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SENATE

REPORT
111–222

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL, 2011

JULY 19, 2010.—Ordered to be printed

Mr. LAUTENBERG, from the Committee on Appropriations, submitted the following

REPORT

[To accompany S. 3607]

The Committee on Appropriations reports the bill (S. 3607) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2011, and for other purposes, reports favorably thereon and recommends that the bill do pass.

57–469 PDF

Total obligational authority, fiscal year 2011

Total of bill as reported to the Senate [1 2 3]	$45,191,136,000
Amount of 2010 appropriations [4]	44,137,241,000
Amount of 2011 budget estimate [1 2 5]	45,036,301,000
Bill as recommended to Senate compared to—	
2010 appropriations	1,053,895,000
2011 budget estimate	154,835,000

[1] Senate bill includes $239,672,000 in rescissions, compared to $99,772,000 of proposed cancellations.

[2] Includes a permanent indefinite appropriation of $265,321,000 for the Coast Guard healthcare fund contribution.

[3] Includes $254,461,000 for the Coast Guard for the costs of overseas contingency operations.

[4] Includes rescissions totalling $41,274,000 pursuant to Public Law 111–83. Includes permanent indefinite appropriation of $261,000,000 for the Coast Guard healthcare fund contribution. Includes $241,503,000 for the Coast Guard for the costs of overseas contingency operations.

[5] Excludes up to $254,461,000 for Coast Guard overseas contingency operations requested in Department of Defense "Operation and Maintenance, Navy".

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OVERVIEW AND SUMMARY OF THE BILL

	Fiscal year 2011 [1 2 4] request	Fiscal year 2011 [1 2 3] Committee recommendation
Title I—Departmental Management and Operations	$1,724,321,000	$1,310,283,000
Title II—Security, Enforcement, and Investigations	32,545,167,000	33,116,825,000
Title III—Protection, Preparedness, Response, and Recovery	8,752,899,000	8,744,702,000
Title IV—Research and Development, Training, and Services	1,989,678,000	1,779,126,000
Title V—General Provisions	24,236,000	240,200,000
Total, new budget (obligational authority)	45,036,301,000	45,191,136,000

[1] Senate bill includes $239,672,000 in rescissions, compared to $99,772,000 of proposed cancellations.
[2] Includes permanent indefinite appropriation of $265,321,000 for the Coast Guard healthcare fund contribution.
[3] Includes $254,461,000 for the Coast Guard for the costs of overseas contingency operations.
[4] Excludes up to $254,461,000 for Coast Guard overseas contingency operations requested in Department of Defense ''Operation and Maintenance, Navy''.

The Committee recommends total appropriations of $45,191,136,000 for the Department of Homeland Security for fiscal year 2011, $154,835,000 more than the budget request. Of this amount, $43,790,436,000 is for discretionary programs.

OVERVIEW

In February 2010, the Department of Homeland Security released its Quadrennial Homeland Security Review, a Strategic Framework for a Secure Homeland. The Review lays out a strategy that details five core missions for the Department: Preventing Terrorism and Enhancing Security; Securing and Managing Our Borders; Enforcing and Administering Our Immigration Laws; Safeguarding and Securing Cyberspace; and Ensuring Resilience to Disasters.

In accomplishing these missions, the Department seeks to mature and strengthen homeland security in all levels of government, the private sector, and our citizenry. It is critical that the Nation develop and maintain a constant, capable, and vigilant posture to protect ourselves against existing and evolving threats.

As evidenced by the arrests of Nidal Hasan (Ft. Hood), Faisal Shazad (Times Square), and Najibullah Zazi (New York City subway), the threat of homegrown terrorism is on the rise. At the same time, the terrorist threat from overseas continues (the December 25, 2009, bombing attempt), and potential new threats evolve (cybersecurity, radiological/nuclear, and biological).

While addressing these threats, the Department of Homeland Security must continue to effectively execute its other core missions, including:

—Preventing, responding to, and recovering from man-made and natural disasters—49 Presidentially declared disasters in 27 States in only the first 6 months of 2010;

—The Coast Guard mission continues to grow—last year, 4,747 lives saved; 353,000 pounds of cocaine and 71,000 pounds of

marijuana seized; 3,700 undocumented migrants interdicted; 248,000 ships and 62 million crew and passengers screened; 400 individuals with terrorist associations identified and investigated; 3,600 pollution incidents responded to; and now, coordinating the response to the oil spill in the Gulf of Mexico;

—Customs and Border Protection has increased the number of Southwest border miles under effective control from 241 to 700—and last year apprehended 556,000 illegal aliens, processed 360 million people and 109 million vehicles at the border, and processed 25 million trade entries;

—Immigration and Customs Enforcement removed 387,000 illegal aliens last year, detained or removed 101,000 criminal aliens, made 1,100 criminal arrests, and seized 4,000 pounds of cocaine, 74,000 pounds of marijuana, $41,000,000 of bulk currency, and $13,000,000 of counterfeit currency;

—The US-VISIT program has prevented 8,800 criminal and illegal aliens from entering the country with its biometric system;

—The Secret Service protects the President, the Vice President and their families, and other mandated protectees, and prevented the loss of over $1.8 billion as a result of their investigations into financial crimes.

In 2002, the Department was established by consolidating 22 agencies from over 8 departments and major agencies. The transition to the new Department was difficult, with inadequate capacity for procurement, information technology, financial management and human resource development. Capacity to eliminate stovepipes and share information was limited. Many of the agencies transferred to the Department came with aging ships, planes, helicopters, information technology, financial systems, and other assets, not capable of responding to an evolving threat.

