009,000
Budget estimate, 2023	1,753,400,000
Committee recommendation	1,753,400,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,753,400,000 for Operations and Support [O&S], which is the same as the budget request amount and \$116,391,000 above the fiscal year 2022 enacted level.

Component Obligation Plans.—The Department shall continue submitting obligation plans to the Committee on a quarterly basis, consistent with direction provided in the explanatory statement accompanying Public Law 114–113, and shall ensure that the obligation plans are connected to activity-level details in the budget justification materials. The Committee expects these plans to be delivered in a timely manner.

OFFICE OF THE CHIEF READINESS OFFICER

Joint Processing Centers.—The Committee provides funding for a third Joint Processing Center [JPC] for the OCRSO. OCRSO shall continue to act as the executive agent for the design and construction of such centers in consultation with ICE, USCIS, CBP, FEMA, and other agencies such as the Office of Refugee Resettlement, as appropriate. However, in design, construction, and consultation, OCRSO shall ensure that such facilities do not transition into prolonged family detention facilities by building requirements into facilities that effectively result in family detention centers, which the Committee does not desire. Not later than 60 days after the date of enactment of this act, OCRSO shall brief the Committee on its plans and provide quarterly updates on the progress of JPC construction.

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

DHS Cybersecurity Professionals.—Not later than 60 days after the date of enactment of this act, OCHCO, in coordination with OCIO and CISA, shall brief the Committee on the status of hiring cybersecurity professionals and proposed solutions to develop standardized metrics used to ensure consistency in identifying skills and talents of employees across the Department. The briefing shall include recommendations on how IT-focused jobs can be classified for qualification standards that could be updated to meet the Department’s needs, and shall incorporate the use of the new Cybersecurity Talent Management System [CTMS].

Hiring in Rural Communities.—Departmental components continue to face challenges with filling vacant positions and providing

for public safety in non-contiguous and rural States. Challenges in recruiting and retaining Federal employees has exacerbated chronic staffing problems at areas critical to public safety. The Department is urged to examine how small businesses, including Native American, Alaska Native, and Native Hawaiian small businesses, could help the Department fill its unmet needs in communities and the Department is encouraged to explore existing opportunities to fill vacancies where possible. Not later than 90 days after the date of enactment of this act, the Department shall provide a report to the Committee on the challenges of recruiting and retaining Federal employees in non-contiguous and rural States. The report shall include a clear description of the obstacles related to using small businesses, information about rates of attrition, the number of unfilled positions, and the duration of time those positions have remained vacant. The report shall also provide an assessment of the effect these vacancies have on the ability of components to accomplish their statutory and administrative responsibilities and shall specifically describe steps the Department has taken to address the identified challenges or identify requirements to address the identified challenges.

OFFICE OF THE CHIEF FINANCIAL OFFICER

Fiscal Year 2024 Budget Justification.—The CFO is directed to ensure that fiscal year 2024 budget justification materials for classified and unclassified budgets of all components are submitted, concurrent with the President’s budget submission to the Congress.

The justifications shall continue to include:

- Detailed data and explanatory descriptions for each request and for each PPA, including offices that have been identified as PPAs, reflected in the table at the end of this explanatory statement. Information should be presented in quantifiable terms with specific breakdowns of the funding.
- Tables that compare prior year actual appropriations and obligations, estimates of current year appropriations and obligations, and the projected budget year appropriations and obligations for all PPAs, sub-PPAs, and FTE, including identifying each adjustment to base, transfer, program increase, program decrease, and staffing change proposed in fiscal year 2024.
- Year-to-year changes described in terms that are clear and unambiguous, excluding nonspecific terms such as “technical adjustment” or “administrative change” unless accompanied by a detailed explanation. Explanations of adjustments to base funding, whether increases or decreases, should be specific and compared to prior year activity level, not just the entire PPA level. All requested increases shall be justified with measurable outcomes above the current baseline of activity. If the Department does not have a current measure of such baseline activity, the Department shall establish one before requesting an increase.
- For each operations and support PPA or sub-PPA reflected in the table at the end of this explanatory statement, a breakdown, for fiscal year 2023 enacted amounts and fiscal year 2024 requested amounts, of pay and non-pay amounts.

- For investment end items with severable unit costs in excess of \$250,000 or a lifecycle cost in excess of \$300,000,000, the project description, justification, total cost, and scope; key acquisition milestones from the prior year, year of execution, and budget year; the funding history by fiscal year, to include prior enacted appropriations, obligations, and expenditures; contract information to include contract number, contractor, type, award date, start date, end date, earned value management potential in the contract, and total contract value; and significant changes to the prior year enacted budget, project schedule, and estimated time to completion.
- For severable end items, the quantity of each item by prior years, current year, budget year, and out-year; the quantity of units delivered on contract, funded but not yet on contract, and planned but unfunded; and the delivery schedule by quarter for the end item, delineated by fiscal year funding.
- Information by appropriation and PPA on all reimbursable agreements and significant uses of the Economy Act (Public Law 73–2) for each fiscal year.
- An accurate, detailed table identifying the last year that authorizing legislation was enacted into law for each appropriation, including the amount of the authorization, when the authorization expires, and the appropriation in the last year of authorization.
- The text and citation of all Department appropriations provisions enacted to date that are permanent law.
- Explanations and justifications for all proposed legislative changes, whether they are new or amend existing law and whether they are substantive or technical in nature, with an annotated comparison of proposed versus existing language.
- A report on the status of overdue Committee-required reports, plans, or briefings for each of fiscal years 2022 and 2023.

Additionally, the OCFO, working with component agencies, shall ensure that output from predictive models used by agencies to inform likely impacts to future workloads are incorporated into the Department's fiscal year 2024 budget justification materials. For each relevant program area, budget materials shall clearly describe and quantify the projections used to inform resource requests, indicate the agencies impacted by the projections, and confirm whether the budget requests for those agencies were developed using the same assumptions. The Committee recognizes that deviations in spend plans are likely in program implementation, the Department is directed to notify the Committee when significant, policy related changes are made to spend plans. Any significant new activity that has not been explicitly justified to the Committee or for which funds have not been provided in appropriations acts requires the submission of a reprogramming or transfer request.

[FSMS] Transitions.—The Committee is concerned with delayed payments and significant cost escalations resulting from the Coast Guard's transition to its new financial management system. Within 30 days of the date of enactment of this act, the OCFO and OCIO, together with the Coast Guard, is directed to brief the Committee on the full extent of the delays and the extent to which they have been remedied. In addition, OFCO and OCIO are directed to brief

the Committee on lessons learned from all prior transitions and measures that are being taken to ensure that further transitions are successful and cost effective.

OFFICE OF THE CHIEF INFORMATION OFFICER

Technology Modernization Fund [TMF] Reporting.—The Committee supports the Department’s efforts to leverage the TMF to improve the delivery of mission critical services through transformation of business processes and use of innovative technology. The Committee directs the Department to provide notice to the Committee when the Department or a component agency submits an initial project proposal to the Technology Modernization Board. If a proposal from the Department or component agency is accepted, the Department shall provide the Committee a briefing on the project and the plan for paying back the TMF, e.g., identify projected cost savings.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

Domestic Supply Chain Report.—Not later than 180 days after the date of enactment of this act, the Secretary shall provide a report to the Committee with recommendations on how the Department may procure additional items from domestic sources and bolster the domestic supply chain for items related to national security. The report shall include a status of the compliance of the Department with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States. Additionally, the report shall include an assessment of the capacity of the Department to procure the following items from domestic sources: personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID–19; body armor components intended to provide ballistic protection for an individual; helmets that provide ballistic protection and other head protection and components; and rain gear, cold weather gear, and other environmental and flame resistant clothing.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

Briefings on the Homeland Security Advanced Recognition Technology [HART].—The Committee does not fully fund the HART request and directs the Department provide adequate disclosure of its technologies, data collection mechanisms, and sharing agreements among Department immigration enforcement agencies, other Federal, State, local, and foreign law enforcement agencies, and fusion centers as relates to the development of the HART biometric database that will replace the Automated Biometric Identification System [IDENT] database. In cases where the Department relies on information obtained through the HART database or through the State Department foreign intelligence sharing, to separate a minor child from a parent, primary caregiver, or close relative who is caring for or traveling with that child, the Department shall report this incident to the OIG and OCRCL within 24 hours of the separation.

Quarterly Briefings.—OBIM is directed to continue briefing the Committee on a quarterly basis on its workload, service levels, staffing, modernization efforts, and other operations. These briefings shall further detail how much support OBIM is providing by Departmental component.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$622,316,000
Budget estimate, 2023	572,378,000
Committee recommendation	555,245,000

COMMITTEE RECOMMENDATIONS

DHS Headquarters Consolidation.—The recommendation includes funding for development at St. Elizabeths equal to the budget request. Within 60 days of the date of enactment of this act, the Department shall brief the Committee with an updated master plan for St. Elizabeths to include an updated Estimated Implementation Costs and Date of Occupancy list, and a detailed list by Component of Federal employees that were utilizing the St. Elizabeths campus compared to those that are now teleworking. Due to the increase in remote-work, the Committee is concerned that future seat-to-staff ratios have drastically changed within different facilities and on the basis of each Component’s mission.

Financial Systems Modernization [FSM].—The Committee continues to direct the Department within 90 days of the date of enactment of this act to provide a strategy for the acquisition of software and services related to FSM, including an analysis of alternatives and a plan for how the Department will ensure full and open competition in the award of all related contracts. Furthermore, the Committee is concerned that an expectation of implementation by components exists for these efforts without properly planning for contingencies that preserve congressional prerogatives, and consequently the Department is encouraged to ensure transitional flexibility.

FEDERAL PROTECTIVE SERVICE

Appropriations, 2022	\$1,653,384,000
Budget estimate, 2023	2,113,479,000
Committee recommendation	2,113,479,000

The Federal Protective Service [FPS] is responsible for: the security and protection of Federal property under the control of the General Services Administration [GSA]; the enforcement of laws pertaining to the protection of persons and designated property; the prevention of breaches of peace; and enforcement of any rules and regulations made and promulgated by the GSA Administrator or the Secretary. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account provides funds for the salaries, benefits, travel, training, and other expenses of the program.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,113,479,000 for FPS, as requested, and these amounts are offset by collections paid by GSA tenants and credited to the account.

Security Camera and Alarm Systems Audit.—The Committee directs FPS to collaborate with GSA’s Office of Inspector General Office of Audits in carrying out the recommendations made in the Report on Audit of Security Camera and Alarm Systems at GSA–Owned Buildings (Report Number A210033/P/5/R22006) and brief the Committee on required actions within 180 days of the date of enactment of this act.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
FPS Operations	393,333	457,300	457,000
Countermeasures	1,206,051	1,615,695	1,615,395
Subtotal, Federal Protective Service	1,653,384	2,113,479	2,113,479
Offsetting fee collections	–1,653,384	–2,113,479	–2,113,479

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

The Intelligence, Analysis, and Operations Coordination appropriation supports activities to improve the analysis and sharing of threat information and includes activities of the Office of Intelligence and Analysis [I&A] and the Office of Operations Coordination [OPS]. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

INTELLIGENCE, ANALYSIS, AND OPERATIONS COORDINATION

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	298,171	341,159	341,159
Subtotal, Intelligence, Analysis, and Operations Coordination	298,171	341,159	341,159

OPERATIONS AND SUPPORT

Appropriations, 2022	\$298,171,000
Budget estimate, 2023	341,159,000
Committee recommendation	341,159,000

Please reference the classified Intelligence, Analysis, and Operations Coordination annex for further information.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$341,159,000 for Operations and Support [O&S], as requested, and \$42,988,000 above the fiscal year 2022 enacted level. The details of these recommendations are included in a classified annex accompanying this explanatory statement.

Annual Budget Justification Materials.—The Committee directs that the fiscal year 2024 budget justification materials for the classified budget shall include the same level of detail required for other appropriations and PPAs.

Intelligence Expenditure Plan.—The Department’s Chief Intelligence Officer is directed to brief the Committee on the I&A expenditure plan for fiscal year 2023 within 180 days of the date of enactment of this act. The plan shall include the following:

- fiscal year 2023 expenditures and staffing allotted for each program as compared to fiscal years 2018 through 2022;
- all funded versus on-board positions, including FTE, contractors, and reimbursable and non-reimbursable detailees;
- a plan for all programs and investments, including dates or timeframes for achieving key milestones;
- allocation of funding within each PPA for individual programs and a description of the desired outcomes for fiscal year 2023; and
- items outlined in the classified annex accompanying this Explanatory Statement.

OFFICE OF INSPECTOR GENERAL

The Office of Inspector General [OIG] conducts audits, inspections, investigations, and other reviews of the Department’s programs and operations. OIG promotes economy, efficiency, and effectiveness of the Department, with the goal of preventing and detecting fraud, waste, and abuse.

OPERATIONS AND SUPPORT

Appropriations, 2022	\$190,186,000
Budget estimate, 2023	214,879,000
Committee recommendation	214,879,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$214,879,000 for Operations and Support [O&S], which is the same as the budget request and \$24,693,000 above the fiscal year 2022 enacted level.

OPERATIONS AND SUPPORT

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	205359	214879	214879
Total, Office of Inspector General	205359	214879	214879

Inspectors General across the government, including the Department’s OIG, perform a critical function on behalf of the Congress and the American public. OIG estimates that its work to deter waste, fraud, and abuse saves the Department \$13.38 for every \$1.00 obligated in support of OIG operations.

Expenditure Plan.—Information accompanying OIG’s fiscal year 2024 budget request shall include a detailed expenditure plan and include information that breaks down proposed expenditures by focus area and activity type.

Custody Operations Reporting.—OIG shall continue its program of unannounced inspections of immigration detention facilities. OIG shall publish its final report regarding the inspections within 180 days of the date of enactment of this act. The Secretary shall ensure that the results of the inspections, and other reports and notifications related to custody operations activities, are posted on a publicly available website.

Denial of OIG Access to Records and Information.—The Committee is concerned about inappropriate denials and delayed responses by Department component agencies to OIG requests. The OIG shall provide a monthly report to the Committee concerning efforts of components to prevent or impede OIG access to such records, documents, or other materials. The report shall include at a minimum, a summary of the OIG request, including the justification or legal rationale for the request, a description of the component response to the request, and any other information the OIG determines is appropriate.

Monthly Budget and Staffing Briefings.—The OIG shall continue to provide the Committee monthly budget and staffing briefings, as described in the explanatory statement accompanying the fiscal year 2022 Act (Public Law 117–103), which shall include all available funding sources, contracts, and contract staffing.

TITLE I—ADMINISTRATIVE PROVISIONS

Section 101. The Committee continues a provision regarding grants or contracts awarded by means other than full and open competition and requires OIG to review them and report the results to the Committee.

Section 102. The Committee continues a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 30 days after the close of each month.

Section 103. The Committee continues a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 104. The Committee continues a provision requiring the Secretary, in conjunction with the Secretary of Treasury, to notify the Committee of any proposed transfers from the Department of the Treasury Forfeiture Fund to any agency at the Department.

Section 105. The Committee continues a provision related to official travel costs of the Secretary and Deputy Secretary.

Section 106. The Committee continues a provision related to acquisition reporting.

Section 107. The Committee includes a modified provision related to pilot projects undertaken by the Department.

TITLE II
SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

U.S. Customs and Border Protection [CBP] is responsible for enforcing laws regarding the admission of foreign-born persons into the United States and for ensuring that all goods and persons entering and exiting the United States do so legally.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$16,356,271,000 for CBP, which is \$1,164,366,000 above the budget request amount and \$1,712,994,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee's recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	13,756,194	14,459,625	15,515,296
Small Airport User Fee	9,000	12,000	12,000
Columbia Free Trade Collections	206,000	280,000	280,000
Procurement, Construction, and Improvements	572,083	440,280	548,975
Total, Customs and Border Protection	14,543,277	15,191,905	16,356,271
Estimated fee collections:			
Immigration inspection user fee	394,772	642,788	642,788
Immigration enforcement fines	209	237	237
ESTA	11,084	50,684	50,684
Land border inspection fee	36,018	62,537	62,537
COBRA fee	359,380	532,102	532,102
APHIS inspection fee	533,104	417,000	417,000
Global entry user fee	167,000	174,000	174,000
Puerto Rico Trust Fund	224,818	224,931	224,931
Virgin Island fee	10,415	11,649	11,649
Customs Unclaimed Goods	1,671	2,519	2,519
9/11 Response and Biometric Account	29,563	46,540	46,540
Total, Estimated fee collections	1,768,034	2,164,987	2,164,987
Reimbursable Preclearance	39,000	39,000	39,000
Total, U.S. Customs and Border Protection, available fund- ing	16,425,311	17,395,892	18,560,258

Integrating Budget Requests.—The Committee receives individual requests for funding for personnel, technology, equipment, infra-

structure, and services for CBP operations that do not take into account how funding in one area impacts another. To date, the Committee must assess and fund these requests as stand-alone budget proposals, potentially resulting in funding imbalances across CBP programs and minimizing the value of investments. To make more informed budget decisions, CBP must provide the Committee with appropriate data that describes and quantifies the relationships between investments. The Committee continues its direction to CBP to include with any requests for new funds a description of other programs the investment is expected to impact and a description of the anticipated impact.

This issue is further compounded when requests for new investments at CBP impact Department components and programs outside of CBP. The value of an investment is minimized when connections between programs aren't identified, understood, and factored in to planning and budgeting. The Committee directs CBP to provide a plan and a briefing within 60 days of the date of enactment of this act on how the agency will comply with this requirement, to include how CBP plans to adjust internal planning and budgeting processes in order to be able to capture the data necessary to fully comply with this requirement.

Developing and Using Predictive Analytics.—The Committee has a long history of funding analytic and modeling capabilities across CBP, from the Advanced Trade Analytics Platform to tools that project future flow of travel and trade to the U.S. The development and use of the output from these investments brings a critical understanding of future workload and the optimal requirements to meet that workload in a more cost effective manner. Unfortunately, much of the data resulting from these investments are not provided to the Committee through budget justifications and reporting requirements. The Committee directs CBP to provide within 45 days of the date of enactment of this act, a list of all analytic and modeling capabilities at the agency, a description of the data provided by those capabilities, how CBP currently uses that data, and any plans to expand that use. Further, CBP shall provide a briefing within the same time period to the Committee with a plan to incorporate the data output from analytic and modeling investments into reporting requirements in fiscal years 2022 and 2023, and budget justifications for fiscal year 2024.

Opioid Enforcement Activities.—The Committee notes the critical role CBP plays in preventing the flow of opioids into the United States. The Office of Field Operations [OFO] and U.S. Border Patrol personnel seizures of illicit fentanyl have increased significantly from approximately two pounds seized in fiscal year 2013 to 11,203 pounds seized in fiscal year 2021. The Committee continues to prioritize funding for personnel and technology in support of increased detection and seizures of illegal narcotics, including resources for ports of entry and international mail facilities.

OPERATIONS AND SUPPORT

Appropriations, 2022	\$13,756,194,000
Budget estimate, 2023	14,459,625,000
Committee recommendation	15,515,296,000

The CBP Operations and Support [O&S] appropriation provides funds for border security, immigration, customs, agricultural inspections, the regulation and facilitation of international trade, the collection of import duties, and the enforcement of U.S. trade laws. In addition to directly-appropriated resources, fee collections ranging from immigration, cargo, and agriculture inspections; public-private partnership reimbursements, travel authorizations; registered traveler programs; and other programs are available for the operations of CBP.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$15,515,296,000 for O&S, which is \$1,055,671,000 above the budget request amount and \$1,759,102,000 above the fiscal year 2022 enacted level. This total includes \$3,274,000 from the Harbor Maintenance Trust Fund.

Resource Prioritization.—The Committee directs CBP to brief the Committee bimonthly on efforts to evaluate CBP-wide workload, capabilities, assets, and human resource gaps, describe how those gaps impact mission performance, and to use the results of the ongoing analyses to support the fiscal year 2024 budget request.

Recruitment, Hiring, and Retention.—Within 90 days of the date of enactment of this act, CBP shall brief the Committee on its efforts to improve hiring and retention at all of its law enforcement components, including existing and planned strategies and initiatives to accomplish this goal. Given hiring and retention challenges, CBP shall prioritize and continue efforts to use available incentives to recruit and retain employees in rural and remote areas and explore other strategies, such as innovative pilot programs that include successful strategies from the private sector, career path enhancements, alternative schedules, and workforce support programs for employees who are willing to choose such locations. Further, CBP shall ensure that those strategies and initiatives include women and other traditionally under-represented population groups and that appropriate anti-harassment protocols are in place. CBP shall ensure that staff are trained on recognizing signs of trauma exposure, understanding common behaviors of people exposed to trauma and trauma-informed practices. The Committee encourages CBP to review the Department's Memorandum of Understanding with the Department of Defense [DOD] for potential participation in the DOD Skill Bridge program as an opportunity to identify, recruit, and train highly qualified applicants from the population of service members who are transitioning from active duty in order to address staff shortages across the agency and potentially reduce the personnel costs associated with training new employees. As CBP continues working to improve hiring and retention at all of its law enforcement components, the Committee reminds the agency to use valid, competency-based assessments, rather than self-assessments, to determine whether a candidate is qualified for a particular position. To reduce the number of unqualified candidates being considered for CBP positions, and to improve time-to-hire and other hiring outcomes, the Committee directs CBP to review existing Federal assessment programs, such as USA Hire, for use within the agency.

Law Enforcement Suitability Analysis.—The Committee understands that CBP has fully implemented a new test supported by the National Center for Credibility Assessment [NCCA] as appropriate for use by CBP to inform law enforcement suitability for new hires. The Committee directs CBP to submit a report on the effectiveness of polygraph tests within 120 days of the date of enactment of this act. The report shall again include data comparing CBP’s failure rates to those of other Federal law enforcement agencies; a list of admissions elicited during polygraph tests since CBP implemented a mandatory polygraph test requirement; and details regarding the total and annualized number of such admissions and types of admissions.

Northern Border Strategy Implementation Plan.—The Committee remains concerned about threats to the United States passing through the northern border. In 2016, through the Northern Border Security Review Act (Public Law 114–267), Congress directed the Department to conduct a northern border threat analysis, which culminated in a strategy to secure the northern border and an accompanying implementation plan in order to achieve the strategy. The Northern Border Strategy Implementation Plan is a 5-year action plan identifying the milestones necessary to fully achieve the strategic plan by 2023. Within 90 days of the date of enactment of this act and quarterly thereafter, CBP shall brief the Committee on the status of the Northern Border Strategy Implementation Plan, including whether the fiscal year 2021 milestones have been achieved, the status of the fiscal year 2022 milestones, and, in the case where a milestone has not been achieved, detailed justifications explaining the failure to achieve the milestone. Further, the Committee expects the fiscal year 2024 budget request to detail specific northern border staffing and technology requirements and request specific funding for implementation of planned northern border enforcement initiatives enumerated in the analysis.

Leveraging CBP One™ to Assess Potential Use for Remote Asylum Applications.—The Committee notes that the Biden Administration halted and began to wind down the Migrant Protection Protocols Program [MPP] in early 2021 and CBP began winding down the program, CBP, using CBP One™—a mobile application that serves as a single portal to a variety of CBP services. In order to be processed for entry to the U.S., noncitizens first registered with the United Nations High Commissioner for Refugees. The registration and eventual scheduling for entry to the U.S. through a land port of entry was done via CBP One™. The advanced data collection reduced the amount of time a noncitizen would remain at a port of entry since CBP had the relevant data ahead of time and, because the returns were scheduled in advance, CBP knew who was arriving at a specific port of entry and when. The Committee notes that expanding a similar advance data collection effort for noncitizens who have not previously been processed for removal proceedings may not offer comparable throughput increases because CBP is required to issue initial Notices to Appear for any participating population.

Earlier this year, CBP expanded CBP One™, to streamline security vetting, reducing the time for background checks. The capabilities possible through this app have the potential to change how a

subset of noncitizens seeking protection may apply and travel to the U.S., helping to shift unknown arrivals between ports of entry to known arrivals at ports of entry, and, in particular, ports of entry away from the border. The Committee directs CBP, within 120 days of the date of enactment of this act, to work with USCIS and the State Department to examine options to leverage the capabilities available through CBP One™, and develop recommendations for noncitizens from certain countries to voluntarily apply for entry to seek protection while in their home country. The Committee recognizes that State Department support may be required to identify and collect information (e.g. fingerprint biometrics) from eligible populations outside of the United States and to coordinate messaging with noncitizen populations and foreign government partners.

Cooperation with ICE on Developing Transportation Costs.—The Committee is aware that CBP has been forced to assume financial responsibility for the transportation of noncitizens in its care for a variety of reasons. As such, the Committee has directed ICE to assume financial responsibility starting in fiscal year 2024 for nearly all noncitizens encountered by CBP, assuming CBP properly processes the noncitizen. Throughout fiscal year 2023, the Committee directs CBP to share with ICE and the Committee, not less than quarterly, actual and projected transportation costs for the identified population so that ICE can adjust its resource requirements in the fiscal year 2024 budget request accordingly. CBP is directed to assist ICE with the necessary information to effectuate this financial transition. Within 45 days of the date of enactment of this act, CBP and ICE shall provide the Committee a briefing on the status of this requirement.

Separation of Children from Parents and Legal Guardians.—The Committee strongly discourages the separation of children from their parents or legal guardians, absent a specific documented determination by a State-licensed child welfare professional. The Committee reminds CBP that criminal convictions, and the mental or physical health, of a parent/legal guardian unrelated to the child's health, safety, or welfare, alone are an insufficient basis to separate families. The Committee reminds CBP of its obligation to thoroughly document all such separations as previously described.

BORDER SECURITY OPERATIONS

The Committee recommends \$6,289,866,000 for Border Security Operations, which is \$774,602,000 above the budget request amount and \$1,147,561,000 above the fiscal year 2022 enacted level.

Workload Staffing Model for Between the Ports.—The Committee has provided significant resources toward border security across all resource types, ranging from personnel, infrastructure, equipment, and aircraft, as well as ground, air, and marine surveillance capabilities. To understand how these investments impact requirements for Border Patrol agents, Processing Coordinators, and other mission support staff, the Committee, again, reiterates its request for CBP to develop a comprehensive workload staffing model that takes into account how these investments inform the operational requirement for agents, coordinators, and support staff. Within 30

days of the date of enactment of this act, CBP shall provide a briefing to the Committee on Border Patrol's Mission Advantage Program and how that work demonstrates the impact, with data, that existing and potential resources are expected to have on personnel needs. Within 60 days of the date of enactment of this act, CBP shall provide a report to the Committee detailing the model and the process that CBP used to create and validate the model. The report shall include descriptions of: (1) steps and associated timelines taken to create the model and resources used to develop it; (2) data sources and methodology used to generate the model; (3) actions taken to independently verify the model, including on the following dimensions: data source analysis and findings; variables and assumptions; processes, information, distribution, and reporting; advanced analytics; and probability and risk analysis; (4) an inventory of Border Patrol technology assets, and how those assets and their capabilities inform workload staffing requirements; and (5) a plan for periodically updating and improving upon the model, including a plan for incorporating planned technological investments and associated force multiplier effects into the model, including changes in programs and processes, air and marine assets, and deployment of additional surveillance technologies.

Border Patrol Hiring.—The Committee provides the requested funding to hire an additional 300 Border Patrol agents, bringing the funded level to 19,855 agents. The Committee directs CBP to provide, within 90 days of the date of enactment of this act, the following: (1) a plan with a timeframe for bringing on board the additional agents and reaching the funded level of agents; (2) how additional agents hired will impact the total number of agents on the northern border as an increasing number of agents have been redeployed from the northern border to the southwest border; and (3) how CBP is responding to and altering policies to ensure appropriate oversight and execution of recommendations in response to investigations of Border Patrol activities.

Border Security Technology Gaps.—The Committee notes the requirement in Public Law 116–260, the Consolidated Appropriations Act of 2021, for CBP to examine technology gaps along the southwest border—both at ports of entry and between ports of entry. This critical analysis should guide CBP decisions on improving its technology development and acquisition. Within 180 days of the date of enactment of this act, CBP shall brief the Committee on its efforts to improve border security technology development and acquisition based on the analysis required by this law.

Border Management Requirements.—The Committee provides \$700,000,000 above the request for soft-sided facilities, transportation requirements, and operational costs associated with managing the southwest border. Within 45 days of the date of enactment of this act, CBP shall provide the Committee a spend plan for this funding, detailing each activity and the projected impact that funding will have on CBP's operational capabilities to secure the border.

Border Barriers Environmental Remediation.—Within 90 days of the date of enactment of this act, the Commissioner of CBP shall provide an update to the Committee on CBP's work with the appropriate agencies at the Department of the Interior and the Depart-

ment of Agriculture to convene a multi-agency process to identify harm inflicted by construction of border barriers on private land, Tribal land, flood-prone areas, and wildlife corridors, as well as recommended remediation measures. The multi-agency process shall include consultation with local, State, and Tribal governments, landowners, and non-governmental organizations with environmental and cultural preservation expertise. The Commissioner shall detail a data-driven plan to develop mitigation strategies in response to border barrier related construction. This strategy shall ensure that any actions taken maintain security along the border.

Operational Impact of Processing Coordinators.—The Committee supports investments that result in CBP's law enforcement personnel spending more time on the front-lines, and continues to invest in mission support staff, including processing coordinators. Those coordinators will be performing administrative and other duties at a fraction of the costs of law enforcement personnel. Within 30 days of the date of enactment of this act, and quarterly thereafter, CBP shall provide a briefing to the Committee on the status of hiring activity for processing coordinators funded within this and previous appropriations acts, including the status of all such law enforcement personnel returned to the field as a result of new coordinators, the measures the agency is using to assess the costs and benefits of this position, and a summary of all training and certifications coordinators must take or meet in order to qualify for the position. Future funding requests for these coordinators shall be accompanied with measures clearly detailing the operational impact of additional investment.

Body-Worn Cameras.—Within 90 days of the date of enactment of this act, CBP shall provide the Committee an execution plan with an implementation schedule to deploy body-worn cameras.

Prison Rape Elimination Act [PREA].—The Committee directs CBP to post on its website within 60 days of the date of enactment of this act a schedule for achieving 100 percent compliance with PREA requirements.

Transportation Checks and Roving Enforcement.—The Committee directs CBP to continue to collect and semiannually report to the Committee data pertaining to Border Patrol transportation and immigration checkpoints. The report shall exclude law enforcement sensitive information and include necessary redactions of all personal and identifying information about specific individuals. The report shall include, at a minimum, the total number of patrol stops made by CBP personnel during transportation checks and a description of the boarding of public conveyances by CBP personnel at air, maritime, and land environments, including ports and terminals. Additionally, the report shall include the following information when an arrest is made: the total number of arrests by location; the total number of use-of-force incidents during an arrest by location; the citizenship status of any individual arrested; and the total amount of drugs, currency, and firearms seized as a result of transportation checks. The report shall also include the following information pertaining to immigration checkpoints: the location of all tactical and permanent checkpoints that were in operation for any period of time; the total number of arrests by location; the total number of use-of-force incidents during an arrest by location; the

citizenship status of subjects stopped or arrested following secondary inspection at checkpoints; and the total amount of drugs, currency, and firearms seized at checkpoints.

Reporting Requirements for Deaths in Custody.—CBP shall continue to provide the data required in House Report 116–80 regarding deaths of noncitizens.

Short Term Detention.—The Committee is sympathetic to the operational needs of CBP which can fluctuate greatly, with surges to the border resulting in overcrowding in facilities presenting safety and health risks to individuals in custody, particularly children, as well as to CBP personnel. CBP shall continue to follow the directives in the explanatory statement accompanying Public Law 116–260 related to Holding Facility Length of Stay and Short-Term Detention, as well as the directives in House Report 116–458 on Initial Health Screenings, High-Priority Populations, Medical Equipment and Personnel, Access to Water and Food, Holding Facility Standards, Consumables, Child Welfare Professionals, Families in Custody, Personnel Training, Migrant Property, and Migrants-Safety. However, the Committee’s expectations should not be construed to interfere with the rights obtained, or obligations owed, by any Federal consent decree. Additionally, within 90 days of the date of enactment of this act, the Commissioner shall provide a report to the Committee on infrastructure changes, training protocols, and other investments to ensure the safe, humane, and orderly processing and prompt release or transfer of single adults, families, and unaccompanied children in CBP custody, in compliance with the CBP National Standards on Transport, Escort, Detention, and Search as well as the Flores Settlement. As part of the report, the Department shall solicit and include feedback and suggestions from non-governmental, non-profit organizations with a focus on immigration and civil rights to improve stakeholder monitoring and access policy at CBP facilities.

Missing Migrant Program and Rescue Beacons.—The Committee recommends \$3,500,000, above the request to expand the Missing Migrant Program and increase resources for the acquisition and deployment of additional rescue beacons.

Non-Mission Duties.—The Committee is aware that CBP personnel are carrying out the duties of other Federal agencies or components, known as “non-mission duties.” Not later than 30 days after the date of enactment of this act, CBP shall submit to the Committee a detailed report which shall include: (1) the total number of CBP agents or officers carrying out non-mission duties; (2) identification of the funding source associated with non-mission duties; (3) the rationale for CBP personnel to perform non-mission duties and the duration they are expected to perform those duties; (4) a detailed description of all required training for CBP agents and officers in order to carry out the non-mission duties; and (5) identification of any impacts to CBP’s mission due to agents and officers carrying out non-mission duties.

Assessing Commercial Satellite Radio Frequency [RF].—The Committee notes recent efforts and pilot programs to evaluate the utility of incorporating commercial satellite RF collections to improve situational awareness around the land borders of the United States. CBP should continue these efforts, which will allow for fur-

ther evaluation of how RF collection fits into existing surveillance and reconnaissance architectures.

TRADE AND TRAVEL OPERATIONS—OFFICE OF FIELD OPERATIONS [OFO]

The Committee recommends \$4,996,439,000 for OFO, which is \$199,473,000 above the request and \$202,167,000 above the fiscal year 2022 enacted level.

Expanding Outbound Operations at Land Ports of Entry.—Demand for personnel and technology to process and inspect travelers, vehicles, and cargo entering the U.S. has historically taken priority over investments aimed at inspections of travelers, vehicles, and cargo leaving the U.S. However, the Committee notes that when inbound travel decreased as a result of COVID-19 impacts, CBP reallocated personnel to increase outbound inspections. In some ports of entry, CBP outbound inspections increased from 90 percent to over 300 percent resulting in more seizures (e.g., firearms and magazines). In order to disrupt the flow of cash and weapons resulting, in large part, from the sale of narcotics brought into the U.S., the Committee provides \$50,000,000, dedicated to building capacity for outbound operations, and directs CBP to provide a briefing to the Committee, within 90 days of the date of enactment of this act, on the optimal use of those funds to disrupt this cycle.

Fee Shortfalls and Reinstating Base Funding for OFO Personnel.—The Committee is dismayed that the President’s fiscal year 2023 Budget did not fully fund pay for existing OFO personnel and instead makes unsubstantiated assumptions of fee collections in fiscal year 2023, resulting in \$94,655,000 in proposed reductions. In fiscal years 2021 and 2022, Congress provided \$1,450,000,000 to CBP to offset the impacts of reduced fee collections as a result of COVID-19 impacts to international travel. Given the volatile nature of such travel, and with current estimates still projecting fee shortfalls in fiscal year 2023, the Committee rejects the proposed cuts and provides \$94,655,000 above the request.

Further, the Committee provides \$187,000,000 above the request toward offsetting the projected fee shortfall in fiscal year 2023. In the event that CBP demonstrates to the Committee that fee collections exceed current projections, CBP shall notify the Committee of options to hire additional CBP officers and mission support staff with remaining funding, prior to obligating those funds.

Enhancement of Supply Chain Security.—The Committee believes that improving interoperability will be an important step to modernize trade operations while strengthening supply chain security. Within 180 days of the date of enactment of this act, CBP shall provide a briefing with recommendations on how innovative capabilities, including blockchain-based platforms, may improve trade operations between the United States and Central and South American countries, including potential opportunities for partnership with non-profit and private partners and with Central and South American Customs Agencies.

Combating Transportation of Firearms and Illicit Funds.—The Committee is concerned that illicit monetary instruments and firearms continue to be smuggled from the United States into Mexico, fueling transnational criminal organization activities, including

drug trafficking and violent crime. The Committee encourages CBP to continue to collaborate with domestic and international partners to disrupt the flow of finances that support these activities and report to the Committee any additional authorities or resources needed to stymie the flow.

International Mail and Express Consignment Facilities.—CBP's continued collaboration with the U.S. Postal Service and the Food and Drug Administration [FDA] at International Mail and Express Consignment Facilities is key to reducing the entry of scheduled narcotics and other illicit and restricted drugs (and their precursor materials) through these facilities. The Committee recognizes that illicit substances are often smuggled or mailed in small amounts, making it challenging for CBP to detect. Previously provided funds, and funds provided in this act, shall be made available for facility improvements; detection and testing equipment upgrades; increased capacity for testing and storing illegal and regulated substances; interoperability improvements with FDA detection equipment; and innovative technologies that apply advanced analytics and machine learning capabilities.

Identifying Fentanyl Analogues and Related Substances at the Southwest Border.—The Committee commends CBP on ongoing efforts to interdict fentanyl, fentanyl-related substances, and fentanyl analogues along the southwest border. The Committee believes that disaggregated data related to these substances would better inform all Federal agencies working to reduce fentanyl-related overdose deaths. Within 60 days of the date of enactment of this act, the Committee requests CBP provide a briefing on options to publicly report in a manner that is consistent with its current monthly seizure reports for marijuana, cocaine, heroin, and fentanyl, the names of fentanyl-related substances and fentanyl-analogues it seizes.

Northern Border Land Ports of Entry [LPOEs].—The Committee encourages CBP to continue to work with the General Services Administration [GSA] and the Office of Management and Budget on its annual 5-year plan, Land Port of Entry Modernization: Promoting Security, Travel, and Trade. The plan is based on CBP's operational priorities and should include plans to complete the modernization of pre-9/11 LPOEs along the northern border. CBP shall prioritize staffing shortages at northern border LPOEs in an effort to expedite cross-border tourist and commercial traffic while providing significant consideration to the health, safety, and welfare needs of CBP officers. Additionally, the Committee continues to encourage CBP to explore options for 24-hour use of NEXUS at LPOEs where warranted. Further, the Committee expects CBP to examine ways to increase awareness and enrollment in the NEXUS program, including through special enrollment events and the deployment of signage in collaboration with State transportation agencies. The Committee anticipates expansion of this program and directs CBP to consider projected volume at LPOEs when developing the 5-year plan for port modernization projects.

Northern Border Security and Assets.—The Committee remains concerned about threats to the United States passing through the northern border and notes that the northern border threat analysis, required by Public Law 114–267 and received on June 12,

2018, provided information on how best to deploy resources along the northern border, but lacked specificity regarding the targeted deployment of personnel and resources. The Committee expects the fiscal year 2024 budget request to detail specific northern border staffing requirements and request specific funding for implementation of planned northern border enforcement initiatives enumerated in the analysis.

Further, the Committee remains concerned with the diversion of staff assigned to the northern border to efforts along the southwest border. CBP is directed to notify the Committee should CBP determine that it is necessary to divert more than 10 percent of staffing in any sector along the northern border to other assignments along the southwest border or other ports of entry. The notification shall occur within 15 days of deployment and include the number and location of the personnel diverted, the duration of the diversion, and when the personnel shall return to their posts.

Maritime Ports of Entry.—The Committee continues to support robust staffing at the Nation’s cargo and passenger maritime POEs. Within the funds provided for O&S, CBP shall ensure adequate staffing at new and expanded maritime POEs in order to meet peak passenger wait time goals.

Border Security Deployment Program [BSDP].—The Committee commends CBP on its work in executing BSDP as the program provides CBP with a comprehensive, integrated, and continuous surveillance and intrusion detection system at LPOEs. BSDP improves the safety and security of CBP officers, Border Patrol agents, and the traveling public and facilitates cross-border trade. The program provides a valuable contribution to the prevention and detection of potential corruption among CBP officers by allowing for court admissible video and audio recordings. BSDP provides critical real-time surveillance by using over 15,000 sensors across all LPOEs; such sensors are utilized at 24-hour operating and non-24-hour operating U.S. POEs. Such sensors allow for a better allocation of resources and manpower by acting as a significant force multiplier. CBP shall provide the Committee a briefing within 120 days of the date of enactment of this act on the agency’s plan to expand BSDP at LPOEs.

Agricultural Inspections.—The Committee recognizes that agricultural specialists are crucial for ensuring trade and travel safety; preventing the introduction of harmful exotic plant pests and foreign animal diseases, including from Asian pork products; and averting potential agricultural and bio-terrorism in the United States. Currently, many POEs are understaffed relative to CBP’s Workload Staffing Model, as well as the Agriculture Resource Allocation Model. CBP shall continue working with the U.S. Department of Agriculture to better leverage existing staff in addressing the agricultural inspection workload, such as through the authorization of additional work hours or dual certification.

