



COMMITTEE ON APPROPRIATIONS

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SUMMARY: 2009 HOMELAND SECURITY APPROPRIATIONS

The Homeland Security Appropriations bill addresses our nation's more pressing security needs, including implementation of the 9/11 Act and our need to prepare for disasters of every kind.

This bill rejects the President's proposal to cut \$2 billion from the homeland security grant programs that keep Americans safe, including assistance for State and local law enforcement and other emergency responders to prevent, prepare for, and respond to natural disasters, terrorist attacks, and other emergencies.

The bill cuts funding for low priority or poorly managed programs in order to increase investments in high priority areas including the security of our ports and our rail and transit systems. Critical investments are made in border and immigration security, providing for record numbers of border patrol agents (20,019 in total), and Customs and Border Protection Officers, Air and Marine Interdiction Agents, and agricultural specialists (24,160 in total). Finally, the bill works to see that taxpayer dollars are well spent with new requirements for contracting, procurement, and program oversight.

Bill Total

2008 Enacted:	\$37.67 billion – Base Bill, including Emergency Border Funds
President's Request:	\$37.62 billion – Base Bill/ \$2.18 billion – BioShield advance
Final Bill	\$39.98 billion – Base Bill/\$2.18 billion – BioShield advance

KEY INVESTMENTS

First Responder and Port Security Grant Programs: \$4.2 billion, \$2 billion above the President's request and \$24 million above 2008. These grants were funded at \$4.8 billion in 2004, but the President succeeded in cutting them from 2005-2007, even after the 9/11 Commission Report recommended they be increased and local communities continued to see security costs rise. This total includes:

- **State Grants:** \$950 million, rejecting the President's \$777 million cut and the same as 2008, for grants used to plan, equip and train local first responders to respond to terrorist attacks and catastrophic incidents.
- **Urban Area Grants:** \$837.5 million, \$17.5 million above 2008 and \$12.5 million above the President's request, to help high-risk urban communities prevent, respond to, and recover from terrorist attacks.
- **Transit Grants:** \$400 million, rejecting the President's \$225 million cut and the same as 2008, to protect critical transit infrastructure, including freight rail, Amtrak and ferry systems in high-threat areas.
- **Emergency Management Performance Grants:** \$315 million, rejecting the President's \$100 million cut and \$15 million above 2008, for all-hazard grants for State and local emergency managers.
- **Fire Grants (including SAFER):** \$775 million, rejecting the President's \$450 million cut and \$25 million above 2008, to help local fire departments address communication, equipment and staffing problems.
- **Metropolitan Medical Response System:** \$41 million, rejecting the President's proposal to eliminate aid to help high-threat communities respond to mass casualty incidents and the same as 2008.
- **Interoperable Communications:** \$50 million, rejecting the President's proposal to eliminate aid to help police, firefighters and emergency responders to talk to each other during a crisis and the same as 2008.
- **Emergency Operations Centers:** \$35 million, rejecting the President's proposal to eliminate assistance for states and local communities to construct, equip, and upgrade central command facilities used by emergency personnel during disasters and \$20 million above 2008.

Customs and Border Protection: \$9.82 billion, \$334 million above the President's request and \$398 million above 2008, including:

- **4,361 New Staff:** including 2,200 border patrol agents, 1,373 CBP Officers and Agriculture Specialists (834 more than requested), 139 Air and Marine Interdiction Agents, 27 conduct and integrity officers, and 722 technical and support staff for border security and customs revenue activities.
- **Law Enforcement Status for Customs Officers:** \$200 million to provide Customs and Border Protection Officers with law enforcement retirement, thereby helping DHS recruit and retain officers.
- **Border Security Fencing, Infrastructure, and Technology:** \$775 million, as requested by the President, including \$30 million to address problems with communications interoperability at the border.
- **Container Security:** \$404 million within CBP, which is \$29 million above the request, for programs including the Secure Freight Initiative pilots and overseas container inspection programs, and \$514 million for Domestic Nuclear Detection efforts.

Operation Stonegarden: \$60 million, rejecting the President's proposal to eliminate this program, to assist border communities with law enforcement costs and the same as 2008.