In its eighth year, it is time for the Department to transition from growing pains to maturity. Since 2003, Congress, on a bipartisan basis, has increased funding for border security, chemical security, maritime and port security, rail security, transit security, aviation security and cyber security. Congress has also provided resources for our State and local partners to equip and train our first responders.

These investments have paid off, making our Nation more secure and making us better prepared for any disaster. The Quadrennial Homeland Security Review provides a strategic framework for progress, but we have much more work to do.

REFERENCES

This report refers to several Public Laws by short title as follows: American Recovery and Reinvestment Act of 2009, Public Law 111–5, is referenced as ARRA; Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; Security and Accountability for Every Port Act of 2006, Public Law 109–347, is referenced as the SAFE Port Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, is referenced as the Stafford Act; and Intelligence Reform and Terrorism Prevention Act of 2004, Public Law 108–458, is referenced as the Intelligence Reform Act.

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

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

Any reference in this report to a departmental component shall be interpreted to mean directorates, components, agencies, offices, or other organizations in the Department.

Any reference to "full-time equivalents" shall be referred to as FTE.

Any reference to "program, project, and activity" shall be referred to as PPA.

Any reference to a "Homeland Security Presidential Directive" shall be referred to as HSPD.

Any reference to "Government Accountability Office" shall be referred to as GAO.

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriations, 2010	$147,818,000
Budget estimate, 2011	157,041,000
Committee recommendation	150,605,000

The Office of the Secretary and Executive Management supports the Department by providing direction, management, and policy guidance to operating components. The specific activities funded by this account include: the Immediate Office of the Secretary; the Immediate Office of the Deputy Secretary; the Office of the Chief of Staff; the Office of Counternarcotics Enforcement; the Office of the Executive Secretary; the Office of Policy; the Office of Public Affairs; the Office of Legislative Affairs; the Office of Intergovernmental Affairs; the Office of the General Counsel; the Office for Civil Rights and Civil Liberties; the Citizenship and Immigration Services Ombudsman; and the Privacy Office.

COMMITTEE RECOMMENDATION

The Committee recommends $150,605,000 for the Office of the Secretary and Executive Management, $2,787,000 above the fiscal year 2010 level and $6,436,000 below the request level. The specific levels recommended by the Committee as compared to the fiscal year 2010 and budget request levels are as follows:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Immediate Office of the Secretary	5,061	5,427	5,427
Immediate Office of the Deputy Secretary	1,810	1,974	1,974
Office of the Chief of Staff	2,595	3,658	3,500
Office of Counternarcotics Enforcement	3,612	3,872	3,612
Office of the Executive Secretary	7,800	8,967	8,467
Office of Policy	51,564	49,807	46,527
Office of Public Affairs	5,991	7,025	6,446
Office of Legislative Affairs	6,797	7,200	7,011
Office of Intergovernmental Affairs	2,800	4,207	3,519
Office of the General Counsel	24,028	24,363	24,363
Office for Civil Rights and Civil Liberties	21,104	24,559	23,956
Citizenship and Immigration Services Ombudsman	6,685	6,864	6,685
Privacy Office	7,971	9,118	9,118
Total, Office of the Secretary and Executive Management	147,818	157,041	150,605

IMMEDIATE OFFICE OF THE SECRETARY

The Committee recommends $5,427,000 for the Immediate Office of the Secretary, an increase of $366,000 above the fiscal year 2010 level and the same as the budget request.

In order to facilitate the ability to place Federal Air Marshals [FAMs] on international flights to the United States that may be carrying "selectees", the Secretary is strongly encouraged to negotiate with the relevant foreign governments to permit rapid FAM deployments to and from such countries. Additionally, the Secretary is encouraged to negotiate, in consultation with the Secretary of State, with the relevant governments an expansion of the presence of U.S. Customs and Border Protection [CBP] and U.S. Immigration and Customs Enforcement [ICE] personnel associated with the Immigration Advisory Program and the Visa Security Program.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

The Committee recommends $1,974,000 for the Immediate Office of the Deputy Secretary, an increase of $164,000 above the fiscal year 2010 level and the same as the budget request.

The Committee understands that the Office of Infrastructure Protection, the Coast Guard, and the Transportation Security Administration are working together to coordinate chemical security responsibilities established by the Chemical Facilities Anti-Terrorism Standards regulations, the Maritime Transportation Security Act of 2002, and railroad security regulations. The Committee directs the Deputy Secretary to coordinate efforts and to work with the White House Office of Domestic Policy to develop a coordinated and integrated approach for securing chemical facilities. Further, the Department shall ensure that companies cannot misuse information security regulations to improperly delay or impede Federal safety investigations following chemical accidents.

The Committee did not receive the required reports pursuant to the fiscal year 2010 Conference Report 111–298 and continues the requirement for the Deputy Secretary to provide a report to the Committee no later than 90 days after the date of enactment of this act, and quarterly thereafter, on the agency's efforts to coordinate chemical security across departments, particularly in regard to ensuring the ability to conduct prompt and comprehensive Federal safety investigations of chemical accidents. Further, to ensure expeditious attention to this matter, the Deputy Secretary is directed to brief the Committee on the milestones established for a coordinated effort.

In an effort to significantly improve the security of our border, since fiscal year 2006, CBP has hired more than 15,700 new employees, a 37 percent increase, and ICE has hired over 8,200 new personnel, a 31 percent increase. The Committee believes it is critical that all Federal law enforcement personnel, especially new hires, receive comprehensive training in ethics and public integrity.