Land Ports of Entry Hours of Operation.—The Committee recognizes the importance of maintaining 24-hour staffing at remote land ports of entry to prevent negative impacts to local communities and regional economic activity and directs CBP to consult with elected officials at all levels, community members, and industry prior to making changes. CBP shall refrain from reducing the

hours of operation at any land port of entry unless CBP can demonstrate that the reduction in hours will not impede local or regional commerce or unduly impede local resident traffic. Further, not later than 90 days after the date of enactment of this act, CBP shall provide a report to this Committee detailing operating hours at all northern border ports of entry, and describing how CBP plans to improve the recruitment and retention of CBP personnel at remote northern border ports of entry to sustain those operating hours. Additionally, to assist with the challenges relating to operating hours, the Committee directs CBP to establish a pilot program for the co-location of CBP and Canada Border Services Agency border agents at remote LPOEs to maintain border security and reduce costs.

Reimbursable Services Programs.—The Committee is dismayed at reports from CBP’s port partners on the use of the Reimbursable Services Program. The intent of that program is to enable partnerships with private sector and government entities to provide an opportunity for additional inspection services on a reimbursable basis upon request for stakeholders. The Committee would like to make clear that these reimbursable programs are not to supplant baseline service levels. They are to be used to supplement enhancement requests for service that CBP would be otherwise unable to perform. To better establish expectations for all parties, the Committee reiterates its direction to CBP to provide each port operator with information on baseline service levels and report to the Committee quarterly on CBP’s adherence to these baseline service levels. Additionally, the Committee continues a previous request for CBP to include information on requirements for staff, facility, and security upgrades for seaports to include marine and cruise terminals. It should address staffing shortages, upgraded facility and security requirements, and plans for technology recapitalization; the process used to decide how initiatives are funded; a justification for the scope of the requests; and how CBP will negotiate and incorporate the ports’ involvement into the development of their capital management plan to allow for early identification and planning for future facility and security needs.

The Committee is also concerned about reports that CBP is imposing costly facility and security requirements on seaports without adequate consultation and justification. The Committee encourages CBP to defer all current and future seaport facility requests until it has provided details on baseline service levels to each port operator and provide the Committee with estimates for future facility and security requirement upgrades and associated federally-mandated technology. The Committee expects CBP to act in partnership with seaports and refrain from imposing requirements on seaports in a unilateral fashion.

Locality Payscale Flexibility.—Recruitment and retention of CBP officers continues to prove challenging, in particular when attempting to fill posts along the northern border in areas with a high cost of living. Many of the officers in these communities are compensated based on the National pay scale as opposed to the localized pay scales that are more reflective of the region’s cost of living. In light of these challenges, the Committee directs CBP, in coordination with the Office of Personnel Management, to provide a re-

port, within 120 days of the date of enactment of this act, that provides: (1) an analysis of local pay scales and how those pay brackets impact recruitment and retention; (2) an overview of authorities the agency has regarding adjusting pay; and (3) recommendations to better align local pay with costs of living in order to assist the agency with recruitment and retention concerns.

Preclearance.—The Committee notes the continued success of the Preclearance program in expediting the security process for passengers traveling to the United States, while simultaneously enforcing procedures that deter and detect national security threats from individuals, groups, or cargo attempting to enter the United States. Fees collected for this program shall be used in a targeted, risk-based fashion and shall prioritize the expansion of preclearance operations as outlined in the Department’s Beyond the Border Action Plan between the United States and Canada for land, marine, rail, and air POEs. The Committee appreciates progress on efforts to establish preclearance for the mutually agreed upon sites of Billy Bishop Toronto City Airport, Quebec City Jean Lesage International Airport, Montreal Rail, and Rocky Mountaineer and reiterates that such expansion is contingent upon each site meeting all terms and conditions of the agreement. The Committee encourages CBP to meet the objectives for preclearance activities, including obligations in advance of reimbursement, authorized by the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125), and provides necessary funding to collect and expend reimbursements, including anticipated reimbursements for preclearance activities. As Canada has adopted companion legislation, the Committee expects CBP to make progress in negotiations with the Canada Border Services Agency, Transport Canada, and Public Safety Canada on expanding preclearance activities in Canada. The Committee also encourages CBP to consider the significant economic impact that the expansion of preclearance activities in Canada will have for U.S. communities that neighbor the northern border when prioritizing preclearance expansion projects.

Data on Asylum Seekers.—The Committee directs OFO to continue to produce a monthly report detailing for each preceding month: the POEs along the southwest border at which queue management or metering practices have been employed; the number of asylum seekers processed at each such POE; and the number of asylum seekers turned away from each such POE due to queue management or metering practices. The Committee also requests the report include: CBP’s rationale for queue management or metering practices at POEs; capacity and resource constraints leading to or requiring the implementation of queue management or metering practices at POEs; recommendations for alleviating such capacity and resource constraints at POEs; and any agreements or arrangements between CBP, or the Federal Government, and Government of Mexico authorities involving efforts to restrict the number of potential asylum seekers that can access a POE prior to entering the United States. While the Committee acknowledges that CBP has provided some of the data requested, the data is incomplete and not fully responsive to the Committee’s prior requests for information. Further, the Committee directs CBP to include within

its monthly southwest migration reports data detailing the number of individuals claiming fear, or attempting to claim a fear of return to their home country, in addition to, and separate from, its monthly apprehension and inadmissible statistics. The data should include individuals presenting at both POEs and between POEs, claiming credible fear as a separate, distinct category from either the monthly “apprehensions” or “inadmissibles” statistics. The Committee acknowledges that CBP has provided annual statistics on the number of “credible fear apprehensions” and “credible fear inadmissibles,” but directs CBP to disaggregate this data such that individuals claiming credible fear are not included within or counted towards either the “apprehensions” or “inadmissibles” statistics and do so on a monthly basis.

Border Searches and Electronics.—The Committee continues to require CBP to publish annually and make publicly available on its website data pertaining to searches of electronic devices. This data should include: the total number of U.S. persons for which a Governmental entity obtained access to the digital contents of electronic equipment belonging to or in the possession of the U.S. person at the border; the total number and nationality of non-citizens for which a Governmental entity obtained access to the digital contents of electronic equipment; aggregate data regarding the race and ethnicity of individuals for whom a Governmental entity obtained access to the digital contents of electronic equipment belonging to or in the possession of an individual at the border; and the number of times CBP searched an electronic device at the request of a Federal, State, local or foreign governmental entity, including another component of the Department, or disclosed to such entity information from any searched device.

Environmental Crimes Enforcement.—Within 120 days of the date of enactment of this act, CBP shall provide a briefing to the Committee on the activities and resources applied towards the enforcement of the Lacey Act amendments of 2008, which help address international deforestation and combat the trade of illegal wildlife and timber products. Additionally, the briefing shall include efforts by CBP to assist the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service with the electronic collection of data as well as continued consultations with trading partners, importers, exporters, and other interested groups as the provisions of the act are fully implemented.

Advanced Electronic Data [AED].—The Synthetics Trafficking and Overdose Prevention Act [STOP Act] required that all packages coming into the United States from foreign countries use Advanced Electronic Data by January 1, 2021. Within 180 days of the date of enactment of this act, the Committee directs CBP, in coordination with the United States Postal Service, to issue a report with a detailed plan for how the Postal Service can scan every package or letter entering the United States that could contain an illegal opioid. Furthermore, within 180 days of the date of enactment of this act, CBP shall provide a report to the Committee on the implementation of the AED initiative. This report must include: (1) total volume received by USPS and volume containing AED; (2) the volume received by country containing AED; (3) number of packages CBP requests to screen and the number actually tendered by the

USPS; (4) reports on the number of goods seized during blitzes on Mail Facilities; and (5) volume received from countries exempted from AED by CBP.

Prevent Abduction Program.—The Committee recognizes that Federal law prohibits any one parent from removing a child from the United States with intent to obstruct another parent’s custodial rights. The Committee further recognizes that the International Child Prevention and Abduction Prevention and Return Act (Public Law 113–150) required CBP, in coordination with other Federal agencies, to establish a program to ensure children were not unlawfully removed from the United States in violation of a valid State court order. The Committee appreciates CBP’s efforts to establish the Prevent Abduction Program to meet this statutory requirement and protect the rights of parents and children and further appreciates recent updates on the public facing website about the program. The Committee recognizes that CBP officers have many responsibilities, but officers are sometimes the last opportunity to prevent an unlawful international parental abduction. Within 180 days of the date of enactment of this act, CBP is directed to report to the Committee on the status of the Prevent Abduction Program, which shall include: (1) the total hours of training CBP officers receive on the issue of international parental child abduction; (2) the accumulative number of children enrolled in the program and the number of children enrolled in the preceding fiscal year; (3) the number of children enrolled in the program who, despite their enrollment in the program, were removed at an air POE, if any; and (4) identification of resources CBP might need to ensure children are not removed from the United States in violation of a valid State court order.

TRADE AND TRAVEL OPERATIONS-OFFICE OF TRADE

Within the total funding recommended for Trade and Travel Operations, including OFO and Office of Trade, the Committee recommends \$393,116,000 for the Office of Trade, which is \$16,379,000 above the budget request amount and \$73,256,000 above the fiscal year 2022 enacted level.

Combatting Forced Labor.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) prohibits the importation of merchandise mined, produced or manufactured, wholly or in part, in any foreign country by forced labor-including forced or indentured child labor. Such merchandise is subject to exclusion and/or seizure to prevent those items from entering the U.S. economy. The Committee commends CBP’s Office of Trade for their increased efforts to identify and prevent entry of such merchandise. Further, the Committee continues funding for the Science and Technology [S&T] Directorate to partner with CBP and academic and non-profit experts to measure the impact of existing Department investments, project the impact of future investments on combatting forced labor, and to identify how changes in CBP’s capabilities may impact resource needs at other Department agencies. These resources will ensure that future investments are coordinated and balanced to avoid creating bottlenecks that limit the effectiveness of resources provided.

The Committee recommendation fully supports implementation of the Uyghur Forced Labor Prevention Act and supports additional

personnel, technological capability, training, and other activities to faithfully implement the law and protect U.S. consumers from products tainted by forced labor, and reduce unintended impacts on supply chains. The Committee strongly urges CBP to combat forced labor through additional enforcement personnel, technology, training, strategy, and outreach.

Trade Enforcement.—The Committee continues to support a range of trade enforcement activities pertaining to intellectual property rights and online anti-counterfeiting. The Committee directs CBP to expand its partnership with the U.S. Postal Service to provide advance electronic data to identify counterfeit goods and to enhance communication with rights holders through sharing specific detention information and images, as recommended in the March 2021 Commercial Customs Operations Advisory Committee background paper. Within 90 days of the date of enactment of this act, CBP shall provide a report to the Committee detailing implementation of this directive.

Combating Transshipment.—The Committee is aware of the continued efforts by some foreign traders to circumvent U.S. trade laws and evade duty payments by transshipping products through third party countries. Therefore, the Committee continues to direct CBP to modify targeting criteria and make additional changes necessary to provide CBP with the administrative flexibility required to identify transshipped products.

Distributed Ledger Technology.—The Committee provides \$2,500,000 above the request for CBP to test implementation of blockchain and distributed ledger technologies to improve trade operations, including enhancement of supply chain security, single window and sharing Customs Trade Partnership Against Terrorism data in cooperation with foreign Customs Agencies, using a blockchain based solution and leveraging existing platforms as appropriate. The Committee believes that leveraging technologies such as blockchain and distributive ledger technologies can lead to significant trade efficiencies and improve interoperability. Furthermore, the Committee provides \$500,000 to study opportunities for additional investment in distributed ledger platforms for coordination of customs data between the United States and international partners, including potential opportunities for partnership with non-profit and private entities. CBP shall report to the Committee within 180 days of the date of enactment of this act with such recommendations.

INTEGRATED OPERATIONS

Office of International Affairs.—The Committee directs CBP to provide a briefing within 60 days of the date of enactment of this act on recommendations to, in conjunction with the Department of State, expand information campaigns in El Salvador, Guatemala, and Honduras through social and behavior change communication advertising the dangers of irregular migration to the United States and educating citizens of those countries about legal pathways.

Honey Import Testing.—The Committee acknowledges the recent work of CBP to enhance its ability to test imported honey for Country of Origin [COO] fraud and adulteration. The Committee directs CBP to work with the Food and Drug Administration to provide a

report to the Committee within 180 days of the date of enactment of this act on: (1) the number of imported honey shipments tested for COO fraud and adulteration; (2) the number of shipments that testing suggested involved COO fraud or adulteration; (3) the technologies employed in carrying out those tests; and, (4) an ongoing strategy for CBP to detect and combat COO fraud.

Persistent Maritime Domain Awareness [MDA] Demonstration.—The Committee recognizes there are benefits and efficiencies to be gained by deploying uncrewed surface vehicles [USVs] for homeland security missions, specifically interdiction related efforts. Therefore, the Committee directs Air and Maritime Operations to work with CBP's INVNT program to examine opportunities to work with industry partners to conduct a persistent, long duration MDA demonstration in an area where illicit maritime activity is known to be concentrated.

MISSION SUPPORT

Office of Professional Responsibility [OPR].—The Committee fully supports expanding CBP's investigative capabilities through the hiring of additional Special Agents and support staff within OPR. This action will bring the ratio of Special Agents to CBP employees closer to that of other Federal law enforcement agencies. Within 90 days of the date of enactment of this act, CBP shall brief the Committee on a spend plan to include the targeted areas of investigative enhancements or expansions.

Medical Care along the Southwest Border.—The Committee continues support for CBP's medical support contract activities to provide care for noncitizens in CBP custody, including at Border Patrol Stations, Central Processing Centers, other forward deployed locations, and any temporary facilities CBP has stood up. The funding shall address medical concerns and provide first aid and triage and low acuity treatment. The scope of services includes administrative requirements, logistical support, medical screening, evaluation and treatment, reporting tasks, and program management support. Within 60 days of the date of enactment of this act, CBP shall provide to the Committee a briefing on the number of noncitizens this level of funding allows them to support along with a detailed breakout of the types of care provided.

ENTERPRISE SERVICES

Mission Support Contracting.—The Committee repeats its request for CBP to provide, within 120 days of the date of enactment of this act, an inventory of all Enterprise Services contracts organized by category, to identify opportunities to save costs with a plan to reduce current duplication, and to consolidate to leverage economies of scale. To promote more efficient and effective use of these resources, CBP shall apply advanced analytics and machine learning tools to develop an inventory and identify opportunities to save costs.

Caregivers, Child Care Services and Employee Resiliency.—The Committee recommends \$23,000,000 for suicide prevention clinicians and human resources resilience activities.

CBP One™ Mobile Application.—The Committee applauds CBP's continued development and use of the CBP One™ mobile applica-

tion to bring smarter capabilities to assist CBP personnel with processing and vetting. Within 90 days of the date of enactment of this act, CBP shall provide to the Committee a plan for CBP One™, including current uses, the user rate for each service available on the mobile application, and a description of additional services and features that will be implemented by the end of fiscal year 2023. CBP’s plan shall include data specific to the use of mobile application by International Organizations and/or asylum seekers for the purpose of coordinating entry in to the United States through a POE, and any expansion plans for this service.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$572,083,000
Budget estimate, 2023	440,280,000
Committee recommendation	548,975,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$548,975,000 for Procurement, Construction, and Improvements [PC&I], which is \$108,695,000 above the budget request amount and \$23,108,000 below the fiscal year 2022 enacted level.

Identifying Impact of Border Security Investments.—The Committee is committed to providing funding to strengthen the security of U.S. borders in a smart, data-driven manner that is informed by robust, cost-benefit analysis that incorporates all types of border security assets and is tied to identified capability gaps. To assist CBP with the development of both a baseline of what existing investments provide in terms of operational capabilities, and the creation of a tool that can project the impact of new investments on capabilities and CBP performance measures, the Committee continues funding to S&T to partner with CBP and academic experts to develop an independent evaluation of CBP’s existing border security related assets (personnel, technology, and infrastructure), quantifying the impact of those resources on operational capabilities, and capturing how changes in one type of border security investment may impact another area.

Border Security Technology.—The recommendation includes \$50,000,000, above the request, for border security technology. The Committee directs CBP to reallocate funding as appropriate to ensure technology is deployed at the locations where it will have the greatest impact on CBP’s ability to identify and interdict illicit activity. The Committee directs CBP to ensure that the appropriate amount of technology is piloted, tested, and deployed along the northern border, in addition to the southern border. This funding is available for autonomous surveillance, search and rescue capabilities, mobile surveillance capabilities, cross-border tunnel detection capabilities, geospatial capabilities, and small unmanned aerial systems.

Transitioning Innovative Technologies and Equipment Into CBP Operations.—The Committee applauds the work of CBP’s Innovation Team and the progress the agency has made in regards to identifying, piloting, and evaluating innovative capabilities that likely would have previously gone undiscovered. Key to the success of this program is the ability of the agency to transition successful

pilots into operations. The Committee directs CBP to provide a briefing within 90 days of the date of enactment of this act and quarterly thereafter on: the current rate of pilots that have transitioned to operations; the performance impact to operations as a result of the transition; a plan to evaluate whether there are common indicators for unsuccessful pilots; and recommendations to incentivize CBP programs to participate and ultimately execute promising capabilities.

Non-Intrusive Inspection [NII] at Ports of Entry.—In fiscal years 2019 and 2020, Congress provided over \$600,000,000 to CBP to significantly increase inspections of privately owned and commercial vehicles with non-intrusive equipment at pre-primary lanes. A portion of those funds were to be dedicated to fundamentally changing how inspections were conducted. Rather than relying solely on a CBP officer to manually operate inspections, the use of artificial intelligence and machine learning capabilities would detect anomalies earlier and faster, pushing notifications to CBP officers for review. Creating such a capability takes time and significant data and the Committee understood from CBP briefings that this work would occur in parallel to assessments and piloting of NII equipment. Unfortunately, that work did not take place and CBP has lost years in development and execution of this capability. To ensure this effort is back on track and prioritized, the Committee provides \$39,000,000 above the request and directs CBP to provide monthly updates on a plan to fully deploy such capabilities, beginning within 30 days of the date of enactment of this act.

CBP shall also continue to provide monthly updates to the Committee on the obligation of funds for NII equipment along with actual and projected performance gains as a result of deployments for NII funded in this or prior appropriations. Within 90 days of the date of enactment of this act, CBP shall provide a briefing to the Committee on the status of NII coverage in pre-primary lanes along the southwest border and to report on whether the increase in pre-primary screening will create additional alarms at POEs, impacting current secondary inspection capacity and possibly the workflow of other Federal agencies that may not have sufficient opportunity to plan for additional resource needs.

The Committee encourages CBP, in coordination with S&T and private sector partners, to conduct research and development activities to enhance existing equipment and develop advanced mobile NII equipment for large-scale cargo and other items requiring screening. Such activities should include an examination of how enhanced mobile systems could contribute to saving taxpayer dollars. No later than 180 days of the date of enactment of this act, CBP shall provide a report on the current status of mobile NII technology and proposals for enhancing it.

Deterring Illicit Substances.—The Committee is aware of CBP's ongoing testing of innovative technologies, including recent testing of radiation-free passive cargo scanning technology, and encourages CBP's efforts to leverage evolving and advanced capabilities to accelerate progress in achieving screening goals to detect, interdict, and deter the flow of illicit drugs and other contraband at the POEs. The Committee seeks to ensure CBP dedicates the necessary resources to procuring technologies, including NII and passive radi-

ation scanning, as well as X-ray/Gamma-ray imaging of cargo and conveyances, that detect, interdict, and deter the flow of illicit drugs, including fentanyl, carfentanil, and heroin. The dramatic influx of fentanyl into the United States, including through the mail, is contributing substantially to the opioid epidemic. The Committee supports CBP's continued efforts to combat this influx through the acquisition of portable chemical screening capabilities necessary to determine the presence of fentanyl and other narcotics, including lab equipment, decontamination solutions, personal protective equipment, and other consumables, and increasing the number of scientists at POEs and consignment facilities to rapidly interpret screening test results.

Advanced Trade Analytics Platforms [ATAP].—The Committee provides the requested \$7,600,000 for ATAP to enable CBP to apply analytic capabilities to improve the enforcement of trade laws and policies with more informed data.

Multi-Role Enforcement Aircraft [MEA] and Light Enforcement Helicopter [LEH].—The Committee provides \$38,000,000 to fund the second land variant MEA to expand CBP's ability to conduct maritime, air, and land surveillance at our Nation's borders. As of fiscal year 2022, CBP possesses the funds for a total of 29 MEAs as it continues to secure an operational requirement of 38 aircraft. The Committee reminds CBP that future funding requests for aircraft shall capture the full acquisition costs. The Committee discourages attempts to incrementally fund aircraft. The Committee also recommends \$13,000,000, as requested, for aircraft sensor upgrades and provides \$7,500,000 above the request for an additional LEH.

Land Ports of Entry.—CBP shall provide to the Committee its annual report prioritizing facility needs at LPOEs with the annual budget submission. CBP shall continue to work with GSA and the Office of Management and Budget on this 5-year strategy to modernize POEs. Specific attention shall be paid to the health, safety, and welfare needs of CBP officers. Special consideration shall also be considered to facilities where reconfiguration or upgrades will improve the flow of local traffic and allow local residents to move freely in their own communities. Additionally, CBP shall provide a detailed report and timeline within 90 days of the date of enactment of this act outlining completion of the Blue Water Bridge Plaza expansion project. The report shall align with the annual LPOE priority list, outline projected CBP costs, and should explain how CBP will engage with State and local entities and the specific milestones and timeline for the project's completion. The Committee directs CBP to provide an update on the agency's implementation of recommendations from GAO's July 2019 report, "Border Infrastructure: Actions Needed to Improve Information on Facilities and Capital Planning at Land Border Crossings: along with any changes CBP is making to the existing planning process. Additionally, the Committee requests that CBP, in consultation with GSA, consider growth in trade value, growth in in-bound commercial traffic, and CBP operational needs in its development of the capital investment plan. The Committee notes that a feasibility study to look at such growth for the Santa Teresa POE was re-

cently initiated and directs CBP to provide an update within 60 days of the completion of that feasibility study.

Within 120 days of the date of enactment of this act, CBP, working with GSA, shall provide the Committee with a briefing on plans to execute the funds provided in the Infrastructure Investment and Jobs Act of 2021 and whether there are any significant changes involving the 26 LPOE projects supported in that act. As part of this briefing, CBP shall also provide the Committee an update on steps to “rebuild” the annual 5-year LPOE plan.

Construction and Facility Improvements.—The Committee provides the requested funds for Border Patrol, AMO, and OFO facility improvements. Additionally, the Committee provides \$31,650,000 above the request for additional expansion and renovation activities at CBP’s Advanced Training Center [ATC]. These funds shall be used to complete construction of the Institute Building and an Instructional Design/Distance Learning Center and to renovate the faulty showers and plumbing system at Blue Ridge Lodge.

Revenue Modernization.—The recommendation includes \$9,673,000 for revenue modernization activities. Within 120 days of the date of enactment of this act, CBP shall provide the Committee with the percent transition from manual field collections to automated electronic systems, along with the cost, by POE.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

U.S. Immigration and Customs Enforcement [ICE] is the principal investigative agency within the Department of Homeland Security. ICE is responsible for securing the Nation’s borders, enforcing U.S. immigration laws, and safeguarding cyberspace through the enforcement of Federal laws that govern trade and travel, including but not limited to narcotics enforcement, financial crimes, child exploitation, and human smuggling.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$8,139,042,000 for ICE, which is \$39,152,000 above the budget request amount and \$119,184,000 below the fiscal year 2022 enacted level. This amount is in addition to estimated fee collections of \$379,610,000.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

IMMIGRATION AND CUSTOMS ENFORCEMENT

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	8,206,526	8,002,128	8,038,280
Procurement, Construction, and Improvements	51,700	97,762	100,762
Total	8,258,226	8,099,890	8,139,042

OPERATIONS AND SUPPORT

Appropriations, 2022	\$8,206,526,000
Budget estimate, 2023	8,002,128,000
Committee recommendation	8,038,280,000

The ICE Operations and Support [O&S] appropriation provides for the enforcement of immigration and customs laws, related intelligence activities, and the detention and removal of illicit people and goods. In addition to directly appropriated resources, funding is derived from the following existing offsetting collections:

Immigration Inspection User Fee.—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspection activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Student Exchange Visitor Program Fee.—ICE collects fees from foreign students, exchange visitors, schools, and universities to certify, monitor, and audit participating exchange programs.

Immigration Breached Bond/Detention Fund.—ICE derives funds from the recovery of breached cash and surety bonds in excess of \$8,000,000, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356), and from a portion of fees charged under section 245(i) of that act to support the cost of the detention of aliens.

Detention and Removal Office Fee.—ICE collects fees from bonds filed by noncitizens arriving at an air or sea port of entry where the noncitizen is needed to testify in the prosecution of a person for violating a State or Federal law. These fees cover the costs incurred during the stay of removal, if granted. The collections are also used to fund some Custody Operations non-bed general expenses [GE].

COMMITTEE RECOMMENDATIONS

Annual ICE Report.—The Committee notes the significant delay in the release of the ICE Annual Report, Fiscal Year 2021 [Annual Report] which has traditionally occurred in the middle of December. No later than December 15th, ICE shall provide the Annual Report. At a minimum, the Annual Report shall compare the current fiscal year data to the prior five fiscal years. ICE is directed to provide the Committee the data in the report in a sortable and printable format. If data collection methods, terminology, or policy changes lead to significant deviations in data representation when compared to prior years, ICE shall indicate such changes in the report. ICE is directed to use terminology that aligns with the Immigration and Nationality Act [INA], policy, regulations, or other binding agreements when presenting data.

Deferred Maintenance.—The Committee is troubled by ICE's inability to respond to language in the Fiscal Year 2022 Joint Explanatory Statement which required a brief on facilities and the use of facility condition assessments. Such briefings help inform funding recommendations, particularly where ICE or the Committee would like to see additional enhancements. As such, ICE is directed to immediately brief the Committee on these outstanding requirements. Further, ICE is directed to include an initial facili-

ties plan as part of its initial spend plan and to provide monthly updates thereafter on the status of such plans.

Funding for Transportation.—The Committee is aware that the Department has been asked in prior fiscal years to restructure and clarify the funding streams for transportation of noncitizens from the border and in between ports of entry, and at times, CBP has been forced to assume the financial responsibility for a function for which ICE is actually appropriated. Similar to the challenges previously faced by ICE with respect to medical bills for persons in the legal and physical custody of CBP, for a variety of reasons, including a lack of political will, these structural roadblocks have remained with no proposed resolution. Therefore, the Committee directs ICE to resolve the matter beginning in fiscal year 2024, giving ICE sufficient time to coordinate with CBP to adjust budget requests and make the necessary preparations for such a transition. The Committee expects that the transition of financial responsibility will incentivize ICE to more expeditiously transport individuals and further, that CBP will once again return to fully processing arriving noncitizens, including fully issuing all charging documents, in lieu of transferring such burdens onto ICE. The direction below does not impact ICE's other responsibilities to transport noncitizens in the interior or with respect to removal flights. As such, beginning in fiscal year 2024, ICE shall assume the financial responsibility for all costs for the transportation of noncitizens who may be in the legal and physical custody of CBP, in the following scenarios, regardless of whether such transportation was physically carried out by CBP, by ICE or a contractor. The Committee directs ICE to adjust the fiscal year 2024 transportation request to align with this requirement and to coordinate the transition of payment with CBP as appropriate and directs CBP to cooperate with ICE so the fiscal year 2024 budget request is accurate. ICE shall be financially responsible for the transportation of noncitizens who meet the following criteria: (1) The noncitizen is in the legal and physical custody of CBP; and, (2) CBP has completed all processing paperwork, including the issuance of a charging document and other documents as appropriate; and, (3) may include the transportation of noncitizens laterally to alleviate overcrowding in CBP facilities, provided sections 1–3 are met above.

IT Modernization.—\$7,206,000 is provided above the request for IT Modernization efforts, including the development of an application to assist ICE personnel when they are mobile with all policies and procedures that govern employee interactions with noncitizens.

Legal Access for Noncitizens.—\$16,591,000 is provided above the request within the Office of Diversity and Civil Rights, Civil Liberties Division to support expanded legal access to detention facilities, including, for improvements to existing law libraries by updating legal materials and providing online legal access, expanding video attorney visitation, and facilitating the exchange of legal documents between noncitizens in the physical custody of ICE and their counsel. Within 60 days of the date of enactment of this act, ICE shall provide a spend plan and brief the Committee on the spend plan.

Payroll Estimates.—The Committee is concerned about ICE's inability to accurately forecast payroll costs and its use of payroll for

non-pay related expenses, which at times can infringe on Congress' appropriations powers. As such, beginning in fiscal year 2024, the Committee may appropriate the Enforcement and Removal Operations [ERO] PPA by pay/non-pay. The Committee directs ICE to ensure its fiscal year 2024 budget request is accurate with respect to pay/non-pay splits.

Records Management.—The Committee expects the Department to maintain records and to respond to records requests, consistent with the requirements of section 552 of title 5, United States Code, for information related to all noncitizens in the custody of the Department, regardless of whether such noncitizens are housed in a Federal or non-Federal detention facility. The Committee further notes that the Department should not withhold records from disclosure unless the Department reasonably foresees that disclosure would harm an interest protected by an exemption described in section 552(b) of title 5, United States Code, or is otherwise prohibited by law.

Trauma-Informed Approach.—The Committee recognizes that ICE employees interact with persons who have endured torture, war, loss of stability, homes, loved ones, including children, or faced other traumatic events. ICE employees must often personally interview noncitizens to gather enforcement-related information, which may also trigger secondary trauma for employees who have related traumatic challenges. The Committee believes it is important to ensure a diverse workforce within ICE and that ICE employees who interact with the public are trained to recognize signs of trauma exposure, utilize trauma-informed practices, and have the tools necessary to seek assistance if the employee faces trauma. Within 180 days of the date of enactment of this act, ICE shall brief the Committee on the assessment for trauma needs as described above and identify any potential resource needs in order to implement the results of the assessment.

Wrongful Removals.—The Committee recommends the creation of an Office of Removal Order Review [OROR] as an independent unit charged with the task of reviewing applications from individuals who are seeking to return to the United States after removal and/or review of their final orders of removal. The Committee is concerned that current procedures and mechanisms to allow individuals to seek lawful return to the U.S. following removal, and/or challenge their removal order, are unduly burdensome, inaccessible to most individuals without legal counsel, and granted only in rare cases. This is the case even for individuals who have a claim to lawful status and/or arguments regarding material concerns with the underlying removal order. OROR shall utilize all mechanisms provided by current law to facilitate the return of those individuals whose removal orders were contrary to law or justice, including the use of humanitarian parole, joinder in a respondent's motion to reopen, and stipulation to relief from removal. Individuals previously removed and those with final removal orders shall still prepare a motion to reopen their final order of removal as required under current regulations and/or prepare and submit a humanitarian parole application; but, they would begin their process by submission to the OROR instead of a specific immigration court. Applications shall include the motion and any additional paperwork supporting

relief or the full humanitarian parole application. OROR shall consult Executive Office of Immigration Review [EOIR] staff to develop a centralized review process through which OROR handles all requests to the Department for returns and review of final removal orders. OROR shall ensure that its process for receiving applications is efficient, clear, and accessible for those applying, including those without legal counsel and with limited access to technology. OROR shall announce the process publicly and through a public-facing website. OROR shall facilitate transparency of its process by reporting to Congress and the public the number of applications received and reviewed, the number granted, and the number of individuals actually returned.

Select Items with Impact on ICE Operations.—Within 30 days of the date of enactment of this act and monthly thereafter, ICE shall brief the Committee on the following items:

- ERO pay requirements, broken out by PPA to include current on-boards, projected hiring, projected attrition, actual and projected Temporary Duty Assignment [TDY] and any payroll shortfalls;
- Any contracts ERO entered into or modified for the training of its personnel by third-party entities;
- The number of free call minutes and associated costs provided to noncitizens in the physical custody of ICE;
- Equal Access to Justice Act [EAJA] fees;
- Planned upgrades to any ICE detention facility, whether owned or otherwise;
- Non-Guaranteed minimum detention beds, to include the number used and associated costs;
- Any contracts ERO entered into or modified for detention compliance; and
- The Transportation and Removal Program, to include actual obligations incurred and projected obligations, by pay and non-pay.

Reprogramming Sources.—Within 30 days of the date of enactment of this act and monthly thereafter, ICE shall brief the Committee on the operational and budgetary impacts of any program used as a reprogramming source in fiscal year 2022.

Workload Staffing Model [WSM] Independent Validation & Verification [IV&V].—\$4,000,000 is recommended above the request to conduct an IV&V of the WSM, which shall be performed by an organization that is technically, managerially, and financially independent from ICE.

HOMELAND SECURITY INVESTIGATIONS

The Committee recommends \$2,452,653,000 for Homeland Security Investigations [HSI], which is \$122,455,000 above the budget request amount and \$185,193,000 above the fiscal year 2022 enacted level. ICE is directed to sustain enhancements for programs of ongoing congressional interest, as described in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (Public Law 116–6).

Agent Resiliency Programs for Personnel Exposed to Child Sexual Abuse Material [CSAM].—The Committee recognizes the challenges presented by working on child exploitation investigations where

personnel are often exposed to child sexual abuse material [CSAM]. The Committee supports the goals of the Awareness and Resilience Mentoring for Operational Readiness [ARMOR] Program to prevent negative consequences associated with exposure to CSAM and \$8,000,000 is provided above the request to expand ARMOR. Within 90 days of the date of enactment of this act, the Committee directs the Child Exploitation Investigations Unit [CEIU] to examine whether current resiliency programs are sufficient to adequately support CEIU and field staff and to provide a briefing to the Committee on the results of such examination. At a minimum, the examination shall include an analysis of current programs and support, including whether such efforts are adequately resourced, shall review and compare similar services and programs mandated by other Federal law enforcement agencies assigned to CSAM investigations, and shall include proposals to address such gaps, if identified, to support personnel including the leadership of CEIU which may have separate support needs from field staff/investigators.

Child Exploitation.—The recommendation continues enhancements provided in prior fiscal years, for the Child Exploitation Investigations Unit at the Cyber Crimes Center. The recommendation includes \$5,000,000 to continue ICE’s implementation of International Megan’s Law. For fiscal year 2022, the Angel Watch Center is on pace to send approximately 3,050 referrals to more than 100 countries with approximately 825 denials of entry, and to refer over 1,300 registered child sex offenders to the Department of State for passport endorsements, which prohibit child sexual predators from exploiting children in foreign countries.

Continued Presence and Law Enforcement Certification Forms for the U and T Visas.—Within 30 days of the date of enactment of this act, the Committee directs HSI to provide data on the number Continued Presence [CP], U Visa, Supplemental B, Nonimmigrant Status Certification (Form I-918B), and T Visa, Supplement B, Declaration of Law Enforcement Officer form (Form I-1914B), submitted to HSI for signature or approval, and the total number of applications/forms that are signed or approved by HSI.

Forced Labor Violations.—The recommendation includes not less than \$15,770,000 for investigations and other activities related to forced labor law violations, to include forced child labor. Within 90 days of the date of enactment of this act, ICE shall submit to the Committee a spend plan, including the baseline funding, an annual report on the expenditures, and performance metrics associated with forced labor law enforcement activities.

Human Exploitation Rescue Operative [HERO].—The Committee continues to support the HERO Child-Rescue Corps, a partnership between HSI, U.S. Special Operations Command, and the National Association to Protect Children. The Committee directs ICE to sustain prior year enhancements for dedicated personnel and funding for the HERO program and related computer forensic analyst positions focused on child exploitation investigations. The Committee continues to support the concept of the paid HERO apprenticeship and directs ICE to brief the Committee not later than 180 days after the date of enactment of this act on the status of the program, which shall include an analysis about the long term viability of the

program within HSI, any resource challenges, or other challenges that face graduates of the program as identified by HSI.

Human Rights Violators.—The Committee is aware of recent HSI efforts to investigate human rights violators, including the arrest of an individual alleged to have committed serious human rights violations and the removal of a Nazi war criminal. The Committee directs ICE to continue its efforts to investigate, remove, and prosecute individuals who have committed human rights abuses, including persecution, genocide, severe violations of religious freedom, torture, extrajudicial killing, use or recruitment of child soldiers, crimes against humanity, or war crimes. ICE shall report to the Committee within 180 days after the date of enactment of this act on the following: the total number of prosecutions and investigations of human rights offenses and other offenses committed and their outcomes, delineated by serious human rights violators within each of the last five fiscal years; the efforts of ICE to increase the number of human rights investigations and prosecutions; and any organizational, resource, or legal impediment to investigating and prosecuting more human rights violators, including whether the identified amount above is sufficient to support the Unit. ICE shall also update the Committee on base funding for this effort

HSI Mission and Redundancy Prevention.—The Committee declines to cut HSI funds as the request proposes and encourages ICE to recognize that using one component as a source of funding for another component is not a sustainable approach to resource management. The Committee recognizes the critical national security role that HSI plays in investigating, disrupting, and dismantling transnational criminal organizations and terrorist networks that seek to exploit the customs and immigration laws of the United States. While recognizing the unique skill set of HSI personnel, the Committee is concerned about the expanding mission set of HSI, including the repeated diversion of HSI personnel and capabilities for civil immigration enforcement. As such, a new section is provided to promote government efficiencies, eliminate redundancies, and to ensure that HSI personnel and capabilities are not diverted from critical national security investigations and enforcement, towards civil investigations and enforcement. The Committee encourages HSI to ensure law enforcement activities are focused on investigating, disrupting, and dismantling transnational criminal organizations and terrorist networks that seek to exploit the customs and immigration laws of the United States, along with other congressional directives, and that criminal investigations, and their resources, are not plundered for civil enforcement activities.

Intellectual Property Rights [IPR] Center.—The Committee continues its support of the IPR Center in Arlington, Virginia, which coordinates a unified government response to the growing threat of counterfeit goods, wildlife trafficking, and intellectual property infringements, through interdiction, investigation, and outreach to the public and law enforcement. The Committee recommends \$14,500,000 above the request for the IPR Center, of which at least \$7,500,000 for the Wildlife Trafficking Unit as described below, and for efforts to combat counterfeiting within the Department of De-

fense and U.S. Government supply chains. ICE shall remain committed to adequately staffing the National IPR Center with both ICE and interagency partners to facilitate continued enforcement actions against theft of U.S. intellectual property.

Mobile Computer Forensic Vehicles [MCFV].—MCFV provide the ability to conduct on-site examinations of mobile devices which allows for the immediate start to victim identification in child exploitation cases, which is critical to the timelines of these investigations. The Committee recommends \$500,000 above the request to support the procurement of additional mobile computer forensic vehicles.

Opioid Investigations.—The Committee encourages ICE to finalize its monthly budget briefings, with congressional priorities clearly delineated, and continues to support enhancing HSI opioid enforcement activities in fiscal year 2023 by sustaining over 340 personnel, including investigators, intelligence analysts, and necessary support staff. HSI has enhanced its ability to conduct increased investigations focusing on the identification of entire supply chains.

Wildlife Trafficking Unit.—The Committee is aware that through HSI's Wildlife Trafficking program within the IPR Center, HSI works to disrupt wildlife trafficking networks, apprehend and prosecute traffickers, seize and forfeit proceeds from these crimes, and pursue civil and criminal penalties when contraband, subject to the Endangered Species Act, Lacey Act, or Convention on International Trade in Endangered Species agreement, are intercepted. The Committee is also aware of the pervasive connection between wildlife trafficking and other criminal enterprises, such as organized crime relating to narcotics, human smuggling, and financial crimes. Therefore, as noted above, at least \$7,500,000 of the \$14,500,000 of the fiscal year 2023 enhancements for the IPR Center shall be used to establish a dedicated Wildlife Trafficking Unit to coordinate government and private sector partners across multiple programmatic areas by providing enhanced investigative expertise, analytical support, and training. The Committee encourages HSI to work towards ensuring that the next generation of specialized wildlife trafficking investigators are trained in this field. The Committee expects HSI to continue its work in partnership with the U.S. Fish and Wildlife Service to improve efforts to better address wildlife trafficking. The Committee directs HSI to continue to produce the report identified in Public Law 116–125. The report shall include options for making this information available in a routine and public manner annually. Not later than 60 days of the date of enactment of this act, HSI shall provide a briefing to the Committee on the creation of the Wildlife Trafficking Unit. The Committee directs HSI to incorporate this enhancement into base funding for fiscal year 2024 and the Committee expects to see the request grow as the work demands.

ENFORCEMENT AND REMOVAL OPERATIONS

The Committee recommends \$3,663,384,000 for Enforcement and Removal Operations [ERO], which is \$138,842,000 below the budget request amount and \$512,402,000 below the fiscal year 2022 enacted level.

