

House Appropriations Committee

Chairman Hal Rogers

Website address: <http://appropriations.house.gov/>

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Summary: Fiscal Year 2012 Homeland Security Appropriations Bill

The House Appropriations Committee passed the fiscal year 2012 Department of Homeland Security (DHS) Appropriations bill last week. The legislation will be considered on the House floor this week, and will be the first Appropriations bill to move to the floor this year.

Given the importance of providing adequate funding for the safety and security of the nation, as well as the urgent need to reduce spending to rein in the nation's unprecedented deficits and debt, the legislation makes serious strides to focus funding in areas where it's most needed, while significantly trimming spending elsewhere. Overall, the FY 2012 Homeland Security Appropriations bill provides \$40.6 billion in total non-emergency funding for the various programs and agencies within DHS. This is a decrease of \$1.1 billion – or 2.6% – below last year's level and \$3 billion – or 7% – below the President's request.

Appropriations Chairman Hal Rogers made the following statement on the legislation in Committee:

“To address our historic deficit crisis, we must make the most of our limited resources and rein in unnecessary and wasteful spending in virtually every area of government – including homeland security. The Department's budget has grown at a rapid rate – over 42% since 9/11 – and while it is critical that we maintain crucial measures to keep our nation safe, we must also protect our country from the very real dangers of uncontrolled deficits and debt. This legislation will prioritize funding for frontline operations and programs to uphold the highest level of national security, while trimming back budgets in less essential areas,” Chairman Rogers said.

Homeland Security Subcommittee Chairman Robert Aderholt has also commented on his bill:

“Homeland security and fiscal discipline are national priorities and the FY12 Department of Homeland Security Appropriations bill addresses both,” said Chairman Aderholt. “The recent storms that swept the Southeast and the death of Osama Bin Laden serve as sobering reminders of our nation's continued need for robust national security and disaster recovery. The bill recognizes the critical importance of the homeland security mission – fully funding all intelligence and watch listing functions, as well as all frontline personnel. The bill also reflects the unquestioned need for fiscal restraint, reduces spending wherever possible, and prioritizes taxpayers' limited dollars toward the vital security programs that will have an immediate impact on our nation's safety and security.”

Bill Highlights:

Savings and Oversight – The misleading and inadequate budget request from the President for DHS overtly underfunded known disaster relief costs of more than \$4.9 billion (requesting only \$1.8 billion), relied on \$650 million in increased revenue from fees that Congress has not approved, and included undefined and unspecified “administrative savings” of more than \$803 million. In contrast, the Committee's legislation ignores these accounting gimmicks and provides real budget savings, better efficiency, and stringent oversight

of DHS spending while prioritizing disaster response and the frontline operations that most directly and immediately enhance our national security.

The legislation includes major cuts to programs that have underperformed, been ill-managed, or not proven beneficial for the cost. Also, the bill requires numerous expenditure plans from DHS in order to improve its budget justifications and better align funding to tangible security results.

FEMA Disaster Relief (DRF) – The legislation includes \$1 billion in funding for the Federal Emergency Management Agency’s (FEMA) disaster relief fund – added in an amendment by Subcommittee Chairman Robert Aderholt during Full Committee mark up. The additional funding is offset through reductions from the under-performing Advanced Technology Vehicles Manufacturing Loan Program at the Department of Energy. The additional FEMA funds are necessary to continue to respond to devastating natural disasters – including the recent tornados and flooding in the Midwest and South. In contrast, the vehicle loan program at DOE currently has \$4.2 billion in unspent funding that has been available since 2008 – including at least \$2 billion more than the program applicants have applied for. FEMA projects that under the best-case scenario, the Disaster Relief fund will essentially run dry before the end of the fiscal year. This funding ensures FEMA’s recovery efforts are not interrupted and that those whom recent, horrific disasters have affected can continue to get assistance.

FEMA State and Local Grant Reform – The bill includes long-overdue reform of the State and Local Grant program under the Federal Emergency Management Agency (FEMA), which has been plagued by inefficiency and has been unable to demonstrate a measurable return on taxpayer investments. These grants often remain in federal coffers for many years – including a current backlog of over \$13 billion in unspent funds. To address these challenges, the bill reduces the total grant funding by \$2.1 billion, requires increased measurement, reporting, and oversight of existing funds, and permits the Secretary of DHS to issue grants in a competitive, merit-based process to prioritize areas with the highest risk and greatest need – getting the most out of each and every tax dollar.

Critical Security Operations and Programs – The Committee’s legislation prioritizes funding for frontline security operations, including personnel, intelligence activities, and the acquisition of selected essential tactical resources. This includes increasing staffing levels of the Border Patrol, Customs and Border Protection (CBP) field operations, Immigration and Customs Enforcement (ICE), Coast Guard, Secret Service, and other essential security personnel. In addition, the bill fully funds all requested increases for intelligence gathering activities, including “watch listing” and threat identification.

Earmarks – This bill contains no earmarks, as defined by clause 9(e) of Rule XXI of the House Rules.

U.S. Customs and Border Protection – The bill contains \$11.8 billion for Customs and Border Protection (CBP) – an increase of \$443 million over last year’s level. This funding provides for a total of 21,370 border patrol agents and 21,186 CBP officers, additional training and canine units at ports of entry, \$149 million for Inspection and Detection Technology, and \$500 million for Air and Marine operations and procurement. The bill increases funding for CBP’s targeting systems by \$15 million to enhance the identification of known and suspected terrorists and criminals, and contains a total of \$500 million for border security fencing, infrastructure, and technology.