In recent years, in anticipation of the potential for the growth of allegations of misconduct, the Committee has increased funding for integrity programs. However, the Committee understands the Office of Inspector General [OIG], ICE, and CBP are experiencing dif-

ficulties working together to tackle this important issue because of an apparent lack of clear lines of authority regarding which entity conducts differing types of investigations and when they occur. The Committee was troubled to read a December 16, 2009, DHS memo and a Washington Post article on March 30, 2010, that detailed turf battles between the OIG, CBP, and ICE which resulted in delayed corruption probes. It appears to the Committee that there is confusion between the OIG, CBP, and ICE on who does what and which organization takes the lead when investigating corruption cases.

The Committee directs the Deputy Secretary to examine the issue of which entity should coordinate and take the lead on integrity investigations and establish clear lines of authority for each entity for the different types of investigations. The Committee directs that the Deputy Secretary provide a report to the Committees on Appropriations on this issue no later than 90 days after the date of enactment of this act.

The Committee notes that report language on this issue also is included in the OIG, CBP, and ICE sections of this report.

OFFICE OF THE CHIEF OF STAFF

The Committee recommends $3,500,000 for the Office of the Chief of Staff, an increase of $905,000 above the fiscal year 2010 level and $158,000 below the budget request.

OFFICE OF COUNTERNARCOTICS ENFORCEMENT

The Committee recommends $3,612,000 for the Office of Counternarcotics Enforcement [CNE], the same as the fiscal year 2010 level and $260,000 less than the budget request. Given that CNE let lapse a moderate level of funding in fiscal year 2009 and a slow obligation rate continues in fiscal year 2010, the increase requested is not justified.

CNE is to brief the Committee no later than 60 days after the date of enactment of this act on its efforts to address the recommendations made in the DHS OIG report (OIG–10–80), which identifies deficiencies in the CNE's ability to meet its statutory responsibilities.

Finally, the joint explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, required the Secretary to report on whether it would be appropriate to shift the functions of this office into the Office of Policy or other departmental office under this title. While the Committee continues to have concerns with the contribution of the CNE to the Department's mission, both the Secretary and DHS IG recommend that it remain as a stand-alone entity within the Office of the Secretary.

OFFICE OF THE EXECUTIVE SECRETARY

The Committee recommends $8,467,000 for the Office of the Executive Secretary, an increase of $667,000 above the fiscal year 2010 level and $500,000 below the budget request. The Committee supports the budget proposal to strengthen the Secretary's efficiency review efforts but does not provide the full request due to anticipated savings from unfilled positions in this office.

OFFICE OF POLICY

The Committee recommends $46,527,000 for the Office of Policy, $5,037,000 below the fiscal year 2010 level and $3,280,000 below the budget request. The reduction from the request reflects funds no longer necessary for office space modifications.

The bill includes language providing $20,000 from amounts available for the Secretary's reception and representation expenses to the Office of Policy to host Visa Waiver Program negotiations in Washington, DC.

The Committee directs the Office of Policy to submit an expenditure plan for fiscal year 2011 no later than 60 days after the date of enactment of this act. The plan shall be submitted in the same format as the fiscal year 2010 plan.

The Committee is to be briefed no later than 90 days after the date of enactment of this act on the Global Supply Chain Security and Air Domain Awareness initiatives.

OFFICE OF PUBLIC AFFAIRS

The Committee recommends $6,446,000 for the Office of Public Affairs [OPA], an increase of $455,000 above the fiscal year 2010 level and $579,000 below the budget request. The recommendation includes funds for the lease of space, build-out, and furniture for the National Joint Information Center [NJIC]. The NJIC supports the Secretary's HSPD–5 role to coordinate interagency communications during major incidents. The recommendation does not include funds for additional operational support for the Office. Base funds are adequate to meet these costs due to the delay in filling funded positions within this office. The Committee reminds OPA that reprogramming requests should be submitted only in the case of an unforeseeable emergency or situation that could not have been predicted when formulating the budget request for the current fiscal year. The Committee is displeased that OPA continues to submit reprogramming requests for general operations. Therefore, the Committee expects the Office to develop a plan for operating for the full fiscal year at this level without a reprogramming request.

OFFICE OF LEGISLATIVE AFFAIRS

The Committee recommends $7,011,000 for the Office of Legislative Affairs, an increase of $214,000 above the fiscal year 2010 level and $189,000 below the budget request. The recommendation does not include the full request for additional operational support.

OFFICE OF INTERGOVERNMENTAL AFFAIRS

The Committee recommends $3,519,000 for the Office of Intergovernmental Affairs, an increase of $719,000 above the fiscal year 2010 level and $688,000 below budget request.

The Committee supports efforts to hire additional personnel to strengthen the Office's ability to improve coordination and communication across its stakeholder community. Funds are provided for an additional 10 positions and 5 FTE. The recommendation includes half of the requested increase for FTE. This is a more realistic approach given the Department's regrettably lengthy hiring process.

OFFICE OF THE GENERAL COUNSEL

The Committee recommends $24,363,000 for the Office of the General Counsel, a $335,000 increase above the fiscal year 2010 level and the same as the budget request.

OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES

The Committee recommends $23,956,000 for the Office for Civil Rights and Civil Liberties [CRCL], an increase of $2,852,000 above the fiscal year 2010 level and $603,000 less than the budget request. The Committee recommendation provides for the annualization of FTE funded in fiscal year 2010 for expansion of the Department's Equal Employment Opportunity program, reviews of State and local fusion centers, additional training, complaint investigations, and other DHS-wide civil rights and civil liberties issues. The Committee supports efforts to hire additional program analysts to support intelligence product reviews and training for DHS employees. An additional six positions are provided for this effort. However, given the Department's regrettably lengthy hiring process, the recommendation includes half of the requested increase for FTE.