Access to Legal Counsel.—Within 90 days of the date of enactment of this act, ICE is directed to provide a report to the committees of jurisdiction on overall access for attorney and detainee representative at ICE facilities. The report shall include the number of legal visits that were denied or not facilitated and the number of facilities that do not meet the ICE National Detention Standards for attorney/client communications. ICE is directed to make detention facility contact information and facility legal accommodations available on the ICE public website. The Committee remains concerned about the lack of meaningful access to counsel for individuals in the physical custody of ICE. Not later than 90 days after the date of enactment of this act, in every facility where a noncitizen is subject to the physical custody of ICE, regardless of the duration of such custody, that the Director ensure: that attorneys, BIA accredited representatives, and paralegals be able to request, schedule, and hold free, confidential, and unmonitored telephone calls and video teleconference appointments, of at least 60 minutes in duration that allow for third party interpretation with their clients, with at least 24 hours' notice to the facility; that attorneys and noncitizens are able to exchange legal documents via an electronic means; that facility staff will not read such documents; delivery of legal documents to noncitizens within 24 hours of receipt by the facility; that each facility provide a mail dropbox for attorneys to send confidential legal correspondence to their clients and that delivery of such legal correspondence to detainees within 24 hours of receipt by the facility; and that facility staff will open such mail only in the presence of the noncitizen to whom the legal mail is addressed; and finally, that all facilities permit attorneys to bring in computers and cellular phones for attorney-client meetings.

Alternatives to Detention.—The recommendation includes \$345,055,000 for Alternatives to Detention [ATD], which is \$97,607,000 below the enacted level. ICE shall continue to brief the Committee on any ATD contracts it awards under this program, including contracts involving the “Know Your Rights” [KYR] program for new participants. Within 60 days of the date of enactment of this act, ICE shall begin providing monthly reports on the number of noncitizens participating in the ATD program, by technology type, cost by technology type, as well as the number of participants who attend a portion of or all of their immigration court hearings. The ATD program shall continue the type of case management services provided under the Family Case Management Program [FCMP]. The Committee directs ICE to continue to publish annually the following policies and data relating to ATD: guidance for referral, placement, escalation, and de-escalation decisions; enrollment by Field Office; information on the length of enrollment broken down by type of ATD; and a breakdown of enrollment by type and point of apprehension.

ATD Referrals.—The Committee directs ICE to consider enrollment referrals from NGOs and community partners that are actively implementing ICE's ATD programs that utilize case management. ICE shall establish, with the consultation of relevant NGO and local community partners, at ICE's discretion, criteria for such referrals, guidelines for submission, and criteria for how ICE will consider any such referrals for enrollment in ATD programs. ICE

shall submit a report to the Committee on progress regarding these guidelines within 60 days of the date of enactment of this act and quarterly thereafter until the guidelines are finalized. ICE shall submit an annual report on the number of NGO referrals that are submitted and the number of such referrals accepted into ATD programs that utilize case management programs.

ATD Program Violation Reporting.—Within 30 days of the date of enactment of this act, and monthly thereafter, ICE shall provide to the Committee data on the number of ATD program violations for enrolled participants that occurred in the prior month, disaggregating the data by Area of Responsibility [AOR] by type of program violation, whether such program violations occurred from the same individual, and whether the noncitizen was subject to an enforcement action upon such program violation.

ATD Significant Likelihood of Removal in the Reasonably Foreseeable Future.—Within 30 days of the date of enactment of this act, and monthly thereafter, ICE shall provide to the Committee a brief on the number of noncitizens with final orders of removal, by nationality and AOR, who were disenrolled from ATD due to no finding of a significant likelihood of removal in the reasonably foreseeable future. The briefing shall also provide any cost savings achieved by such disenrollments.

Body-worn Cameras.—Within 90 days of the date of enactment of this act, ICE shall report to the Committee on the progress towards full implementation of body-worn cameras by the end of fiscal year 2024. ICE is directed to fully utilize body-worn cameras for ERO agents immediately, at a minimum in pre-planned operations, and for other operations including, but not limited to, at-large arrests and searches incident to arrest; execution of search warrants; and questioning of individuals encountered in the field. Participating ICE personnel shall receive proper training on the use of the devices, including proper training to protect the privacy of victims, children, and bystanders, and other privacy and civil rights and liberties issues. The body-worn cameras shall be mounted on the officer's or agent's outerwear.

Custody Operations.—The recommendation includes \$2,389,295,000 for Custody Operations, which is \$16,764,000 below the request and \$485,186,000 below the fiscal year 2022 enacted level. The Committee funds the request to support an average daily population [ADP] of 25,000, which is a reduction from the funded fiscal year 2022 ADP of 34,000. Within 90 days of the date of enactment of this act, ICE is directed to seek an Independent Verification and Validation [IV&V] of the ICE ADP forecast model as a guide to predict yearly bed requirements. For the purposes of this provision, IV&V shall not mean any entity within the Department, but rather, an organization that is technically, managerially, and financially independent of the development organization as is the standard IV&V definition.

The Committee strongly encourages ICE to move beyond a narrow understanding of the term custody, which runs contrary to the understanding of custody in the criminal context, especially in instances where the Immigration and Nationality Act [INA] uses the term “custody” and not “detention.” The Committee does not understand “Custody Operations” to mean merely the physical custody of

noncitizens in detention. Rather, consistent with long standing precedent, the Committee recognizes that custody can be both, or either, legal custody or physical custody, and that within both of those understandings, custody can also be on a continuum, with an individual escalating or deescalating between forms of custody if risk or mitigating factors are present or change. The Committee notes that courts have long interpreted custody to be a significant restraint on liberty not shared by the public generally, which can also include conditions and restrictions on liberty, but does not necessarily mean physical detention. The Committee notes that it does not extend that same understanding to instances in the Immigration and Nationality Act where the word “detention” is used in lieu of “custody.” In light of this, while the Committee declines at this time to specify various continuums of custody that ICE may utilize, deferring instead to ICE to align its understanding of custody with existing precedent, the Committee directs ICE to utilize a continuum of custodial options for individuals subject to civil custody under the INA, which should necessarily involve a significant restraint on liberty not shared by the public generally, such as home confinement for example. The Committee also defers to ICE to outline the programs and services provided and access to such programs and services while individuals are in various forms of ICE custody. The Committee understands that the presence of “alternatives to detention” and “custody operations” may give a false impression that custody means detention; however, the Committee notes that funding for custody operations is not “detention operations” and sees no conflict with a more appropriate understanding of custody.

As such, \$20,000,000 above the request is provided in Custody Operations for ICE to utilize a continuum of custody options in line with the direction herein, including, but not limited to, home confinement, supervised release, and monitored housing. The Committee directs ICE to submit, as a part of the fiscal year 2024 budget proposal, a recommendation as to whether various funding accounts should be realigned or renamed so as not to cause unnecessary confusion. ICE is directed to ensure that any such contractors that house or transport children or families have minimum standards for the care and custody of families with children and to work with State officials, as necessary, to ensure that all applicable child-welfare laws and Federal consent decrees, are adhered to, concerning the care and custody of families with children.

Cost of Providing Healthcare to Immigrants in Detention.—Recognizing the increasing cost of providing adequate healthcare in general, the Committee directs ICE to provide an annual report on the cost of administering healthcare, including mental health or preventative services, in the detention system. The report shall include all sources of funding utilized to provide healthcare services to individuals in custody, including all such funding provided by the Department of Health and Human Services within the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), other Federal agencies, or State, local, or private sources of funding. The report shall include the number of instances that detainees were transported to hospitals, emergency rooms, or other healthcare facilities and shall note instances of serious medical or

mental health conditions, pregnancy, disability, or positive or presumptive cases of communicable diseases impacting more than 100 detainees, along with antibody positive cases for diseases where such tests are available. Further, the report shall detail the number and type of position of medical, including pediatric medical professionals, and mental health staff at each ICE detention facility and note any position that has been vacant for 30 or more days.

Detention and Solitary Confinement of Special Populations.—The Committee is concerned about the use of involuntary segregation in isolation, solitary confinement, and protective custody of vulnerable, or special populations, including persons who identify as transgender, and remains concerned about the impact of prolonged detention on these populations. The Committee strongly encourages ICE to utilize ATD for this population, absent extraordinary circumstance or Federal law requiring detention. The Committee directs ICE to publicly report on a quarterly basis the number of individuals who identify as transgender who were, or are, in their physical custody for the preceding quarter. The report shall include, at a minimum, the number of consecutive and cumulative days such individuals were in detention or involuntary segregation, through isolation, solitary confinement, or protective custody, and include the basis for their involuntary segregation. ICE shall reevaluate their custody level periodically, no less 30 days, or sooner, where required by other State or Federal law, to determine whether continued involuntary segregation is appropriate. Within 90 days of the date of enactment of this act, ICE shall ensure that all such persons who identify as transgender, are only placed in a facility that meets the principles and standards outlined in the 2015 ICE Memo entitled, “Further Guidance Regarding the Care of Transgender Individuals.” Within 90 days of the date of enactment of this act, and annually thereafter, ICE shall report to the Committee the number of facilities that meet the 2015 principles and standards, their location, the number of available beds for vulnerable or special populations, including those who identify as transgender, whether those beds are in a form of involuntary segregation, and whether such facilities need additional resources to ensure the health and safety of such persons in their care and custody.

Detention Standards.—The recommendation includes \$6,006,000 above the request to improve the compliance with PREA. The Committee reiterates direction provided in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2017 (Public Law 115–31) regarding detention standards and understands that ICE intends to increase the percentage of detainees held in facilities meeting the most recent Performance Based National Detention Standards [PBNDs], the most recent National Detention Standards, and requirements under the Prison Rape Elimination Act of 2003 [PREA] (Public Law 108–79). The Committee directs ICE to develop a timeline detailing steps the agency will take to recruit additional contracting personnel required for negotiating detention contracts and to brief the Committee on its plan not later than 60 days after the date of enactment of this act. The Committee further directs ICE to post on its website within 60 days of the date of enactment of this act a schedule for achieving 100 per-

cent compliance with PREA requirements; PBNDS 2011, as revised in 2016 and which were in effect on January 1, 2017; and the most recent National Detention Standards for all detainees. The Committee further directs ICE to post on its website within 60 days of the date of enactment of this act the results of completed PREA audits, an assessment of whether the standards are effective in protecting vulnerable populations, and all reports to the Committee required under the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2017, regarding contracting and detention standards. ICE shall also identify the resource requirements needed to achieve PREA compliance for the facilities that are currently not PREA compliant but have PBNDS 2011, Standard 2.11, or PBNDS 2008 protections and shall identify the standard used in each facility in the publicly available website.

Juvenile and Family Management Division [JFMD].—The Committee recognizes the importance, and recent successes, of the JFMD within ICE. Within 60 days of the date of enactment of this act, and quarterly thereafter, JFMD shall brief the Committee on the status of the programs relating to regional juvenile coordinators and young adults in the ICE system. The briefing shall include, at a minimum, current staffing levels, requirements, challenges, and success for both programs. Not later than 90 days after the date of enactment of this act, JFMD shall conduct the training for the Committee that is required under the Trafficking Victims Protection Reauthorization Act [TVPRA].

Law Enforcement Support Center [LESC].—The recommendation continues to include \$34,500,000 to support an authorized level of 248 full-time law enforcement specialists and officers at the LESC, which serves a critical function in the Federal Government's efforts to identify and locate noncitizens with serious felony records. The Committee directs ICE to ensure that current operations performed by the LESC remain centralized at the LESC facility in Williston, Vermont, and that these operations are not unnecessarily duplicated elsewhere. The Committee looks forward to receiving the report required by the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (Public Law 116–6) regarding LESC funding, operations, and staffing. The Department is also directed to submit for Committee approval the reallocation of any resources currently intended for LESC operations in Vermont. It is expected that no such reallocation will be made without Committee concurrence. The Committee notes that, despite an increasing workload and the availability of recruitment and retention incentives, the LESC has not hired to authorized levels. The Committee directs ICE to ensure that the LESC has the resources and approvals necessary to fully utilize its recruitment incentives program. The LESC is also encouraged to use hiring campaigns, education, and outreach, including coordination with nearby community, technical, and State colleges and universities and to utilize available direct hire authority to accelerate the hiring of qualified applicants.

Litigation Impacting ICE Resources.—The Committee recognizes that ICE must, from time-to-time, enter into negotiated settlement agreements or be the subject of a judgment, by judge or jury, involving persons subject to the legal or physical custody of ICE.

However, at times, such litigation has resource implications for ICE that the Committee must account for in subsequent fiscal years. Therefore, not later than 90 days of the date of enactment of this act, and quarterly thereafter, ICE is directed to report to the Committee any final settlement agreements or judgements that have financial resource implications for ICE, including the terms, conditions, and costs of such settlements or judgements.

Minors.—ICE is reminded of its obligation under section 1232 (c)(2)(B) of title 8, United States Code, to consider placing the minor in the least restrictive setting. Within 90 days of the date of enactment of this act and monthly thereafter, the Secretary shall provide the Committee with a report which shall include the number of individuals currently in ICE's custody who were transferred to ICE by the Office of Refugee Resettlement and a breakdown, delineated by ICE area of responsibility, the type of placement and accompanying justification for such placement

Pregnant, Postpartum, and Lactating Women.—The Committee supports the National policy to discourage the detention or arrest of known pregnant, postpartum, or lactating women. For any known pregnant, postpartum, or lactating woman whose detention is required pursuant to law or documented exceptional circumstance, ICE shall, not less than monthly, evaluate whether such continued custody is necessary or required by law. During this custody redetermination, ICE shall presume that the continued custodial detention of pregnant, postpartum, or lactating women is not appropriate absent exceptional circumstances or where required by law. The Committee continues the requirement to provide semiannual reports on the total number of pregnant, postpartum, or lactating women in ICE custody, including detailed justification of the circumstances warranting each pregnant, postpartum, or lactating woman's continued detention and the time in custody. These anonymized reports should be made publicly available on the ICE website.

Electronic Service for Notice to Appear [NTA].—The Committee is aware that from time-to-time, noncitizens are released by the Department before all charging documents are issued, which can place an onerous burden on ICE. Therefore, ICE may utilize electronic service for the issuance of the NTA in cases where the Department has collected the electronic contact information for the noncitizen. The Committee understands that the statutory requirement to serve the NTA by mail, necessarily includes email, or other forms of electronic service, provided all other statutory, regulatory, or relevant case law applies.

Reductions for Forward Funding of ATD and Custody Operations.—The Committee is aware that for a number of years, ICE has entered into contracts and paid for such contracts into subsequent fiscal years with appropriated funds for the prior fiscal year, a problem with ICE financial management that has spanned multiple administrations. The Committee reminds ICE that the fiscal year runs from October 1st to September 30th and absent explicit existing authority or authorized financial management principles, ICE is discouraged from funding detention contracts beyond the last day of the fiscal year. As such, reductions have been included in fiscal year 2023 to account for contracts and costs that were paid

for in fiscal year 2022 with fiscal year 2021 funds. The Committee directs ICE to clearly account for any forward funding of contracts that exceed the fiscal year. The Committee directs ICE to include an exhibit in each subsequent budget request which clearly shows all contracts that have been funded into a fiscal year for which it was not appropriated. The Committee will continue to make such reductions until ICE aligns its requests and spending with the fiscal year for which it receives appropriated funds.

Removal of Parents of U.S. Citizen Children.—The Committee continues its requirement that the Department submit data on the removal of parents of U.S. citizen children semiannually.

Reporting Requirements.—In addition to reporting requirements from fiscal year 2020, ICE is also directed to report within 60 days of the date of enactment of this act on the progress being made to transition all inspections to semi-annual Office of Detention Oversight inspections. ICE shall provide the results of those inspections on a public facing website within 60 days of each inspection in a similar fashion as required of inspection reports in fiscal year 2021. ICE is directed to make public all final detention facility inspection reports within 60 days of inspection; complete and make public an initial report regarding any in-custody death within 30 days of such death, with subsequent reporting to be completed and released within 60 days of the initial report unless additional time is required for redacting personally identifiable information; make public a full list, updated monthly, of all facilities in use for detention of adults or children, including the average daily population, the type of contract, the governing detention standards, and the complement of on-board medical and mental health personnel; ensure that non-governmental organizations are provided with independent and timely access to all facilities for the purpose of providing representation, legal education, and programming, and for purposes of monitoring and visitation; and update detainee location information in the ICE Detainee Online Locator system within 48 hours of detention and 24 hours of completion of any transfer.

Sensitive Locations.—The Committee continues a requirement to provide its officers with guidance and training for engaging with victims and witnesses of crime and to strengthen policy guidance on enforcement actions in or near sensitive locations, including courthouses, in order to minimize any effect that immigration enforcement may have on the willingness and ability of victims and witnesses to pursue justice. The Committee continues its directive for ICE to report on steps taken to minimize the effect immigration enforcement activity has on victims and witnesses of crime not later than 180 days after the date of enactment of this act. ICE shall also continue to provide monthly notifications to the Committee on enforcement actions that take place in or near sensitive locations, including courthouses, and placements for unaccompanied children. ICE shall consider evacuation centers, shelters, and similar facilities operating in response to an emergency or major disaster, as well as non-Federal Government facilities servicing individuals and families, and the curtilage of all such facilities, to be sensitive locations.

Sex Offender Release Notifications.—The Committee understands that ICE is currently notifying law enforcement authorities and

State regulatory organizations through the Sex Offender Registration and Notification Act (Public Law 109–248) exchange portal when ICE releases into their jurisdictions individuals who have a registration requirement. The Committee recommends \$2,000,000 to continue to identify any potential information gaps within this system and to address these gaps in a manner that ensures that data on ICE detainees with sex or violent offender records are provided in real time to jurisdictions where such detainees will reside.

Transfer of Funds to HHS.—ICE shall transfer \$15,000,000 to the Office of Refugee and Resettlement [ORR] to effectuate an Asylum Seeker Case Management Test Program administered by ORR. ICE shall coordinate with ORR to refer eligible families to the program for case management services. Eligible families are: single parent households, with two or more children, who are in removal proceedings or who have been issued a Notice to Appear, and have had a positive credible or reasonable fear finding, where ICE has determined release from physical custody is appropriate, and, the single parent faces no pending criminal charges (for the purposes of this provision, criminal charges shall not include State, local, or Federal offenses for which an essential element was the noncitizen’s immigration status). ICE shall coordinate with ORR to carry out this Test Program and shall provide ORR with the necessary data, as appropriate.

Transportation and Removal Program [TRP].—TRP provides the safe and secure transportation of noncitizens who are subject to final orders of removal or who require transfer within the United States, which may ultimately include transportation to the noncitizen’s final destination if ICE determines in its discretion that such transportation is necessary. For purposes of TRP, the Committee believes that expeditiously moving noncitizens from crowded facilities at the border, avoiding a situation where noncitizens are left at public places, and to reduce downstream inefficiencies in the immigration process, such as initially not calendaring cases in the noncitizens final destination, are legitimate agency needs and necessary at times.

Transportation Management Office [TMO] and the Juvenile and Family Management Division [JFMD] Transportation and Compliance Unit [TCU].—Within 60 days of the date of enactment of this act, and quarterly thereafter, TMO and TCU shall jointly brief the Committee on the existing transportation contracts, including transportation to/from facilities, and all air, ground and sea transportation contracts for all noncitizens, including children and families. The briefing shall include a description of the current contract’s total capacity, capacity per type of transportation, contract options, where applicable, contract costs, including daily, and weekly and monthly actual costs and projections. The briefing shall also compare projections against actuals for the preceding quarter.

Transparency in Contracting.—Not later than 60 days after the date of enactment of this act, and quarterly thereafter, ICE shall publish on a publicly accessible website a consolidated compilation of all contracts and agreements for each of the facilities it uses for immigration detention purposes, including the most current and complete contract modification or addendum, any subcontracts, and all bid solicitation requests. ICE shall update its public archive of

detention contracts on a quarterly basis and publish the records on its FOIA Library webpage.

UC Safe Return and Repatriation.—The Committee expresses concern about the lack of consistent and coordinated policies to prevent the return of unaccompanied children to harm and other conditions that endanger their wellbeing and \$10,000,000 is provided above the request to address these concerns. The Committee directs ICE, in consultation with nonprofit organizations with child migration and child welfare expertise, to develop policies and procedures to ensure that prior to any repatriation decision the safety and best interests of the child are fully evaluated. Such policies shall provide for best interest assessments by independent child advocates, referrals for legal screenings, assessments of country conditions, and the identification and evaluation of family members who will care for the child in country, including home studies where recommended. The Committee notes the success of existing nonprofit projects that leverage collaboration between service providers in the U.S. and civil society organizations in country to holistically evaluate the needs of repatriating children and coordinate appropriate assessments and services. The Committee encourages ICE to hire or designate juvenile coordinators who can serve as repatriation case managers to oversee children's safe return and facilitate outreach and referrals to organizations that can assist with independent screenings and assessments. In cases in which repatriation is determined to be in the child's best interests, case managers should provide pre-departure orientation and planning; create plans for reintegration services; coordinate with case managers in country; and ensure a child-sensitive return process. In cases in which repatriation is not in the child's best interests, ICE case managers should coordinate with HHS to identify an appropriate placement for the child and work with other Department components to ensure the child's removal is discontinued. The Committee also directs ICE, in consultation with nonprofit organizations with child migration and child welfare expertise, to develop procedures to ensure that any repatriation of a minor is conducted in a trauma-informed, child-sensitive way that mitigates further harm to the child. Procedures should allow for age-appropriate accommodations and include explicit safeguards for repatriation. Such procedures shall ensure that children are not restrained; travel is limited to daylight hours when possible; and children are accompanied by known adults who speak their language and child welfare professionals, not law enforcement officials. Children should also be provided with information about how their basic needs will be met while in transit, including how and when they will receive meals, where and with whom they will spend the night if travel exceeds one day, and how they will travel from the reception centers to their homes. Within 180 days of the date of enactment of this act, ICE shall brief the Committee on the status of the UC Safe Return and Repatriation Program and shall analyze and brief the Committee on whether additional funding or legal authority is required to establish a long-term reintegration assistance for noncitizen children returning from the United States.

Validation of Age-Out Review Worksheet for Minors.—The Committee reminds ICE of its obligations to keep the Committee up-

dated on the status of funds regarding the fiscal year 2022 enhancement to modernize decisions regarding minors. The Committee reminds ICE to provide the results and recommendations from that review to the Committee and shall periodically update the Committee on the status of the IV&V, implementation of the results of the IV&V and use and outcomes of the validated tool.

Victims Engagement Services Line.—Within 60 days of the date of enactment of this act, ICE shall brief the committee on the Victims Engagement Services Line, to include detailed statistics on the number of beneficiaries, training provided to individuals who staff the Line, and resource dedicated to supporting this important initiative.

Young Adult Case Management Program [YACMP].—The Committee provides \$8,000,000 above the request to support JMFDD to assist young adults who age out of the HHS ORR custody, are released from CBP or ICE custody, or who are currently reporting to ICE's non-detained docket. Through a network of community and nongovernmental organizations, the YACMP shall provide services that help young adults with their legal responsibilities, while recognizing their unique situation through providing or referring for services including, but not limited to, referrals to legal service providers, human trafficking screenings, as appropriate, consular communications, referrals to social service providers, and repatriation services through the UC Safe Removal Program.

287(g) Agreements.—The Committee directs ICE to publish applications for new or renewed 287(g) agreements on its website 8 weeks prior to entering into any such agreement. ICE shall ensure thorough vetting of 287(g) applicants in an effort to minimize detention conditions that do not fully comply with the PBNDS and PREA standards. As of January 2021, the Department issued monthly reports on high-profile criminal noncitizens encountered through this program. ICE is directed to report to the Committee on the effectiveness, and accuracy, of prior efforts to publicly disclose personally identifiable information about noncitizens encountered through the 287(g) program within 60 days of the date of enactment of this act. Before renewing or initiating any 287(g) agreement, the Director of ICE shall make a formal determination, that explains: (1) Why ICE is unable to perform the delegated duties itself; (2) What measures ICE is taking to assume those responsibilities itself in the future; and, (3) An estimate of how long it will take until ICE no longer requires the agreement because it has internally addressed the covered jurisdiction's needs.

OFFICE OF THE PRINCIPAL LEGAL ADVISOR

Office of the Principal Legal Advisor [OPLA].—The Committee is concerned that the request for OPLA is only funding for attorneys and not support personnel. Within 90 days of the date of enactment of this act, ICE is directed to provide the Committee a hiring plan which contains details for how these positions will be filled, where they will be located, and provide the appropriate balance of support staff to attorney hire ratio.

Administrative Closures.—Within 60 days of the date of enactment of this act, and quarterly thereafter, OPLA shall provide a report to the Committee that includes the total number of adminis-

trative closures (known as ‘ad closes’) per OPLA Field Office for the preceding quarter.

OPLA Caseloads.—The Committee is concerned about the caseload sizes for OPLA attorneys, which may create large workloads resulting in overworked personnel, possibly increasing the likelihood of extended case processing times, stress-related burnout, turnover, or other errors. Within 90 days of the date of enactment of this act, OPLA shall provide the Committee with the average caseload sizes and caseload size goals per attorney.

OPLA Hiring.—The Committee recommends \$8,000,000 above the request for OPLA hiring, to include attorneys and the necessary support staff.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$51,700,000
Budget estimate, 2023	97,762,000
Committee recommendation	100,762,000

COMMITTEE RECOMMENDATIONS

Construction and Facility Improvements.—The Committee recognizes that the costs of constructed new facilities and making major refurbishments to existing ones changes over time. As such, the Committee directs ICE to provide a detailed spend plan for each project within 30 days of the date of enactment of this act and update the Committee every 30 days thereafter. Subsequent briefs are to include changes to cost estimates.

Operational Communications/Information Technology.—Congress has appropriated significant funds to ICE for its operational communications and information technology programs. These investments should lead to operational efficiencies and expanded capabilities, particularly for ERO with T-8 and HSI with RAVEn. Therefore, the Committee directs ICE to provide a comprehensive brief on how investments in this PPA are helping ICE make more strategic decisions, particularly related to the allocation of resources and assets.

Laredo Firearms Facility.—The Committee provides \$3,000,000 above the request to begin planning and construction of an indoor or outdoor firearms training facility for HSI personal in South Texas to be located in Laredo, Texas. Within 180 days of the date of enactment of this act, ICE shall provide the Committee with a project proposal and a spending plan for the Laredo Firearms facility.

TRANSPORTATION SECURITY ADMINISTRATION

The Transportation Security Administration [TSA] is charged with ensuring security across U.S. transportation systems, including aviation, railways, highways, pipelines, and waterways; and safeguarding the freedom of movement of people and commerce.

COMMITTEE RECOMMENDATIONS

The Committee recommends a gross discretionary total of \$9,292,452,000 and a net of \$6,339,952,000 for TSA, which is \$753,150,000 less (total)/\$654,350,000(net) less than the request

and \$544,991,000(total) above/\$162,491,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee's recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	8,091,193	9,542,725	8,677,075
Aviation Passenger Security Fees	-2110000	-4010000	-2,490,000
Subtotal, Operations and Support (net)	5,981,193	5,532,725	6,187,075
Procurement, Construction, and Improvements	160,736	119,345	119,345
Research and Development	35,532	33,532	33,532
Total, Transportation Security Administration (net)	6,177,461	5,685,602	6,339,952
Total, Transportation Security Administration (gross)	8,737,461	10,045,602	9,292,452

OPERATIONS AND SUPPORT

Appropriations, 2022	\$5,981,193,000
Budget estimate, 2023	5,530,282,000
Committee recommendation	6,187,075,000

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of \$8,677,075,000 for Operations and Support [O&S], which is \$865,650,000 below the budget request amount and \$585,882,000 above the fiscal year 2022 enacted level. This amount is partially offset by \$2,110,000,000 in estimated aviation security fee collections that are credited to this appropriation, as authorized, resulting in a net discretionary appropriation of \$6,187,075,000. The budget request erroneously assumed that an additional \$1,520,000,000 of aviation security fees could be diverted to O&S PPAs instead of deficit reduction payments required by statute. The Committee reminds the Department and TSA that Section 534 of the Consolidated Appropriations Act of 2022 (Public Law 117-103) requires the Secretary of Homeland Security, within 60 days of any budget submission for the Department that assumes revenues or proposes a reduction from the previous year based on user fees proposals that have not been enacted into law prior to the submission of the budget, to provide the Committees on Appropriations of the Senate and the House of Representatives specific reductions in proposed discretionary budget authority commensurate with the revenues assumed in such proposals in the event that they are not enacted prior to October 1, 2022. The Department did not comply with this statutory requirement.

While erring in how the pay initiative was proposed, the Committee lauds TSA's effort to achieve pay equity for its workforce, especially in improving pay for frontline transportation security officers. The Committee recommends an appropriation of \$245,562,000 in the TSA Personnel System Changes and Collective Bargaining, Merit System Protection, and Associated Costs ac-

counts, equaling one fiscal quarter's worth of pay, to account for time to implement the proposed changes. Proposed additional pay increases related to projected passenger volumes do not receive funding as actual passenger volumes have consistently fallen short of the projections provided to date.

Staffing and Workload Report.—Within 90 days of the date of enactment of this act and monthly thereafter, TSA shall provide to the Committee a report on staffing levels by major personnel categories along with the travel volumes during the same time period. The report shall display the following for each personnel category: onboard and FTE levels at the end of the previous fiscal year; positions and FTE levels funded through enacted appropriations for the current fiscal year; and onboard positions and FTE at the end of the month being reported. Additionally, the report shall include key TSA performance measures, such as travel volumes and wait times at checkpoints, as well as incorporate deployment of new equipment to identify how changes in personnel and assets impact TSA's operational capabilities. TSA shall consult with the Committee on the format and presentation of the report prior to the first submission.

AVIATION SCREENING OPERATIONS

Screening Workforce Pay Strategy.—The Committee recognizes TSA's continued work to improve efforts to retain, hire, and train Transportation Security Officers [TSO] through pay reform initiatives. The screener workforce is critical to identifying and mitigating aviation security threats and these initiatives are key to increase workforce retention; provide opportunities for employees to develop, grow, and enhance their careers; and improve the Nation's overall aviation security posture. The Committee directs TSA to provide a quarterly report on pay reform efforts and the subsequent effect on TSO retention levels. Additionally, TSA shall provide a report to the Committee within 180 days of the date of enactment of this act detailing the number of TSOs hired and corresponding retention levels since fiscal year 2016, delineated by fiscal year. As part of this report, TSA shall include a plan for continuous and sustained human capital investment that also incorporates the impact of new technologies and equipment that bring more capabilities to the workforce.

Screening Partnership Program [SPP].—The recommendation maintains necessary funds for security at airports where private screening contracts are in place. The Committee finds that small and rural airports play a critical role in the security of our National Airspace System as the first point of entry for millions of travelers every year. Therefore, the Committee encourages TSA to work with local airport authorities and stakeholders to ensure that appropriate security screening services are deployed to any public use airport with regularly scheduled commercial air service.

International Parental Child Abduction.—The Committee encourages TSA to work with the Office of Children's Issues within the U.S. Department of State to explore existing TSO training opportunities to ensure that relevant staff are trained to recognize the signs of, and prevent, international parental child abduction. TSA shall report to the Committee within 90 days of the date of enact-

ment of this act, the current training TSA employees undergo to recognize and prevent, international parental child abduction.

Passenger Screening Canine Teams.—The Committee appreciates the important work of the Passenger Screening Canine Program and encourages TSA to continue that effort. TSA shall brief the Committee within 90 days of the date of enactment of this act on efforts to improve the effectiveness of these passenger screening canine teams.

Real-Time Wait Time.—The Committee continues to support TSA's efforts to improve the traveler experience by providing real-time wait times at security check points. Within 60 days of the date of enactment of this act, TSA is directed to provide a briefing on the implementation of requirements on real-time security checkpoint wait times, as outlined in Section 1922 of the FAA Reauthorization Act (Public Law 115–254). This brief shall detail costs for implementing a pilot program for real-time security checkpoint wait times at an appropriate sampling of TSA category airports.

Credential Authentication Technology [CAT].—Within 90 days of the date of enactment of this act, TSA shall provide a report to the Committee detailing airports at which CAT is currently deployed, airports at which CAT is not currently deployed, and a plan for the full procurement and deployment of CAT systems at all of the Nation's airports.

Passenger Volume Growth.—TSA shall ensure that future budget requests include a robust forecast of passenger volume in relation to funded staffing levels and the projected improvements in operational capabilities as a result of the continued deployment of new technologies.

Touchless Screening.—The Committee recognizes the work TSA has undertaken to identify a range of innovative options to create a safe, sanitary checkpoint environment for the future wellbeing of TSA personnel and the flying public. TSA shall provide a report to the Committee within 90 days of the date of enactment of this act detailing options to leverage digital capabilities to limit interactions that are not conducive to a touchless screening environment between passengers and TSOs without adversely impacting the core security mission, and TSA's strategy for procurement and acquisition of available technologies to promote a touchless screening environment.

Hiring in Rural Communities.—Not later than 90 days after the date of enactment of this act, TSA shall brief the Committee on the challenges of recruiting and retaining Federal employees in non-contiguous and rural States. At a minimum, the brief should include how TSA is addressing these challenges and the resources so identified for this purpose. TSA is strongly encouraged to consult with the Committee prior to the brief to ensure the requisite data needs are addressed and captured in this briefing.

Remote Screening Infrastructure [RSI].—The Committee recognizes and appreciates the coordination between TSA and S&T to develop and implement new and innovative ways, such as RSI, to make the passenger experience more efficient and safer. TSA and S&T are encouraged to continue their collaborative efforts on the RSI and other such initiatives. Within 90 days of the enactment of this act, TSA shall brief the Committee on how it has supported

S&T’s RSI initiative. The briefing should also include an update on TSA’s other efforts with remote screening (past and planned); the feasibility of if, or when, such remote technology may begin to be more broadly incorporated; an example of the potential cost in funds, staff, related to adding remote screening capability per lane; and a summary of the benefits of remote screening to security operations, passengers, and the TSA workforce, as well as the potential challenges.

AIRPORT MANAGEMENT

Exit Lane Staffing.—The Committee rejects TSA’s request to eliminate exist lane staffing and restores the associated cut of \$94,147,000. The Committee directs TSA, within 120 days of the date of enactment of this act, to: (1) conduct an assessment of the impact of reducing exist lane staffing and report to the Committee on recommendations for changes that, at a minimum, identifies a prioritized list of airports at which exit lane control would be shifted to airports, the cost savings to be realized by TSA, and the cost burdens to be assumed by respective airports; and (2) provide a report to the Committee on existing technological solutions for exit lane control and the feasibility of implementing such controls.

OTHER OPERATIONS AND ENFORCEMENT

Federal Air Marshal Service [FAMS].—The recommendation includes \$767,324,000 for the FAMS, and includes funding to continue protection of the air transportation system against terrorist threats, sabotage, or other acts of violence. The Committee directs TSA to submit semiannual reports on FAMS mission coverage, staffing levels, and hiring rates as it has done in prior years.

Federal Flight Deck Officer [FFDO] and Flight Crew Training Programs.—The recommendation includes \$20,512,000 for the Federal Flight Deck Officer and Flight Crew Training programs. Within 60 days of the date of enactment of this act, TSA shall brief the Committee on the FFDO Program. The brief shall, at a minimum, include current backlogs of candidates awaiting initial training, utilization numbers for FFDO recurrent training, FFDO firearms recertification training, plans to address the backlog, and plans to expand the program.

Law Enforcement Officer [LEO] Reimbursement Program.—The recommendation includes \$46,138,000 for the LEO Reimbursement Program. The Committee recognizes the important role that the LEO Reimbursement Program has played in helping airports meet federally-mandated airport security requirements. The Committee directs TSA to maintain and fund the LEO Reimbursement Program.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$160,736,000
Budget estimate, 2023	119,345,000
Committee recommendation	119,345,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$119,345,000 for Procurement, Construction, and Improvements [PC&I], which is equal to the budget

request amount and \$41,391,000 below the fiscal year 2022 enacted level.

Checkpoint Support.—The Committee continues to support TSA’s efforts to develop open architecture requirements for transportation security equipment [TSE] and requests an update on the development of an established open architecture framework, including well defined requirements and standards, within 120 days of the date of enactment of this act. As TSA transitions to the integrated security enterprise, and similar to the architecture enterprise utilized in the medical industry, the Committee directs TSA to ensure there is a clear definition of the proposed end state, including all workflows and interfaces across the aviation security domain.

Quarterly Briefings.—TSA is directed to continue to provide quarterly briefings on its investment plans for checkpoint security and Explosives Detection Systems [EDS] refurbishment, procurement, and installation on an airport-by-airport basis. These briefings shall include information on specific technologies for purchase, program schedules, major milestones, obligation schedules, recapitalization priorities, status of operational testing for each passenger screening technology under development, and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. These briefings shall also include details on checkpoint screening pilot programs and public-private partnerships that are in progress or being considered for implementation. Information in this portion of the briefing shall include for each pilot program or public-private partnership: a summary; a description of its goals; potential capabilities and benefits of the program; the airports where the pilots or partnerships will take place; funding commitments; and plans for future expansion. The Committee expects these briefings to include detailed program schedules for passenger screening technologies and these schedules should include all milestones from the issuance of a request for proposal to deployment.

Computed Tomography [CT].—The recommendation includes \$105,405,000 as requested for the purchase and installation of approximately 108 CT machines for passenger checkpoints at the highest-risk airports in the United States, to recapitalize aging screening equipment, add detection capabilities, and improve performance in order to mitigate emerging threats to aviation security. The Committee directs TSA to leverage innovative capabilities to accelerate efforts to improve threat detection.

In-Line Baggage Handling and Screening Systems.—The Committee recognizes the safety benefits of the In-Line Baggage Handling and Screening Systems to improve the security screening of checked baggage. The Committee encourages TSA to continue to support expansion of EDS at small airports to enhance security across the airport system and offer improved capabilities such as: greater ability to differentiate threats using the standalone EDS, reduced processing time for the baggage being screened, and reduction of manual screening to exceptions identified by the EDS.

RESEARCH AND DEVELOPMENT

Appropriations, 2022	\$35,532,000
Budget estimate, 2023	33,532,000
Committee recommendation	33,532,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$33,532,000 for Research and Development [R&D], which is equal to the budget request amount and \$2,000,000 below the fiscal year 2022 enacted level.

Innovation Task Force [ITF].—The Committee supports TSA’s efforts to rapidly develop and deploy next generation screening solutions to assist screeners in detecting and deterring threats to aviation security, and provides the requested \$16,292,000 for that purpose.

TSA established the ITF to foster innovation in aviation security, address the threat landscape, improve the passenger screening experience, and deliver a next-generation curb-to-gate screening capability. The Committee directs TSA to provide a briefing within 120 days of the date of enactment of this act on how the funds provided will inform future TSA budget requests.

COAST GUARD

The primary responsibilities of the Coast Guard include: enforcement of all applicable Federal laws on the high seas and other waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a State of readiness to function as a specialized service of the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code. The Commandant of the Coast Guard reports directly to the Secretary of Homeland Security.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$13,928,926,000 for the Coast Guard, which is \$349,270,000 above the budget request amount and \$475,134,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

COAST GUARD

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	9,162,120	9,620,029	9,698,639
Procurement, Construction, and Improvements	2,030,100	1,654,850	1,925,510
Research and Development	7,476	7,476	7,476
Health Care Fund Contribution (Permanent Indefinite Appropriations)	240,577	252,887	252,887
Retired Pay	1,963,519	2,044,414	2,044,414
Administrative Provisions	50,000	.....	.....
Total, Coast Guard	13,453,792	13,579,656	13,928,926
(Defense)	530,000	530,000	530,000

OPERATIONS AND SUPPORT

Appropriations, 2022	\$9,162,120,000
Budget estimate, 2023	9,620,029,000
Committee recommendation	9,698,639,000

The Operations and Support [O&S] appropriation provides funds for the salaries and benefits of both military and civilian personnel and the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. The program activities of this appropriation include: search and rescue; aids to navigation; marine safety; marine environmental protection; enforcement of laws and treaties; Arctic and Antarctic operations; and defense readiness.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$9,698,639,000 for O&S, which is \$78,610,000 above the budget request amount and \$536,519,000 above the fiscal year 2022 enacted level. The recommendation includes \$100,725,000 above the budget request amount to restore enhancements from the fiscal year 2022 funding Act for accession competitiveness, recruiting and supporting a diverse workforce, childcare subsidies, Great Lakes Icebreaker [GLIB] program management office, recapitalization of operational safety and detection equipment, Coast Guard Museum exhibits, fishing safety training and research, MH-60T blade and tail fold activities, cybersecurity readiness, C2 and domain awareness, R21 modernization, and surface short range communications modernization; increases above the budget request amount of \$3,262,000 for recruiting, retention, and support activities, \$9,400,000 for UH-65 sustainment, \$3,600,000 for mixed gender crews, \$5,000,000 for a manpower requirements analysis, \$4,200,000 for small unmanned aircraft systems for NSCs, and \$5,000,000 for housing program investments; and decreases below the budget request amount of \$29,252,000 for the Atlantic Partnership, \$2,474,000 for Innovative and Commercial Technology, \$3,179,000 for the National Security Cutter follow-on, \$800,000 for tuition assistance, \$5,781,000 for Offshore Patrol Cutter follow-on, \$4,060,000 for software follow-on, and \$7,031,000 for cyber infrastructure and defense operations. The total includes \$24,500,000 from the Oil Spill Liability Trust Fund and \$530,000,000 for Coast Guard defense-related activities. No funds are provided in the proposed Contingency PPA; all funds (currently held in Field Operations) are instead to be distributed across the other PPAs. The Coast Guard shall notify the Committee of its plan to distribute this funding not less than five business days before the funding is distributed. For the fiscal year 2024 budget justification, the Committee expects the request to contain the same sub-PPA level of detail.