Immigration and Customs Enforcement – The bill provides \$5.8 billion for Immigration and Customs Enforcement (ICE), which is \$35 million above last year’s level. This includes \$1.7 billion for domestic investigation programs, \$147 million for international enforcement programs, \$81 million for the Office of Intelligence, \$32.5 million for the Visa Security Program, and an additional \$64 million for continued expansion of the Secure Communities program. In addition, the legislation includes \$2.7 billion – an increase

of \$27 million above the President's request – for ICE detention bed spaces, raising the total number of beds to 34,000, the largest detention capacity in ICE's history.

Transportation Security Administration (TSA) – The bill includes \$7.8 billion for the TSA, an increase of \$125 million over last year's level, and \$293 million below the President's request. These funds will be used to sustain the current cap level of 46,000 full time screening personnel, and for explosive detection systems, security enforcement, cargo inspections, Federal Air Marshals, and other TSA activities. The bill also includes an additional \$10 million to address air cargo threats. However, the bill does not provide \$76 million requested by the President for 275 additional advanced inspection technology (AIT) scanners nor the 535 staff requested to operate them.

Coast Guard – The bill contains \$10 billion for the U.S. Coast Guard, which is \$196 million below last year's level, and provides funding for maritime safety and security activities, counternarcotics enforcement, facilities and equipment maintenance, and overseas contingency operations including operations in the Persian Gulf. Within the total, the legislation fully sustains military pay and allowances, and provides targeted increases above the budget request for communications, tactical training, and acquisition of critical operations assets such as small boats and replacement helicopters.

Secret Service – The bill includes \$1.7 billion for the U.S. Secret Service – an increase of \$155 million over last year's level. This includes \$113 million for protective activities related to the 2012 Presidential Election, and \$43 million for information technology improvements including cyber security and threat assessment capabilities.

Federal Emergency Management Agency – The bill includes \$5.3 billion for FEMA – a decrease of \$1.9 billion from last year's level – not including the \$1 billion in emergency disaster relief funding added in the Full Committee mark up. This total includes a cut of \$2.1 billion to State and Local grants (as noted above), and an increase of \$850 million to the Disaster Relief Fund (DRF). The bill provides \$1 billion for FEMA's State and Local Programs, and includes increased oversight, better prioritization of funding to address critical needs and high-risk areas, and a report on the expenditure of the current \$13 billion in backlogged, unexpended grant funds leftover from previous years. The bill fully funds Emergency Management Performance Grants at \$350 million and provides \$350 million for firefighting grants. To better address the costs of both known and expected disasters, the legislation also includes a total of \$2.65 billion for the DRF.

Guantanamo Bay Detention Facility and Detainees – The legislation includes a provision prohibiting funds to transfer, release, or assist in the transfer or release of Guantanamo detainees to or within the United States or its territories. The provision also prohibits immigration benefits to Khalid Sheikh Mohammed or any other detainee.

For the complete text of the FY 2012 Homeland Security Appropriations bill, please visit:
<http://www.gpo.gov/fdsys/pkg/BILLS-112hr2017rh/pdf/BILLS-112hr2017rh.pdf>

The following chart compares the FY 2012 Homeland Security Appropriations bill with last year's levels and the President's request*:

(millions)					
	<u>FY 2011 Enacted</u>	<u>FY 2012 Request</u>	<u>Subcommittee Mark</u>	<u>Mark - Request</u>	<u>Mark - FY11</u>
Total Appropriations*	\$43,405	\$45,015	\$42,290	-\$2,725	-\$1,115
Discretionary	41,661	43,576	40,592	-2,984	-1,069
Mandatory	1,401	1,440	1,440	---	+39
Global War on Terrorism (GWOT)**	254	258	258	---	+4
Fee Funded Programs	4,289	4,421	4,565	+144	+276
Aviation Security Offsetting Collection	-2,100	-2,030	-2,030	---	+70
DHS Headquarters & Administration	1,290	1,447	1,142	-305	-148
U.S. Citizenship & Immigration Services	147	369	132	-237	-15
Secret Service	1,518	1,699	1,673	-26	+155
U.S. Customs and Border Protection	11,265	11,840	11,751	-89	+486
U.S. Immigration and Customs Enforcement	5,823	5,806	5,858	+52	+35
TSA	7,698	8,115	7,823	-292	+125
Coast Guard	10,265	10,117	10,080	-37	-185
FEMA	7,216	6,789	5,362	-1,427	-1,854
<i>Disaster Relief</i>	<i>2,650</i>	<i>1,800</i>	<i>2,650</i>	<i>+850</i>	<i>---</i>
Science & Technology	829	1,176	539	-637	-290
National Protection & Programs Directorate	1,219	1,268	1,231	-37	+12
US-VISIT	335	302	297	-5	-38
Domestic Nuclear Detection Office	342	332	337	+5	-5
Office of Health Affairs	140	161	166	+5	+26
* Total includes funding for the Global War on Terrorism, but excludes emergency supplemental funding.					
** FY12 GWOT funding requested under the Department of Defense					

*Note: The table does not include the \$1 billion in emergency FEMA Disaster Relief Funding added in Full Committee mark up.

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