The Committee directs the Office to submit an expenditure plan no later than 60 days after the date of enactment of this act. The plan is to be submitted in the same format as the fiscal year 2010 plan and include additional information on the results of efforts to expand the Civil Liberties Institute, automate diversity management data and reports, establish a centralized redress governance structure, and intelligence product reviews. The plan shall include a discussion of the instances when CRCL or the Privacy Office did not concur with the release of any intelligence product and the nonconcurrence was elevated for review by the Deputy Secretary.

CITIZENSHIP AND IMMIGRATION SERVICES OMBUDSMAN

The Committee recommends $6,685,000 for the Citizenship and Immigration Services Ombudsman, the same as the fiscal year 2010 level and $179,000 below the budget request. The recommended amount funds the continued implementation of the Virtual Ombudsman System [VOS], the expected workload increase generated by the deployment of the VOS, and other outreach and casework related efforts. The Ombudsman shall brief the Committee no later than 60 days after the date of enactment of this act on the progress made in implementing the VOS and related workload requirements.

Funds are decreased below the request due to the delay in filling full-time permanent positions within this office.

PRIVACY OFFICE

The Committee recommends $9,118,000 for the Privacy Office, an increase of $1,147,000 above the fiscal year 2010 level and the same as the budget request. The additional funding is to enhance privacy training for DHS and State and local fusion center employees.

SURFACE TRANSPORTATION SECURITY

The Committee is concerned about the lack of attention given to surface transportation security by the Department. The Department is long overdue in providing to Congress a number of requirements mandated in the 9/11 Act, including a comprehensive risk assessment for railroad transportation security. The GAO released a critical report (GAO–09–678) on Mass Transit and Passenger Rail Security on June 24, 2009. GAO stated:

"To ensure that TSA's efforts best prioritize and address risks, TSA should conduct a risk assessment for the mass transit and passenger rail systems that combines the results of threat, vulnerability, and consequence assessments. Until the overall risk to the entire system is identified through such an assessment, TSA cannot best determine how and where to target its limited resources to achieve the greatest security.".

The Committee withholds $50,000,000 from the "Office of the Secretary and Executive Management" appropriation until the Secretary submits: a comprehensive risk assessment and national security strategy for the railroad sector as required by the 9/11 Act; a detailed timeline for meeting all remaining congressional requirements for surface transportation security included in the 9/11 Act; and a comprehensive plan on how the Department will meet the recommendations outlined in the Surface Transportation Security Priority Assessment by the National Security Council.

Without regard to the withholding, supporting documentation explaining how comprehensive risk assessments for all transportation modes were used to allocate resources across and within each mode in the President's fiscal year 2012 budget request is to be submitted to the Committee no later than February 7, 2011.

BIOMETRIC AIR EXIT IMPLEMENTATION

The Committee includes language in the bill withholding $25,000,000 from obligation from the "Office of the Secretary and Executive Management" appropriation until the Department of Homeland Security submits a comprehensive plan to implement a biometric air exit capability in fiscal year 2011.

BUDGET JUSTIFICATIONS

For fiscal year 2012, the Committee directs that the congressional budget justifications for the Office of the Secretary and Executive Management include the same level of detail as the table contained in the back of the Committee report. All funding and staffing changes for each individual office must be highlighted and explained. The Committee expects this level of detail to include separate discussions for personnel, compensation, and benefits; travel; training; other services; and the Working Capital Fund [WCF]. Enacted FTE numbers included in the documents for fiscal year 2011 shall accurately reflect the FTE levels funded in this act.

RECEPTION AND REPRESENTATION EXPENSES

Within the total amount recommended for the Office of the Secretary and Executive Management, the recommendation includes

up to $60,000 for reception and representation expenses, the same level as fiscal year 2010 and the budget request. The Department is to continue to submit quarterly reports to the Committee detailing the obligation of these funds by purpose and dollar amount.

DETAILEE REPORT

The Committee requires the Department to continue to report on detailees, but changes this from a quarterly to a semi-annual requirement, due April 29, 2011 and October 31, 2011. These reports shall be drafted in accordance with the revised guidance set forth in Senate Report 110–84.

FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

The Department is directed to report semi-annually on the current projects tasked to federally funded research and development centers, the funding obligated by component, including the purposes for the funds, and any projects completed in the prior 6-month period, with the first report due February 15, 2011. The Committee has yet to receive a report for fiscal year 2010 pursuant to the requirement in Conference Report 111–298. This report is to be submitted promptly.

SMALL VESSEL SECURITY STRATEGY

The Department released its small vessel security strategy on April 28, 2008. Over 2 years later, an implementation plan to carry out the strategy has not been completed and the fiscal year 2011 budget proposes cuts in related programs. The Committee expects this plan to be completed and submitted to Congress expeditiously, including resource requirements to execute the plan.

SCIENCE AND TECHNOLOGY DIRECTORATE CAPABILITIES

Significant progress has been made in the last 2 years by the Science and Technology [S&T] Directorate in unifying the Department's test and evaluation [T&E] processes, particularly in large acquisition programs. The Committee encourages the Secretary to continue to improve the Department's T&E capabilities, policies, and procedures. The Department's acquisition process would also benefit from the early involvement of the S&T Directorate and the Department's federally funded research and development centers in assisting departmental entities to better identify mission needs, conduct analysis of alternatives that could result in a material solution determination, and develop operational requirements including concepts of operations.