Cybersecurity.—The Coast Guard shall brief the Committee within 120 days of the date of enactment of this act on their compliance with DOD information network requirements, including full implementation of the Joint Regional Security Stack. The briefing shall also include an update on plans, if necessary, for a zero trust security model across all information technology infrastructure.

U.S. Coast Guard C5I Service Center.—The U.S. Coast Guard C5I Service Center (previously known as the Operations Systems Center) supports the 11 Coast Guard statutory mission areas by housing and maintaining all of the Coast Guard’s IT systems and computer servers, as well as by providing operational watches worldwide through the Mutual-Assistance Vessel Rescue System. The Committee appreciates the Coast Guard’s continued commitment to advancing the work of the C5I Service Center and recommends the full amount requested.

Interoperable Gateway System [IGS] Modernization.—The Committee commends the Department for the ongoing efforts to deploy and modernize the Department’s interoperability initiatives in order to enable critical Federal agencies to seamlessly communicate with each other and with State, local, and private sector partners during emergencies. The Committee recognizes the further need to deploy IGS interoperability technologies throughout the Coast Guard in order to connect radio, voice, text, video, and data files in a secure environment. The Coast Guard is encouraged to explore the feasibility and value of incorporating IGS technology into its operations and brief the Committee on the results of its assessment within 120 days of the date of enactment of this act.

Fishing Safety Training and Research.—The Committee supports an agreement between the Coast Guard and the National Institute for Occupational Safety and Health [NIOSH] to efficiently administer the Fishing Safety Training and Fishing Safety Research Grant Programs in fiscal year 2023. The Committee encourages the Coast Guard and NIOSH to evaluate the Federal cost-share associated with these grant programs and consult with fishing safety training experts in the development of grant program guidelines. If necessary, a small percentage of the funds appropriated may be used to cover the Federal costs associated with NIOSH’s administration of the programs. If the Administration believes funding for this activity should be provided directly to NIOSH in fiscal year 2024, such a change should be articulated in the budget request.

Unmanned Surface Vehicles [USV].—The Committee directs the Coast Guard to report on its plans for research and development activities related to USVs, including an evaluation of wind and solar powered vessels with surface and subsurface capabilities, within 90 days of the date of enactment of this act. The Committee also expects to be updated on the findings of this research as they become available.

Minor Shore Infrastructure.—The bill includes long-established language to allow funds for operations to be used for the sustainment, repair, replacement, and maintenance of shore infrastructure projects, including projects to correct deficiencies in code compliance or to mitigate against threats to life, health, or safety, with costs not exceeding 75 percent of a building’s or structure’s replacement value. Additionally, O&S funds can be used for contingent, emergent, or other unspecified minor construction projects which include new construction, procurement, development, conversion, rebuilding, improvement, or extension of any facility not exceeding \$2,000,000 in total cost at any location for planned or unplanned operational needs.

Eradicating Inappropriate Behavior.—The Committee commends the Coast Guard on moving quickly to address past harassment and inappropriate behavior that occurred at the United States Coast Guard Academy and shares in the Coast Guard’s desire to eradicate harassment and inappropriate behavior within all aspects of the service. The Committee will continue to work with Coast Guard leadership to ensure that instances of inappropriate behavior are addressed in an appropriate and timely manner, and to provide for training to the workforce (both military and civilian) that raises awareness and empowers individuals to report instances of harassment and inappropriate behavior.

Unfunded Priorities List [UPL].—The Committee directs the Coast Guard to provide to the Committee at the time of the fiscal year 2024 budget request submission a list of approved but unfunded Coast Guard priorities and the funding needs for each priority.

Ballast Water Management and Invasive Species.—The Committee encourages the Coast Guard to expand its enforcement of its regulations on ballast water management to further prevent the introduction and spread of invasive species into non-native ecosystems, including by conducting biological assessments and testing of ballast water.

Offshore Wind.—The Committee recognizes the importance of the offshore wind industry as a contributor to American energy security, as well as an economic driver and job creator. The Coast Guard and Department are encouraged to collaborate with other public and private stakeholders, including industry and labor groups, to support offshore wind and supporting maritime infrastructure and to work together to support the domestic workforce and vessel inventory required to advance offshore wind technology.

Mixed Gender Crews.—The Committee also notes the undue hardship placed on Coast Guard members as a result of legacy Coast Guard Cutters being unable to accommodate mixed gender crews with their current berthing arrangements. Therefore, the Committee provides \$3,600,000 above the request to accelerate the Coast Guard’s efforts to modify the nine 140-foot Bay Class Icebreaking Tug berthings to accommodate women. This will promote gender equality and expand opportunities for women to serve in the afloat community.

Vessel Conversation, Alteration, and Repair Projects.—The Committee expects that the Coast Guard make full use of section 8220 of Public Law 116–283, when appropriate, to ensure vessels homeported in the Seventeenth Coast Guard District are able to solicit for and execute contracts on a competitive basis. Doing so may enable significant cost avoidance, improve operational availability, and avoid unnecessary disruptions to vessel crews and their families stationed in District Seventeen.

Towing Vessel Inspection Fee.—The Coast Guard issued a Notice of Proposed Rulemaking in January 2022 that would update its user fees for seagoing towing vessels that are 300 gross tons or more and revise user fees for other inspected towing vessels. The Coast Guard is directed to brief the Committee on the status of the rulemaking and implementation of the new user fees within 60 days of the date of enactment of this act.

Oceania.—The recommendation includes the full amount requested for the Oceania operations and strategy development initiative, which seeks to expand the Coast Guard’s presence and partnerships in the Indo-Pacific. The Committee notes that the Coast Guard will require additional statutory authority in order to fully execute this request, similar to what was provided for previous initiatives in the Caribbean.

Regional Programs.—The Committee notes the budget’s request for multiple programmatic changes enhancing the Coast Guard’s operations in various regions (i.e. the Atlantic Partnership, Arctic Strategy and Operations, and Oceania Operations and Strategy Development). The Coast Guard shall provide quarterly briefings on the execution of funding provided for these activities beginning within 180 days of the date of enactment of this act.

Migrant Interdiction Effectiveness.—The Committee noted a significant drop in the Coast Guard’s migrant interdiction effectiveness rate in the maritime environment, as reported in the Strategic Measures portion of its budget request. Within 90 days of the date of enactment of this act, the Coast Guard is directed to brief the committee on the key drivers of the drop in the rate and any actions the Coast Guard is taking in response to the drop.

National Security Cutter [NSC] Follow-On.—The recommendation includes \$3,179,000 below the budget request amount for NSC follow-on for the crewing of the eleventh NSC, which is not expected to be delivered to the Coast Guard until the first quarter of fiscal year 2025 according to the most recent Quarterly Acquisition Brief 4[QAB] for the second quarter of fiscal year 2022.

Offshore Patrol Cutter [OPC] Follow-On.—The recommendation includes \$5,781,000 below the budget request amount for OPC follow-on for the operations and maintenance cost of the second OPC, which is not expected to be delivered to the Coast Guard until the first quarter of fiscal year 2024 according to the most recent [QAB] for the second quarter of fiscal year 2022.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$2,030,100,000
Budget estimate, 2023	1,654,850,000
Committee recommendation	1,925,510,000

The Procurement, Construction, and Improvements [PC&I] appropriation provides funds for vessels, aircraft, information management resources, shore facilities, aids to navigation, and military housing required to execute the Coast Guard’s missions and achieve its performance goals.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,925,510,000 for PC&I, which is \$270,660,000 above the budget request amount and \$104,590,000 below the fiscal year 2022 enacted level. The total includes \$20,000,000 from the Oil Spill Liability Trust Fund.

Fleet Mix Analysis.—The Committee continues to be interested in the Fleet Mix Analysis required in the Joint Explanatory Statement accompanying Public Law 117–103, and appreciates the Coast Guard’s periodic status updates. The Committee reiterates its expectation, as stated in the requirement, that the analysis be

truly comprehensive and include all classes of vessels, even those whose mission might not have a direct bearing on the workload of other vessel classes.

Full-Funding Policy.—The Committee again directs an exception to the current acquisition policy that requires the Coast Guard to attain the total acquisition cost for a vessel, including long lead time materials [LLTM], production costs, and post-production costs, before a production contract can be awarded. This policy has the potential to make shipbuilding less efficient, to force delayed obligation of production funds, and to require post-production funds far in advance of when they will be used. The Department should position itself to acquire vessels in the most efficient manner within the guidelines of strict governance measures.

Domestic Content.—To the maximum extent practicable, the Coast Guard shall utilize components that are manufactured in the United States when contracting for new vessels. Such components include: auxiliary equipment, such as pumps for shipboard services; propulsion equipment, including engines, reduction gears, and propellers; shipboard cranes; and spreaders for shipboard cranes.

Coast Guard Yard Resilient Infrastructure and Construction Improvement.—The Coast Guard should, to the extent practicable and necessary, dedicate funding to facilities upgrades needed to improve the climate resilience of the Coast Guard Yard and associated infrastructure, and any other shore infrastructure maintenance and capital improvement project that that Commandant of the Coast Guard considers necessary, pursuant to such funds being authorized by Congress.

Funded Projects.—The Committee expects that when it funds specific projects, those projects shall be executed expeditiously and responsibly. Given project cost increases across Coast Guard's portfolio, the Committee is concerned about recent efforts by the Coast Guard to cancel funded projects in order to finance cost increases elsewhere. The Coast Guard shall be transparent with respect to cost increases, executability concerns, and any other issues that may increase the risk profile of a project, and shall provide the Committee sufficient time to consider the issue and respond in an appropriate manner.

VESSELS

Offshore Patrol Cutter [OPC].—The Committee provides the requested amount of \$650,000,000 for the construction of the fourth OPC and LLTM for the fifth OPC. While the Committee supports OPC procurements, the Committee remains concerned about costs for the program and continues the requirement for the Coast Guard to brief the Committee within one week prior to taking any procurement actions impacting estimated costs for the OPC program.

Polar Security Cutter [PSC].—The Committee recognizes the value of heavy polar icebreakers in promoting the National security and economic interests of the United States in the Arctic and Antarctic regions. The recommendation includes \$90,000,000 above the budget request amount for the purchase of LLTM for the third PSC.

Commercially Available Polar Icebreaker.—The Committee recognizes the Coast Guard’s effort to increase its presence in the Arctic region before the first PSC enters service. The recommendation includes the requested funding of \$125,000,000 for the acquisition of a commercially available polar icebreaker to serve as an interim measure. The Committee is concerned about the potential cost to fully missionize a commercially available polar icebreaker for Coast Guard operations. Prior to the obligation of any funding for vessel acquisition, the Coast Guard shall brief the Committee on a proposed concept of operations and a detailed cost estimate for the vessel, including estimated costs for acquisition, modification, homeporting, crewing, and maintaining the vessel by year for its estimated service life. The briefing shall also describe the expected capabilities of the vessel as compared to the capabilities of a fully operational PSC for each year in which it will serve as an interim solution, and the projected annual costs to achieve such capabilities.

Heavy Weather Boats.—The Coast Guard’s 52-foot motor lifeboats are past their operational service life and have suffered serious maintenance issues. The Coast Guard removed the 52’s from service in October of 2020 due to these challenges, causing an operational capability gap. The recommendation includes \$18,200,000 above the budget request amount to replace heavy weather boats that have been taken out of service.

In-Service Vessel Sustainment.—The recommendation includes \$18,860,000 above the budget request amount for the Coast Guard’s highest priority Cutter Depot Level Maintenance projects.

AIRCRAFT

Coast Guard MH-60 Fleet.—The Committee supports the recapitalization of the Coast Guard’s aging fleet of Sikorsky MH-60Ts and the procurement of new airframes for the MH-60 fleet necessary to extend the fleet’s service life. The recommendation includes \$56,000,000 above the request to provide for eight new hulls to accelerate the rotary wing fleet transition.

OTHER ACQUISITION PROGRAMS

UPL Priorities.—The recommendation includes funding above the request for priority UPL items, including \$2,600,000 for hyperbaric recompression chambers and \$10,000,000 for the Vessel Traffic System [VTS] and command and control modernization.

SHORE FACILITIES AND AIDS TO NAVIGATION

Major Acquisition Systems Infrastructure [MASI].—The Committee recommends \$75,000,000 above the request for the top MASI priority on the UPL to prepare for OPC homeporting.

Minor Shore.—The recommendation includes funding for the minor shore projects in the request and supports completion of minor projects that have cost estimates exceeding the Coast Guard’s authorized use of O&S funds.

RESEARCH AND DEVELOPMENT

Appropriations, 2022	\$7,476,000
Budget estimate, 2023	7,476,000
Committee recommendation	7,476,000

The Coast Guard's Research and Development [R&D] appropriation provides funds to develop techniques, methods, hardware, and systems that contribute directly to increasing the productivity and effectiveness of the Coast Guard's operational missions. This appropriation also provides funds to operate and maintain the Coast Guard Research and Development Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$7,476,000 for R&D, as requested, and equal to the fiscal year 2022 enacted level.

HEALTH CARE FUND CONTRIBUTION

Appropriations, 2022	\$240,577,000
Budget estimate, 2023	252,887,000
Committee recommendation	252,887,000

According to estimates by the Congressional Budget Office, the Coast Guard will pay \$252,887,000 in fiscal year 2023 to the Medicare-Eligible Retiree Health Care Fund for the costs of military Medicare-eligible health benefits earned by its uniformed service members. The contribution is funded by permanent indefinite discretionary authority pursuant to Public Law 108-375.

RETIRED PAY

Appropriations, 2022	\$1,963,519,000
Budget estimate, 2023	2,044,414,000
Committee recommendation	2,044,414,000

The Retired Pay account provides for: the pay of retired military personnel of the Coast Guard, Coast Guard Reserve, and members of the former Lighthouse Service; annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan pursuant to sections 1431-1446 of title 10, United States Code and survivor benefit plan pursuant to sections 1447-1455 of title 10, United States Code; payments for career status bonuses under the National Defense Authorization Act (Public Law 115-232); continuation pay; and payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C., ch. 55).

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,044,414,000 for Retired Pay, as requested, and \$80,895,000 above the fiscal year 2022 enacted level.

UNITED STATES SECRET SERVICE

The United States Secret Service's [USSS] appropriation provides funds for: the protection of the President, the Vice President, and other dignitaries and designated individuals; enforcement of laws relating to obligations and securities of the United States; enforce-

ment of laws and investigations relating to financial crimes that include, but are not limited to, access device fraud, financial institution fraud, identity theft, and computer fraud; mitigation against computer-based attacks on financial, banking, and telecommunications infrastructure; and protection of the White House and other buildings within the Washington, D.C. metropolitan area. The agency also provides support for investigations related to missing and exploited children and for digital forensics investigative training for State and local cybersecurity task forces.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,733,923,000 for USSS, which is \$30,414,000 above the budget request amount and \$122,035,000 above the fiscal year 2022 enacted level. The Committee recognizes the successes of USSS in the face of persistent protection requirements and increasing global investigations. The Committee encourages the agency to continue a proactive approach to hiring new personnel and recognizes that work remains to ensure the agency is properly staffed.

UNITED STATES SECRET SERVICE

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	2,554,729	2,663,596	2,652,010
Procurement, Construction, and Improvements	54,849	65,888	77,888
Research and Development	2,310	4,025	4,025
Total, USSS	2,611,888	2,703,509	2,733,923

OPERATIONS AND SUPPORT

Appropriations, 2022	\$2,554,729,000
Budget estimate, 2023	2,633,596,000
Committee recommendation	2,652,010,000

COMMITTEE RECOMMENDATIONS

PROTECTIVE OPERATIONS

Protective Countermeasures.—The Committee continues to support these efforts, including advanced protective countermeasures designed to address both established and evolving threats.

Presidential Campaigns and NSSE.—The Committee directs the USSS to provide semiannual briefings to the Committee on the use of these funds, with the first briefing to occur not later than 180 days after the date of enactment of this act.

FIELD OPERATIONS

Domestic and International Field Operations.—The Committee recommends \$744,851,000 for Domestic and International Field Operations, of which, not less than \$5,000,000 shall be used to increase capacity and mission effectiveness of under-funded requirements to provide the modern investigative capabilities necessary for combating the rise in transnational crimes under the jurisdiction of USSS and its Cyber Fraud Task Forces [CFTF] that are ex-

exploiting digital assets and payment systems. The USSS CFO shall evenly distribute these funds among the Secret Service's Field Divisions for necessary mobile forensic technology upgrades.

Cyber Fraud Task Forces.—The Committee notes that USSS is a lead Federal agency in the effort to protect U.S. consumers, financial institutions, and small businesses from complex, cyber-enabled financial crimes. Such offenses include Business Email Compromise scams, network intrusions, online identity theft, ransomware, and the use of electronic “skimming” devices, typically at gas station pumps or ATM machines, which steal encoded information from debit and credit cards. The Committee remains concerned about the growing threat to consumers posed by such practices, and encourages the Secret Service, in partnership with the Federal Trade Commission, the Department of Justice and other law enforcement agencies to strengthen efforts to apprehend the perpetrators of these crimes. The Committee recognizes the work of the USSS's Cyber Fraud Task Forces in combatting organized criminal elements and the criminal abuses of technology, both in the United States and abroad. Not later than 120 days after the date of enactment of this act, the Committee directs USSS to provide a briefing on the efforts of its Cyber Fraud Task Forces, including the current state of the program and any future needs to ensure these task forces are keeping up with evolving cyber-threats.

Support for Missing and Exploited Children Investigations.—The recommendation includes \$6,000,000 for grants in support of missing and exploited children. The National Center for Missing and Exploited Children [NCMEC] was created in 1984 to serve as a national resource on missing and exploited children. NCMEC provides assistance to law enforcement for: long-term missing persons cases; identification of signs of facial reconstruction procedures; outreach and prevention programs for children, their families, and the public; and assistance to victims of child sex trafficking and child sexual exploitation.

Support for Computer Forensics Training.—The Committee recommends \$55,026,000 to continue training in computer forensics, academic certification efforts, and to expand in response to unmet training needs. The Committee recommends not less than \$2,500,000 above the request to maintain academic certification efforts and \$9,500,000 above the request to repurpose and renovate existing National Computer Forensics Institute [NCFI] facilities to accommodate the ongoing growth of the program. These resources are critical to bolstering State and local cyber capabilities and supports USSS Cyber Fraud Task Forces. NCFI shall continue to prioritize the training needs of SLTT law enforcement, and legal and judicial professionals, in computer forensics and cyber investigations.

MISSION SUPPORT

Operational Mission Support.—Operational Mission Support [OMS] underpins nearly every USSS protective mission, from the screening of people and vehicles to physical infrastructure improvements, including vehicle barriers, cameras, and the White House fence. OMS is also responsible for developing the Next Generation

Presidential Limousine. The Committee directs the USSS to provide the Committee with annual updates on the contract progress for this acquisition and to detail progress made to meet agreed upon delivery deadlines.

Strategic Human Capital Plan.—The Committee appreciates receiving the Strategic Human Capital Plan and notes that the plan largely met congressional requirements. The Committee continues to be concerned with the prolonged workforce effects stemming from USSS reliance on overtime pay to fill personnel gaps between protective and investigative operations. The Committee directs the USSS, in coordination with the Department’s Chief Human Capital Officer, to ensure the annual evaluation of the 5-year plan in order to meet all benchmarks and goals as identified. The Committee further directs the USSS to brief the Committee, not less than bi-annually, on the status of the plan.

Secret Service Overtime.—In addition to the requirements of Public Law 116–269, and as a part of the existing required reporting in Public Law 116–269, USSS shall provide the Committee the following data for each previous calendar year not later than 30 days after the date of enactment of this act and in the justification materials that accompany future budget submissions that are briefed to the Committee: a list of all persons who received supermax pay disaggregated by position, title and pay grade, years of Federal service at USSS and years of service with the Federal Government in total, as well as include all salary, with breakouts for overtime and supermax, and the sum of their total salary. USSS shall ensure that all privacy-related laws are followed as a part of this data reporting requirement.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$54,849,000
Budget estimate, 2023	65,888,000
Committee recommendation	77,888,000

COMMITTEE RECOMMENDATIONS

White House Training Facility.—The recommendation includes \$12,000,000 above the request to begin construction of the White House Training. Consistent with the 2014 recommendations of the Protective Mission Panel [PMP], the USSS is directed to use the most cost effective options in order to provide training in a realistic setting that permits scenario-based exercises. USSS shall update the committee quarterly on the status of the White House Training Facility construction and projected project costs.

RESEARCH AND DEVELOPMENT

Appropriations, 2022	\$2,310,000
Budget estimate, 2023	4,025,000
Committee recommendation	4,025,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$4,025,000 for Research and Development [R&D] for innovations that mitigate threats to U.S. financial systems, critical infrastructure, and persons and facilities protected by USSS.

TITLE II—ADMINISTRATIVE PROVISIONS

Section 201. The Committee continues a provision regarding overtime compensation.

Section 202. The Committee continues a provision allowing CBP to sustain or increase operations in Puerto Rico and the U.S. Virgin Islands with appropriated funds.

Section 203. The Committee continues a provision regarding the availability of Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99–272) fee revenue.

Section 204. The Committee continues a provision allowing CBP access to certain reimbursements for preclearance activities.

Section 205. The Committee continues a provision regarding the importation of prescription drugs by an individual for personal use.

Section 206. The Committee continues a provision regarding waivers of the Jones Act (Public Law 66–261).

Section 207. The Committee continues a provision prohibiting the establishment of a new border crossing fee.

Section 208. The Committee includes a provision requiring an expenditure plan for CBP’s Procurement, Construction, and Improvements account.

Section 209. The Committee continues and modifies a provision limiting construction in specific areas.

Section 210. The Committee includes a new provision expanding the eligible uses of prior-year border barrier funding.

Section 211. The Committee includes a new provision authorizing a transfer of funds to the Department of the Interior and the Department of Agriculture for environmental mitigation resulting from border barrier construction.

Section 212. The Committee includes a new provision regarding prior-year border barrier construction requirements.

Section 213. The Committee continues a provision on vetting operations at existing locations.

Section 214. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement-Operations and Support” for a 287(g) program agreement if the terms of the agreement governing the delegation of authority have been materially violated.

Section 215. The Committee continues a provision prohibiting the use of funds provided under the heading “U.S. Immigration and Customs Enforcement-Operations and Support” to contract for detention services provided by a facility that receives less than “adequate” ratings in two consecutive performance evaluations.

Section 216. The Committee continues provisions requiring the public reporting of data.

Section 217. The Committee continues prohibitions on the use of funds to take enforcement actions against sponsors of unaccompanied children and continues reporting requirements for ICE.

Section 218. The Committee includes a provision that prohibits the use of Homeland Security Investigations personnel and resources for civil immigration enforcement.

Section 219. The Committee includes a provision that requires ICE to make individualized custody determinations for noncitizens

in physical custody, in lieu of treating low level offenses the same as serious, violent convictions.

Section 220. The Committee continues a provision clarifying that certain elected and appointed officials are not exempt from Federal passenger and baggage screening.

Section 221. The Committee continues a provision requiring risk-based TSA awards for EDS.

Section 222. The Committee continues a provision authorizing TSA to use funds from the Aviation Security Capital Fund for the procurement and installation of EDS or for other purposes authorized by law.

Section 223. The Committee includes a provision requiring investment plans and reports.

Section 224. The Committee continues a provision prohibiting the use of funds made available by this act under the heading "Coast Guard-Operations and Support" for recreational vessel expenses, except to the extent fees are collected from owners of yachts and credited to this appropriation.

Section 225. The Committee continues and updates a provision allowing reprogrammings of up to \$10,000,000 to or from Military Personnel, and \$10,000,000 between Field Operations funding sub-categories, within "Coast Guard-Operations and Support".

Section 226. The Committee continues a provision requiring the Coast Guard submit a future years capital investment plan.

Section 227. The Committee amends a provision allowing certain defense funding to be reallocated without regard to Department-wide reprogramming restrictions.

Section 228. The Committee continues and updates a provision prohibiting funds from being used to reduce the staff or mission at the Coast Guard's legacy Operations Systems Center.

Section 229. The Committee continues a provision prohibiting the Coast Guard from performing an Office of Management and Budget Circular A-76 study at the Coast Guard National Vessel Documentation Center.

Section 230. The Committee continues a provision prohibiting the Coast Guard from reducing operations within the Civil Engineering program.

Section 231. The Committee adds a provision making available certain Coast Guard housing receipts.

Section 232. The Committee continues a provision prohibiting certain inspection fees absent a determination by the Commandant of the Coast Guard.

Section 233. The Committee continues a provision allowing USSS to obligate funds in anticipation of reimbursement to personnel receiving training.

Section 234. The Committee continues a provision prohibiting the use of funds made available to USSS for the protection of the head of a Federal agency other than the Department of Homeland Security, unless the Director has entered into a reimbursable agreement for such protection services.

Section 235. The Committee continues a provision allowing for funds made available for "United States Secret Service-Operations and Support" without regard to limitations on such expenditures in this or any other act after notification to the Committee.

Section 236. The Committee continues a provision providing flexibility to address travel anomalies as a result of protective travel.

Section 237. The Committee includes a provision for the facilities at the National Computer Forensics Institute.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

The Cybersecurity and Infrastructure Security Agency [CISA] aims to foster better integration of national approaches among strategic homeland security programs, facilitate infrastructure protection, and ensure broad emergency communications capabilities.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$2,911,850,000 for CISA, which is \$401,158,000 above the budget request amount and \$318,194,000 above the fiscal year 2022 enacted level. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	1,992,527	1,961,613	2,324,925
Procurement, Construction, and Improvements	590,698	545,148	582,994
Research and Development	10,431	3,931	3,931
Cyber Response and Recovery Fund			
Total, Cybersecurity and Infrastructure Security Agency	2,593,656	2,510,692	2,911,850
(Defense)	2,501,542	2,352,201	2,748,479

CISA shall brief the Committee quarterly on spend plans and hiring briefings consistent with the direction requirements in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2022 (Public Law 117–103).

OPERATIONS AND SUPPORT

Appropriations, 2022	\$1,992,527,000
Budget estimate, 2023	1,961,613,000
Committee recommendation	2,324,925,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$2,324,925,000 for Operations and Support [O&S], which is \$363,312,000 above the budget request amount and \$332,398,000 above the fiscal year 2022 enacted level. The recommendation includes \$329,606,000 above the budget request amount to restore, and annualize where appropriate, enhancements from the fiscal year 2022 funding Act; increases above the budget request of \$70,513,000 for enhancements to CISA O&S

programs; and decreases below the budget request of \$36,807,000 for requested program changes already funded via the restoration of fiscal year 2022 enhancements, and other decreases from the requested level.

CYBERSECURITY

Threat Hunting.—The Committee provides an increase of \$41,030,000 above the request to optimize CISA threat hunting operations, shared intelligence analysis, threat actor persona, and campaign modeling, including \$39,290,000 in restored and annualized fiscal year 2022 enhancements for threat hunting and CyberSentry. Funding shall maintain CISA’s capacity to support defensive cyber operations and incident response efforts across Federal civilian agencies and non-Federal networks, including SLTT governments and critical infrastructure organizations, and to support faster development of proactive guidance based on intelligence and learned behaviors after the positive identification of a compromise, as funded in the fiscal year 2022 enhancement. In addition, the recommendation includes \$7,100,000 above the budget request level for analytics and a collaborative analysis of cyber threat indicators, including \$6,740,000 under Threat Hunting and \$360,000 under Operations, Planning, and Coordination, to expand CISA’s capacity and capabilities related to data collection and statistical analyses. The Committee continues to encourage CISA to develop emulation capabilities to better understand complex adversaries, identify issues earlier in a campaign, and otherwise disrupt activity once a compromise is known. CISA should build upon recommended and proactive guidance issued based on intelligence and learned behaviors following the positive identification of a compromise. Within 60 days of the date of enactment of this act, CISA shall provide a report to the Committee on the total capacity of threat hunting and incident response capability it has developed using a metric by which its ability to respond to the severity and quantity of incidents can be measured. Within 60 days of the end of fiscal year 2022, CISA shall provide a briefing to the Committee on the total threat hunting services and incident response engagements it supported in fiscal year 2022, to include the services offered and level of engagement required for each.

Cyber Threat Intelligence Shared Service Offering.—The recommendation includes funding to continue CISA’s efforts to enhance its cyber threat intelligence “as-a-service” capabilities through CISA’s Cybersecurity Shared Services Office [CSSO]. These capabilities should leverage commercial threat intelligence to provide cyber intelligence information- and support-sharing operations across the agency. They should also provide actionable intelligence, including deriving insights from threat intelligence overlaid on the digital footprints of target organizations and of critical infrastructure sectors that highlight critical cyber risks. Within 90 days of the date of enactment of this act, CISA shall brief the Committee on the implementation of these shared service offerings. Within the brief, CISA shall also propose options to enable advanced, contextual tipping and queuing under CISA’s cybersecurity shared service offerings as well as deliver enriched cyber threat intelligence data for Federal, State, and commercial partners.

Cybersecurity Education.—The recommendation includes \$14,300,000 above the budget request amount for cybersecurity education programs. This increase includes \$11,800,000 for the restoration of fiscal year 2022 enhancements for the cyber skilling academy and the Cybersecurity Education and Training Assistance Program [CETAP], and the restoration of the proposed \$2,500,000 program reduction for the National Initiative for Cybersecurity Education [NICE]. CETAP funding may be used for grants or cooperative agreements, as needed to effectively implement the program. CISA is directed to brief the Committee within 90 days of the date of enactment of this act regarding efforts to implement the interagency cybersecurity training and education strategy developed in fiscal year 2022, to include an update on CISA's cybersecurity education and training programs.

National Initiative for Cybersecurity Education [NICE] Challenge Project [NCP].—CISA is directed to continue its commitment to the NCP, which develops real-world cybersecurity challenges within virtualized business environments that bring students workforce experience before entering the workforce.

Multi-State Information Sharing and Analysis Center [MS-ISAC].—Of the total amount recommended, not less than \$43,000,000 is for the MS-ISAC, which is \$15,986,000 above the budget request amount. The Committee is encouraged by the successes of the MS-ISAC to provide cost effective and innovative solutions to State, Local, Tribal and Territorial [SLTT] governments. The recommendation includes funding to sustain and continue to expand and invest in the program's capabilities and expertise, to include SLTT election security support via the Election Infrastructure Information Sharing and Analysis Center [EI-ISAC]; endpoint detection and response [EDR]; malicious domain activity blocking and reporting [MBDR]; and improving threat intelligence capabilities.

Federal Network Security Reporting.—The Committee directs CISA to provide a progress report, within 180 days of the date of enactment of this act, on the success of each Federal agency and department to implement the established program goals. The report shall also include an accounting of non-CISA resources that lent to implementation in order to provide needed context on the entire effort. Finally, the report shall include a description of implementation through fiscal year 2026, including desired target completion goals, methods for updating lifecycle costs, acquisition program schedules, and details on how innovation and evolving technology such as end point detection could improve Federal network and data security. This report may be submitted in a classified format if necessary along with an unclassified summary that provides a summary of progress.

Data Security Vulnerability Improvements.—The Committee is increasingly concerned with the ability of adversaries to circumvent and utilize existing cybersecurity and information technology solutions to gain access to critical systems and data. The Committee directs the Secretary of Homeland Security to submit a report within 180 days of the date of enactment of this act that examines existing security vulnerabilities of Federal Civilian Executive Branch [FCEB] government IT systems. The report shall include an exam-

ination of emerging technologies that could improve the government's data security and protection, such as data shielding and immutable logging of suspect activity, instant threat and anomaly detection mechanisms, and user behavior analytics.

Joint Cyber Defense Collaborative [JCDC] Assistance for Health Information Sharing and Analysis Center [H-ISAC].—The Committee recognizes the importance of securing healthcare infrastructure from cyberattacks. The Committee provides \$300,000 above the budget request amount for CISA to mature and expand its existing relationship with the H-ISAC and related entities that help mitigate risk to our healthcare infrastructure, along with all other sectors and ISACs. The Committee additionally urges CISA to increase its outreach and public education to small and medium-sized hospitals.

National Standards for Cybersecurity.—The Committee commends CISA on its ongoing efforts to work in coordination with the National Institute of Standards and Technology [NIST] to provide further recommendations to Federal agencies on the best tools and techniques to address nation state and ransomware attacks. The Committee recognizes the need for flexibility between Federal agencies with varying risk tolerances to ensure that all standards meet modern cybersecurity demands. CISA and NIST are encouraged to ensure current and new standards related to Federal Department and Agency compliance with Federal Information Management Act [FISMA] requirements dually consider new and emerging cybersecurity strategies and protective technologies.

INFRASTRUCTURE SECURITY

National Cyber Exercises.—In addition to the restoration of fiscal year 2022 funding for National Cyber Exercises, in furtherance of section 1547 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), the Committee provides another \$6,500,000 above the budget request amount for CISA to fulfill additional responsibilities in administering the National Cyber Exercise Program [NCEP].

Bomb Disposal Technician Training and Technology Events [TTEs].—The Committee is concerned with the rising threat of Improvised Explosive Devices both internationally and domestically. To keep pace with evolving threats and ever-advancing technology development, CISA shall utilize \$2,000,000 in restored fiscal year 2022 enhancements to the Office of Bombing Prevention to hold a minimum of four technician TTEs across the Nation to bring together Federal, State, Local, Tribal, and Territorial agencies and industry. These events would provide a unique opportunity for training the Nation's bomb technicians. Within 120 days of the date of enactment of this act, CISA shall brief the Committee on efforts to conduct these annual TTEs across the Nation. This briefing will include schedules to conduct at a minimum four TTEs and total program cost.

EMERGENCY COMMUNICATIONS

First Responder Emergency Medical Communications.—The Committee recognizes the need for reliable communications capabilities during emergencies that leave normal communications networks

inoperable or overwhelmed. In addition to the restoration of the fiscal year 2022 funding enhancement for this program, the Committee includes another \$2,000,000 above the budget request amount for CISA to administer and expand merit-based demonstration projects for the benefit of SLTT governments and technical assistance offerings that aid in the implementation of the National Emergency Communications Plan through innovative approaches to interoperable emergency medical communications in rural areas to enhance public safety communications.

Interoperable Communications Technical Assistance Program [ICTAP].—The recommendation rejects the proposed \$3,854,000 reduction to ICTAP.

INTEGRATED OPERATIONS

State Cybersecurity Coordinators.—The Committee notes that CISA has not hired State cybersecurity coordinators in some States around the country. The Committee is aware of increasing cyber threats to State, local and Tribal governments and thus directs CISA to report within 60 days of the date of enactment of this act a plan to hire all vacant State cybersecurity coordinator positions. CISA shall also include recommendations to the Committee on additional resources State cybersecurity coordinators need to assist State, local, and Tribal governments enhance their cyber defenses.

RISK MANAGEMENT OPERATIONS

National Infrastructure Simulation and Analysis Center [NISAC].—In addition to the restoration of the fiscal year 2022 funding enhancement for this program, the recommended level rejects the proposed \$6,869,000 program reduction for NISAC.

STAKEHOLDER ENGAGEMENT AND REQUIREMENTS

Advisory Council Management.—In addition to the restoration of the fiscal year 2022 funding enhancement for the Cyber Advisory Committee and the Cyber Safety Review Board, the recommended level provides another \$2,706,000 to meet the full amount requested for this activity.

State Courts Electronic Data.—The Committee is concerned with potential cyber-attacks on State court electronic data systems. More than 96 percent of the annual caseload of the United States is handled by State courts. State and Federal agencies, including all law enforcement communities, rely on the determinations reflected in these State court data systems. It is important to ensure the integrity and reliability of the approximately three billion records held by State courts in their systems and often shared with other justice system agencies. The Committee directs CISA to continue its ongoing partnership with MS-ISAC to expand outreach to the State courts through national level associations to drive participation and understanding of services available to prevent, protect against, and respond to cyber-attacks on State court electronic data systems.

Cyber Incident Reporting for Critical Infrastructure.—The recommendation includes \$34,500,000 above the budget request amount to implement the requirements of the Cyber Incident Re-

porting for Critical Infrastructure Act of 2022 (Division Y of Public Law 117–103). Prior to the obligation of funding for this purpose, CISA shall brief the Committee on its spend plan, including the expected timing of obligations and outlays, and the statutory requirements supported.

MISSION SUPPORT

Procurement Operations.—In lieu of funding the requested program change for procurement operations, the recommendation includes \$11,551,000 to restore enhancements provided in the fiscal year 2022 appropriation, and to annualize those enhancements in fiscal year 2023.

Zero Trust Security Model.—The Committee directs the Department to continue aggressively pursuing a zero trust security model including through adopting capabilities that allow endpoints such as mobile devices and remote workspaces to operate in a secure and protected manner as they would normally exist within agency networks.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$590,698,000
Budget estimate, 2023	545,148,000
Committee recommendation	582,994,000

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$582,994,000 for Procurement, Construction, and Improvements [PC&I], which is \$37,846,000 above the budget request amount and \$7,704,000 below the fiscal year 2022 enacted level.

CYBERSECURITY

Continuous Diagnostics and Mitigation [CDM].—The Committee recommendation includes \$18,154,000 below the request for CDM. Included in this amount is \$1,500,000 for CISA to evaluate use of automation to replace manual remediation methods. Automated solutions will be interoperable with the CDM program’s existing asset management tools and be able to remediate out-of-compliance Internet of Things [IoT] devices by managing and updating passwords, firmware, and/or certificates of authenticity from a single interface. Automated remediation capabilities must be effective at scale across Federal networks. The automation solution should, when network isolation is employed also enable the repatriation of those devices, complete with an audit trail, back onto the network. CISA is directed to brief the Committee on the findings of the evaluation within 30 days of the completion of the evaluation.

Threat Hunting.—The recommendation includes \$55,000,000 above the budget request amount for Cyber Defense Operations, including CyberSentry, nearly restoring the level included in the fiscal year 2022 appropriation. CISA is directed to brief the Committee within 30 days of the date of enactment of this act on the additional capacity it will achieve in fiscal year 2023 with this enhancement.

National Cybersecurity Protection System [NCPS].—Of the total amount provided for Cybersecurity Assets and Infrastructure, the

recommendation includes \$1,000,000 above the budget request amount to enhance the protection of Federal networks and expand CISA’s ability to coordinate and execute defense against nation-state threats and critical vulnerabilities.

RESEARCH AND DEVELOPMENT

Appropriations, 2022	\$10,431,000
Budget estimate, 2023	3,931,000
Committee recommendation	3,931,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$3,931,000 for Research and Development [R&D], as requested, and \$6,500,000 below the fiscal year 2022 enacted level.

CYBERSECURITY

Cyber Defense of the Chemical Sector.—The Committee includes funding under a separate title for CISA to partner with S&T and a post-secondary education institution that has: expertise in the chemical sector; is within 50 miles of at least 20 chemical manufacturing facilities in the Gulf Coast region; within a 15 mile radius of a deep water port; and is designated as a National Center of Academic Excellence in Information Assurance and Cyber Defense Education by the National Security Agency and the Department. The research and development project is intended to develop a cyber physical system [CPS] and industrial control system [ICS] focusing on detection, mitigation, countermeasures, and best practices that can be applied nationwide to protect the chemical sector against a cyber incident. The research and development project will include development of an open source stack replicating the best features of the leading market monitoring/protection/detection capabilities for potential scale and affordable implementation, identification and management of vulnerabilities, automated analysis of critical infrastructure data, development of cyber-threat-consequence models, novel approaches to monitoring and securing CPS/IPS, and automated cyber defense/incident response capabilities for critical infrastructure to maintain reliability, interoperability, and availability of systems.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The primary mission of the Federal Emergency Management Agency [FEMA] is to reduce the loss of life and property and to protect the United States from all hazards, including natural disasters, acts of terror, and other manmade disasters, through a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$25,798,881,000 for FEMA, which is \$701,211,000 above the budget request amount and \$1,661,723,000 above the fiscal year 2022 enacted level. The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	1,245,859	1,378,232	1,530,713
Procurement, Construction, and Improvements	209,985	190,319	188,919
Federal Assistance	3,633,199	3,530,489	3,875,619
Disaster Relief Fund (regular):			
Disaster Relief Climate			
Disaster Relief Category	18,799,000	19,740,000	19,945,000
National Flood Insurance Fund	214,706	225,000	225,000
Radiological Emergency Preparedness Program	33,630	33,630	33,630
Total, Federal Emergency Management Agency	24,136,379	25,097,670	25,798,881
Offsetting Fee Collections	-248,336	-258,630	-258,630

OPERATIONS AND SUPPORT

Appropriations, 2022	\$1,245,859,000
Budget estimate, 2023	1,378,232,000
Committee recommendation	1,530,713,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,530,713,000 for Operations and Support [O&S], which is \$152,481,000 above the budget request amount and \$284,854,000 above the fiscal year 2022 enacted level. The recommended increase includes \$8,900,000 to restore enhancements from the fiscal year 2022 funding Act, including for Defense Production Act activities, Next Generation Resilient Warning System Initiative, IPAWS, SLTT continuity, and ATD grant administration; increases above the budget request amount of \$604,000 to restore the proposed, unjustified cut taken to reconcile the fiscal year 2023 request, and \$150,000,000 for fiscal year 2023 priorities; and decreases below the budget request amount of \$1,500,000 for regional response coordination center modernizations; \$1,622,000 for Mobile Emergency Office Vehicles [MEOVs], \$3,002,000 for training and professional development, and \$900,000 below the budget request amount for the privacy organization program.