Immigration and Customs Enforcement: \$4.99 billion, \$254 million above 2008 and \$241 million above the President's request, including:

- **Prioritizing Criminal Aliens:** \$1 billion to identify dangerous criminal aliens and prioritize these individuals for removal once an immigration judge orders them deported.
- **Reviewing Medical Care:** \$2 million for independent medical experts to review detainee medical care. Recent IG, GAO and media reports have highlighted cases of inadequate and questionable medical care.
- **Detention Standards:** Funds 33,400 detention beds, 1,400 more than 2008. Requires ICE to cancel contracts with detention facilities that fail to meet ICE standards. Provides \$63 million for Alternatives to Detention, \$9.1 million above 2008 and \$7.2 above the President's request.
- **State and Local Programs, Including 287(g):** In total, state and local immigration enforcement programs are funded at \$99.7 million, \$2.2 million more than requested. To continue to expand coordination between ICE and local law enforcement and better enable ICE to identify deportable criminal aliens, the 287(g) program is funded at \$54 million, \$14 million above 2008 and equal to the request.

Federal Law Enforcement Training Center: \$333 million, \$44 million above 2008 and \$59 million above the President's request, to train additional CBP officers and for a replacement dormitory.

Maritime Security, Safety and Environmental Protection

- **Port Security Grants:** \$400 million, rejecting the President's \$190 million cut and the same as 2008, for grants to protect critical port facilities and infrastructure, as authorized in the Safe Ports Act.
- **Coast Guard:** \$9.36 billion, \$290 million above the President's request and \$729 million above 2008, including an additional: \$23.5 million for additional watchstanders, marine inspection staff and environmental response; \$10 million to address aviation hour and maintenance backlogs; and \$97.6 million to start work on the new Coast Guard headquarters at St. Elizabeth's.

9/11 Act Aviation Security Mandates:

- **Transportation Security Administration (TSA):** \$4.62 billion (excluding \$2.36 billion in user fees), \$301 million above the President's request and \$96 million above 2008. Of this amount, \$1.1 billion, \$300 million above the President's request, is to implement 9/11 Act requirements, including: \$544 million to increase the purchase of explosive detection systems for baggage; \$123 million for air cargo security; \$390 million for specialized screening programs; and \$62 million for response teams, inspectors, regulations, and new activities.

REAL ID: \$100 million, \$50 million above 2008, to help states to comply with REAL ID, which requires state licenses to meet new standards in order to be used for federal identification purposes. This includes \$50 million for DHS to develop a data "hub" that links state DMVs to other record-keeping agencies to allow State governments to verify applicants' identity documents when they apply for new drivers licenses.

Emergency Food and Shelter: \$200 million, double the President's request and \$47 million above 2008, to provide emergency food and housing for those hit hardest by rising food prices and the economic downturn.

Cyber Security: \$313.5 million, \$20 million above the President's request, to protect Federal computer networks from cyber attack and strengthen the security of our nation's computer infrastructure.

FEMA Management: \$943 million, \$219 million above 2008 and \$27.5 million above the President's request, to beef up the number of staff available to respond to disasters and improve FEMA's Mt. Weather facility, financial systems, and the nation's Emergency Alert System.

Disaster Relief Fund: \$1.4 billion, the same as 2008, for assistance to state and local governments and individuals following a declared disaster or emergency. This includes \$16 million to continue the IG's audit of FEMA disaster programs, including in the Gulf Coast.

Flood Map Modernization: \$220 million, \$70 million above the President's request, to update, review, and maintain flood maps used to determine rates for the National Flood Insurance Program

Science and Technology: \$933 million, \$64 million above the President's request, including research on improvised explosive devices as well as cyber security.

SIGNIFICANT CUTS

US-VISIT: \$90 million below the request, as DHS was behind schedule in producing expenditure plans.

Domestic Nuclear Detection Office: \$50 million below the request due to continued procurement delays.

OTHER IMPORTANT POLICY ITEMS

Oversight: Requires DHS submit plans on how it will implement: Deepwater; the Security Border Initiative; National Cyber Security Initiative; Next Generation Networks program; US-VISIT; and the Automated Commercial Environment.

Federal Protective Service: Requires at least 900 FPS police to protect Federal buildings and requires GAO to review FPS needs after GAO found staff cuts left federal buildings vulnerable to crimes and terrorist attacks.

Principal Federal Official (PFO) Positions: Limits the appointment of PFOs during declared disasters or emergencies to eliminate confusion that can occur when these positions overlap with FEMA's responsibilities.

DHS Personnel System: Prohibits DHS from implementing a new personnel system.

National Applications Office: Prohibits DHS from using satellites for other than existing purposes until DHS submits and GAO reviews an explanation of its legality. GAO recently raised questions about the strength of internal controls for DHS' proposed approach.

US-VISIT Air Exit Program: DHS is required to complete two pilot programs before proceeding with its biometric air exit plan.