DISTRIBUTION OF GRANT AWARDS

Americans are not made safer when appropriated funds sit in the Treasury. Therefore, as in previous fiscal years, the Committee again includes statutory timeframes by which appropriated grant funding must be made available and distributed to State and local partners. While departmental compliance with the timeframes has varied from year to year, fiscal year 2010 awards were delivered within the statutory timeframe. It is imperative that FEMA and the Department work with their State and local partners to elimi-

nate bureaucratic hurdles that impede the ability to expeditiously address known risks. The Committee expects FEMA and the Department will comply with the law to ensure grant funds are distributed in a timely manner.

U.S. VIRGIN ISLANDS RESOURCE ASSESSMENT

The Assistant Secretary for Policy shall brief the Committee no later than 90 days after the date of enactment of this act on the current level of DHS resources, by component, in the U.S. Virgin Islands [USVI] and an assessment of the need for additional resources, by component, to be stationed there permanently based on threat and workload requirements. This assessment should include a review of DHS components with no presence currently in the USVI.

BORDER TUNNEL REPORT

As outlined in Senate Report 111–31, the Department of Homeland Security is required to submit semiannual reports on border tunnel issues, including information on the number of tunnels discovered, their location and demolition, all activities undertaken to prosecute individuals under the Border Tunnel Prevention Act, funding requirements, and the progress made in developing and implementing detection methods used to discover new tunnels. The report is long overdue. Given the fact there has been increased physical reinforcing of the Southwest border, more tunnels built to smuggle various types of contraband are being discovered under the border. The Committee directs that this report be submitted immediately.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriations, 2010	$254,190,000
Budget estimate, 2011	242,733,000
Committee recommendation	239,933,000

The Under Secretary for Management oversees management and operations of the Department, including procurement and acquisition, human capital, and property management. The specific activities funded by this account include the Immediate Office of the Under Secretary for Management, the Office of the Chief Security Officer, the Office of the Chief Procurement Officer, the Office of the Chief Human Capital Officer, and the Office of the Chief Administrative Officer.

COMMITTEE RECOMMENDATION

The Committee recommends $239,933,000 for the Office of the Under Secretary for Management.

The specific levels recommended by the Committee, as compared to the fiscal year 2010 and budget request levels, are as follows:

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Immediate Office of the Under Secretary for Management	2,864	2,770	2,770

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Office of the Chief Security Officer	90,193	72,864	72,864
Office of the Chief Procurement Officer	68,538	75,527	75,527
Office of the Chief Human Capital Officer	42,604	42,130	39,130
Office of the Chief Administrative Officer:			
Salaries and Expenses	44,491	43,942	44,642
Nebraska Avenue Complex	5,500	5,500	5,000
Total, Office of the Under Secretary for Management	254,190	242,733	239,933

IMMEDIATE OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The Committee recommends $2,770,000 for the Immediate Office of the Under Secretary, $94,000 less than the fiscal year 2010 level and the same as the budget request. The recommendation includes requested adjustments of $34,000 for pay inflation and a reduction of $128,000 due to a decrease in contractor support.

OFFICE OF SECURITY

The Committee recommends $72,864,000 for the Office of Security, a decrease of $17,329,000 from the fiscal year 2010 level and the same as the budget request. This recommendation includes adjustments of: $2,248,000 to annualize 14 FTE funded in fiscal year 2010 to improve oversight of sensitive compartmentalized information and the timeliness of processing background investigations; $294,000 in pay related adjustments; and a reduction of $20,000,000 associated with the HSPD–12 Card Issuance Program. According to information provided by the Department, sufficient base funding will be available for fiscal year 2011 to continue deployment and maintenance of HSPD–12 cards. An update on progress made in issuing new identity cards and associated costs shall be discussed when the Office of Security briefs the Committee on its fiscal year 2012 budget request. Finally, the Committee supports the Office of Security's efforts to reduce its reliance on contractors through the planned conversion of 72 positions to Federal FTE.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

The Committee recommends $75,527,000 for the Office of the Chief Procurement Officer [OCPO], an increase of $6,989,000 above the fiscal year 2010 level and the same as the budget request. This increase includes requested adjustments of 100 positions and $10,314,000 for annualizations and pay inflation. It also includes the requested savings of $1,846,000 through the conversion of contractor positions to Federal FTE. The Committee does not agree with the reduction of $1,479,000 proposed for the acquisition workforce centralized training program. The request proposes to scale back this program, which benefits the entire acquisition workforce across all Departmental components. Due to the delay in filling full-time permanent positions within this office, sufficient funds are available to maintain this program at an appropriate level.

FEDERAL ACQUISITION WORKFORCE INITIATIVE

The Committee provides $18,000,000 above the fiscal year 2010 level, $6,235,700 below the request, to increase the Department's acquisition workforce capacity and capabilities. As requested, this initiative is included as a general provision. The Department, like many other Federal agencies, is plagued by a lack of qualified acquisition professionals to develop, manage, and oversee acquisition programs appropriately. The Committee has been highly critical of the performance of many DHS acquisition programs and has aggressively funded additional FTE to bolster procurement oversight within the OCPO and in the components. The Committee agrees that more needs to be accomplished, but is disappointed that such a large increase was requested with little justification on the categories of acquisition personnel needed and which components require the most help. The Committee understands that the OCPO is conducting a Department-wide assessment to determine gaps in key acquisition disciplines. The Committee expects the OCPO to brief the Committee on the results of this study no later than 60 days after this assessment has been completed. The briefing shall include the planned distribution of the 150 positions by office. A reduction is made to the request to reflect a more realistic hiring schedule. The Committee expects that sustained funding will be provided in the Department's fiscal year 2012 budget request.