Briefing Requirement.—The Committee is disappointed the Administrator of FEMA, jointly with the Director of CISA, has not yet provided the briefing requirement included in Senate Report 116–125, regarding implementation of CISA’s National Critical Functions and FEMA’s Community Lifelines. The Committee reminds FEMA of the importance of timely reporting and requests the prompt delivery of this overdue briefing requirement.

Equal Treatment.—The Committee commends FEMA’s continued effort to serve all communities in responding to disasters and otherwise executing its diverse mission, including its ongoing efforts to review existing policies to make sure they are not posing unjustified burdens on survivors, while still ensuring proper controls against fraud and abuse remain in place. The Committee will monitor FEMA’s expansion of this mission in furtherance of the requirements put forward in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. As such, within 60 days of the date of enactment of this act, FEMA shall brief the Committee on the imple-

mentation of its efforts in support of Executive Order 13985, and the measurable outcomes related to such implementation.

MITIGATION

National Earthquake Hazards Reduction Program.—Of the total amount recommended for Mitigation, not less than \$8,517,000 is for the National Earthquake Hazards Reduction Program.

National Dam Safety Program.—Of the total amount recommended for Mitigation, not less than \$9,657,000 is for the National Dam Safety Program, which provides assistance to States to prevent dam failures and improve their dam safety programs through training and implementation of best practices. The Committee urges FEMA, through the National Dam Safety program, to work with dam owners to identify the resources available for making critical improvements to the dams to prevent loss of life and property.

FEMA and FWS Dam Removal Coordination.—The committee is concerned over the lack of coordination between the Federal Emergency Management Agency and U.S. Fish and Wildlife Service following the removal of dams, the time it takes the agencies to coordinate, and the lack of attention paid to these efforts and potential needed flood map updates. The Committee directs that within 60 days of the date of enactment of this act, FEMA and the U.S. Fish and Wildlife Service shall submit a plan to increase inter-agency coordination around dam removal and flood map updates and provide a timeline of the agencies' plans to update flood maps for States in which dam removals have taken place in the past 10 years.

National Inventory of Dams.—The Committee is concerned about the state of dams across the country, many of which were built before 1970 and have either reached or are about to reach their useful life. There is a strong demand for fast, reliable, cost-effective and national decision support tools to generate flood inundation maps and other products to support the goals of dam safety. As such, FEMA is directed to ensure the maintenance and operations of current web-based support system

Building Resilient Infrastructure and Communities [BRIC].—The Committee continues its interest in the implementation of BRIC program and the need for mitigation and resiliency for a disaster-ready Nation. Accordingly, within 60 days of the date of enactment of this act and quarterly thereafter, FEMA shall brief the Committee on the status of BRIC implementation, including projected funding levels. Recognizing the importance of stakeholder input, the briefing shall include a description of how stakeholder views are incorporated, including the needs of local governments. Further, the Committee is concerned that many communities may be disadvantaged during the technical scoring process due to FEMA's lack of consideration of the unique circumstances of many local municipalities. For example, certain applicants may be disadvantaged due to State building code laws outside of their control, such as those stating they may not be responsible for enforcing building codes, even where a project takes place in an area that has high building code enforcement standards. In addition, the Committee is concerned regarding the perceived lack of feedback from FEMA in

response to unsuccessful applications, as well as the lack of geographic distribution of BRIC awards to date. Accordingly, within 180 days of the date of enactment of this act, FEMA is directed to brief the Committee on plans for addressing these concerns.

Urban Flooding.—The Committee encourages FEMA to explore opportunities to improve coordination across agencies that have a role in managing small or large urban floods. This should include both vertical coordination (i.e., Federal, State, and local government entities) and horizontal coordination (i.e., local agencies responsible for storm water systems, flood control, and removal of damaged property; and Federal agencies responsible for severe storm warnings, evacuation, and community redevelopment and flood mitigation in urban areas). The Committee urges FEMA to employ geospatial indicators, such as the Social Vulnerability Index, to quantify and map social vulnerability using census demographic data to allow for more efficient allocation of resources for flood disaster mitigation and recovery.

PREPAREDNESS AND PROTECTION

FEMA and HUD Coordination.—The Committee is concerned with the inordinate burden that multiple and duplicate applications for Federal individual assistance can place on disaster victims, in particular low- and moderate-income families. Within 90 days of the date of enactment of this act, the Committee requests that FEMA and HUD provide a joint update briefing on: (1) actions the agencies are taking to improve data sharing and integration; (2) how such efforts are staffed, coordinated and monitored across the agencies to ensure continual progress; (3) how such efforts can reduce redundant and burdensome data collection from survivors; (4) known challenges and barriers to advancing data sharing; (5) safeguards to protect survivor privacy; and (6) key lessons learned from prior efforts.

Coordinated Information Dissemination.—The Committee is concerned with the time and strain on families to jump-start their recovery from a major disaster, and also remain concerned with the overwhelming amount of information families and individuals need to comb through to begin recovery. That is why the Committee recommends the Federal Emergency Management Agency, in coordination with other relevant Federal and State agencies, evaluate how post-disaster and recovery information is disbursed to individuals, communities, and community leadership and consider opportunities to simplify and improve dissemination of such information.

Advanced Modeling and 3D Technology.—It is imperative that the Office of Response and Recovery [ORR] enable FEMA to utilize technologies and emergency response tools that lead to better preparedness, mitigate the suffering from all hazards and enhance the Nation's ability to recover from these events. The Committee is aware that commercial technologies exist which integrate real-time data and high-resolution imagery to create an integrated 3D digital environment by utilizing crowd sourced capabilities to bolster data collection and provide accurate real-time assessments to detect damages, assess and determine replacement costs, spot anomalies, and create more effective reporting systems. These technologies have the ability to support and enhance FEMA's ability to prepare

for, respond to, and recover from natural disasters and other threats. Therefore, ORR is directed to provide a report to the Committee, within 90 days of the date of enactment of this act, on the steps FEMA is taking to integrate hi-resolution imagery and 3D simulation capabilities into its emergency response tools to better prepare for, respond to, and recover from natural disasters and other threats; describe the ways in which FEMA is partnering with industry to support these efforts; catalogue the grants made over the last three fiscal years that promote innovative research in modeling and simulation; preview the ways in which the fiscal year 2024 budget request could reflect a deeper commitment to integrate and utilize these technologies; and describe how these steps have the potential to expedite Federal disaster declarations by the President.

Emergency Preparedness and Response for Small and Rural Water and Waste Water Systems.—The Committee recognizes the need for disaster readiness, support, and response activities specifically targeted to the most vulnerable water and waste water utilities that lack the financial resources and human capital necessary to adequately address reoccurring disasters. Therefore, FEMA is directed to provide a briefing within 60 days of the date of enactment of this act outlining a plan and the resources necessary (by State) to assist water and wastewater utilities that lack financial resources and capacity to address emergency preparedness and response activities in the Gulf of Mexico coastal States.

Technical Hazards Preparedness and Training.—Within 60 days of the date of enactment of this act, FEMA shall brief the Committee on a plan to implement technical hazards preparedness and training to include resources required to offer this nationwide.

RESPONSE AND RECOVERY

Emergency Management Assistance Compact [EMAC].—Of the total amount provided, \$2,000,000 shall be for carrying out EMAC.

Breastfeeding Support.—The Committee recognizes that breastfeeding confers meaningful clinical benefits for babies and mothers while reducing healthcare costs and continues to urge FEMA to ensure that breastfeeding mothers impacted by disasters have access to breastfeeding services and supplies through its Critical Needs Assistance, Other Needs Assistance, and other programs. In the aftermath of a disaster, FEMA is urged to support families with young children by giving them priority consideration for immediate access to a shelter (temporary community shelter, hotel room, temporary housing, etc.) with a clean, safe, and private non-bathroom stall place available for them to express breast milk as well as sanitary drinking water, a power supply and access to a refrigerator for safe storage of food and/or expressed breastmilk. Breast pumps and related supplies should also be listed as eligible items under both Critical Needs Assistance and Other Needs Assistance programs.

Guidance for Nursing Families During Disasters.—The Committee directs FEMA to include clear guidance on supporting access to lactation equipment and breastfeeding support services as part of its efforts to update the Individual Assistance Program and Policy Guide [IAPPG]. To accomplish this, FEMA should produce new

public-facing materials to educate nursing parents on their options and how to navigate financial assistance from the agency for breast pumps and other necessary equipment. This should include updated materials and training on any new guidance related to nursing support for disaster relief coordinators, public health workers and other personnel leading FEMA’s on-the-ground response. Additionally, the Committee urges FEMA to develop targeted informational resources for relevant disaster response partners detailing how impacted individuals can access financial support for nursing equipment, such as State emergency management agencies and non-profit organizational partners.

Child Care.—The Committee encourages FEMA to better utilize the authority provided by section 408(e) of The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, as amended, 42 U.S.C. 5121, et seq., to award child care assistance to enhance a community’s ability to recover from a natural disaster or other devastating event.

Temporary Shelters.—The Committee recognizes the vital support FEMA provides to communities and disaster survivors in the aftermath of major disasters, including housing assistance for individuals and families displaced from their homes. The Committee encourages FEMA to continue working with potential suppliers of temporary shelter solutions to clearly articulate the minimum requirements for meeting FEMA’s standards.

Urban Search and Recovery.—The Committee commends the work done by Urban Search and Rescue [US&R] Teams that mobilize and respond to incidents across a large geographical area. Within 60 days of the date of enactment of this act, FEMA shall brief the Committee on the program to understand how previously provided funds have been utilized.

Satellite Imagery.—The Committee recognizes the importance of information obtained from satellite imagery and how that information, particularly when gathered within 72 hours of a disaster, greatly improves the ability to save lives and quickly restore critical infrastructure services. However, the Committee is concerned that FEMA is not currently able to develop, analyze, and deliver such information within 72 hours. Therefore, the Committee directs FEMA to, within 60 days of the date of enactment of this act, provide a briefing on plans for developing a small satellite ground station testbed, to include resources required and a timeline for implementation.

MISSION SUPPORT

The Committee recommends \$150,000,000 above the request for costs associated with implementation of fiscal year 2023 priorities.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$209,985,000
Budget estimate, 2023	190,319,000
Committee recommendation	188,919,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$188,919,000 for Procurement, Construction, and Improvements [PC&I], \$1,400,000 below the budget

request amount, and \$21,066,000 below the fiscal year 2022 enacted level.

National Warning System [NAWAS].—The Committee supports efforts by the Department of Homeland Security to modernize NAWAS. Modernization is a key component to maintaining the future relevance of the NAWAS, which can be efficiently modernized to include other modalities using commercial off-the-shelf Federal Risk and Authorization Management-authorized solutions. The Committee recommends \$3,000,000 above the request for NAWAS modernization, which is critical to reducing the impact and cost of natural and manmade disasters.

Mobile Emergency Office Vehicles [MEOV].—No funding is provided for MEOV.

FEDERAL ASSISTANCE

Appropriations, 2022	\$3,633,199,000
Budget estimate, 2023	3,530,489,000
Committee recommendation	3,875,619,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$3,875,619,000 for Federal Assistance, \$345,130,000 above the budget request amount and \$242,420,000 above the fiscal year 2022 enacted level. When awarding grants, the Administrator shall consider the needs of cybersecurity preparedness and planning, State court cybersecurity, 911 call capability, alert and warning capabilities, implementation of the REAL ID Act (Public Law 109–13), and countering targeted violence and terrorism prevention programs. A comparison of the budget request to the Committee-recommended levels by budget activity is provided in the table at the end of this Explanatory Statement.

Emergency Food and Shelter Program [EFSP]—Humanitarian.—The Committee is perplexed by the budget request for the EFSP-Humanitarian program, and provides \$176,000,000 above the budget request amount, of which up to \$50,000,000 may be utilized for the construction of new, and the expansion of existing, shelter facilities for the purposes of providing shelter and other services to families and individuals encountered by the Department. FEMA is directed to brief the Committee within 180 days of the date of enactment of this act on any potential changes-statutory or otherwise-that would maximize the efficiency and effectiveness of this program. FEMA should continue to work cooperatively on reimbursements with non-governmental organizations and State and local governments impacted by the increase of noncitizens and asylum seekers at the southwest border. Moreover, the Committee is concerned with FEMA’s inability to provide granular financial execution data by the non-governmental organizations receiving this funding. Therefore, within 30 days of the date of enactment of this act and quarterly thereafter, FEMA shall brief the Committee on any previous spending by non-governmental organizations from fiscal year 2019 through fiscal year 2022, to include details on how much Federal funding was awarded to each organization and the lowest level of data available from funding recipients (to include invoices if necessary) and any administrative costs incurred by

FEMA. These briefs shall also include spending-to-date for fiscal year 2023 by non-governmental organizations. The initial brief shall include a discussion on challenges and impediments FEMA may have in providing such data to the Committee, and what strategies it is deploying to overcome these issues.

Combating Domestic Violent Extremism.—The Committee directs FEMA to post a public report detailing the use of fiscal year 2021 and 2022 State Homeland Security Grant Program and Urban Area Security Initiative grants related to combating domestic violent extremism within 90 days of the date of enactment of this act.

Urban Area Security Initiative [UASI] Risk Assessment.—The Implementing Recommendations of the 9/11 Act (Public Law 110–53) requires FEMA to conduct a risk assessment of the 100 most populous metropolitan areas in the United States on an annual basis. All such areas are eligible for UASI funding based on threat, vulnerability, and consequence. FEMA shall therefore justify all funding decisions on the basis of risk.

Nature-based Infrastructure.—The Committee is aware that rehabilitation or establishment of natural infrastructure, including but not limited to marshes, wetlands, mangroves and dunes, is capable of improving resiliency, reducing damage from flooding and coastal storm surge and can provide effective floodplain management. Such natural infrastructure can also have long-term beneficial impacts on topography and soils, water quality, wetlands, floodplains, coastal resources, aquatic resources, environmental justice, and public health and safety in coastal areas. The Committee urges FEMA to continue to engage other Federal and non-Federal stakeholders to develop and support conservation and environment based flood mitigation measures and utilize mitigation grant funds for natural infrastructure projects. The Committee further recommends that FEMA utilize public/private partnerships, pursuant to 16 U.S.C. 3701 and 16 U.S.C. 3709, to enhance and leverage nature-based infrastructure within the BRIC and pre-disaster mitigation programs through one or more pilot projects that will provide additional expedited and streamlined opportunities for communities, including disadvantaged communities, to utilize pre-disaster mitigation funding for enhancing nature-based strategies that provide resilience and protection against natural threats including but not limited to coastal and inland flooding, wildland fires, and drought.

Regional Catastrophic Preparedness Grant Program.—FEMA is directed to: prioritize funding for efforts which formalize new or sustain existing working groups for continued effective coordination; ensure synchronization of plans and shared best practices; implement citizen and community preparedness campaigns; and preposition needed commodities and equipment. FEMA is further directed to take into account the needs of both the area at risk of natural and man-made catastrophes and affected communities.

Emergency Management Performance Grants [EMPG].—The Committee recognizes the important role EMPG plays in the implementation of the National Preparedness System by supporting the development, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Without this program, local jurisdictions' emer-

agency management core capabilities and staffing will degrade nationwide.

Flood Mapping.—FEMA is directed to brief the Committee within 60 days of the date of enactment of this act on its flood mapping plan for fiscal year 2023.

Implementing Technical Mapping Advisory Council Recommendations.—The Committee urges FEMA to implement the final recommendations and goals of the Technical Mapping Advisory Council’s Annual Reports, including transitioning to current and future condition risk scores, structure-specific flood risk analysis, incorporating high-resolution topographic data into flood risk maps, and better communicating current and future direct and residual flood risk to property owners. FEMA should coordinate with State agencies and other experts that have developed mapping expertise and models that can be useful in FEMA’s efforts to consider future conditions, such as sea level rise and coastal erosion.

United States Fire Administration [USFA].—The recommendation includes funding for USFA to fulfill its mission of providing training and professional development to the fire community. FEMA is directed to continue its traditional funding for the congressionally-mandated National Fallen Firefighters Memorial. The Committee further directs USFA to provide a briefing within 180 days of the date of enactment of this act regarding any plans to revise Emergency Support Function [ESF]-4, Firefighting, to clarify or change USFA’s role in responding to structural fires and wildland fires that burn into the Wildland Urban Interface. Finally, USFA is directed to brief the Committee within 180 days of the date of enactment of this act regarding plans for improving its data collection efforts, including efforts to upgrade or replace the National Fire Incident Reporting System.

Reducing Carcinogen Exposure Among Firefighters.—The Committee is concerned about the prevalence of cancer among firefighters, who have a 14 percent higher risk of dying from the disease than the public due to exposure to carcinogens and other hazardous chemicals and environments. The Committee urges FEMA to collaborate with fire departments to find cost-effective procedures to reduce chemical exposure.

National Domestic Preparedness Consortium [NDPC].—The Committee requests that NDPC provide a briefing on a strategy to address the substantial backlog in demand for emergency response training caused by COVID–19 cancellations within 180 days of the date of enactment of this act. The Committee further notes that, with the emergence of the COVID–19 pandemic, its global impact, the role of global health security, policy, and governance will be a primary factor in reducing vulnerabilities to high consequence biological events. Intelligence, law enforcement, State and municipal governments, healthcare providers and emergency management agencies need to be trained in how to appropriately interact with public health officials and effectively respond given the policy, governance, and legal environments in which they are acting, while understanding and incorporating the best available scientific data and analysis into their decision-making. The Committee is concerned with the current level of training provided to support such informed response and encourages FEMA and NDPC to continue

partnering with organizations specializing in training and expertise in health security, governance, law, pandemic preparedness and policy translation to complement the suite of existing expertise currently offered through the consortium.

Continuing Training Grants.—Of the total amount provided for Continuing Education Grants, \$2,000,000 is for FEMA to partner with the Federal Aviation Administration Unmanned Aircraft Systems [UAS] Center of Excellence, which has expertise in disaster response, to conduct a regional training program for SLTT responders in using UAS for disaster preparedness and response. In addition, improvement in cybersecurity preparedness among SLTT governments and non-governmental partners with the public sector requires a sustained, multi-year effort. The Committee provides \$8,000,000 under Continuing Training Grants for the National Cybersecurity Preparedness Consortium, which was created to utilize the subject-matter expertise of universities to develop such relationships. The Consortium shall provide to the Committee by the end of fiscal year 2023, a comprehensive report detailing recommendations for establishing multi-year curricula to improve cybersecurity preparedness among SLTT governments that utilize the Consortium's services.

Training of First Responders and Emergency Management Personnel.—The Committee recognizes the important role FEMA plays in providing practical training and educational opportunities to SLTT emergency management personnel. The Committee applauds FEMA's ability to adapt to the challenges posed by COVID-19 and to continue to provide both classroom-based and in-person training. The Committee encourages FEMA to continue to evolve and innovate to meet the needs of first responders and emergency management personnel, including adopting best practices and lessons learned from the COVID-19 pandemic. FEMA is also encouraged to ensure that trainers and teachers at FEMA training centers like the Center for Domestic Preparedness and the Emergency Management Institute continue to utilize the latest and most modern teaching techniques.

Staffing for Adequate Fire and Emergency Response [SAFER].—The Committee directs FEMA to provide a brief, within 90 days of the date of enactment of this act, detailing levels of SAFER funding by State for fiscal years 2019, 2020, 2021, and 2022, including a breakout of funding provided to career and volunteer fire departments.

Local Control Pilot Study and Assessment.—Within 180 days of the date of enactment of this act, FEMA shall brief the Committee on its plan to conduct a pilot study and assessment on a local control option to offset impacts of a physical revision of flood insurance rate maps for eligible communities. Prior to the brief, FEMA shall confer with the Committee to ensure the technical aspects of this brief align with the Committee's intent.

RiskMAP Urban Flood Mapping Program.—Within the funds provided for RiskMAP, not less than \$5,000,000 shall be to continue the urban flood mapping pilot program established in fiscal year 2020.

Light Detection and Ranging.—The Committee directs FEMA to provide not less than amounts equal to fiscal year 2022 for Light Detection and Ranging surveys based on flood risk.

Congressionally Directed Spending.—See “Disclosure of Congressionally Directed Spending Items” and the associated table at the end of this Explanatory Statement.

DISASTER RELIEF FUND

Appropriations (regular), 2022	\$18,799,000,000
Budget estimate, 2023	19,740,000,000
Committee recommendation	19,945,000,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$19,945,000,000 for the Disaster Relief Fund [DRF].

Disaster Declaration Process.—The Committee is concerned that States with larger, more populous, urban centers may be disadvantaged in the FEMA disaster declaration process. FEMA is directed to consult with States, including those with large populations, on the policy of considering population size when determining the estimated costs of assistance criteria for public assistance. This consultation should include factors such as the local assessable tax base and the local sales tax, the median income as it compares to that of the State, the poverty rate of the local affected area as it compares to that of the State, and the economy of the State, including factors such as the unemployment rate of the State, as compared to the unemployment rate of the United States. Within 270 days of the date of enactment of this act, FEMA shall provide a briefing to the Committee on the results of the consultation.

BRIC Funding.—The Committee recommends \$2,000,000,000 for climate mitigation through a repurposing of funds in section 311 of the bill. The requirement for the announcement of a notice of funding opportunity [NOFO] in fiscal year 2023 may be satisfied in part by announcements related to the availability of BRIC technical assistance.

Improving access to BRIC.—Within 90 days of the date of enactment of this act, FEMA shall brief the Committee on the abilities of States to qualify for access to BRIC. The brief should include, but not be limited to, an analysis of the ability of States to meet the program’s building code requirements, States’ options outside of this program to assist communities with needed pre-disaster mitigation, and other challenges in addressing pre-disaster mitigation.

Natural Infrastructure Activities.—Within 180 days of the date of enactment of this act, FEMA shall provide the Committee with a report on the number, dollar amount, and percentage of fiscal year 2021 applications received to fund natural infrastructure projects, and a comparison of these numbers to the fiscal year 2020 grant cycle, for the BRIC program. The report shall be disaggregated by the applications that were awarded funding and those that were not, and describe the types of natural infrastructure activities funded.

Building Resilient Infrastructure and Communities.—The Capability and Capacity Building activity shall be funded at no less than \$1,500,000 per State in fiscal year 2023.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2022	\$214,706,000
Budget estimate, 2023	225,000,000
Committee recommendation	225,000,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$225,000,000 for National Flood Insurance Fund [NFIF] activities related to flood plain management, flood mapping and mitigation, and flood insurance operations.

The Committee notes the importance of the long-term financial stability of the NFIF and recognizes FEMA’s efforts to publish a quarterly “Watermark” report on the NFIF’s finances. The Committee encourages FEMA to continue its commitment to quarterly reporting on the NFIF in a public and transparent manner while complying with other reporting requirements in statute.

TITLE III—ADMINISTRATIVE PROVISIONS

Section 301. The Committee continues a provision allowing for the use of “CISA-Operations and Support” funding to be used for certain competition-related costs.

Section 302. The Committee includes a provision to remove certain FEMA grant amounts from calculations under section 204 of the Homeland Security Act of 2002.

Section 303. The Committee continues a provision limiting expenses for the administration of grants.

Section 304. The Committee continues a provision specifying timeframes for grant applications and awards.

Section 305. The Committee continues a provision requiring five day advance notification for certain grant awards under “FEMA–Federal Assistance”.

Section 306. The Committee continues a provision that addresses the availability of certain grant funds for the installation of communications towers.

Section 307. The Committee continues a provision requiring a report on the expenditures of the DRF.

Section 308. The Committee continues a provision regarding certain grants.

Section 309. The Committee continues a provision providing for the receipt and expenditure of fees collected for the Radiological Emergency Preparedness Program, as authorized by Public Law 105–276.

Section 310. The Committee continues a provision regarding certain grants.

Section 311. The Committee includes a provision making funding available for the Building Resilient Infrastructure and Communities grant program and related OIG costs.

TITLE IV
RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

United States Citizenship and Immigration Services [USCIS] carries out activities necessary for the administration of laws and the provision of services related to people seeking to enter, reside, work, and naturalize in the United States. In addition to directly appropriated resources, fee collections are available for the operations of USCIS.

Immigration Examinations Fees.—USCIS collects fees from persons applying for immigration benefits to support the adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

H-1B and L Fraud Prevention and Detection Fees.—USCIS collects fees from petitioners seeking a beneficiary’s initial grant of H-1B or L nonimmigrant classification or those petitioners seeking to change a beneficiary’s employer within those classifications pursuant to Public Law 108–447.

H-1B Nonimmigrant Petitioner Fees.—USCIS collects fees from petitioners under the H-1B program pursuant to Public Law 108–447.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$866,705,000 for USCIS, which is \$46,917,000 below the budget request amount and \$457,201,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	389,504	903,622	816,705
Federal Assistance	20,000	10,000	50,000
Total United States Citizenship and Immigration Services	409,504	913,622	866,705

OPERATIONS AND SUPPORT

Appropriations, 2022	\$409,504,000
Budget estimate, 2023	913,622,000
Committee recommendation	816,705,000

The Operations and Support [O&S] appropriation provides for ongoing operations, mission support, and management and admin-

istration costs for the Employment Status Verification [E-Verify] program, which allows businesses to determine the eligibility of their employees to work in the United States.

COMMITTEE RECOMMENDATIONS

Asylum Processing.—The Committee remains concerned about prolonged delays at processing centers across the country. Therefore, no later than 90 days of the date of enactment of this act, USCIS shall provide a report to the Committee that details its efforts and specific actions, taken to reduce the backlog of asylum applications. Further, the Committee recognizes that some Field Office locations are geographically challenging for rural or other non-citizens and directs USCIS to explore options, including through technology, to increase access to interviews and other processes for individuals who may not be geographically located near a USCIS Field Office. The Committee directs USCIS to coordinate with relevant Federal agencies who provide services to individuals with asylum to ensure that such persons are appropriately referred and informed of available services upon obtaining asylum.

Asylum Officer Rule.—Within 60 days of from the date of enactment of this act and quarterly thereafter, USCIS is directed to brief the Committee on the implementation of the Asylum Officer rule. The brief shall include data on the number of Asylum Officers, the number of Asylum Merits Interviews conducted, outcomes of such interviews, including, but not limited to, the number approved, denied, administratively closed, and pending, and the Field Office location of such interviews. USCIS is directed to publicly report the number of individuals referred to immigration proceedings or to ICE or CBP for enforcement actions.

Citizenship and Integration Grant Program.—The Citizenship and Integration Grant Program makes grants available to qualified public and non-profit organizations to help lawful permanent residents apply for naturalization and to help noncitizens integrate into American society. The Committee recognizes the importance of successful integration and acknowledges that adequate representation in pursuit of integration can be critical for certain noncitizens because if they have competent counsel, noncitizens are more likely to succeed in their pursuit of immigration status. Furthermore, competent counsel in immigration matters has been shown to maximize government efficiencies by speeding up the immigration process. When individuals have permanent immigration status, it not only alleviates the stress to families and provides certainty for people in our community, it stimulates economic growth and often reduces reliance on other services. In recognition of these realities, and anticipating the full implementation of the Asylum Officer Rule, the Committee recommends \$40,000,000 above the request for Federal assistance and directs USCIS to ensure that not less than \$30,000,000 is made available to qualified public, non-profit, and other non-governmental organizations, for qualified legal representation or accredited representation in the Asylum Merits Interview [AMI] process in order to facilitate integration for newly arriving asylum seekers and increase the speed of these adjudications so that USCIS can turn to its extensive backlog. Within 90 days of the date of enactment of this act, USCIS shall report to the

Committee on any such ethical issues this funding and directive present, along with a mitigation plan addressing such challenges. USCIS is directed to ensure that a maximum overhead expenses for organizations, or expenses that do not directly benefit the non-citizen, are capped or regulated as USCIS discretion.

Central American Minors [CAM] Program.—The Committee acknowledges that one way to deter the lengthy and dangerous journey to the United States is to provide avenues to lawfully enter the United States. Therefore, the Committee recommends robust funding for the CAM Program, including support for organizations that provide successful application assistance and other services for the program. Within 180 days of enactment of this act, USCIS shall provide a report to the Committee that details current and planned admissions through the CAM program, base funding and personnel for the program, the amount of resources that are directly provided to applicants and their families, if any, and an analysis of the effectiveness of organizations that work with the CAM population in the United States.

Electronic Processing.—The Committee supports the completion and implementation of an electronic filing and processing system for immigration benefits at USCIS but remains frustrated by the lengthy process required to bring applications and petitions fully into e-processing. Within 30 days of the date of enactment of this act, USCIS shall continue to brief the Committee on the efforts to implement an electronic filing and processing system for immigration benefits, the current technological challenges facing the agency's completion and implementation of such a system, and the steps and timeline the agency will be using to complete an electronic filing and processing system for all immigration benefits.

Employment Authorization Application Deadlines.—The Committee directs USCIS to ensure that it meets all regulatory, statutory, and court-ordered or stipulated agreement timelines for adjudication of all applications for employment authorization. The Committee directs USCIS to produce a report, not less than annually, summarize all adjudication timelines, the source of the timeline, and whether the agency met the timeline for the prior fiscal year.

E-Verify.—The Committee recognizes that database errors have improved as the system's functionality has evolved, however, the Committee remains concerned about the E-Verify program's performance and accuracy, including the fact that some United States Citizens have been found ineligible for employment. The Committee recognizes the significant economic consequences for both the employee and employer when an individual is falsely identified as being ineligible to work, which may be the result of a system or data error. The Committee notes that when a person is falsely identified as ineligible to work and has received a final non-confirmation from the system, there is no formal appeal process, despite the potential economic harm. The Committee notes that the burden to prove eligibility and to address any data issues is entirely on the employee, and not the government. To further due process, the Committee directs USCIS to examine and report to the Committee, within 180 days of the date of enactment of this act, a proposed plan to implement an appeal process for a final non-confirmation within the E-Verify system.

Fee Study.—When USCIS undertakes its next biennial fee study, the Committee strongly urges the agency to apply advanced analytics and modeling capabilities to improve the accuracy and transparency of the way in which the agency determines potential fee changes. Additionally, USCIS shall conduct and incorporate into the fee study appropriate analyses that quantifies the impact of investments to modernize and transform business processes and IT on its operations. Further, USCIS shall assess the impact of appropriations for E-Verify and the resulting capabilities from that investment in the fee study. Within 60 days of the date of enactment of this act, USCIS shall provide a briefing to the Committee on the steps the agency is taking to leverage analytic capabilities to better inform workload and fee projections.

Fee Waivers and Application and Petition Costs.—The Committee was discouraged by previous efforts to impede immigration benefit requests by eliminating fee waivers, creating insurmountable paperwork barriers and unnecessary eligibility hurdles to obtain fee waivers. The Committee encourages USCIS to continue the use of fee waivers for applicants as provided for in Federal law, through regulation, or other relevant stipulations or agreements, for those applicants who demonstrate an inability to pay immigration benefit request fees, and to provide partial fee waivers to applicants as appropriate for those who can demonstrate earnings or income within various poverty guidelines. The application process should not be overly burdensome for those seeking citizenship and immigration benefit requests relating to naturalization. The Committee directs USCIS to maintain naturalization fees at an affordable level and to continue the use of full fee waivers for applicants who can demonstrate an inability to pay immigration and naturalization benefit application fees. The Committee directs USCIS to considering accepting any one of the following items as proof of inability to pay an immigration or naturalization benefit application fee for the purposes of qualifying for a full fee waiver: documentation of receipt of a means-tested public benefit; documentation of income that is at or below 200 percent of the Federal Poverty Guidelines at the time of filing; or documentation of financial hardship, based on extraordinary circumstances. To ensure that derivative and naturalized citizens can contribute to and participate fully in our economy and democracy, the Committee further directs USCIS to reduce the costs of obtaining replacement certificates of naturalization and certificates of citizenship. The Committee recognizes that immigration statutes, regulations, settlement agreements, and Administrative priorities require fee waivers and fee reductions for people seeking to adjust their status. However, this means that USCIS must absorb these costs. Therefore, not later than 60 days from enactment of this act and quarterly thereafter, USCIS shall provide to the Committee a brief on lost revenue as a result of fee waivers. This brief shall include historical data from the previous five fiscal years.

H-2B Visa Distribution.—The Committee is concerned that the current semiannual distribution of H-2B visas on April 1 and October 1 of each year unduly disadvantages certain employers and employees. The Committee directs the Department, in consultation with the Department of Labor, to examine the impacts of the cur-

rent H-2B visa semiannual distribution on employers, employees, and agency operations and to provide the Committee with a briefing on the study not later than 180 days after the date of enactment of this act. Further, given the significant and growing reliance on H-2B visas, the Committee directs the Department, in coordination with the U.S. Department of Labor [DOL], to provide a report within 120 days of enactment of this act providing data on the H-2B program, assessing its flaws and vulnerabilities, and making recommendations to ensure that the integrity of the program is safeguarded and that the limited number of H-2B visas are reserved for law-abiding employers. In addition to the recommendations and assessment of the flaws of the program, the data in the report shall include, the number of H-2B visas, including the number of supplemental visas, issued in each of the past 3 years to entities and individuals who in the past 5 years were found to have committed H-2A or H-2B violations, including the number of visas allocated to violators who at any point have committed egregious H-2A or H-2B violations such as visa fraud and wage theft, and indicating the dates of the violations and visa issuance; the number of H-2B visas, including the number of supplemental visas, issued in each of the past 3 years to entities and individuals who in the past 5 years were debarred from the H-2A or H-2B program, including the date and reason(s) for the debarment, and indicating the date of visa issuance; and any other relevant data relating to the flaws of the program. Further, the Committee supports the Department's efforts to set aside visas for certain nationalities, including nationals from El Salvador, Guatemala, Honduras, and Haiti, regardless of whether they are returning workers.

International Office Closures.—The Committee regretted that the previous administration closed several USCIS international field offices. Given that USCIS international offices provided critical functions for U.S. military personnel, international adoptions, refugees, family reunification, and other immigration matters, as well as U.S. citizens and residents traveling abroad, the Committee directs the administration to report to Congress, not later than 90 days after the date of enactment of this act, how USCIS services and processes have been modified in light of these closures, including but not limited to the transfer of any adjudications or responsibilities from USCIS to the Department of State, the impact that these closures have had on USCIS' budget and adjudication backlogs, including but not limited to the need for increased staff capacity and training, and plans to reopen these offices. If plans to reopen these offices do not exist, the report should explain the basis for that decision.

Premium Processing.—USCIS shall ensure that immigration benefit requests that do not generate revenue, or are not otherwise a substantial source of revenue, including immigration benefit requests, associated with the refugee program, asylum, Temporary Protected Status, and citizenship and naturalization services, are prioritized and adjudicated in a timely and appropriate manner. Agency adjudication of these immigration benefit requests should continue to meet all regulatory, statutory or court ordered or stipu-

lated timeframes regardless of the potential volume of increased premium processing benefit requests.

Prevention of Abuses in the H-2A Program.—The Committee is concerned about preventing the abuse of workers during international recruitment. The Committee notes that one possible way to prevent labor trafficking and other forms of worker abuse and exploitation, is to ensure transparency of information. For instance, the more information available to a prospective guest worker, the better such worker is able to protect themselves against misrepresentations or abuse by unscrupulous actors, including the legitimacy of an offered job opportunity, the offered wage, or any other condition of employment. In order to help combat worker abuse and exploitation in the H-2A program in worker countries of origin, the Committee directs USCIS, in consultation with the Department of Labor, to timely post public information provided by employers on the Form I-129 and associated filings regarding recruiters, recruiting agents, or agencies that they plan to use. At a minimum, the information posted must identify the recruiting entity/individual, the job order/employment opportunity for which the recruitment services are being provided, and the offered wage. This information shall be available online in a manner that is easily accessible to potential workers. The Committee also directs USCIS to establish a process whereby workers may confirm that they are the beneficiaries of H-2A petitions and can receive information about their own immigration status, including, their authorized period of stay and the status of any requested visa extensions. The Committee encourages USCIS to provide the information in multiple languages, including Spanish and English.

Processing Times for Immigration Benefit Requests.—The Committee is concerned that processing times for citizenship and other applications and petitions continue to increase. The Committee expects USCIS to adjudicate citizenship and other applications in a timely manner. USCIS is directed to ensure that timeliness performance measures for all forms are developed, implemented, and routinely assessed. Within 90 days of the date of enactment of this act, the Committee directs USCIS to report on measures implemented to promptly reduce processing delays.

P3 Refugee Processing.—The Committee affirms the administration's universal Priority 3 (P-3) designation in the fiscal year 2021 revised report to Congress and the fiscal year 2022 Presidential Determination and commends the expansion of filing eligibility to Afghan and Iraqi Special Immigrant Visa recipients. The Committee directs the Department, in collaboration with the State Department, to produce a report within 90 days of enactment describing steps by the administration to re-examine and expedite P-3 processing, such as by reducing lengthy delays in USCIS' initial paper review (known as RAVU) of the relationship between the anchor relative and overseas family member listed on the Affidavit Of Relationship [AOR], and to reduce inefficiencies in DNA testing and processing steps that are required only for P-3 cases, which can add years to average processing times. The report should also detail, as of the first day of fiscal year 2022 and each of the six previous fiscal years, the number of P-3 refugee applicants who had submitted an Affidavit of Relationship and were waiting for an ini-

tial interview with the resettlement support center [RSC]; who had completed the initial RSC interview and whose applications were not yet submitted by the Refugee Processing Center to the USCIS Refugee Access Verification Unit [RAVU]; whose applications were submitted by the Refugee Processing Center to RAVU and were pending a decision by RAVU; whose applications were decided by RAVU and were pending an RSC pre-screening interview; who completed an RSC pre-screening interview and who were pending USCIS interviews; who had completed interviews and were pending security clearance; who were ready for departure; and have died or gone missing while in the P-3 application process without ever being reunited with their families.

Refugee Admissions and Processing.—The Committee remains concerned about the pace of refugee admissions and directs the Department to submit to the Committee and make available to the public on its website not later than 90 days after the date of enactment of this act the following information for each of fiscal years 2018 through 2021: the number of USCIS staff assigned to the Refugee Corps at the Refugee Affairs Division of USCIS; the number of refugee processing circuit rides conducted; the number of USCIS Refugee Corps officers assigned to each circuit ride; the destination region and country for each circuit ride; the number of refugee interviews conducted by USCIS; and the number of approvals and denials issued by USCIS. The Committee supports the administration's plan to permit the use of video and audio teleconferencing to conduct refugee interviews and establish the necessary infrastructure to do so, pursuant to Executive Order 14013. The Committee directs the Department to issue a report within 90 days of the date of enactment which shall include the details of how many interviews were conducted remotely or by video, what infrastructure was created to do so, and what the Department needs to expand the use of remote interviews. The report should also include challenges and best practices in conducting remote interviews and factors that informed the Department's decisions around which applicants were eligible for a remote interview. The Committee directs the Department to re-use biometric information for refugees applying for adjustment of status to prevent further delays, that the validity period for such biometrics should last at least 24 months, and to waive USCIS interviews for refugees applying for adjustment of status. The Committee directs the Department to implement a one-time exception per applicant through the end of fiscal year 2023 for all 14-year-old and over applicants for refugee resettlement who aged into the requirement to provide biometric information including fingerprints. The Committee asks that USCIS and U.S. Embassies additionally grant permission to other U.S. Government staff in-country to travel to collect this biometric data to allow for the expeditious progression of refugee resettlement applications.

Trauma-Informed Support.—The Committee recognizes that many of the individuals interviewed for humanitarian protection have endured torture, war, loss of stability, homes, loved ones, including children, and faced other traumatic events. Employees of USCIS must often personally interview applicants for humanitarian protection and as a result, can experience forms of secondary trauma, which occurs when individuals are exposed to first-hand

accounts of trauma. The Committee encourages USCIS to assess the need for two types of training for employees who are regularly exposed to, or engage with, trauma survivors: (1) training on recognizing signs of trauma exposure, understanding common behaviors of people exposed to trauma, and trauma-informed interview techniques and principles, that are evidence-based; and (2) secondary and resilience training and employee support. Within 180 days of the date of enactment of this act, USCIS shall report to the Committee on the assessment for trauma needs as described above and identify any potential resource needs in order to implement the results of the assessment.