ACQUISITION PROFESSIONAL CAREER INTERNSHIP PROGRAM

The Committee directs the OCPO to submit, in conjunction with the President's fiscal year 2012 budget request, a report on the Acquisition Professional Internship Program as detailed in House Report 111–157.

ACQUISITION REVIEW PROCESS

The Committee continues the quarterly reporting requirement on major acquisitions for fiscal year 2011, with the same requirements as outlined in Senate Report 111–31. The OCPO is delinquent in submitting these reports for fiscal year 2010.

NONCOMPETITIVE PROCUREMENTS

In response to a statutory requirement contained in the Department of Homeland Security Appropriations Act, 2009 (Public Law 110–329), the Office of the Inspector General [OIG] reviewed selected DHS contracts awarded through less than full and open competition during fiscal year 2008 to determine compliance with applicable laws and regulations. The report stated the following:

"Based on our review of 39 contract files with a reported value of more than $72,000,000, acquisition personnel did not always follow Federal regulations when awarding noncompetitive contracts. Award files did not always contain sufficient evidence of market research or adequate acquisition planning. As a result, the department cannot ensure that it received the best possible value on these acquired goods and services.".

The OCPO has already complied with one recommendation related to market research. However, in response to the OIG's rec-

ommendation to strengthen its oversight process of noncompetitive procurements, the OCPO agreed with the intent but believes it has taken sufficient action to strengthen its oversight program. According to OCPO comments, a special review of noncompetitive contracts was recently completed to determine compliance with Federal Acquisition Regulations and an additional follow-up review will be completed during the first quarter of fiscal year 2011. When the OCPO briefs the Committee on its fiscal year 2012 budget request, results from these reviews, as well as any subsequent actions taken, shall be provided.

POORLY PERFORMING CONTRACTORS

The Committee is aware of actions being taken by the Department to enhance its suspension and debarment program for poorly performing contractors. In February 2010, the OIG reported on the Department's deficiencies in this area. When the OCPO briefs the Committee on its fiscal year 2012 budget request, an update shall be provided on the progress made to strengthen this program, including compliance by the components.

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

The Committee recommends $39,130,000 for the Office of the Chief Human Capital Officer [OCHCO], $3,474,000 below the fiscal year 2010 level and $3,000,000 below the request. The recommendation includes: requested adjustments to maintain current services; funding for 133 FTE, as requested; and requested savings of $1,150,000 through the conversion of 15 contractor positions to Federal FTE. The recommendation provides $14,131,000 for the Human Resources Information Technology program instead of $17,131,000 requested. This reduction reflects the OCHCO's decision to terminate TALENTLink, the Department-wide automated recruiting and staffing system, because it did not meet Federal standards. If a follow-on system is selected, the OCHCO shall use funds appropriated in fiscal year 2010 originally slated for TALENTLink deployment.

The Committee understands that the DHS Under Secretary for Management, Chief Human Capital Officer, and Chief Information Officer are still in the process of developing a strategic plan to overhaul the hiring process within the Department. The Committee supports these efforts and expects the OCHCO to periodically brief the Committee on its progress and how it aligns with the Administration's plans to overhaul the Federal hiring process.

In an effort to receive more timely information, the Committee requires the OCHCO to provide quarterly briefings (instead of monthly reports) summarizing vacancy data at the Department. These briefings are to include: the number of new hires for each headquarters office in the previous month; the ratio of applications received to positions closed; data from the Office of Security on progress made to reduce the security clearance backlog to include whether the 15-day standard for suitability reviews is being met; and an end-of-the-month hiring "snapshot" for each headquarters office. These snapshots should include: the number of new hires pending security or suitability clearance; the number of open vacancies; and the number of selection referral lists pending with

management. In addition, the briefings shall provide an explanation for hiring delays and steps being taken or planned to correct the delays. The Office of Security shall contribute to this briefing by including progress made to reduce the security clearance backlog and whether the 15-day standard for suitability reviews is being met.

The first quarterly briefing shall also include the results of the fiscal year 2010 performance metrics established by DHS for the OCHCO.

A general provision is included in the bill prohibiting the use of funds for the development, testing, deployment, or operation of any portion of a human resources management system authorized by 5 U.S.C. 9701(a), or by regulations prescribed pursuant to such section, for an "employee" as defined in 5 U.S.C. 7103(a)(2).

OVER-RELIANCE ON CONTRACTORS

The Committee supports the Department's efforts to convert contractor positions to Federal jobs through its Balanced Workforce Initiative. The fiscal year 2011 request proposes to convert 1,402 positions with an associated savings of nearly $82,000,000. This follows 1,801 conversions in fiscal year 2010 and 236 in fiscal year 2009. These conversions, however, represent only a small fraction of the estimated 210,000 contractors providing services in support of the Department's various programs and organizations. Many of the services provided by contractors are likely to be closely related to inherently governmental functions. An OCHCO-managed program office has been established to lead the Department's balanced workforce efforts. In fiscal year 2010, a Department-wide assessment is being conducted to identify additional contractor positions that should be appropriately converted to Federal jobs. The Committee directs the Undersecretary for Management and Chief Human Capital Officer to brief the Committee no later than September 10, 2010, on the findings of this review, implementation plans, and associated savings.

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

The Committee recommends $44,642,000 for Salaries and Expenses of the Office of the Chief Administrative Officer [OCAO], an increase of $151,000 above the fiscal year 2010 level and $700,000 above the budget request. The Committee finds it puzzling that the request would cut or eliminate vital programs related to environmental planning, historic preservation, and internal controls. There is no compelling basis included in the congressional justification to warrant these reductions. Therefore, funding above the request is provided to maintain these programs at appropriate levels in fiscal year 2011. The OCAO shall provide an update on how these programs are being sustained when it briefs the Committee on its fiscal year 2012 budget request.