Unlawful Presence and Inadmissibility.—Within 60 days of the date of enactment of this act, USCIS shall brief the Committee on the impact of the recent policy changes in the USCIS policy manual concerning inadmissibility determinations under section 212(a)(9)(B)(i) of the INA. Within 120 days of the date of enactment of this act and semi-annually thereafter, USCIS shall provide statistics on the number of noncitizens impacted by this change in policy, broken out by those found inadmissible on the grounds of 3-year, 10-year, and permanent unlawful presence bars.

U Visas.—The Committee recognizes that the annual cap for the U Nonimmigrant status may not adequately reflect the actual need of noncitizen survivors based on the total number of petitions. The Committee notes that over the years, the U Nonimmigrant status backlog has increased and potential recipients of the status have experienced protracted processing delays. The committee encourages USCIS to analyze the U Nonimmigrant status to determine whether any processing delays can be eliminated administratively and make a recommendation as to whether the U Nonimmigrant status cap should be lifted to reflect the actual need.

USCIS Backlog Reporting.—USCIS shall provide the Committee a plan within 60 days of the date of enactment of this act to establish a quarterly, public report on all backlogs, frontlogs and pending forms, for all form types. Such reporting shall include, at a minimum, the number of applicants or petitioners in each USCIS backlog, frontlog, or pending status, including beneficiaries, where applicable; be identified by form type; and shall present the data to the public in such a way as to indicate length of time in such status, as defined by USCIS. Additionally, within 180 days of the date of enactment of this act, USCIS shall develop and brief the Committee on a comprehensive Backlog Elimination Plan, modeled on prior successful efforts by USCIS to eliminate their backlogs in 2004–2006, along with any associated staffing models to support such plan.

USCIS Workload Staffing Modeling.—USCIS shall brief the Committee within 90 days of the date of enactment of this act on a plan to develop a strategic agency-wide workload staffing model that incorporates the impact of personnel, existing assets, and capabilities on USCIS operations. The model should reflect the impact of business transformation initiatives such as IT, business process reengineering, and the streamlining of data required on forms from applicants/petitioners. While the model shall not assume that work will be performed by employees detailed from other agencies to perform core USCIS mission duties, the model shall in-

corporate historical attrition and hiring delays and shall not assume USCIS will be fully staffed. The model should be able to provide to USCIS data on the expected impacts that changes in USCIS assets and capabilities are expected to have on reducing backlogs and allow USCIS the ability to test how changes in business processes and policies will impact their workforce, assets, and customers.

USCIS Quarterly Budget and Productivity Reporting.—USCIS shall continue to brief the Committee quarterly on budget operations, including revenue projections, actual spending, and other financial forecasts. At a minimum, the briefing shall detail the spending of each directorate and office (compared to projections), provide revenue and expenses delineated by form type, other agency expenses including payments or transfers to other Federal agencies, and carryover or reserve fund projections and spending. USCIS shall ensure the agency maintains a sufficient carryover balance which is intended to provide stability amid fluctuating receipts. Additionally, USCIS shall develop productivity measures that convey the baseline capacity and capabilities for processing applications and petitions and capture the impact of investments in personnel, technology, or changes to processes and policies on such measures. Updates on USCIS performance against these measures shall be included with the quarterly budget reporting.

Voter Registration for New Citizens.—The Committee urges USCIS to facilitate the registration of U.S. Citizens upon completion of their oath ceremonies, including through agreements and partnerships with the appropriate State or local official or agencies, or non-profits, as appropriate. The Committee encourages USCIS to work with the appropriate State or local official or agency to electronically transfer voter information, or to pursue other avenues which might reduce paperwork and facilitate voter registration upon successfully obtaining U.S. Citizenship.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS

The Federal Law Enforcement Training Centers [FLETC] serve as an interagency law enforcement training organization for more than 90 Federal agencies and certain SLTT and international law enforcement agencies on a space-available basis.

OPERATIONS AND SUPPORT

Appropriations, 2022	\$322,436,000
Budget estimate, 2023	355,247,000
Committee recommendation	355,247,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$355,636,000 for FLETC, which is equal to the request and \$15,288,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee’s recommendation as compared to the fiscal year 2022 enacted and fiscal year 2023 budget request levels:

FLETC

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	322,436	355,247	355,247
Procurement, Construction, and Improvements	33,200	41,300	41,300
Total, FLETC	355,636	396,547	396,547

OPERATIONS AND SUPPORT

Appropriations, 2021	\$322,436,000
Budget estimate, 2022	355,247,000
Committee recommendation	355,247,000

Funding above the fiscal year 2022 enacted level is provided to meet a projected increase in basic training requirements. The Committee expects FLETC to maintain training at or near facility capacity before entering into new leases or establishing new partnerships with training organizations. To that end, the Committee directs FLETC to provide a cost analysis detailing, at minimum, each training center’s maximum instructional capacity by course and measured against its annual student occupancy.

COMMITTEE RECOMMENDATIONS

Interagency Training Centers.—FLETC is directed to build upon existing agreements with the Department of the Army [DA] and to utilize existing on-post infrastructure and facilities. Within 90 days of enactment of this act, FLETC is directed to provide the Committee with a report detailing the steps taken to establish such partnerships and how such partnerships would reduce training backlogs.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$33,200,000
Budget estimate, 2023	41,300,000
Committee recommendation	41,300,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$41,300,000 for Procurement, Construction, and Improvements [PC&I], which is the same as the budget request amount and \$8,100,000 above the fiscal year 2022 enacted level.

SCIENCE AND TECHNOLOGY

The mission of Science and Technology [S&T] is to conduct, stimulate, and enable homeland security research, development, and testing and to facilitate the timely transition of capabilities to the Department’s components and, as practicable, to other Federal and SLTT end users.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$941,856,000 for S&T, which is \$40,565,000 above the budget request amount and \$55,453,000 above the fiscal year 2022 enacted level.

The following table summarizes the Committee's recommendation as compared to fiscal year 2022 enacted and budget request levels:

SCIENCE AND TECHNOLOGY

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	330,590	353,107	391,172
Procurement, Construction and Improvements	12,859	89,466	89,466
Research and Development	542,954	458,718	461,218
Total, Science and Technology	886,403	901,291	941,856

OPERATIONS AND SUPPORT

Appropriations, 2022	\$330,590,000
Budget estimate, 2023	353,107,000
Committee recommendation	391,172,000

The Operations and Support [O&S] appropriation funds the management functions necessary to facilitate the research and development mission of S&T.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$391,172,000 for O&S, which is \$38,065,000 above the budget request amount and \$60,582,000 above the fiscal year 2022 enacted level. Of the amount provided, the Committee recommends not to exceed \$10,000 for official reception and representation expenses.

LABORATORY FACILITIES

The recommendation includes \$127,522,000 for Laboratory Facilities operations, which is equal to the request and \$3,831,000 above the fiscal year 2022 enacted level.

This recommendation fully funds the operations of all of the S&T Laboratory Facilities including the Chemical Security Analysis Center [CSAC] operations; the National Urban Security Technology Laboratory [NUSTL] operations; and the National Biodefense Analysis and Countermeasures Center [NBACC] operations. This recommendation also ensures that S&T can meet its responsibilities for the safe and secure operation of the Transportation Security Lab and the Plum Island Animal Disease Center [PIADC]. These facilities provide the Homeland Security Enterprise with a coordinated and enduring core of productive science, technology, and engineering laboratories, organizations, and institutions which provide the knowledge and technology to secure our Homeland. Additionally, Laboratory Facilities deliver long-term capabilities vital to the Department's mission by utilizing a coordinated network of S&T laboratories and the Department of Energy national laboratories.

ACQUISITION AND OPERATIONS ANALYSIS

The Committee recommends \$94,875,000 for Acquisition Operations and Analysis, which is \$21,000,000 above the request and \$21,942,000 above the fiscal year 2022 enacted level.

Projecting and Planning For Future Flow to U.S. Southwest Border.—The Committee commends the ongoing collaboration between S&T’s System of Systems Operational Analytics and CBP’s Operations Support on the development of integrated models that can project impacts to Federal agencies based on changes in flow to the border, changes in policies, and changes in agency resources. These models have the ability to project what is likely to happen, when it’s likely to happen, and where along the border. To appropriately plan and budget for the impacts of flow to the southwest border, it is essential that the output from these models are routinely updated, monitored, and shared ensuring they reflect the most accurate data from relevant Federal agencies. The Committee provides \$12,000,000 above the request to S&T to expand and evolve the interagency models developed with CBP. The Committee recognizes that by modeling the different paths for different demographics (single adults, family units, and unaccompanied children) and applying predictive tools the Federal Government, for the first time, will have a shared baseline across all Federal agencies with a role to play in the lifecycle of the process for a noncitizen encountered at the border. Working with the Department’s Office of the Chief Financial Officer, and Policy Office (including the Office of Immigration Statistics), S&T and CBP shall work with ICE and USCIS, as well as the Department of Justice, and the Department of Health and Human Services to provide the output of such models in a timely manner to inform other agency models and the development of internal agency budget requests. Within 60 days of the date of enactment of this act, S&T and CBP, along with other Department partners, shall provide a briefing to the Committee on execution of these funds and timeframe for delivery of model output to all impacted agencies.

DECIDE Industrial Control System Evolution.—The Committee has funded the Department’s development of the DECIDE cyber event simulation technology for exercises for over a decade, resulting in valuable exercises yielding lessons in financial, oil and gas, and transportation critical infrastructure sectors. For fiscal year 2023, the Committee provides \$9,000,000 for development and deployment of an expansion to DECIDE, focusing on industrial control systems for multi-sector cyber event exercises.

SAFETY Act.—The recommendation includes \$14,750,000 for the Support Anti-Terrorism by Fostering Effective Technologies [SAFETY] Act (Public Law 107–296) program. This program encourages anti-terrorism preparedness and mitigation by providing liability protections for technologies or processes the program certifies or designates as meeting certain anti-terrorism standards.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$12,859,000
Budget estimate, 2023	89,466,000
Committee recommendation	89,466,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$89,466,000 for Procurement, Construction, and Improvements [PC&I], which is the same as the budget request amount and \$76,067,000 above the fiscal year 2022 enacted level. Funds provided for PC&I will be used for biological decontamination, completing environmental regulatory compliance activities, and preserving historic assets at the PIADC.

Laboratory Infrastructure.—The Committee includes \$35,750,000 as requested to ensure that the S&T laboratory infrastructure can address deficiencies and substantial capacity shortcomings to meet evolving mission requirements. The Committee also directs that the NBACC Facility Expansion Scoping Study identified in the request is completed no later than 150 days after the date of enactment of this act.

RESEARCH AND DEVELOPMENT

Appropriations, 2021	\$542,954,000
Budget estimate, 2022	458,718,000
Committee recommendation	461,218,000

S&T supports the mission of the Department through basic and applied research, fabrication of prototypes, research and development to mitigate the effects of weapons of mass destruction, and acquiring and field testing equipment.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$461,218,000 for Research and Development [R&D], which is \$2,500,000 above the budget request amount and \$81,736,000 below the fiscal year 2022 enacted level.

The Committee directs S&T to continue to prioritize applied research activities that provide innovative solutions to the Department, its components, and their most integral stakeholders. Despite the inclusion of R&D appropriations for each component under the common appropriations structure, S&T should be the central component for departmental R&D, including R&D for other components. Ensuring that S&T is the principle R&D component will contribute to the goal of departmental unity of effort, a goal shared by the Committee and the Department. Therefore, the Committee directs the Secretary to notify the Committee not less than 60 days in advance of any reduction, discontinuation, or transfer from the custody of the Undersecretary for Science and Technology of any R&D activity that is being conducted by S&T as of the date of enactment of this act.

RESEARCH, DEVELOPMENT, AND INNOVATION

Transitioning New Capabilities to Operational Components.—The Committee commends S&T on the ongoing collaboration with Department operational components to discover and develop innovative equipment and capabilities in support of mission critical homeland security programs. Funding provided for R&D work impacts future budget requests, informing decisions on how to spend billions of dollars in acquisitions, yet the R&D funding overall represents a small fraction of the overall costs. To better account for both the impact of R&D funding and how those resources improve

the Department's operational capabilities, S&T shall provide a briefing to the Committee within 45 days of the date of enactment of this act, on a plan to partner with Department agencies to develop key measures that capture that impact and quantify a return of investment. Within 60 days of the date of enactment of this act, S&T shall provide the Committee examples of the impact of three R&D projects.

Increased Early Collaboration with Stakeholders.—Within 90 days of the date of enactment of this act, S&T shall brief the Committee on its early-outreach efforts, and it should explain the pros and cons of a creating a formal forum or portal for interested stakeholders and partners to share perspectives on future research.

Minority Serving Institutions Program [MSIP].—The Committee recommends \$7,657,000 for MSIP, which is \$2,500,000 above the request, reflecting the Committee's support of S&T's work with minority-serving institutions [MSI] and the capabilities they bring to homeland security-related science, technology, engineering and mathematics. The Committee directs the Department to ensure that this program is open to MSIs, as defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)). Further, the Committee encourages the Department to continue and increase its public outreach and engagement to support non-traditional university partners, especially MSIs that serve rural and military populations, in building capacity in Department-relevant cyber research and education efforts.

Research and Prototyping for IED Defeat Program [RAPID].—The Committee supports continued funding for the RAPID Program to address critical public safety requirements, including adequately assessing emerging IED threats, developing render safe technologies and ensuring a proper transition to first responders with appropriate training. Within 90 days of the date of enactment of this act, S&T shall provide a report on RAPID funding, developing technologies and transition/training efforts to support public safety across the Nation.

Center of Excellence for Coastal Resilience [CRC].—The Committee acknowledges the work of the CRC and encourages S&T to continue that effort, including CRC's work in partnership with top research and educational institutions to conduct research, develop tools, and provide public outreach and education in support of the Department's missions in building resilient communities, enhancing coastal infrastructure resilience, understanding disaster dynamics, and encouraging community and individual action to build resiliency.

Port of Entry Data Analytic Capability.—The Committee is aware of and concurs with Presidential Determination No. 2017–09, which identifies a critical item shortfall of industrial capacity related to secure composite shipping containers. The Committee therefore includes up to \$10,000,000 to support container demonstrations to expedite transition of this new secure shipping capability into government and commercial shipping operations, and to evaluate new scalable container security design improvements. Further, the Committee encourages S&T to work to develop thermoplastic composite materials that reduce costs and improve intrusion sensor integration and includes up to \$2,000,000 for this effort.

The Committee supports continued work to improve the data analytics and visualization tools available to CBP and ICE to track and inspect cargo entering and exiting the United States, particularly cargo that may contain opioids, weapons, or explosives. Improvements to automated threat algorithms and visualization tools can increase analyst efficiency, better target criminal networks, and increase the seizure of illicit goods and materials before they enter the United States. The Committee recommends up to \$6,000,000 to pursue R&D related to emerging analytics and data visualization that can enhance tracking from origin to destination of cargo and people with advanced interactive visual analytics to better identify criminal activity while expediting processing.

Active Neutron Interrogation for Cargo Screening.—The Committee continues to be concerned by the smuggling of narcotics, including opioids/fentanyl, and other contraband materials through ports of entry [POEs] and transportation hubs. To improve the efficiency and effectiveness of screening operations, the Committee recommends continued development and testing of a multi-purpose, high-yield active neutron interrogation system that does not require the use of radioactive material, including efforts to reduce system size and improve operator safety.

Wildfire Sensor Development and Testing.—The Committee acknowledges recent budget increases to Federal agencies will help wildfire issues. However, the Committee also acknowledges the critical need for a sensor technology capable of accurate, reliable detection and tracking of wildfires, enabling the existing interventions and resources to be used more efficiently. Therefore, the Committee recommends up to \$5,000,000 to complete sensor development, sensor testing, and develop the supporting community of practice to enable mission success.

Data Visualization and Emerging Analytics.—The Committee recommends up to \$2,500,000 for Data Visualization and Emerging Analytics to pursue R&D related to emerging analytics tools, studies, capabilities, and sensors that can enhance the tasking, collection, processing, exploitation, and dissemination of data which is key to the detection and disruption of illegal activity found on our borders and POEs.

Exploitation of Mesonets For Emergency Preparedness and Response.—The Committee is aware of the need to provide State and local emergency management officials and operators of critical infrastructure with tools to help manage risk for their communities. Advance warning of severe weather conditions, especially those featuring high levels of precipitation, snow or ice, on more precise and local scales is especially needed to mitigate inland flooding risks and prepare emergency rescue assets. The Committee recommends up to \$3,000,000 for initiating a pilot program with an academic partner to support the use of statewide mesonets that include broad use of boundary layer observations to help establish a replicable State and local model for improved use of weather data for emergency management purposes for both intensely and sparsely populated regions.

Next Generation Explosive Trace Detection.—The Committee continues to be concerned about the significant threat posed by the smuggling of narcotics, including opioids/fentanyl, and hazardous

materials and through POEs and transportation hubs. The Committee is aware of the Department's efforts to increase the percentage of cargo-containing trucks/tractor trailers undergoing primary inspection at POEs. To more effectively detect narcotics and hazardous materials in cargo loads at POEs and improve the efficiency of screening operations, the Committee recommends up to \$5,000,000 for additional capabilities to improve the detection and interdiction of threats encountered by CBP or TSA.

Air Domain Awareness.—The Committee understands that Air Domain Awareness is a critical component of both countering malicious unmanned aircraft and developing a secure air traffic control system for unmanned aircraft systems [UAS] and encourages S&T to continue its Air Domain Awareness evaluation project in urban and maritime environments.

Explosives Threat Assessment.—The Committee is aware of S&T's robust and ongoing partnership with the Federal Bureau of Investigation's Terrorist Explosive Device Analysis Center to better understand and characterize home-made explosives and encourages S&T to continue to seek ways to fully utilize and expand this important partnership. The Committee is also pleased with S&T's outreach to other Federal research laboratories, including those operated by the U.S. Army Corps of Engineers, that have relevant expertise in high performance computing, computer-aided and interdisciplinary engineering, computer science, and instrumentation systems.

Maritime Border Security.—The Committee is encouraged by S&T's partnership with the U.S. Coast Guard, industry performers and academia to conduct research, development, testing and evaluation of wind and solar powered unmanned maritime vessels with surface and subsurface capabilities that can directly enhance the S&T mission and the operational partners they serve by improving support to missions such as counter-narcotics, search and rescue, aids to navigation, marine safety, marine environmental and defense readiness. In carrying out this activity, S&T shall consider the ways in which UAS could be fully employed and utilized for such missions and shall strongly consider the current and future operational requirements of the Coast Guard. The Committee also recognizes the vast data threat facing the U.S. maritime sector and the direct threat this poses against critical infrastructure components for mission critical functions. The Committee includes up to \$1,500,000 for the ongoing maritime port resiliency and security research testbed to support the design and development of tactics, techniques, and procedures for effective threat response to critical maritime infrastructure.

Opioid and Fentanyl Detection.—The Committee supports continued S&T collaboration with ICE Homeland Security Investigations [HSI] with the development of opioid-related investigative, training, analytical and other capabilities and to partner with the Center of Excellence for Criminal Investigations and Network Analysis. Additionally, the Committee encourages S&T to increase the development of rapid scanning technology and directs S&T to provide a report within 180 days of the date of enactment of this act on any research or development to incorporate rapid scanning into screening methods for drug interdiction.

Laboratory Facilities Research and Development.—In addition to including full funding to continue the operations of NBACC, CSAC, and NUSTL, the recommendation also includes sufficient funding to wholly continue research and development activities at these laboratories. The Committee is aware of unfunded infrastructure requirements for NBACC and believes preventative maintenance, repair, replacement, and updates to key support systems and facilities must be programmed into each fiscal year in order to preserve mission critical research capabilities. The Committee directs S&T to complete an assessment of NBACC infrastructure to include a prioritized list of unfunded maintenance and repair requirements and unmet needs. This assessment shall also include a prioritized schedule for the replacement or upgrades to equipment and systems identified in the assessment. The Committee directs S&T to submit the findings of this review within 90 days of the date of enactment of this act.

Detection Canine.—Canine technologies are important tools in the detection and mitigation of threats to national security and public safety and are widely deployed for real-time, advanced threat detection. Canine teams serve as force multipliers across Federal, State, and local law enforcement units. The Detective Canine, Science, Innovation, Technology, and Education [DCSITE] Program was developed to catalyze transformational advances in detection canine sciences with application to the whole of the homeland security enterprise. With support from S&T, the DCSITE Program is structured to be transdisciplinary and comprehensive of all threats, integrating best scientific practices in canine behavior and cognition, olfactory neuroscience, analytical chemistry, genomics, reproduction, performance, well-being, metrology, and engineering. The DCSITE program was developed to assist the detection canine community by providing a sustained, large-scale, comprehensive government and academic effort to advance innovation, technology, and education in detection canine sciences. The Committee fully funds the request of \$8,300,000 for the Detection Canine Program.

Enabling Unmanned Aerial Systems.—The Committee acknowledges the critical value in the establishment of the common test site for demonstration and research of UAS and is pleased that the site is also available to other Federal, State, and local partners. The recommendation includes up to \$4,000,000 for the Demonstration Site for the JUSTICE project to conduct on-site testing and evaluation for the Department and encourages the close collaboration with the FAA UAS Center of Excellence.

Silicon Valley Innovation Program [SVIP].—The Committee continues to be encouraged by S&T's growing partnerships with industry through the SVIP and expects this program to continue to deliver rapid results. Within 90 days of the date of enactment of this act, S&T shall brief the Committee on the program's current and projected return on investment, including updates on projects that have been implemented into Department programs.

Cybersecurity Research.—The Committee directs S&T to continue its efforts to ensure the effectiveness of cyber training for law enforcement and vulnerable populations and includes up to \$2,000,000 for S&T to continue working with a university partner to evaluate cybersecurity training materials and the social and be-

havioral impacts on protecting local law enforcement entities and their respective operations. Additionally, this amount shall continue to be used to research how to implement routine activity theory and other crime control methods on the cyber platforms most commonly used by the aging work force, the elderly, small businesses, and other vulnerable targets of online criminal schemes.

Natural Disaster Resiliency.—The recommendation includes up to \$5,000,000 for S&T to enter into an Educational Partnership Agreement with the U.S. Army Corps of Engineers and one or more educational institutions with expertise in water infrastructure resilience, civil engineering, and material sciences, for the purpose of developing capabilities for maintaining and improving the integrity of the U.S. levee and dams systems. Furthermore, the Committee includes up to \$5,000,000 to research viable alternatives of concrete dam design and performance, including characterization of structural demands and resistance, assessment of structural health and vulnerabilities, and development of repair and retrofit technologies including applications of advanced materials toward growing the industries and workforce of the future to strengthen our National resiliency.

Partnership Intermediary Agreements.—The Committee supports the Department's efforts to establish Partnership Intermediaries, as defined under section 3715 of title 15, United States Code, to support its ability to seek out, assess, and engage non-traditional small business vendors for the Department's development and acquisition efforts. The Committee provides up to \$4,000,000 for Partnership Intermediary Agreements to enable components across the Department to engage immediately on technology transfer and transition activities.

Biosurveillance and Security Test Capability.—The Committee acknowledges the ongoing evaluation by S&T of existing capabilities to assess vulnerabilities and mitigate biological risks, including COVID-19, in building air and water handling systems, multi-building facilities, and waste water systems. The Committee supports the development of improved standard methods, processes, and protocols required for test and evaluation field demonstration, as well as operational use guidelines or concepts of operation for technologies claiming to rapidly assess indoor environments for pathogenic contamination. Further, S&T shall work with the Office of Countering Weapons of Mass Destruction [CWMD] to determine whether this capability is supportive of the Biological Detection for the 21st Century program within its current development cycle. Within 90 days of the date of enactment of this act, S&T shall provide the Committee the results of the evaluation and a plan for test bed capabilities that takes into account the development of capability requirements and a bench scale testing plan to model this capability.

Critical Infrastructure and Cyber Attacks.—The Committee recognizes the increased threat of cyber-attacks on U.S. critical infrastructure and the need to develop and deploy timely software quality assurance tools for monitoring and timely cyber-attack mitigation. Up to \$2,000,000 is included to support university research in partnership with a National Laboratory critical infrastructure testbed to develop and demonstrate timely hierarchical software

quality assurance and timely cyber-attack mitigation techniques for hardware in one or more of the following Department-designated critical infrastructure sectors: Chemical, Information Technology, Critical Manufacturing, Water, and Communications.

Improving Detection Capabilities for Aerosolized Biological Threats.—The Committee is encouraged with the progress S&T and CWMD made to develop and test a prototype digital Matrix Assisted Laser Desorption and Ionization [MALDI] mass spectrometer that was used to test air samples that were retrieved from multiple operational venues. This new tool will help enable real-time detection of aerosolized biological threat agents including bacteria, viruses, toxins and biologically-active chemicals. Within 90 days of the date of enactment of this act, the Committee directs S&T to provide a report on future plans to complete advanced development, transition, fielding and sustainment of these critical detection capabilities for aerosolized biological threats.

Binational Cooperative Program.—The Committee provides up to \$2,000,000 for S&T to continue engagement in the binational research and development program. Within 180 days of the date of enactment of this act, S&T shall brief the Committee on the outcome of each grant awarded through the program and on any commercialization or transition to practice that has resulted from the program's initiatives.

Work for Others [WFO].—The Committee fully supports the WFO program within NBACC and directs S&T to provide a briefing within 90 days of the date of enactment of this act on the implementation and execution of the program. The briefing shall include a review of the current execution of the program and identify whether there is full cost recovery for WFO projects or activities.

Cyber Defense of the Chemical Sector.—The Committee includes \$4,000,000 above the request for S&T to partner with CISA and a post-secondary education institution that has: expertise in the chemical sector; is within 50 miles of at least 20 chemical manufacturing facilities in the Gulf Coast region; within a 15 mile radius of a deep water port; and is designated as a National Center of Academic Excellence in Information Assurance and Cyber Defense Education by the National Security Agency and the Department. The research and development project is intended to develop a cyber physical system [CPS] and industrial control system [ICS] focusing on detection, mitigation, countermeasures, and best practices that can be applied nationwide to protect the chemical sector against a cyber incident. The research and development project will include development of an open source stack replicating the best features of the leading market monitoring/protection/detection capabilities for potential scale and affordable implementation, identification and management of vulnerabilities, automated analysis of critical infrastructure data, development of cyber-threat-consequence models, novel approaches to monitoring and securing CPS/IPS, and automated cyber defense/incident response capabilities for critical infrastructure to maintain reliability, interoperability, and availability of systems.

Voting Technologies and Election Data Security Procedures.—The Committee supports research to ensure that voting software and hardware is studied and vetted before being used during local,

State, and Federal elections. Consistent with prior year direction and within the resources provided, S&T is encouraged to fund quality assurance and continuous evaluation research on voting technologies and election procedures in cooperation with a qualified organization with experience performing technical audits of statewide elections systems. In consultation and coordination with the Elections Assistance Commission and CISA, this investment should include the development of new tools and training modules to enable States and localities to ensure that their election systems are secure.

UNIVERSITY PROGRAMS

The recommendation includes \$51,037,000 for University Programs, of which \$45,880,000 is for Centers of Excellence, including the Coastal Resilience Center, which shall continue to leverage partnerships with top research and educational institutions. The Committee recognizes the importance of the Centers of Excellence program to generate basic and applied research that delivers innovative technologies to the Homeland Security Enterprise.

Assessment of Border Security Capabilities and New Performance Measurement Tool.—To better inform future policy and budget decisions regarding border security investments that annually exceed \$5,000,000,000, the Committee provides \$12,000,000 above the request for S&T to leverage its existing capabilities, programs, and partnerships, including federally Funded Research and Development Centers for their independent, subject matter expert analysis and evaluation, to engage with CBP on the development of an independent assessment of the current state of border security. This assessment shall encompass all relevant investments (personnel, technology, infrastructure, etc.) and identify how those investments translate into operational capabilities, including quantifying the change in capabilities. Further, this work shall inform the development and delivery of reusable decision support tools and capabilities to continue ongoing assessments of the impacts of border security-related investments, providing the Department and CBP the ability to identify any projected performance gains as a result of future investments.

The Committee directs S&T to provide, within 90 days of the date of enactment of this act, an initial report that includes a preliminary assessment of the efficacy and impact of technological solutions acquired and deployed within the past 5 years, personnel levels, as well as other related investments to address current border security needs. The Committee directs S&T to provide a final report 12 months after task award an initial report that includes: 1) a final assessment of the efficacy and impact of border investments deployed within the past 5 years to address border protection needs; 2) recommendations for a decision support tool architecture that supports deployment of future technology solutions; and 3) an action plan based on the analyses and assessments.

Measuring Impact of Efforts to Combat Forced Labor.—The International Labor Organization estimates that 25 million people are trapped in forced labor around the world, including over four million children. Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) prohibits the importation of merchandise mined, produced or

manufactured, wholly or in part, in any foreign country by forced or indentured labor-including forced child labor. Such merchandise is subject to exclusion and/or seizure, and may lead to criminal investigation of the importer(s). The Committee commends the work of the Department to identify and seize materials brought to the U.S. as a result of forced labor. To accelerate capabilities to prevent the entry of such goods, the Committee recommends \$5,000,000 above the request to S&T to develop, in partnership with CBP's Office of Trade, analytic capabilities to assess the impact of Department and CBP actions and investments on world-wide forced labor levels and how those investments impact U.S. businesses.

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

The Countering Weapons of Mass Destruction [CWMD] Office, as established through Public Law 115-387, leads the Department's efforts to develop and enhance CWMD programs and capabilities that defend against weapons of mass destruction and to combat bio-threats and pandemics.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$430,972,000 for the CWMD Office, which is \$2,000,000 above the budget request amount and \$21,039,000 below the fiscal year 2022 enacted level, reflecting the transfer of the Chief Medical Officer to the Office of the Secretary.

The following table summarizes the Committee's recommendation as compared to the fiscal year 2022 and budget request levels:

COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE

[In thousands of dollars]

	Fiscal year 2022 enacted	Fiscal year 2023 budget request	Committee recommendations
Operations and Support	176,750	151,970	151,970
Procurement, Construction, and Improvements	76,604	55,304	55,304
Research and Development	65,709	82,515	84,515
Federal Assistance	132,948	139,183	139,183
Total, Countering Weapons of Mass Destruction Office	452,011	428,972	430,972

OPERATIONS AND SUPPORT

Appropriations, 2022	\$176,750,000
Budget estimate, 2023	151,970,000
Committee recommendation	151,970,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$151,970,000 for Operations and Support [O&S], which is the same as the budget request amount and \$24,780,000 below the fiscal year 2022 enacted level.

The Committee expects the report regarding research and development projects for the last five completed fiscal years and a strategic plan for completing, maintaining, or initiating new research and development from the CWMD office, as required in Senate Report 116-125, be submitted.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2022	\$76,604,000
Budget estimate, 2023	55,304,000
Committee recommendation	55,304,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$55,304,000 for Procurement, Construction, and Improvements, which is the same as the budget request amount and \$21,300,000 below the fiscal year 2022 enacted level.

Strategic Commercial Seaports [SCS].—The Committee directs CWMD to provide a briefing, within 90 days after the date of enactment of this act, on plans to procure and install Radiation Portal Monitors [RPM] at SCS locations, as designated by the U.S. Department of Transportation Maritime Administration [MARAD] and the U.S. Department of Defense Military Surface Deployment and Distribution Command [SDDC]. The briefing shall include the Department’s recommendation on the appropriate number of functioning and staffed RPMs serving each dedicated ingress/egress gate at each SCS. The briefing shall include the following: (1) estimated costs, including total acquisition, operations, and maintenance costs and associated costs for any necessary infrastructure enhancements or configuration changes at each POE; and (2) a proposed timeline for procurement, deployment, and installation of the RPM technology.

RESEARCH AND DEVELOPMENT

Appropriations, 2022	\$65,709,000
Budget estimate, 2023	82,515,000
Committee recommendation	82,515,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$84,515,000 for Research and Development [R&D], which is the same as the budget request amount and \$14,806,000 above the fiscal year 2022 enacted level.

National Technical Nuclear Forensics Center.—The Committee recommends \$2,000,000 above the request to fund the National Nuclear Forensics Center. The Committee directs CWMD to provide a brief on National Technical Nuclear Forensics Center activities and capabilities within 120 days of the date of enactment of this act.

FEDERAL ASSISTANCE

Appropriations, 2022	\$132,948,000
Budget estimate, 2023	139,183,000
Committee recommendation	139,183,000

COMMITTEE RECOMMENDATIONS

The Committee recommends \$139,183,000 for Federal Assistance, which is the same as the budget request amount and \$6,235,000 above the fiscal year 2022 enacted level.

Biosurveillance Capabilities.—In 2019, the Department began a new program, Biological Detection for the Twenty-First Century [BD21] to strengthen national biodetection capabilities, enhancing

early detection of aerosolized biological attacks to reduce negative impacts. The Committee directs CWMD to provide an update on the status of BD21 and plans to replace BioWatch capabilities within 120 days of the date of enactment of this act. Further, that update shall include a status from CWMD on implementation of the GAO recommendations in their May 2021 report, GAO–21–292, “DHS Exploring New Methods to Replace BioWatch and Could Benefit from Additional Guidance.”

Matrix Assisted Laser Desorption and Ionization—Time of Flight [MALDI–TOF] Integration Report.—The Committee is concerned with the need to protect critical infrastructure from bioterrorism attacks. Government studies indicate some current biosurveillance systems are slow, unreliable, not able to detect emerging and/or engineered biological events, and are costly to operate. The Committee is encouraged that the Department of Defense has developed and successfully demonstrated MALDI–TOF technology capable of addressing these shortfalls. The Committee directs CWMD to provide a report within 120 days of the date of enactment of this act on the feasibility of incorporating MALDI–TOF sensor technology into the current Biowatch systems through BioDetection 21. This report will include (1) a list of potential Department applications; (2) a projection of total program cost; and (3) an overall development/employment timetable to address these biosurveillance challenges.

Securing the Cities Implementation Plan.—The Countering Weapons of Mass Destruction Act of 2018 requires CWMD to develop an implementation plan for the Securing the Cities program that, among other things, identifies the goals of the program and provides a strategy for achieving those goals. The Committee directs CWMD to provide an updated implementation plan for the Securing the Cities program, which also incorporates a detailed assessment on the spending of program funds and the impact of those funds on achieving key performance measures program milestones within 120 days of the date of enactment of this act.

TITLE IV—ADMINISTRATIVE PROVISIONS

Section 401. The Committee continues a provision allowing USCIS to acquire, operate, equip, and dispose of up to five vehicles under certain scenarios.

Section 402. The Committee continues a provision limiting the use of A–76 competitions by USCIS.

Section 403. The Committee continues a provision requiring reporting on certain USCIS activities.

Section 404. The Committee includes a provision to permit USCIS to oversee the collection of biometrics virtually.

Section 405. The Committee includes a provision relating to the E–Verify program.

Section 406. The Committee includes a provision relating to the Religious Workers program.

Section 407. The Committee includes a provision relating to the Conrad 30 program.

Section 408. The Committee includes a provision directing the Secretary to issue additional H–2B visas.

Section 409. The Committee includes a provision to recapture unused visas, including diversity visas.

Section 410. The Committee includes a provision to exempt vulnerable immigrant children from numerical limitations.

Section 411. The Committee continues a provision authorizing FLETC to distribute funds for incurred training expenses.

Section 412. The Committee continues a provision directing the FLETC Accreditation Board to lead the Federal law enforcement training accreditation process to measure and assess Federal law enforcement training programs, facilities, and instructors.

Section 413. The Committee continues a provision allowing for FLETC's acceptance of transfers from government agencies into this appropriation.

Section 414. The Committee continues a provision classifying FLETC instructor staff as inherently governmental for certain considerations.

TITLE V
GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

Section 501. The bill includes a provision stipulating that no part of any appropriation shall remain available for obligation beyond the current fiscal year unless expressly provided.

Section 502. The bill includes a provision stipulating that unexpended balances of prior appropriations may be merged with new appropriations accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The bill includes a provision that provides authority to reprogram appropriations within an account and to transfer up to 2 percent between accounts with advance notification to the Committee. A detailed funding table identifying each congressional control level for reprogramming purposes is included at the end of this statement. These reprogramming guidelines shall be complied with by all departmental components funded by this act.

The Committee expects the Department to submit reprogramming requests on a timely basis and to provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committee should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing FTE levels for the current fiscal year and to the levels required for the following fiscal year.

The Committee expects the Department to manage its programs and activities within the levels appropriated. The Committee reminds the Department that reprogramming or transfer requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committee and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request unapproved.

The Department shall not propose a reprogramming or transfer of funds after June 30 unless there are extraordinary circumstances that place human lives or property in imminent danger. To the extent that any reprogramming proposals are required, the Department is strongly encouraged to submit them well in advance of the June 30 deadline.

Section 504. The bill includes a provision relating to the Department's Working Capital Fund [WCF] that: extends the authority of the WCF in fiscal year 2022; prohibits funds appropriated or otherwise made available to the Department from being used to make payments to the WCF, except for the activities and amounts allowed in the budget request; makes WCF funds available until expended; ensures departmental components are only charged for direct usage of each WCF service; makes funds provided to the WCF available only for purposes consistent with the contributing component; and requires the WCF to be paid in advance or reimbursed at rates that will return the full cost of each service. The WCF table included in the justification materials accompanying the budget request shall serve as the control level for quarterly execution reports submitted to the Committee not later than 30 days after the end of each quarter. These reports shall identify any activity added or removed from the fund.

Section 505. The bill includes a provision stipulating that not to exceed 50 percent of unobligated balances recorded not later than June 30 from appropriations made for salaries and expenses in fiscal year 2022 shall remain available through fiscal year 2023, subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2022 until the enactment of an act authorizing intelligence activities for fiscal year 2022.

Section 507. The bill continues a provision specifying Committee notification thresholds related to awards for grants, contracts, other transaction agreements, certain task or delivery orders, letters of intent, and certain public announcements.

Section 508. The bill includes a provision stipulating that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without the advance notification to the Committees on Appropriations of the Senate and the House of Representatives.

Section 509. The bill includes a provision stipulating that none of the funds provided by this act may be used for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved. The bill excludes funds that may be required for development of a proposed prospectus.

Section 510. The bill includes a provision that consolidates and continues by reference prior-year statutory bill language into one provision. These provisions concern contracting officers' training and Federal building energy performance.

Section 511. The bill includes a provision stipulating that none of the funds provided by this act may be used in contravention of the Buy American Act (Public Law 72-428).

Section 512. The bill includes a provision prohibiting funds from being used to amend the oath of allegiance required under section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Section 513. The bill includes a provision prohibiting funds from being used to carry out section 872 of the Homeland Security Act of 2002 (Public Law 107-296).

Section 514. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 515. The bill includes a provision directing that any official required by this act to report or certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority unless expressly authorized to do so in this act.

Section 516. The bill includes a provision prohibiting funds provided by this act to be used for first-class travel.

Section 517. The bill includes a provision prohibiting funds provided by this act to be used to employ workers in contravention of section 274A(h)(3) of the Immigration and Nationality Act.

Section 518. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 519. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act for the Department to enter into a Federal contract unless the contract meets requirements of the Federal Property and Administrative Services Act of 1949 or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 520. The bill includes a provision regarding restrictions on electronic access to pornography.

Section 521. The bill includes a provision regarding the transfer of an operable firearm by a Federal law enforcement officer to an agent of a drug cartel.

Section 522. The bill includes and modifies language regarding the number of employees permitted to attend international conferences.

Section 523. The bill includes a provision prohibiting funds made available by this act to reimburse any Federal department or agency for its participation in an NSSE.

Section 524. The bill includes a provision on structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000 in a single year.

Section 525. The bill includes a provision directing the Department to post on a public website reports required by the Committees on Appropriations of the Senate and the House of Representatives unless public posting compromises homeland or national security or contains proprietary information.

Section 526. The bill continues a provision allowing Operations and Support funding to be used for certain activities.

Section 527. The bill includes a provision related to schooling for certain overseas dependents.

Section 528. The bill continues a provision for the reimbursement of the costs for extraordinary protection activities related to certain Presidential residences.

Section 529. The bill includes a provision regarding the Department's carrying out certain prototype projects.

Section 530. The bill includes a provision regarding congressional visits to detention facilities.

Section 531. The bill includes a provision prohibiting the use of funds to use restraints on pregnant detainees in the Department's custody except in certain circumstances.

Section 532. The bill includes a provision prohibiting the use of funds for the destruction of records related to the sexual abuse or assault of detainees in custody.

Section 533. The bill includes a provision regarding funding for a Principal Federal Official.

Section 534. The bill continues a provision related to user fee proposals that have not been enacted into law prior to submission of the budget request.

Section 535. The bill includes a provision related to the Arms Trade Treaty.

Section 536. The bill includes a provision regarding a report on defense funding.

Section 537. The bill continues a provision regarding protection for a former or retired Government official or employee.

Section 538. The bill includes a provision regarding oversight of the Department of Homeland Security's use of the Technology Modernization Fund.

Section 539. The bill continues a provision extending the portability of licenses for the Department's medical professionals.

Section 540. The bill includes a provision providing funding to offset fee shortfalls stemming from COVID-19 impacts to international travel.

Section 541. The bill includes a new provision directing the Secretary of Homeland Security to develop, use, and share estimates of arrivals of noncitizens on the southwest border.

Section 542. The bill rescinds unobligated balances from prior year appropriations.

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2021, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, the following information provides the definition of the term "program, project, and activity" for the components of the Department of Homeland Security under the jurisdiction of the Homeland Security Subcommittee of the Committee on Appropriations. The term "program, project, and activity" shall include the most specific level of budget items identified in the Department of Homeland Security Appropriations Act, 2022, the House and Senate Committee reports, and the conference report and the accompanying Joint Explanatory Statement of the managers of the committee of conference.

If a percentage reduction is necessary, in implementing that reduction, components of the Department of Homeland Security shall apply any percentage reduction required for fiscal year 2022 to all items specified in the justifications submitted to the Committees on Appropriations of the Senate and the House of Representatives in support of the fiscal year 2021 budget estimates, as amended, for such components, as modified by congressional action.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports accompanying general appropriations bills identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2023:

- Analysis and Operations: Operations and Support.
- U.S. Customs and Border Protection: Operations and Support; and Procurement, Construction, and Improvements.
- U.S. Immigration and Customs Enforcement: Operations and Support; and Procurement, Construction, and Improvements.
- Transportation Security Administration: Operations and Support; Procurement Construction and Improvements; and Research and Development.
- Coast Guard: Operations and Support; Procurement Construction and Improvements; and Research and Development; and Retired Pay.
- Cybersecurity and Infrastructure Security Agency: Operations and Support; Procurement Construction and Improvements; and Research and Development.
- Federal Emergency Management Agency: Operations and Support; Procurement, Construction and Improvements; and Federal Assistance Programs.

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI, OF THE
STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 6—DOMESTIC SECURITY

CHAPTER 1—HOMELAND SECURITY ORGANIZATION

SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

PART D—ACQUISITIONS

§ 391. Research and development projects

(a) Authority

Until [September 30, 2017] *September 30, 2023*, and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

* * * * *

(c) Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate [September 30, 2017] *September 30, 2023*, unless before that date the Secretary—

TITLE 8—ALIENS AND NATIONALITY

CHAPTER 12—IMMIGRATION AND NATIONALITY

SUBCHAPTER I—GENERAL PROVISIONS

§ 1101. Definitions

(a) As used in this chapter—

* * * * *

(27) The term “special immigrant” means—

(A) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

* * * * *

(C) an immigrant, and the immigrant’s spouse and children if accompanying or following to join the immigrant, who—

(i) for at least 2 years immediately preceding the time of application for admission, has been a member of a religious denomination having a bona fide nonprofit, religious organization in the United States;

(ii) seeks to enter the United States—

(I) solely for the purpose of carrying on the vocation of a minister of that religious denomination,

(II) before [September 30, 2015] *September 30, 2023*, in order to work for the organization at the request of the organization in a professional capacity in a religious vocation or occupation, or

(III) before [September 30, 2015] *September 30, 2023*, in order to work for the organization (or for a bona fide organization which is affiliated with the reli-

gious denomination and is exempt from taxation as an organization described in section 501(c)(3) of title 26 at the request of the organization in a religious vocation or occupation; and

* * * * *

SUBCHAPTER II—IMMIGRATION

PART I—SELECTION SYSTEM

§ 1151. Worldwide level of immigration

(a) In general

* * * * *

(c) Worldwide level of family-sponsored immigrants

(1)(A) The worldwide level of family-sponsored immigrants under this subsection for a fiscal year is, subject to subparagraph (B), equal to—

- (i) 480,000, minus
- (ii) the sum of the number computed under paragraph (2) and the number computed under paragraph (4), plus
- (iii) the number (if any) computed under paragraph (3).

(B)(i) For each of fiscal years 1992, 1993, and 1994, 465,000 shall be substituted for 480,000 in subparagraph (A)(i).

[(ii) In no case shall the number computed under subparagraph (A) be less than 226,000.]

(ii) *In no case shall the number computed under subparagraph (A) be less than the sum of—*

- (I) 226,000; and
- (II) *the number computed under paragraph (3).*

* * * * *

(f) Rules for determining whether certain aliens are immediate relatives

(4) Application to self-petitions

Paragraphs (1) through (3) shall apply to self-petitioners and derivatives of self-petitioners.

(g) *RECAPTURING UNUSED VISAS.—*

(1) *FAMILY-SPONSORED VISAS.—*

(A) *IN GENERAL.—Notwithstanding the numerical limitations set forth in this section or in sections 202 or 203, beginning in fiscal year 2023, the number of family-sponsored immigrant visas that may be issued under section 203(a) shall be increased by the number computed under subparagraph (B).*

(B) *UNUSED VISAS.—The number computed under this subparagraph is the difference, if any, between—*

- (i) *the difference, if any, between—*

(I) the number of visas that were originally made available to family-sponsored immigrants under section 201(c)(1) for fiscal years 1992 through 2022, setting aside any unused visas made available to such immigrants in such fiscal years under section 201(c)(3); and

(II) the number of visas described in subclause (I) that were issued under section 203(a), or, in accordance with section 201(d)(2)(C), under section 203(b); and

(ii) the number of visas resulting from the calculation under clause (i) issued under section 203(a) after fiscal year 2022.

(2) **EMPLOYMENT-BASED VISAS.**—

(A) **IN GENERAL.**—Notwithstanding the numerical limitations set forth in this section or in sections 202 or 203, beginning in fiscal year 2023, the number of employment-based immigrant visas that may be issued under section 203(b) shall be increased by the number computed under subparagraph (B).

(B) **UNUSED VISAS.**—The number computed under this paragraph is the difference, if any, between—

(i) the difference, if any, between—

(I) the number of visas that were originally made available to employment-based immigrants under section 201(d)(1) for fiscal years 1992 through 2022, setting aside any unused visas made available to such immigrants in such fiscal years under section 201(d)(2); and

(II) the number of visas described in subclause (I) that were issued under section 203(b), or, in accordance with section 201(c)(3)(C), under section 203(a); and

(ii) the number of visas resulting from the calculation under clause (i) issued under section 203(b) after fiscal year 2022.

(3) **DIVERSITY VISAS.**—Notwithstanding section 204(a)(1)(I)(ii)(II) or 201(e), an immigrant visa for an alien selected in accordance with section 203(e)(2) in fiscal year 2017, 2018, 2019, 2020, 2021, or 2022 shall remain available to such alien (and the spouse and children of such alien) if—

(A) the alien was refused a visa, prevented from seeking or obtaining admission or a visa interview, or denied admission to the United States solely because of Executive Order 13769, Executive Order 13780, Presidential Proclamation 9645, or Presidential Proclamation 9983; or

(B) because of restrictions or limitations on visa processing, visa issuance, travel, or other effects associated with the COVID-19 public health emergency—

(i) the alien was unable to receive a visa interview despite submitting an Online Immigrant Visa and

Alien Registration Application (Form DS-260) to the Secretary of State; or

(ii) the alien was unable to seek admission or was denied admission to the United States despite being approved for a visa under section 203(c).

* * * * *

PART II—ADMISSION QUALIFICATIONS FOR ALIENS; TRAVEL CONTROL OF CITIZENS AND ALIENS

§ 1182. Inadmissible aliens

* * * * *

Pub. L. 103–416, title II, § 220(c), Oct. 25, 1994, 108 Stat. 4320, as amended by Pub. L. 104–208, div. C, title VI, § 622(a), Sept. 30, 1996, 110 Stat. 3009–695; Pub. L. 107–273, div. C, title I, § 11018(b), Nov. 2, 2002, 116 Stat. 1825 ; Pub. L. 108–441, § 1(a)(1), Dec. 3, 2004, 118 Stat. 2630; Pub. L. 109–477, § 2, Jan. 12, 2007, 120 Stat. 3572; Pub. L. 110–362, § 1, Oct. 8, 2008, 122 Stat. 4013; Pub. L. 111–9, § 2, Mar. 20, 2009, 123 Stat. 989; Pub. L. 111–83, title V, § 568(b), Oct. 28, 2009, 123 Stat. 2186; Pub. L. 112–176, § 4, Sept. 28, 2012, 126 Stat. 1325, provided that: “The amendments made by this section [amending this section and section 1184 of this title] shall apply to aliens admitted to the United States under section 101(a)(15)(J) of the Immigration and Nationality Act [8 U.S.C. 1101(a)(15)(J)], or acquiring such status after admission to the United States, before, on, or after the date of enactment of this Act [Oct. 25, 1994] and before [September 30, 2015] *September 30, 2023.*”

* * * * *

PART VIII—GENERAL PENALTY PROVISIONS

§ 1324a. Unlawful employment of aliens

* * * * *

SEC. 401. ESTABLISHMENT OF PROGRAMS.

(a) IN GENERAL.—The Secretary of Homeland Security shall conduct 3 pilot programs of employment eligibility confirmation under this subtitle.

(b) IMPLEMENTATION DEADLINE; TERMINATION.—The Secretary of Homeland Security shall implement the pilot programs in a manner that permits persons and other entities to have elections under section 402 of this division made and in effect no later than 1 year after the date of the enactment of this Act [Sept. 30, 1996]. Unless the Congress otherwise provides, the Secretary of Homeland Security shall terminate a pilot program on [September 30, 2015] *September 30, 2023.*

**DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2015, PUBLIC LAW 114–4**

FEDERAL EMERGENCY MANAGEMENT AGENCY

* * * * *

DISASTER RELIEF FUND
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$7,033,464,494, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President’s budget proposal for [fiscal year 2016] *fiscal year 2022* is submitted pursuant to section 1105(a) of title 31, United States Code:

* * * * *

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth *business* day of each month, and shall be published by the Administrator on the Agency’s Web site not later than the fifth day of each month:

**CONSOLIDATED APPROPRIATIONS ACT, 2018,
PUBLIC LAW 115–141**

**DIVISION F—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2018**

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

* * * * *

ADMINISTRATIVE PROVISIONS

SEC. 201. (a) For [fiscal year 2018] *fiscal year 2023*, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$45,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies.

* * * * *

TITLE V

GENERAL PROVISIONS

* * * * *

SEC. 534. (a) For an additional amount for “Federal Emergency Management Agency—Federal Assistance”, \$41,000,000, to remain available until September 30, 2019, exclusively for providing reimbursement of extraordinary law enforcement personnel costs for protection activities directly and demonstrably associated with any residence of the President that is designated or identified to be secured by the United States Secret Service.

(b) Funds under subsection (a) shall be available only for costs that a State or local agency—

(1) incurs on or after **【October 1, 2017】** *October 1, 2022*, and before **【October 1, 2018】** *October 1, 2023*;

(2) can demonstrate to the Administrator as being—

(A) in excess of the costs of normal and typical law enforcement operations;

(B) directly attributable to the provision of protection described herein; and

(C) associated with a non-governmental property designated or identified to be secured by the United States Secret Service pursuant to section 3 or section 4 of the Presidential Protection Assistance Act of 1976 (Public Law 94–524); and

(3) certifies to the Administrator as being for protection activities requested by the Director of the United States Secret Service.

(c) For purposes of subsection (a), a designation or identification of a property to be secured under subsection (b)(2)(C) made after incurring otherwise eligible costs shall apply retroactively to **【October 1, 2017】** *October 1, 2022*.

(d) The Administrator may establish written criteria consistent with subsections (a) and (b).

(e) None of the funds provided shall be for hiring new or additional personnel.

(f) The Inspector General of the Department of Homeland Security shall audit reimbursements made under this section.

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

The Constitution vests in the Congress the power of the purse. The Committee believes strongly that Congress should make the decisions on how to allocate the people's money. As defined in Rule XLIV of the Standing Rules of the Senate, the term "congressionally directed spending item" means a provision or report language included primarily at the request of a Senator, providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative, formula-driven, or competitive award process.

For each item, a Member is required to provide a certification that neither the Member nor the Member's immediate family has a pecuniary interest in such congressionally directed spending item. Such certifications are available to the public on the website of the Senate Committee on Appropriations (<https://www.appropriations.senate.gov/congressionally-directed-spending-requests>). Following is a list of congressionally directed spending items included in the Senate recommendation discussed in this explanatory statement, along with the name of each Senator who submitted a request to the Committee of jurisdiction for each item so identified. Neither the Committee recommendation nor this report contains any limited tax benefits or limited tariff benefits as defined in rule XLIV.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

[In thousands of dollars]

Senator(s)	Recipient	Project	Amount	Type
Baldwin	Ashland County	Madeline Island County H / Lake Superior Mitigation (GDS)	900,000	Predisaster Mitigation
Baldwin	Douglas County	Douglas County Nemadji River Bridge Mitigation	825,000	Predisaster Mitigation
Bennet	Jefferson County Sheriff's Office	Jefferson County Emergency Operations Center Relocation	480,000	Emergency Operations Center
Bennet, Hickenlooper	Chaffee County Government	Chaffee County North End Public Safety Complex	1,000,000	Emergency Operations Center
Bennet, Hickenlooper	City of Monte Vista	Monte Vista Emergency Disaster Resources	828,000	Emergency Operations Center
Blumenthal, Murphy	City of Bridgeport	Community Flooding Scoping in Bridgeport	742,000	Predisaster Mitigation
Blumenthal, Murphy	City of Hartford	Hartford Closure Structure #1 Rehabilitation	1,025,000	Predisaster Mitigation
Blumenthal, Murphy	CT Dep of Emergency Services and Public Protection	Connecticut Department of Emergency Services & Public Protection State Interagency Coordination Center	656,000	Emergency Operations Center
Blumenthal, Murphy	Town of Old Lyme	Old Lyme Emergency Operations Center	708,000	Emergency Operations Center
Booker	County of Bergen	Jackson Avenue/Riverside Avenue Drainage Improvements	250,000	Predisaster Mitigation
Booker, Menendez	Borough of Carteret	Carteret OEM Building Renovation and Expansion Project	1,000,000	Emergency Operations Center
Booker, Menendez	Montgomery Township	Land Acquisition for Open Space	1,212,000	Predisaster Mitigation
Cantwell, Murray	Hoh Indian Tribe	Tsunami Evacuation Center	1,875,000	Predisaster Mitigation
Cantwell, Murray	Walla Walla County	Emergency Operations Center Relocation	750,000	Emergency Operations Center
Capito	Beckley Sanitary Board	Hartley Avenue, Beckley Little League, & Pinecrest Stormwater and Sanitary Sewer Improvements	4,173,000	Predisaster Mitigation
Capito	Beckley Sanitary Board	Robert C. Byrd Drive Stormwater and Sanitary Sewer Improvements	4,612,000	Predisaster Mitigation
Capito	Charles Town	Charles Town Green Infrastructure for Stormwater Pollution Flooding Project	375,000	Predisaster Mitigation
Capito	Charleston	Chesterfield Avenue Stormwater Management Project	469,000	Predisaster Mitigation
Capito	City of Ripley	City of Ripley Viking Lane Storm Drain Project, Phase II	750,000	Predisaster Mitigation
Capito	City of Wheeling	Wheeling Nuttal Avenue Stormwater Enhancements	941,000	Predisaster Mitigation
Capito	Grant Town	Grant Town Stormwater System Improvements	1,875,000	Predisaster Mitigation
Capito	Montgomery	City of Montgomery Sanitary Department Essential Needs	868,000	Predisaster Mitigation
Capito	New Cumberland	City of New Cumberland Storm Sewer Project	150,000	Predisaster Mitigation
Capito	Town of Lost Creek	Town of Lost Creek Drainage	446,000	Predisaster Mitigation
Capito	Town of Sutton	Town of Sutton Storm Sewer	562,000	Predisaster Mitigation
Capito	West Virginia Conservation Agency	West Virginia Watershed Flood Hazard Mitigation Project	4,500,000	Predisaster Mitigation
Capito	WV Division of Emergency Management	Charleston Blaine Boulevard Road Hazard Project	200,000	Predisaster Mitigation
Capito, Manchin	Huntington Sanitary Board	Huntington Backflow Prevention Valves Project	6,358,000	Predisaster Mitigation

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

[In thousands of dollars]

Senator(s)	Recipient	Project	Amount	Type
Cardin, Van Hollen	Allegany County	Allegany County Department of Emergency Services Emergency Operations Center Upgrade	41,000	Emergency Operations Center
Cardin, Van Hollen	City of Annapolis	Annapolis City Dock Resilience and Revitalization Project	1,125,000	Predisaster Mitigation
Cardin, Van Hollen	St. Mary's County Government	Emergency Communications Center Expansion	1,537,000	Emergency Operations Center
Casey	Borough of West Pittston	West Pittston Levee Project	1,500,000	Predisaster Mitigation
Cassidy	City of West Monroe	West Monroe Stormwater Mitigation Project	2,400,000	Predisaster Mitigation
Cassidy	Louisiana Sheriff's Association	Louisiana Sheriff's Task Force Emergency Operations Center	375,000	Emergency Operations Center
Cassidy	New Orleans Office of Emergency Prepared- ness	City of New Orleans Emergency Operations Center	4,757,000	Emergency Operations Center
Collins	Hancock County Emergency Management Agency	Hancock County Emergency Operations Center	1,500,000	Emergency Operations Center
Collins, King	City of Westbrook	City of Westbrook—Presumpscot River Corridor: Land- slide Vulnerability Assessment (Windham to Portland)	996,000	Predisaster Mitigation
Cortez Masto, Rosen	Washoe County	Washoe County—Lemmon Valley Heppner 5 Subdivision Stormwater Improvements	2,700,000	Predisaster Mitigation
Duckworth	City of Rockford	City of Rockford Emergency Operations Center	1,000,000	Emergency Operations Center
Duckworth	Village of Hampshire	Park and Rinn Flood Mitigation Project	518,000	Predisaster Mitigation
Durbin	City of Chicago	Chicago Shoreline Morgan Shoal Project	200,000	Predisaster Mitigation
Durbin	City of East St. Louis	Metro East Horseshoe Lake Flooding and Restoration Project	500,000	Predisaster Mitigation
Durbin	City of Rock Island	Rock Island Mississippi River Levee Pump Stations	500,000	Predisaster Mitigation
Durbin	Village of Flossmoor	Flossmoor Road Viaduct Drainage Improvements	200,000	Predisaster Mitigation
Feinstein	City of Rancho Palos Verdes	Rancho Palos Verdes Portuguese Bend Landslide Reme- diation	2,000,000	Predisaster Mitigation
Gillibrand, Schumer	City of Ithaca	City of Ithaca Flood Mitigation	1,300,000	Predisaster Mitigation
Graham	SC Emergency Management Division	South Carolina Emergency Management Division	7,500,000	Emergency Operations Center
Graham	Town of Mount Pleasant	Mount Pleasant Stormwater Drainage Improvement Project	5,677,000	Predisaster Mitigation
Heinrich	New Mexico Department of Homeland Security and Emergency Management	State of New Mexico Emergency Operations Center	617,000	Emergency Operations Center
Heinrich, Lujan	Doña Ana County Flood Commission	Disaster Mitigation for La Union	2,000,000	Predisaster Mitigation
Heinrich, Lujan	NM Department of Cultural Affairs	Los Luceros Fire Mitigation	500,000	Predisaster Mitigation
Hirono	County of Maui	Maui Emergency Operations Center	1,400,000	Emergency Operations Center
Kaine, Warner	Arlington County	Countywide Incident Command Center (CIC)	1,000,000	Emergency Operations Center

Kaine, Warner	City of Hopewell	Hopewell City Hall Generator Replacement	188,000	Predisaster Mitigation
Kaine, Warner	Prince William County	Lake Jackson Dam Rehabilitation	1,875,000	Predisaster Mitigation
Kelly, Sniema	Cocoino County	Cocoino County Emergency Management Enhancements	1,184,000	Emergency Operations Center
King	Town of Wiscasset	Town of Wiscasset—Old Ferry Road Stream Crossing Improvement	1,312,000	Predisaster Mitigation
Klobuchar, Smith	City of Newport	City of Newport—Mississippi Flood/Storm Mitigation	350,000	Predisaster Mitigation
Klobuchar, Smith	Oslo Region Joint Powers Board	Oslo Region Joint Powers Board—Oslo Region Flood Mitigation FEMA	2,350,000	Predisaster Mitigation
Manchin	Morgan County Office of Emergency Services	Morgan County Alternative Communications Operations	189,000	Emergency Operations Center
Markey, Warren	Massachusetts Emergency Management Agency	Massachusetts Emergency Management Agency EOC Funding	2,700,000	Emergency Operations Center
Merkley, Wyden	Baker County Sheriff's Office	Baker County Emergency Operations Center	1,500,000	Emergency Operations Center
Merkley, Wyden	City of Dallas	City of Dallas Emergency Operations Center	83,000	Emergency Operations Center
Merkley, Wyden	Grant County Sheriff's Office Emergency Management	Grant County Emergency Operations Center Modernization	299,000	Emergency Operations Center
Merkley, Wyden	Harney County	Harney County Generator for Continuity of Operations	221,000	Emergency Operations Center
Merkley, Wyden	Morrow County	Morrow County Primary EOC Generator	177,000	Emergency Operations Center
Murkowski	City of Dillingham	Snag Point Erosion Mitigation	5,016,000	Predisaster Mitigation
Murkowski	Municipality of Anchorage	Emergency Operations Center Roof Replacement	500,000	Emergency Operations Center
Murkowski	Native Village of Uuzinkie	Emergency Response Shelter and Equipment Staging Complex	2,000,000	Predisaster Mitigation
Ossoff, Warnock	Chatham County Board of Commissioners	Chatham County Emergency Operations Center	1,200,000	Emergency Operations Center
Ossoff, Warnock	City of Atlanta	Atlanta Emergency Operations Center	248,000	Emergency Operations Center
Padilla	East Bay Regional Park District	East Bay Regional Park District Wildfire Mitigation, and Safe, Resilient Forests and Communities	1,500,000	Predisaster Mitigation
Peters	Macomb County	Macomb County-North Branch of the Clinton River Floodplain Acquisition	1,000,000	Predisaster Mitigation
Peters, Stabenow	City of New Baltimore	Base Street Bridge Rehabilitation	750,000	Predisaster Mitigation
Reed	RI Emergency Management Agency	Rhode Island Emergency Operations Center Improvements	525,000	Emergency Operations Center
Reed	Town of Gloucester	Gloucester Emergency Operations Center	1,000,000	Emergency Operations Center
Sanders	Town of Stowe Electric Department	Restoration of Moscow Mills at Smith's Falls	1,200,000	Predisaster Mitigation
Sanders	Vermont State Colleges	Glen Brook Dam Removal at Castleton University	188,000	Predisaster Mitigation
Schatz	Honolulu Fire Department	Honolulu Fire Department Door Hardening	1,400,000	Predisaster Mitigation
Schumer	Town of Orangetown	Critical Electrical Infrastructure Needs	1,975,000	Predisaster Mitigation
Shaheen	City of Portsmouth Department of Public Works	Peirce Island Road Resiliency Project	724,000	Predisaster Mitigation
Shaheen	Manchester Fire Department	City of Manchester Emergency Operations Center Renovations	338,000	Emergency Operations Center

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

[In thousands of dollars]

Senator(s)	Recipient	Project	Amount	Type
Stabenow	Tip of the Mitt Watershed Council	Emmet County Flood Mitigation and Drainage Improvement Project.	556,000	Predisaster Mitigation
Warnock	City of East Point	East Point Emergency Operations Center	1,079,000	Emergency Operations Center

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023
[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT, INTELLIGENCE, SITUATIONAL AWARENESS, AND OVERSIGHT					
Office of the Secretary and Executive Management					
Operations and Support:					
Management and Oversight:					
Office of the Secretary	15,846	38,235	38,236	+ 22,390	+ 1
Office of Public Affairs	7,916	9,889	9,889	+ 1,973	
Office of Legislative Affairs	7,112	6,931	7,296	+ 184	+ 365
Office of General Counsel	26,847	28,929	28,929	+ 2,082	
Office of Health Security and Resilience		34,311	48,811	+ 48,811	+ 14,500
Privacy Office	17,929	18,967	18,966	+ 1,037	- 1
Subtotal, Management and Oversight	75,650	137,262	152,127	+ 76,477	+ 14,865
Office of Strategy, Policy, and Plans	73,041	74,565	74,565	+ 1,524	
Operations and Engagement:					
Office for Civil Rights and Civil Liberties	42,160	39,479	39,479	- 2,681	
Office of the Citizenship and Immigration Services Ombudsman	8,419	9,738	9,738	+ 1,319	
Office of the Immigration Detention Ombudsman	23,204	20,259	20,259	- 2,945	
Office of Partnership and Engagement	13,579	9,877	9,877	- 3,702	
Subtotal, Operations and Engagement	87,362	79,353	79,353	- 8,009	
Subtotal, Operations and Support	236,053	291,180	306,045	+ 69,992	+ 14,865
Subtotal, Procurement, Construction, and Improvements					
Federal Assistance:					
Office of Strategy, Policy, and Plans:					
Targeted Violence and Terrorism Prevention Grants	20,000	20,000	20,000		

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Office of Partnership and Engagement:					
ATD Case Management Grant Program	15,000	5,000	.....	- 15,000	- 5,000
Subtotal, Federal Assistance	35,000	25,000	20,000	- 15,000	- 5,000
FEMA Assistance Grants (transfer out)	(- 35,000)	(- 25,000)	(20,000)	(+ 55,000)	(+ 45,000)
Total, Office of the Secretary and Executive Management	271,053	316,180	326,045	+ 54,992	+ 9,865
(transfer out)	- 35,000	- 25,000	20,000	+ 55,000	+ 45,000
Total, Office of the Secretary and Executive Management (with transfer)	236,053	291,180	346,045	+ 109,992	+ 54,865
Management Directorate					
Operations and Support:					
Immediate Office of the Under Secretary for Management	4,582	6,675	6,675	+ 2,093	.....
Office of the Chief Readiness Support Officer	250,663	319,791	319,791	+ 69,128	.....
Office of the Chief Human Capital Officer	141,860	152,218	147,218	+ 5,358	- 5,000
Office of the Chief Security Officer	154,324	188,700	188,700	+ 34,376	.....
Office of the Chief Procurement Officer	93,945	92,940	92,940	- 1,005	.....
Office of the Chief Financial Officer	104,820	111,713	116,713	+ 11,893	+ 5,000
Office of the Chief Information Officer	646,248	630,850	630,850	- 15,398	.....
Office of Program Accountability and Risk Management	16,174	21,033	21,033	+ 4,859	.....
Office of Biometric Identity Management:					
Identity and Screening Program Operations	224,393	229,480	229,480	+ 5,087	.....
Unallocated by PPA .....	.....	25	.....	.....	- 25
Subtotal, Operations and Support	1,637,009	1,753,425	1,753,400	+ 116,391	- 25
(Defense)	(9,000)	(9,000)	(9,000)	.....	.....
(Nondense)	(1,628,009)	(1,744,425)	(1,744,400)	(+ 116,391)	(- 25)

Procurement, Construction, and Improvements:								
Construction and Facility Improvements	359,700	390,000	390,000	390,000	+ 30,300			
Mission Support Assets and Infrastructure	111,164	144,293	144,293	144,293	+ 33,129			
Homeland Advanced Recognition Technology	20,952	38,085	38,085	20,952				- 17,133
Subtotal, Procurement, Construction, and Improvements	491,816	572,378	572,378	555,245	+ 63,429			- 17,133
Federal Protective Service:								
FPS Operations:								
Operating Expenses	393,333	457,300	457,300	457,300	+ 63,967			
Countermeasures:								
Protective Security Officers	1,234,696	1,615,695	1,615,695	1,615,695	+ 380,999			
Technical Countermeasures	23,355	40,484	40,484	40,484	+ 15,129			
Subtotal, Federal Protective Service (Gross)	1,653,384	2,113,479	2,113,479	2,113,479	+ 460,095			
Offsetting Collections	- 1,653,384	- 2,113,479	- 2,113,479	- 2,113,479	- 460,095			
Subtotal, Federal Protective Service (Net)								
Total, Management Directorate (Discretionary Appropriations) (Offsetting Collections)	2,128,825 (3,782,209) (- 1,653,384)	2,325,803 (4,439,282) (- 2,113,479)	2,308,645 (4,422,124) (- 2,113,479)	2,308,645 (4,422,124) (- 2,113,479)	+ 179,820 (+ 639,915) (- 460,095)			- 17,158 (- 17,158)
Operations and Support	298,171	341,159	341,159	341,159	+ 42,988			
Intelligence, Analysis, and Situational Awareness								
Total, Intelligence, Analysis, and Situational Awareness	298,171	341,159	341,159	341,159	+ 42,988			
Operations and Support	205,359	214,879	214,879	214,879	+ 9,520			
Transfer from the DRF (transfer)								
Office of Inspector General								
Administrative Provision				(14,000)	(+ 14,000)			(+ 14,000)
Office of Inspector General (Sec 108) (by transfer)								
Total, Title I, Departmental Management, Intelligence, Situational Awareness, and Oversight (Discretionary Appropriations) (Defense) (Non-Defense)	2,903,408 (4,556,792) (9,000) (4,547,792)	3,198,021 (5,311,500) (9,000) (5,302,500)	3,190,728 (5,304,207) (9,000) (5,295,207)	3,190,728 (5,304,207) (9,000) (5,295,207)	+ 287,320 (+ 747,415) (+ 747,415)			- 7,293 (- 7,293) (- 7,293)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
(Offsetting Collections)	(- 1,653,384)	(- 2,113,479)	(- 2,113,479)	(- 460,095)	(- 45,000)
(Transfer out)	(- 35,000)	(- 25,000)	(20,000)	(+ 55,000)	(+ 14,000)
(By transfer)			(14,000)	(+ 14,000)	(+ 14,000)
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
US Customs and Border Protection					
Operations and Support:					
Border Security Operations:					
US Border Patrol:					
Operations	4,347,328	4,650,456	5,315,401	+ 968,073	+ 664,945
Assets and Support	724,752	745,890	855,547	+ 130,795	+ 109,657
Office of Training and Development	69,225	118,918	118,918	+ 49,693	
Subtotal, Border Security Operations	5,141,305	5,515,264	6,289,866	+ 1,148,561	+ 774,602
Trade and Travel Operations:					
Office of Field Operations:					
Domestic Operations	3,339,836	3,457,688	3,542,607	+ 202,771	+ 84,919
International Operations	153,475	143,386	158,333	+ 4,858	+ 14,947
Targeting Operations	273,932	251,993	280,484	+ 6,552	+ 28,491
Assets and Support	1,027,029	943,899	1,015,015	- 12,014	+ 71,116
Office of Trade	319,860	376,737	393,116	+ 73,256	+ 16,379
Office of Training and Development	71,472	56,736	74,189	+ 2,717	+ 17,453
Subtotal, Trade and Travel Operations	5,185,604	5,230,439	5,463,744	+ 278,140	+ 233,305
Integrated Operations:					
Air and Marine Operations:					
Operations	342,464	377,132	377,132	+ 34,668	

Assets and Support	574,886	581,117	586,117	+ 11,231	+ 5,000
Air and Marine Operations Center	40,820	51,050	51,050	+ 10,230	
Office of International Affairs	45,668	50,998	51,920	+ 6,252	+ 922
Office of Intelligence	66,737	74,659	71,959	+ 5,222	- 2,700
Office of Training and Development	12,523	13,813	13,813	+ 1,290	
Operations Support	324,876	446,065	445,351	+ 120,475	- 714
Subtotal, Integrated Operations	1,407,974	1,594,834	1,597,342	+ 189,368	+ 2,508
Mission Support:					
Enterprise Services	1,482,646	1,568,202	1,623,756	+ 141,110	+ 55,554
(Harbor Maintenance Trust Fund)	(3,274)	(3,274)	(3,274)		
Office of Professional Responsibility	291,882	307,448	276,493	- 15,389	- 30,955
Executive Leadership and Oversight	246,783	243,438	264,095	+ 17,312	+ 20,657
Subtotal, Mission Support	2,021,311	2,119,088	2,164,344	+ 143,033	+ 45,256
Subtotal, Operations and Support	13,756,194	14,459,625	15,515,296	+ 1,759,102	+ 1,055,671
Procurement, Construction, and Improvements:					
Border Security Assets and Infrastructure	276,000	80,498	130,498	- 145,502	+ 50,000
Trade and Travel Assets and Infrastructure	99,653	50,844	92,634	- 7,019	+ 41,790
Integrated Operations Assets and Infrastructure Airframes and Sensors	72,395	130,906	116,161	+ 43,766	- 14,745
Construction and Facility Improvements	93,425	145,359	177,009	+ 83,584	+ 31,650
Mission Support Assets and Infrastructure	30,610	32,673	32,673	+ 2,063	
Subtotal, Procurement, Construction, and Improvements	572,083	440,280	548,975	- 23,108	+ 108,695
CBP Services at User Fee Facilities (Small Airport) (Permanent Indefinite Discretionary)	9,000	12,000	12,000	+ 3,000	
Global Entry Program (International Registered Traveler) (Permanent Indefinite Discretionary)	167,000	174,000	174,000	+ 7,000	
Offsetting Collections	- 167,000	- 174,000	- 174,000	- 7,000	
Total, Global Entry Program					
Fee Funded Programs:					
Immigration Inspection User Fee	(394,772)	(642,788)	(642,788)	(+ 248,016)	
Immigration Enforcement Fines	(209)	(237)	(237)	(+ 28)	
Electronic System for Travel Authorization (ESTA) Fee	(11,084)	(50,684)	(50,684)	(+ 39,600)	
Land Border Inspection Fee	(36,018)	(62,537)	(62,537)	(+ 26,519)	
COBRA Passenger Inspection Fee	(359,380)	(532,102)	(532,102)	(+ 172,722)	
Agricultural Quarantine Inspection Fee	(533,104)	(417,000)	(417,000)	(- 116,104)	
Puerto Rico Trust Fund	(224,818)	(224,931)	(224,931)	(+ 113)	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

(In thousands of dollars)

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Virgin Islands Deposit Fund	(10,415)	(11,649)	(11,649)	(+ 1,234)	.....
Customs Unclaimed Goods	(1,671)	(2,519)	(2,519)	(+ 848)	.....
9-11 Response and Biometric Exit Account	(29,563)	(46,540)	(46,540)	(+ 16,977)	.....
Subtotal, Fee Funded Programs	1,601,034	1,990,987	1,990,987	+ 389,953	.....
Administrative Provisions					
Border Patrol Hiring	100,000	.....	.....	- 100,000	.....
Colombia Free Trade Act Collections (Sec 203)	206,000	280,000	280,000	+ 74,000	.....
Reimbursable Preclearance (Sec 204)	39,000	39,000	39,000	.....	.....
Subtotal, Administrative Provisions	345,000	319,000	319,000	- 26,000	.....
Reimbursable Preclearance (Offsetting Collections)	- 39,000	- 39,000	- 39,000	.....	.....
Total, Administrative Provisions	306,000	280,000	280,000	- 26,000	.....
Total, US Customs and Border Protection	14,643,277	15,191,905	16,356,271	+ 1,712,994	+ 1,164,366
(Discretionary Appropriations)	(14,849,277)	(15,404,905)	(16,569,271)	(+ 1,719,994)	(+ 1,164,366)
(Offsetting Collections)	(- 206,000)	(- 213,000)	(- 213,000)	(- 7,000)	.....
Fee Funded Programs	1,601,034	1,990,987	1,990,987	+ 389,953	.....
US Immigration and Customs Enforcement					
Operations and Support:					
Homeland Security Investigations	1,972,062	2,030,000	2,149,028	+ 176,966	+ 119,028
Domestic Investigations	193,991	197,141	198,748	+ 4,757	+ 1,607
International Investigations					

Intelligence	101,407	103,057	104,877	+ 3,470	+ 1,820
Subtotal, Homeland Security Investigations	2,267,460	2,330,198	2,452,653	+ 185,193	+ 122,455
Enforcement and Removal Operations:					
Custody Operations	2,874,481	2,406,059	2,389,295	- 485,186	- 16,764
Fugitive Operations	149,189	152,502	152,502	+ 3,313	.....
Criminal Alien Program	288,798	295,056	295,056	+ 6,258	.....
Alternatives to Detention	442,662	527,133	345,055	- 97,607	- 182,078
Transportation and Removal Operations	420,656	421,476	481,476	+ 60,820	+ 60,000
Subtotal, Enforcement and Removal Operations	4,175,786	3,802,226	3,663,384	- 512,402	- 138,842
Mission Support:					
Mission Support .....	.....	1,467,390	.....	.....	- 1,467,390
Enterprise Services	1,144,965	.....	1,209,870	+ 64,905	+ 1,209,870
Office of Professional Responsibility	198,391	.....	203,976	+ 5,585	+ 203,976
Executive Leadership and Oversight	74,263	.....	91,834	+ 17,571	+ 91,834
Subtotal, Mission Support	1,417,619	1,467,390	1,505,680	+ 88,061	+ 38,290
Office of the Principal Legal Advisor	345,661	402,314	416,563	+ 70,902	+ 14,249
Subtotal, Operations and Support	8,206,526	8,002,128	8,038,280	- 168,246	+ 36,152
Procurement, Construction, and Improvements:					
Operational Communications/Information Technology	21,000	12,434	12,434	- 8,566	.....
Construction and Facility Improvements	17,379	74,765	77,765	+ 60,386	+ 3,000
Mission Support Assets and Infrastructure	13,321	10,563	10,563	- 2,758	.....
Subtotal, Procurement, Construction, and Improvements	51,700	97,762	100,762	+ 49,062	+ 3,000
Fee Funded Programs:					
Immigration Inspection User Fee	(135,000)	(135,000)	(135,000)	.....	.....
Breached Bond/Detention Fund	(55,000)	(55,000)	(55,000)	.....	.....
Student and Exchange Visitor Program Fee	(186,610)	(186,610)	(186,610)	.....	.....
Detention and Removal Office Fee	(3,000)	(3,000)	(3,000)	.....	.....
Subtotal, Fee Funded Programs	379,610	379,610	379,610	.....	.....
Total, US Immigration and Customs Enforcement	8,258,226	8,099,890	8,139,042	- 119,184	+ 39,152

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
(Discretionary Appropriations)	(8,258,226)	(8,099,890)	(8,139,042)	(-119,184)	(+39,152)
Fee Funded Programs	379,610	379,610	379,610		
Transportation Security Administration					
Operations and Support:					
Aviation Screening Operations:					
Screening Workforce:					
Screening Partnership Program	231,533	238,784	235,162	+3,629	-3,622
Screener Personnel, Compensation, and Benefits	3,680,701	4,732,094	4,128,904	+448,203	-603,190
Screener Training and Other	243,653	263,838	238,345	-5,308	-25,493
Airport Management	720,573	834,435	756,577	+36,004	-77,858
Canines	170,186	180,046	170,492	+306	-9,554
Screening Technology Maintenance	528,606	565,309	582,519	+53,913	+17,210
Secure Flight	127,085	135,042	132,368	+5,283	-2,674
Subtotal, Aviation Screening Operations	5,702,337	6,949,548	6,244,367	+542,030	-705,181
Other Operations and Enforcement:					
Inflight Security:					
Federal Air Marshals	754,069	843,334	767,324	+13,255	-76,010
Federal Flight Deck Officer and Crew Training	20,263	21,098	20,512	+249	-586
Aviation Regulation	246,416	268,009	254,039	+7,623	-13,970
Air Cargo	114,242	127,746	120,377	+6,135	-7,369
Intelligence and TSO	83,554	89,677	86,199	+2,645	-3,478
Surface programs	150,723	156,639	157,163	+6,440	+524
Vetting Programs	40,052	43,716	42,669	+2,617	-1,047
Subtotal, Other Operations and Enforcement	1,409,319	1,550,219	1,448,283	+38,964	-101,936
Mission Support	979,537	1,042,958	984,425	+4,888	-58,533

Aviation Passenger Security Fees (offsetting collections)	-2,490,000	-2,490,000	-2,490,000	-380,000	+1,520,000
legislative proposal (offsetting collections)	-1,520,000				
Subtotal, Operations and Support	5,981,193	5,532,725	6,187,075	+205,882	+654,350
(Discretionary Appropriations)	(8,091,193)	(9,542,725)	(8,677,075)	(+585,882)	(-865,650)
(Offsetting Collections)	(-2,110,000)	(-4,010,000)	(-2,490,000)	(-380,000)	(+1,520,000)
Vetting Fee Programs:					
Transportation Worker Identification Card	66,200	63,100	63,100	-3,100	
Hazardous Materials Endorsement Fee	19,200	19,200	19,200		
General Aviation at DCA Fee	600	600	600		
Commercial Aviation and Airports Fee	10,200	10,000	10,000	-200	
Other Security Threat Assessments Fee	50	50	50		
Air Cargo/Certified Cargo Screening Program Fee	5,000	5,000	5,000		
TSA PreCheck Fee	249,500	213,800	213,800	-35,700	
Adjustment based on CBO estimate of receipts	-150,750	38,250	150,750	+301,500	+112,500
Subtotal, Vetting Fee Programs	200,000	350,000	462,500	+262,500	+112,500
Vetting Fees (offsetting collections)	-200,000	-350,000	-462,500	-262,500	-112,500
Procurement, Construction, and Improvements:					
Aviation Screening Infrastructure					
Checkpoint Support	126,836	105,405	105,405	-21,431	
Checked Baggage	30,000	13,940	13,940	-16,060	
Mission Support Assets and Infrastructure	3,900			-3,900	
Subtotal, Procurement, Construction, and Improvements	160,736	119,345	119,345	-41,391	
Research and Development	35,532	33,532	33,532	-2,000	
Fee Funded Program:					
Alien Flight School Fee	(6,000)	(6,000)	(6,000)		
Aviation Security Capital Fund (Mandatory)	(250,000)	(250,000)	(250,000)		
Subtotal, Fee Funded Program	256,000	256,000	256,000		
Total, Transportation Security Administration	6,177,461	5,685,602	6,339,952	+162,491	+654,350
(Discretionary Appropriations)	(8,487,461)	(10,045,602)	(9,292,452)	(+804,991)	(-753,150)
(Offsetting Collections)	(-2,310,000)	(-4,360,000)	(-2,952,500)	(-642,500)	(+1,407,500)
Fee Funded Programs	256,000	256,000	256,000		