Further, the fiscal year 2012 budget request shall include an update on the electronic management records system deployment plan, including: the results of the fiscal year 2010 pilot; status of implementation to headquarters components; and plans to mitigate delays in this program.

The Committee recommends $5,000,000 for continued facilities maintenance and upgrades at the Nebraska Avenue Complex [NAC], $500,000 below the fiscal year 2010 and budget request levels. This funding allows for: the completion of the perimeter improvement project and the medium voltage project; mechanical, electrical, and physical security upgrades for NAC 3; remediation of Americans with Disabilities Act compliance issues; and other activities. The Committee is concerned with the unexpended balance of approximately $41,000,000 in this account.

GLOBAL POSITIONING SYSTEM BACK-UP

The Committee is aware that the Department is in the process of conducting an analysis across the Federal Government and critical infrastructure and key resources sectors to determine if there is a need for a nationwide, systemic backup to the Global Positioning System [GPS] and, if so, what that backup should be. As a follow-on to this effort, the Department, in coordination with the Department of Transportation, is to conduct an analysis of alternatives that could serve as a backup to GPS. The results of both studies are to be provided to the Committee no later than 90 days after the date of enactment of this act.

MANAGEMENT INTEGRATION STRATEGY

The Committee directs the Department to submit the comprehensive management integration strategy as mandated by Congress in the 9/11 Act within 90 days after the date of enactment of this act. The strategy should include the characteristics identified by the Government Accountability Office [GAO], including expected outcomes for the management integration initiatives, along with performance measures and milestones to assess the Department's progress in implementing and achieving management integration both within and across the lines of business throughout the Department. In addition, the strategy should identify how management integration supports the Department's transformation and how the strategy links to the Department's other plans and efforts to address GAO's designation of DHS transformation and implementation as high risk.

OFFICE OF THE CHIEF FINANCIAL OFFICER

Appropriations, 2010	$60,530,000
Budget estimate, 2011	65,552,000
Committee recommendation	64,480,000

The Office of the Chief Financial Officer is responsible for the fiscal management and financial accountability of the Department of Homeland Security. The Office of the Chief Financial Officer provides guidance and oversight of the Department's budget execution while ensuring that funds are allocated and expended in accordance with relevant laws and policies. This account funds the Budget Division, Office of Financial Operations, Office of Performance Analysis and Evaluation, Office of Financial Management, Resource Management Transition Office, and the Office of the Government Accountability Office/Office of Inspector General Audit Liaison.

COMMITTEE RECOMMENDATION

The Committee recommends $64,480,000 for the Office of the Chief Financial Officer [OCFO], an increase of $3,950,000 above the fiscal year 2010 level and $1,072,000 less than the budget request. The recommendation includes adjustments to maintain current services and programmatic increases of $1,200,000 for enhanced financial and accounting oversight as requested, and $1,000,000 to conduct independent program assessments. The OCFO shall periodically brief the Committee on outcomes of the selected studies and their impact on resource decisions. The Committee understands a review of the Coast Guard's Deepwater cutter fleet recapitalization program is being conducted by the Office of the Chief Financial Officer's Program Analysis and Evaluation Division [PA&E]. PA&E shall brief the Committee on this effort no later than 90 days after the date of enactment of this act.

The Committee expects the OCFO to continue working with the Coast Guard on its efforts to remediate gaps in its core accounting systems.

Finally, the Committee supports the OCFO's initiative to reduce its reliance on contractors through the planned conversion of 38 positions to Federal FTE.

TRANSFORMATION AND SYSTEMS CONSOLIDATION

Within the OCFO appropriation, the Committee recommendation includes $17,800,000 to support the Department's effort to migrate component financial systems to a shared software baseline known as the Transformation and Systems Consolidation [TASC]. This effort will consolidate 13 separate DHS financial management systems and integrate end-to-end business processes in support of financial, acquisition, and asset management. According to the Department's business case analysis, "significant cost savings will be realized over a 10-year life cycle when considering the lower operations and maintenance costs for a centralized and integrated solution." The Committee expects a full migration plan to be submitted to the Committee no later than 60 days after the date of enactment of this act. The Committee also expects TASC to be capable of tracking obligations by the programs, projects, and activities detailed in the funding table at the end of this report. The OCFO shall brief the Committee on the feasibility of outfitting current systems with this capability on an interim basis until TASC is fully operational.

ANNUAL APPROPRIATIONS JUSTIFICATIONS

The Committee directs the OCFO to ensure annual appropriations justifications are prepared for each component within the Department in support of the President's budget, as required under section 1105(a) of title 31, United States Code, and submitted on the day the President's budget is delivered to Congress. The OCFO also is directed to include detailed information by appropriations account, program, project, and activity, on all reimbursable agreements, and significant uses of the Economy Act for each fiscal year. Additionally, the OCFO shall ensure that the congressional justifications for the Department accompanying the President's fiscal

year 2012 budget request include a status report of overdue Committee reports, plans, and other directives. One standard format shall be used by all offices and agencies and inserted in the justifications reflecting the status of congressional directives for each of fiscal years 2009 through 2011.

The OCFO is directed to include in the Department's Explanation of Changes to general provisions the text of all Department appropriations provisions enacted to date that are permanent.