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Coast Guard					
Operations and Support:					
Military Personnel	4,805,675	5,070,683	5,079,174	+ 273,499	+ 8,491
Mission Support	409,659	430,148	432,737	+ 23,078	+ 2,589
Field Operations:					
Surface, Air, and Shore Operations	2,856,905	2,958,511	2,989,747	+ 132,842	+ 31,236
Command, Control, and Communications	1,089,881	1,160,687	1,196,981	+ 107,100	+ 36,294
Subtotal, Operations and Support	9,162,120	9,620,029	9,698,639	+ 536,519	+ 78,610
(Non-Defense)	(8,632,120)	(9,090,029)	(9,168,639)	(+ 536,519)	(+ 78,610)
(Defense)	(530,000)	(530,000)	(530,000)		
Procurement, Construction, and Improvements:					
Vessels:					
Survey and Design-Vessels and Boats	2,500			- 2,500	
In-Service Vessel Sustainment	87,750	93,300	112,160	+ 24,410	+ 18,860
National Security Cutter	99,000	60,000	60,000	- 39,000	
Offshore Patrol Cutter	597,000	650,000	650,000	+ 53,000	
Fast Response Cutter	150,000	16,000	16,000	- 134,000	
Cutter Boats	7,000	8,000	26,200	+ 19,200	+ 18,200
Polar Security Cutter	80,000	167,200	257,200	+ 177,200	+ 90,000
Commercially Available Polar Icebreaker		125,000	125,000	+ 125,000	
Waterways Commerce Cutter	67,000	77,000	77,000	+ 10,000	
Polar Sustainment	15,000	15,000	15,000		
Special Purpose Craft (SPC)—Heavy Weather (HWX) Recap					
Subtotal, Vessels	1,105,250	1,211,500	1,338,560	+ 233,310	+ 127,060
Aircraft:					
HC-144 Conversion/Sustainment					

HC-271 Conversion/Sustainment	66,500	50,000	50,000	-16,500	.....
HC-130 Acquisition/Conversion/Sustainment	148,000	.....	.....	-148,000	.....
HH-65 Conversion/Sustainment Projects	32,000	17,000	.....	-15,000	.....
MH-60T Sustainment	200,800	110,500	166,500	-34,300	+56,000
Small Unmanned Aircraft Systems	500	4,500	4,500	+4,000	.....
Subtotal, Aircraft	447,800	182,000	238,000	-209,800	+56,000
Other Acquisition Programs:					
Survey and Design—Vessels, Boats, and Aircraft .....	.....	4,500	4,500	+4,500	.....
Other Equipment and Systems	8,000	3,500	6,100	-1,900	+2,600
Program Oversight and Management	20,000	20,000	20,000	.....	.....
C4ISR	22,000	14,010	14,010	-7,990	.....
CG-Logistics Information Management System (CG-LIMS)	25,900	15,000	15,000	-10,900	.....
Cyber and Enterprise Mission Platform	46,500	24,500	34,500	-12,000	+10,000
Subtotal, Other Acquisition Programs	122,400	81,510	94,110	-28,290	+12,600
Shore Facilities and Aids to Navigation:					
Major Construction: Housing, ATON, and Survey and Design	199,650	98,000	98,000	-101,650	.....
Major Acquisition Systems Infrastructure	150,000	76,840	151,840	+1,840	+75,000
Minor Shore	5,000	5,000	5,000	.....	.....
Subtotal, Shore Facilities and Aids to Navigation	354,650	179,840	254,840	-99,810	+75,000
Subtotal, Procurement, Construction, and Improvements	2,030,100	1,654,850	1,925,510	-104,590	+270,660
Research and Development	7,476	7,476	7,476	.....	.....
Health Care Fund Contribution (Permanent Indefinite Discretionary)	240,577	252,887	252,887	+12,310	.....
Mandatory Funding:					
Retired Pay	1,963,519	2,044,414	2,044,414	+80,895	.....
Administrative Provisions					
Coast Guard Housing Fund (Sec. 231)	4,000	4,000	4,000	.....	.....
Coast Guard Housing Fund Offsetting Collections	-4,000	-4,000	-4,000	.....	.....
PC&I (Coast Guard Museum)	50,000	.....	.....	-50,000	.....
Total, Coast Guard	13,453,792	13,579,656	13,928,926	+475,134	+349,270
(Discretionary Appropriations)	(11,494,273)	(11,533,242)	(11,888,512)	(+394,239)	(+349,270)
(Defense)	(530,000)	(530,000)	(530,000)	.....	.....
(Non-Defense)	(10,964,273)	(11,009,242)	(11,358,512)	(+394,239)	(+349,270)
(Offsetting Collections)	(-4,000)	(-4,000)	(-4,000)	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
(Mandatory Funding)	(1,963,519)	(2,044,414)	(2,044,414)	(+ 80,895)	
United States Secret Service					
Operations and Support:					
Protective Operations:					
Protection of Persons and Facilities	863,549	863,854	863,854	+ 305	
Protective Countermeasures	87,762	75,406	75,406	- 12,356	
Protective Intelligence	74,167	92,065	92,065	+ 17,898	
Presidential Campaigns and National Special Security Events	25,000	52,994	52,994	+ 27,994	
Subtotal, Protective Operations	1,050,478	1,084,319	1,084,319	+ 33,841	
Field Operations:					
Domestic and International Field Operations	715,139	744,851	744,851	+ 29,712	
Support for Missing and Exploited Children Investigations	6,000	6,000	6,000		
Support for Computer Forensics Training	42,930	30,256	55,026	+ 12,096	+ 24,770
Subtotal, Field Operations	764,069	781,107	805,877	+ 41,808	+ 24,770
Basic and In-Service Training and Professional Development	137,731	145,409	145,409	+ 7,678	
Mission Support	602,451	622,761	616,405	+ 13,954	- 6,356
Subtotal, Operations and Support	2,554,729	2,633,596	2,652,010	+ 97,281	+ 18,414
Procurement, Construction, and Improvements:					
Protection Assets and Infrastructure	41,791	52,830	52,830	+ 11,039	
Operational Communications/Information Technology	3,158	3,158	3,158		
Construction and Facility Improvements	9,900	9,900	21,900	+ 12,000	+ 12,000
Subtotal, Procurement, Construction, and Improvements	54,849	65,888	77,888	+ 23,039	+ 12,000

	2,310	4,025	4,025	+ 1,715	.....
Research and Development	2,611,888	2,703,509	2,733,923	+ 122,035	+ 30,414
Total, United States Secret Service	45,144,644	45,260,562	47,498,114	+ 2,353,470	+ 2,237,552
Total, Title II, Security, Enforcement, and Investigations	(45,701,125)	(47,793,148)	(48,623,200)	(+ 2,922,075)	(+ 830,052)
(Discretionary Appropriations)	(45,171,125)	(47,263,148)	(48,093,200)	(+ 2,922,075)	(+ 830,052)
(Non-Defense)	(530,000)	(530,000)	(530,000)	.....	.....
(Defense)	(- 2,520,000)	(- 4,577,000)	(- 3,169,500)	(- 649,500)	(+ 1,407,500)
(Offsetting Collections)	(1,963,519)	(2,044,414)	(2,044,414)	(+ 80,895)	.....
(Mandatory Funding)	250,000	250,000	250,000	.....	.....
Aviation Security Capital Fund (Mandatory)	2,236,644	2,626,597	2,626,597	+ 389,953	.....
Fee Funded Programs .....	.....	.....	.....	.....	.....
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
Cybersecurity and Infrastructure Security Agency					
Operations and Support:					
Cybersecurity:					
Cyber Operations:					
Strategy and Performance	14,972	16,455	16,455	+ 1,483	.....
Threat Hunting	196,247	222,260	263,290	+ 67,043	+ 41,030
Vulnerability Management	208,659	144,305	211,701	+ 3,042	+ 67,396
Capacity Building	141,101	194,508	211,895	+ 70,794	+ 17,387
Operational Planning and Coordination	118,638	98,291	131,206	+ 12,568	+ 32,915
Subtotal, Cyber Operations	679,617	675,819	834,547	+ 154,930	+ 158,728
Technology and Services:					
Cybersecurity Services	7,040	7,069	7,069	+ 29	.....
Continuous Diagnostics and Mitigation	65,409	93,016	93,016	+ 27,607	.....
National Cybersecurity Protection System	317,370	316,800	316,800	- 570	.....
Subtotal, Technology and Services	389,819	416,885	416,885	+ 27,066	.....
Subtotal, Cybersecurity	1,069,436	1,092,704	1,251,432	+ 181,996	+ 158,728
Infrastructure Security:					
Infrastructure Assessments and Security:					
Strategy and Performance	14,959	8,937	16,166	+ 1,207	+ 7,229
Security Programs	34,068	26,201	33,960	- 108	+ 7,759
CISA Exercises	22,292	20,220	28,662	+ 6,370	+ 8,442

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Assessments and Infrastructure Information	44,658	41,594	41,594	- 3,064	.....
Bombing Prevention	34,000	25,711	33,237	- 763	+ 7,526
Subtotal, Infrastructure Assessments and Security	149,977	122,663	153,619	+ 3,642	+ 30,956
Chemical Security	44,907	44,509	44,509	- 398	.....
Subtotal, Infrastructure Security	194,884	167,172	198,128	+ 3,244	+ 30,956
Emergency Communications:					
Emergency Communications Preparedness	63,175	43,613	58,931	- 4,244	+ 15,318
Priority Telecommunications Service:					
GETS/WPS/SRAS/TSP	62,443	56,357	63,385	+ 942	+ 7,028
Next Generation Networks Priority Services	13,181	8,514	13,353	+ 172	+ 4,839
Subtotal, Priority Telecommunications Services	75,624	64,871	76,738	+ 1,114	+ 11,867
Subtotal, Emergency Communications	138,799	108,484	135,669	- 3,130	+ 27,185
Integrated Operations:					
Regional Operations:					
Coordination and Service Delivery	23,289	15,155	28,287	+ 4,998	+ 13,132
Security Advisors	64,954	64,718	84,826	+ 19,872	+ 20,108
Chemical Inspectors	31,746	25,603	25,603	- 6,143	.....
Subtotal, Regional Operations	119,989	105,476	138,716	+ 18,727	+ 33,240
Operations Coordination and Planning:					
Intelligence	4,751	4,940	4,940	+ 189	.....
Operations Center	61,707	65,541	65,541	+ 3,834	.....
Planning and Readiness	7,452	7,560	7,560	+ 108	.....

Business Continuity and Emergency Preparedness	3,531	3,629	3,629	+98	.....
Subtotal, Operations Coordination and Planning	77,441	81,670	81,670	+4,229	.....
Subtotal, Integrated Operations	197,430	187,146	220,386	+22,956	+33,240
Risk Management Operations:					
National Infrastructure Simulation Analysis Center	36,293	21,424	36,293	.....	+14,869
Infrastructure Analysis	119,835	90,618	126,730	+6,895	+36,112
Subtotal, Risk Management Operations	156,128	112,042	163,023	+6,895	+50,981
Stakeholder Engagement and Requirements:					
Sector Risk Management Agency	28,687	18,024	30,648	+1,961	+12,624
Council Management	13,753	16,430	16,430	+2,677	.....
Stakeholder Engagement	28,344	26,143	66,658	+38,314	+40,515
International Affairs	6,364	10,908	10,908	+4,544	.....
(Defense)	(4,200)	(7,199)	(7,199)	(+2,999)	.....
Subtotal, Stakeholder Engagement and Requirements	77,148	71,505	124,644	+47,496	+53,139
Mission Support:					
Management and Business Activities	113,526	138,020	146,053	+32,527	+8,033
(Defense)	(49,611)	(60,315)	(63,825)	(+14,214)	(+3,510)
External Affairs	16,277	16,860	16,860	+583	.....
(Defense)	(7,113)	(7,368)	(7,368)	(+255)	.....
Privacy	3,213	3,612	3,612	+399	.....
(Defense)	(1,404)	(1,578)	(1,578)	(+174)	.....
Strategy, Policy, and Plans	13,144	5,998	6,648	-6,496	+1,050
(Defense)	(8,675)	(3,695)	(4,388)	(-4,287)	(+693)
Chief Technology Officer	10,525	14,350	14,350	+3,825	.....
(Defense)	(4,599)	(6,271)	(6,271)	(+1,672)	.....
National Services Support Facility Management	2,017	44,120	44,120	+42,103	.....
(Defense)	(881)	(19,280)	(19,280)	(+18,399)	.....
Subtotal, Mission Support	158,702	222,560	231,643	+72,941	+9,083
Subtotal, Operations and Support	1,992,527	1,961,613	2,324,925	+332,398	+363,312
Procurement, Construction, and Improvements:					
Cybersecurity	292,361	331,896	313,742	+21,381	-18,154
Continuous Diagnostics and Mitigation					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Threat Hunting	82,185	28,000	83,000	+ 815	+ 55,000
National Cybersecurity Protection System	91,193	90,193	91,193	.....	+ 1,000
Subtotal, Cybersecurity	465,739	450,089	487,935	+ 22,196	+ 37,846
Emergency Communications:					
Next Generation Networks Priority Services	1,18,158	61,158	61,158	- 57,000	.....
Infrastructure Security:					
CISA Gateway	6,801	6,801	6,801	.....	.....
Construction and Facilities Improvements .....	.....	27,100	27,100	+ 27,100	.....
St Elizabeths .....	.....	.....	.....	.....	.....
Subtotal, Procurement, Construction, and Improvements	590,698	545,148	582,994	- 7,704	+ 37,846
Research and Development:					
Infrastructure Security	4,216	1,216	1,216	- 3,000	.....
Risk Management	6,215	2,715	2,715	- 3,500	.....
Subtotal, Research and Development	10,431	3,931	3,931	- 6,500	.....
Total, Cybersecurity and Infrastructure Security Agency	2,593,656	2,510,692	2,911,850	+ 318,194	+ 401,158
(Defense)	(2,501,542)	(2,352,201)	(2,748,479)	(+ 246,937)	(+ 396,278)
(Non-Defense)	(92,114)	(158,491)	(163,371)	(+ 71,257)	(+ 4,880)
Federal Emergency Management Agency					
Operations and Support:					
Regional Operations	187,881	202,202	202,202	+ 14,321	.....
Mitigation	61,663	75,435	75,435	+ 13,772	.....
Preparedness and Protection	210,946	233,617	235,792	+ 24,846	+ 2,175

Response and Recovery:									
Response	211,183	221,479	223,507	+ 12,324	+ 2,028				
(Urban Search and Rescue)	(37,382)	(37,832)	(37,832)	(+ 450)					
Recovery	55,186	54,865	54,865	- 321					
Mission Support	519,000	590,635	738,912	+ 219,912	+ 148,277				
Unallocated reduction		- 1			+ 1				
Subtotal, Operations and Support	1,245,859	1,378,232	1,530,713	+ 284,854	+ 152,481				
(Defense)	(70,966)	(77,194)	(79,019)	(+ 8,053)	(+ 1,825)				
(Non-defense)	(1,174,893)	(1,301,038)	(1,451,694)	(+ 276,801)	(+ 150,656)				
Procurement, Construction, and Improvements:									
Operational Communications/Information Technology	19,785	8,902	7,502	- 12,283	- 1,400				
Construction and Facility Improvements	111,210	66,894	66,894	- 44,316					
Mission Support Assets and Infrastructure	78,990	114,523	114,523	+ 35,533					
Subtotal, Procurement, Construction, and Improvements	209,985	190,319	188,919	- 21,066	- 1,400				
(Defense)	(51,285)	(57,502)	(57,502)	(+ 6,217)					
(Non-defense)	(158,700)	(132,817)	(131,417)	(- 27,283)	(- 1,400)				
Federal Assistance:									
Grants:									
State Homeland Security Grant Program	645,000	616,186	510,000	- 135,000	- 106,186				
(Base Program)	(415,000)	(331,186)		(- 415,000)	(- 331,186)				
(Operation Stonegarden)	(90,000)	(90,000)	(90,000)						
(Tribal Security)	(15,000)	(15,000)	(15,000)						
(Nonprofit Security)	(125,000)	(180,000)	605,000	(- 125,000)	(- 180,000)				
Urban Area Security Initiative	740,000	711,184		- 135,000	- 106,184				
(Base Program)	(615,000)	(531,184)		(- 615,000)	(- 531,184)				
(Nonprofit Security)	(125,000)	(180,000)		(- 125,000)	(- 180,000)				
Nonprofit Security Grant Program	105,000	100,000	360,000	+ 360,000	+ 360,000				
Public Transportation Security Assistance	(10,000)	105,000	105,000		+ 5,000				
(Antrak Security)	(10,000)	(10,000)	(10,000)						
(Over-the-Road Bus Security)	(2,000)	(2,000)	(2,000)						
Port Security Grants	100,000	100,000	100,000						
Assistance to Firefighter Grants	360,000	370,000	370,000	+ 10,000					
Staffing for Adequate Fire and Emergency Response (SAFER) Grants	360,000	370,000	370,000	+ 10,000					
Emergency Management Performance Grants	355,000	355,000	355,000						
Critical Infrastructure Cybersecurity Grant Program		80,000			- 80,000				
Flood Hazard Mapping and Risk Analysis Program (RiskMAP)	275,500	350,000	275,500		- 74,500				
Regional Catastrophic Preparedness Grants	12,000	12,000	12,000						

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued
[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
High Hazard Potential Dams	12,000	.....	12,000	.....	+ 12,000
Emergency Food and Shelter	130,000	154,000	330,000	+ 200,000	+ 176,000
(Emergency Food and Shelter—Humanitarian) .....	.....	(24,000)	(200,000)	(+ 200,000)	(+ 176,000)
Next Generation Warning System	40,000	.....	40,000	.....	+ 40,000
Congressionally Directed Spending	205,099	.....	115,000	- 90,999	+ 115,000
Subtotal, Grants	3,339,599	3,218,370	3,559,500	+ 219,901	+ 341,130
Targeted Violence and Terrorism Prevention Grants (by transfer)	(20,000)	(20,000)	(20,000)	.....	.....
Alternatives to Detention Case Management Grants (by transfer)	(15,000)	(5,000)	.....	(- 15,000)	(- 5,000)
Subtotal, Grants (with transfers)	3,374,599	3,243,370	3,579,500	+ 204,901	+ 336,130
Education, Training, and Exercises:					
Center for Domestic Preparedness	67,538	71,031	71,031	+ 3,493	.....
Center for Homeland Defense and Security	18,000	18,000	18,000	.....	.....
Emergency Management Institute	22,030	30,777	30,777	+ 8,747	.....
US Fire Administration	53,212	58,287	58,287	+ 5,075	.....
National Domestic Preparedness Consortium	101,000	101,000	101,000	.....	.....
Continuing Training Grants	12,000	12,000	16,000	+ 4,000	+ 4,000
National Exercise Program	19,820	21,024	21,024	+ 1,204	.....
Subtotal, Education, Training, and Exercises	293,600	312,119	316,119	+ 22,519	+ 4,000
Subtotal, Federal Assistance	3,633,199	3,530,489	3,875,619	+ 242,420	+ 345,130
(Defense)	(40,000)	.....	40,000	.....	+ 40,000
(Non-defense)	3,593,199	3,530,489	3,835,619	+ 242,420	+ 305,130
(by transfer)	(35,000)	(25,000)	(20,000)	(- 15,000)	(- 5,000)
Subtotal, Federal Assistance (with transfer)	3,668,199	3,555,489	3,895,619	+ 227,420	+ 340,130

Disaster Relief Fund:								
Disaster Relief Category	18,799,000	19,740,000	19,945,000	+1,146,000	+205,000			
Subtotal, Disaster Relief Fund	18,799,000	19,740,000	19,945,000	+1,146,000	+205,000			
(Transfer to Office of Inspector General)			(-14,000)	(-14,000)	(-14,000)			
National Flood Insurance Fund:								
Floodplain Management and Mapping	199,000	206,500	206,500	+7,500				
Mission Support	15,706	18,500	18,500	+2,794				
Subtotal, National Flood Insurance Fund	214,706	225,000	225,000	+10,294				
Offsetting Fee Collections	-214,706	-225,000	-225,000	-10,294				
Administrative Provision								
Operating Expenses	33,630	33,630	33,630					
Offsetting Collections	-33,630	-33,630	-33,630					
Subtotal, Administrative Provision								
Total, Federal Emergency Management Agency	23,888,043	24,839,040	25,540,251	+1,652,208	+701,211			
(Discretionary Appropriations)	(24,136,379)	(25,097,670)	(25,798,881)	(+1,662,502)	(+701,211)			
(Defense)	(162,251)	(134,696)	(176,521)	(+14,270)	(+41,825)			
(Non-Defense)	(23,974,128)	(24,962,974)	(25,622,360)	(+1,648,232)	(+659,386)			
(Disaster Relief Category)	(18,799,000)	(19,740,000)	(19,945,000)	(+1,146,000)	(+205,000)			
(Regular appropriations, not Disaster Relief)	(5,175,128)	(5,222,974)	(5,677,360)	(+502,232)	(+454,386)			
(Offsetting Collections)	(-248,336)	(-258,630)	(-258,630)	(-10,294)				
(by transfer)	(35,000)	(25,000)	(20,000)	(-15,000)	(-5,000)			
Total, Title III, Protection, Preparedness, Response, and Recovery	26,481,699	27,349,732	28,452,101	+1,970,402	+1,102,369			
(Discretionary Appropriations)	(26,730,035)	(27,608,362)	(28,710,731)	(+1,980,696)	(+1,102,369)			
(Defense)	(2,663,793)	(2,486,897)	(2,925,000)	(+261,207)	(+438,103)			
(Non-Defense)	(24,066,242)	(25,121,465)	(25,785,731)	(+1,719,489)	(+664,266)			
(Disaster Relief Category)	(18,799,000)	(19,740,000)	(19,945,000)	(+1,146,000)	(+205,000)			
(Regular Appropriations, not Disaster Relief)	(5,267,242)	(5,381,465)	(5,840,731)	(+573,489)	(+459,266)			
(Offsetting Collections)	(-248,336)	(-258,630)	(-258,630)	(-10,294)				
(by transfer)	(35,000)	(25,000)	(20,000)	(-15,000)	(-5,000)			

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued
(In thousands of dollars)

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES					
US Citizenship and Immigration Services					
Operations and Support:					
Employment Status Verification	114,504	109,611	109,611	-4,893	.....
Application Processing	275,000	764,698	677,781	+402,781	-86,917
Information Technology and Cybersecurity .....	.....	29,313	29,313	+29,313	.....
Subtotal, Operations and Support	389,504	903,622	816,705	+427,201	-86,917
Federal Assistance	20,000	10,000	50,000	+30,000	+40,000
Fee Funded Programs:					
Immigration Examinations Fee Account:					
Adjudication Services:					
District Operations	(1,893,699)	.....	.....	(-1,893,699)	.....
Service Center Operations	(729,699)	.....	.....	(-729,699)	.....
Asylum, Refugee, and International Operations	(371,352)	.....	.....	(-371,352)	.....
Records Operations	(124,853)	.....	.....	(-124,853)	.....
Premium Processing (Including Transformation)	(899,975)	.....	.....	(-899,975)	.....
Subtotal, Adjudication Services	(4,019,578)	.....	.....	(-4,019,578)	.....
Information and Customer Services:					
Operating Expenses	(105,918)	.....	.....	(-105,918)	.....
Administration:					
Operating Expenses	(594,872)	.....	.....	(-594,872)	.....
Systematic Alien Verification for Entitlements [SAVE]	(31,094)	.....	.....	(-31,094)	.....
Adjudication Operations:					
Field Operations Directorate .....	.....	(961,026)	(1,845,449)	(+1,845,449)	(+884,423)
Fraud Detection and National Security Directorate .....	.....	(244,923)	.....	.....	(-244,923)
Service Center Operations Directorate .....	.....	(538,179)	.....	.....	(-538,179)

	(101,321)	(- 101,321)	(- 101,321)
Support Services			
Subtotal, Adjudication Operations	1,845,449	1,845,449	+ 1,845,449
Immigration Policy and Support	(1,361,625)	(1,280,925)	(+ 1,280,925)
Refugee and Asylum Operations	(336,421)	(336,421)	(+ 336,421)
Immigration Records and Applicant Services	(518,698)	(599,398)	(+ 599,398)
Premium Processing (Including Transformation)	(941,831)	(941,831)	(+ 941,831)
Subtotal, Immigration Examinations Fee Account	(4,751,462)	(5,004,024)	(+ 252,562)
H1-B Non-Immigrant Petitioner Account:			
Adjudication Services:			
Service Center Operations	(20,000)	(20,000)	
Fraud Prevention and Detection Account:			
Adjudication Services:			
District Operations	(29,226)	(53,960)	(+ 24,734)
Service Center Operations	(21,141)		(- 21,141)
Asylum and Refugee Operating Expenses	(308)		(- 308)
Subtotal, Fraud Prevention and Detection Account	50,675	53,960	+ 3,285
Subtotal, Fee Funded Programs	4,822,137	5,077,984	+ 255,847
Administrative Provisions			
Immigration Extenders (AP 405-407)		1,000	+ 1,000
House full committee amendment (Pingree, et al) (Sec 407)			
Unused Visa Rollover Provision (Meng) (Sec 405/406)		10,000	+ 10,000
H2-B (AP 408)		7,000	+ 7,000
Subtotal, Administrative Provisions		18,000	+ 18,000
Total, US Citizenship and Immigration Services	409,504	913,622	+ 457,201
Fee Funded Programs	4,822,137	5,077,984	+ 255,847
Federal Law Enforcement Training Centers			
Operations and Support:			
Law Enforcement Training	291,578	323,204	+ 31,626
Mission Support	30,858	32,043	+ 1,185

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

(In thousands of dollars)

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Subtotal, Operations and Support	322,436	355,247	355,247	+ 32,811	.....
Procurement, Construction, and Improvements:					
Construction and Facility Improvements	33,200	41,300	41,300	+ 8,100	.....
Total, Federal Law Enforcement Training Centers	355,636	396,547	396,547	+ 40,911	.....
Science and Technology					
Operations and Support:					
Laboratory Facilities	123,691	127,522	127,522	+ 3,831	.....
Acquisition and Operations Analysis	72,933	73,875	94,875	+ 21,942	+ 21,000
Mission Support	133,966	151,710	168,775	+ 34,809	+ 17,065
Subtotal, Operations and Support	330,590	353,107	391,172	+ 60,582	+ 38,065
Procurement, Construction, and Improvements:					
Laboratory Facilities:					
Plum Island Closure and Support	12,859	13,466	.....	- 12,859	- 13,466
Critical Repair/Replacement Requirement .....	.....	35,750	.....	.....	- 35,750
Detection Sciences Testing and Applied Research Center .....	.....	40,250	.....	.....	- 40,250
Construction and Facilities Improvement:					
Construction					
Detection Sciences Testing and Applied Research (DSTAR) Center .....	.....	40,250	40,250	+ 40,250	.....
Plum Island Closure and Support (PICS) Program .....	.....	13,466	13,466	+ 13,466	.....
Facilities Improvement					
Critical Repair / Replacement Requirement .....	.....	35,750	35,750	+ 35,750	.....
Subtotal, Procurement, Construction, and Improvements	12,859	178,932	89,466	+ 76,607	- 89,466

Research and Development:							
Research, Development, and Innovation	477,417	407,681	407,681	407,681	-69,736		
University Programs	65,537	51,037	53,537	53,537	-12,000		+2,500
Subtotal, Research and Development	542,954	458,718	461,218	461,218	-81,736		+2,500
Total, Science and Technology	886,403	990,757	941,856	941,856	+55,453		-48,901
Countering Weapons of Mass Destruction Office							
Operations and Support:							
Mission Support	85,316	85,570	85,570	85,570	+254		
Capability and Operations Support	91,434	66,400	66,400	66,400	-25,034		
Subtotal, Operations and Support	176,750	151,970	151,970	151,970	-24,780		
Procurement, Construction, and Improvements:							
Large Scale Detection Systems	53,667	46,237	46,237	46,237	-7,430		
Portable Detection Systems	14,937	9,067	9,067	9,067	-5,870		
Assets and Infrastructure Acquisition	8,000				-8,000		
Subtotal, Procurement, Construction, and Improvements	76,604	55,304	55,304	55,304	-21,300		
Research and Development:							
Transformational R&D/Technical Forensics:							
Transformational R&D	31,378	37,004	37,004	37,004	+5,626		
Technical Forensics	3,500		2,000	2,000	-1,500		+2,000
Subtotal, Transformational R&D/Technical Forensics	34,878	37,004	39,004	39,004	+4,126		+2,000
Detection Capability Development and Rapid Capabilities:							
Detection Capability Development	30,831	45,511	45,511	45,511	+14,680		
Subtotal, Detection Capability Development and Rapid Capabilities	30,831	45,511	45,511	45,511	+14,680		
Subtotal, Research and Development	65,709	82,515	84,515	84,515	+18,806		+2,000
Federal Assistance:							
Capability Building:							
Training, Exercises, and Readiness	19,251	19,559	19,559	19,559	+308		
Securing the Cities	30,040	34,628	34,628	34,628	+4,588		
Biological Support	83,657	84,996	84,996	84,996	+1,339		

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued
(In thousands of dollars)

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Subtotal, Capability Building	132,948	139,183	139,183	+ 6,235	.....
Subtotal, Federal Assistance	132,948	139,183	139,183	+ 6,235	.....
Total, Countering Weapons of Mass Destruction	452,011	428,972	430,972	- 21,039	+ 2,000
Total, Title IV, Research and Development, Training, and Services	2,103,554	2,729,898	2,654,080	+ 550,526	- 75,818
Fee Funded Programs	4,822,137	5,077,984	5,077,984	+ 255,847	.....
TITLE V—GENERAL PROVISIONS					
CBO OFO Fee Shortfall (Sec. 541)	650,000	.....	187,391	- 650,000	.....
Presidential Residence Protection Assistance(Sec. 528)	3,000	.....	3,000	.....	+ 3,000
Border Management	1,383,450	.....	.....	- 1,383,450	.....
OSEM O&S (70 x 0100)(rescission)	- 22	.....	.....	+ 22	.....
MGMT (70 x 0112) (rescission)	- 2	.....	.....	+ 2	.....
MGMT (70 x 0113) (rescission)	- 12,629	.....	.....	+ 12,629	.....
CBP Construction and Facilities Management: (Rescission)	- 130,500	.....	.....	+ 130,500	.....
CBP (BSFIT (70 x 0533) (rescission)	- 24,339	.....	.....	+ 24,339	.....
CBP PC&I (rescission of emergency funding)	- 49,500	.....	.....	+ 49,500	.....
CBP PC&I reappropriation (emergency)	49,500	.....	.....	- 49,500	.....
CBP PC&I (PL 116-260) (FY21) (rescission)	- 10,000	.....	.....	+ 10,000	.....
CBP PC&I (70 x 0532) (rescission)	- 6,161	.....	.....	+ 6,161	.....
CBP PC&I (PL 115-141)(FY18) (rescission)	- 4,500	.....	.....	+ 4,500	.....
CBP O&S (70 x 0530) (rescission)	- 7	.....	.....	+ 7	.....
ICE, Border and Transportation Security, INS (70 x 0504)(rescission)	- 8	.....	.....	+ 8	.....
ICE, Violent Crime Reduction Program (70 x 8598) (rescission)	- 1	.....	.....	+ 1	.....
TSA, Expenses (70 x 8598) (rescission)	- 7	.....	.....	+ 7	.....
TSA, Federal Air Marshals (70 x 0541) (rescission)	- 11	.....	.....	+ 11	.....

TSA, Intelligence and Vetting (70 x 0557) (rescission)	-5,308			+5,308	
TSA, Transportation Security Support (70 x 0554) (rescission)	-322			+322	
Coast Guard AC&I (PL 115-141) (rescission)	-21,000			+21,000	
CISA, Operating Expenses (70 x 0900) (rescission)	-458			+458	
FEMA State and Local Programs (70 x 0560)(rescission)	-200			+200	
FEMA Administrative and Regional Operations, Emergency Preparedness and Response (70 x 0712) (rescission)	-2			+2	
FEMA State and Local Programs (rescission)	-115			+115	
FEMA Pre-disaster Mitigation Fund (70 x 0716) (rescission)	-3,000			+3,000	
USCIS Operations and Support (rescission)	-1,244			+1,244	
DHS Lapsed Balances (non-defense) (rescission)	-39,663			+39,663	
DHS Lapsed Balances (defense) (rescission)	-2,793			+2,793	
FEMA Disaster Relief Fund (DRF) (rescission)	-147,593			+147,593	
CWMD, Research and Development (70 x 0860) (rescission)	-351			+351	
Coast Guard PC&I 70 20/24 0613 (rescission)			-65,000	-65,000	
OSEM ATD Pilot Rescission (rescission)			-15,000	-15,000	
FEMA Pre-Disaster Mitigation Rescission (rescission)					
Total, Title V, General Provisions	1,626,214		110,391	-1,515,823	+110,391
(Discretionary Appropriations)	(2,036,450)		(190,391)	-1,846,059	(+190,391)
(Emergency Appropriations)	(49,500)			(-49,500)	
(Rescissions)	(-410,236)		(-80,000)	(+330,236)	(-80,000)
(Defense)	(-2,793)			(+2,793)	
(Non-Defense)	(-407,443)		(-80,000)	(+327,443)	(-80,000)
(Rescissions of Emergency Appropriations)	(-49,500)			(+49,500)	
OTHER APPROPRIATIONS					
EXTENDING GOVERNMENT FUNDING AND DELIVERING EMERGENCY ASSISTANCE ACT (PUBLIC LAW 117-43)					
DIVISION B—DISASTER RELIEF SUPPLEMENTAL APPROPRIATIONS ACT, 2022					
Federal Emergency Management Agency	50,000			-50,000	
DIVISION C—AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS ACT					
General Provisions					
USIC Immigration Examination Fee Account (Sec. 2501) (emergency)	193,000			-193,000	
Afghan refugee settlement (Sec. 2502) (emergency)	344,000			-344,000	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

[In thousands of dollars]

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Total, Division C	537,000	.....	.....	- 537,000	.....
Total, Extending Government Funding and Delivering Emergency Assistance Act	587,000	.....	.....	- 587,000	.....
THE INFRASTRUCTURE INVESTMENT AND JOBS ACT (PUBLIC LAW 117-58)					
DIVISION J—APPROPRIATIONS					
DEPARTMENT OF HOMELAND SECURITY					
US Customs and Border Protection					
Operations and Support (emergency)	330,000	.....	.....	- 330,000	.....
Procurement, Construction, and Improvements (emergency)	100,000	.....	.....	- 100,000	.....
Total	430,000	.....	.....	- 430,000	.....
Coast Guard					
Operations and Support (emergency)	5,000	.....	.....	- 5,000	.....
Procurement, Construction, and Improvements (emergency)	429,000	.....	.....	- 429,000	.....
Total	434,000	.....	.....	- 434,000	.....
Cybersecurity and Infrastructure Security Agency					
Operations and Support (emergency)	35,000	.....	.....	- 35,000	.....
Cybersecurity Response and Recovery Fund (emergency)	20,000	.....	.....	- 20,000	.....
Appropriations available from prior year advances (emergency) .....	.....	20,000	20,000	+ 20,000	.....
Advance appropriations FY 2023 (emergency)	20,000	.....	.....	- 20,000	.....

Advance appropriations FY24–26 (emergency)	60,000				— 60,000
Total	100,000	20,000	20,000	20,000	— 80,000
Total, Cybersecurity and Infrastructure Security Agency	135,000	20,000	20,000	20,000	— 115,000
Federal Emergency Management Agency					
Operations and Support (emergency)	67,000				— 67,000
Federal Assistance:	100,000				— 100,000
Sec 205 Grants (emergency)		100,000			+ 100,000
Appropriations available from prior year advances (emergency)	100,000				— 100,000
Advance appropriations FY 2023 (emergency)	300,000				— 300,000
Advance appropriations FY24–26 (emergency)	500,000	100,000	100,000	100,000	— 400,000
Total	733,000				— 733,000
National Dam Safety Program Grants (emergency)	200,000				— 200,000
Grants for Cybersecurity and Critical Infrastructure (emergency)		400,000			+ 400,000
Appropriations available from prior year advances (emergency)	400,000				— 400,000
Advance appropriations FY 2023 (emergency)	400,000				— 400,000
Advance appropriations FY24–25 (emergency)	1,000,000	400,000	400,000	400,000	— 600,000
Total	200,000				— 200,000
Disaster Relief Fund (emergency)		200,000			+ 200,000
Appropriations available from prior year advances (emergency)	200,000				— 200,000
Advance appropriations FY 2023 (emergency)	600,000				— 600,000
Advance appropriations FY24–26 (emergency)	1,000,000	200,000	200,000	200,000	— 800,000
Total	700,000				— 700,000
National Flood Insurance Fund (emergency)		700,000			+ 700,000
Appropriations available from prior year advances (emergency)	700,000				— 700,000
Advance appropriations FY 2023 (emergency)	2,100,000				— 2,100,000
Advance appropriations FY24–26 (emergency)	3,500,000	700,000	700,000	700,000	— 2,800,000
Total					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2022 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2023—Continued

(In thousands of dollars)

Item	2022 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2022 appropriation	Budget estimate
Total, Federal Emergency Management Agency	6,800,000	1,400,000	1,400,000	-5,400,000	.....
Science and Technology Directorate					
Research and Development (emergency)	157,500	.....	.....	-157,500	.....
Total, Infrastructure Investment and Jobs Act	7,956,500	1,420,000	1,420,000	-6,536,500	.....
less prior year appropriations (emergency) (defense) .....	.....	-20,000	-20,000	-20,000	.....
less prior year appropriations (emergency)(nondetense) .....	.....	-1,400,000	-1,400,000	-1,400,000	.....
FURTHER EXTENDING GOVERNMENT FUNDING ACT (PUBLIC LAW 117-70)					
DIVISION B—ADDITIONAL AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS ACT, 2022					
DEPARTMENT OF HOMELAND SECURITY					
Departmental Management, Operations, Intelligence, and Oversight					
Office of the Secretary and Executive Management					
Operations and Support (emergency)	147,456	.....	.....	-147,456	.....
Total, Further Extending Government Funding Act	147,456	.....	.....	-147,456	.....
Total, Other Appropriations	8,690,956	.....	.....	-8,690,956	.....
Grand Total	86,950,475	78,538,213	81,905,414	-5,045,061	+3,367,201
(Discretionary Appropriations)	(81,127,956)	(83,442,908)	(85,482,609)	(+4,354,653)	(+2,039,701)
(Defense)	(3,335,000)	(3,025,897)	(3,464,000)	(+129,000)	(+438,103)
(Non-Defense)	(77,792,956)	(80,417,011)	(82,018,609)	(+4,225,653)	(+1,601,598)
(Disaster Relief Category)	(18,799,000)	(19,740,000)	(19,945,000)	(+1,146,000)	(+205,000)
(Other Non-Defense)	(58,993,956)	(60,677,011)	(62,073,609)	(+3,079,653)	(+1,396,598)

(Rescissions) (Defense)	(-2,793)			(+2,793)	
(Rescissions) (Non-defense)	(-407,443)			(+327,443)	(-80,000)
(Offsetting Collections)	(-4,421,720)			(-1,119,888)	(+1,407,500)
(Emergency Appropriations)	(3,860,456)			(-3,860,456)	
(Rescissions of Emergency Appropriations)	(-49,500)			(+49,500)	
(Emergency Advance Appropriations)	(4,880,000)			(-4,880,000)	
(Mandatory Funding)	(1,963,519)	(2,044,414)		(+80,895)	
(By transfer)	35,000	25,000		-1,000	+9,000
(Transfer out)	-35,000	-25,000		+41,000	+31,000
Aviation Security Capital Fund	250,000	250,000			
Fee Funded Programs	6,808,781	7,454,581		+645,800	
	78,259,519	78,538,213		+3,645,895	
Grand Total without Other Appropriations			81,905,414		+3,367,201