BUDGET EXECUTION AND STAFFING REPORT

The Committee includes bill language requiring the Department to continue submitting to the Committees on Appropriations a monthly budget execution report showing the status of obligations and costs for all components of the Department and on-board staffing levels (Federal employees and contractors). The report shall include the total obligational authority appropriated (new budget authority plus unobligated carryover), undistributed obligational authority, amount allotted, current year obligations, unobligated authority (the difference between total obligational authority and current year obligations), beginning unexpended obligations, year-to-date costs, and ending unexpended obligations. This budget execution information is to be provided at the level of detail shown in the tables displayed at the end of this report for each departmental component, the Working Capital Fund, and all other DHS no-year accounts which have outstanding balances. This report shall be submitted no later than 45 days after the close of each month.

EXPENDITURE PLANS

The Committee continues requiring expenditure plans for specific DHS programs. These plans are intended to provide Congress with information to effectively oversee a particular program and hold the Department accountable for program results. Expenditure plans required by the Committee shall include, at a minimum: a description of how the plan satisfies any relevant legislative conditions for the expenditure plan; planned capabilities and benefits; cost and schedule commitments; measures of progress against commitments made in previous plans; how the program is being managed to provide reasonable assurance that the promised program capabilities, benefits, and cost and schedule commitments will be achieved; historical funding for the program if applicable; and an obligation and outlay schedule.

The Department continues to be delinquent in submitting expenditure plans within the timeframes specified by the Committee. These plans serve two vital purposes. First, the requirement for an expenditure plan instills fiscal discipline within the Department and the relevant component by ensuring the development of a comprehensive strategy for the expenditure of funds early in the fiscal year that will then be followed throughout the year. Second, it provides timely information to the Committee as it makes important resource allocation decisions. By consistently delaying the submission of these expenditure plans, for over half of the fiscal year in some cases, the Department fails to meet either goal. These include plans for the Office of Policy, Office of the Chief Information Officer, Intelligence and Analysis, U.S. Customs and Border Protection,

U.S. Immigration and Customs Enforcement, Transportation Security Administration, National Protection and Programs Directorate, US-VISIT, and the Federal Emergency Management Agency. For many components, the Committee is withholding significant funding from obligation in fiscal year 2011 to encourage timely submissions of expenditure plans, which are necessary for effective budget execution and robust and informed oversight.

OVERDUE QUARTERLY SBI REPORTS

In addition to delayed expenditure plans, there are a number of regular reports that the Committees have required be submitted, in some cases for many years. For instance, the Committees have required quarterly submission of a report which in essence is a compilation of border security-related facts—such as apprehensions at the border, number of illegal aliens removed, and miles of the border under effective control. The report is a snapshot of what the Department and its component agencies have accomplished during the previous quarter and the past years. The report is not supposed to be a press document requiring extensive narrative and/or "spin". Yet the fourth quarter of fiscal year 2009 report was not submitted to the Committees until March 26, 2010—almost 6 months after the end of the fiscal year. The Committees have yet to receive the first and second quarter reports for fiscal year 2010. This is unacceptable. The Committee directs the Department to submit these reports no later than 30 days after the end of each quarter.

OFFICE OF THE CHIEF INFORMATION OFFICER

Appropriations, 2010	$338,393,000
Budget estimate, 2011	398,459,000
Committee recommendation	382,459,000

The Office of the Chief Information Officer is responsible for oversight of information technology [IT] development, oversight of IT acquisition, alignment of IT systems and infrastructure to the enterprise architecture to support the missions and activities of the Department.

COMMITTEE RECOMMENDATIONS

The Committee recommends $382,459,000, of which $82,727,000 is for salaries and expenses, and $299,732,000 is to be available until expended for Department-wide technology investments overseen by the Office of the Chief Information Officer [OCIO]. The recommendation is an increase of $44,066,000 from the fiscal year 2010 level and $16,000,000 below the level proposed in the budget request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

OFFICE OF THE CHIEF INFORMATION OFFICER

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Salaries and Expenses	86,912	82,727	82,727
Information Technology Services	51,417	56,079	56,079

OFFICE OF THE CHIEF INFORMATION OFFICER—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Infrastructure and Security Activities	152,403	185,644	181,644
National Security Systems	47,661	74,009	62,009
Total, Office of the Chief Information Officer	338,393	398,459	382,459

SALARIES AND EXPENSES

The Committee recommendation includes $82,727,000, as requested, to provide oversight of technology management, shared services, and acquisition strategy for the Department. Funding is included, as requested, to support the Office of Accessible Systems and Technology.

EXPENDITURE PLAN

The Committee includes bill language requiring an expenditure plan be submitted to the Committees on Appropriations within 60 days after the date of enactment of this act. Given the consistent months-long delays experienced each year in meeting this requirement, the Committee withholds $75,000,000 from obligation from funds made available to the OCIO until the submission of the required expenditure plan.

INFORMATION TECHNOLOGY SERVICES

The Committee recommendation includes $56,079,000 for Information Technology Services, as requested in the budget. Consistent with the request, the recommended amount includes: a $5,000,000 increase for enterprise systems delivery, to consolidate six legacy component web 2.0 infrastructures onto the DHS Web 2.0 infrastructure in both DHS data centers; and a $7,609,000 increase for enterprise data management to establish procedures and practices across the components to lower development costs and decrease operations and maintenance costs.

INFRASTRUCTURE AND SECURITY ACTIVITIES

The Committee recommendation includes $181,644,000 for Infrastructure and Security Activities, $4,000,000 below the amount requested in the budget. The recommended amount includes: a $12,268,000 increase, as requested, to continue development of a single sign-on capability; and a $16,000,000 increase, $4,000,000 below the request, to consolidate component messaging systems into the two DHS data centers. The Committee supports these investments, which are necessary to ensure that a mature infrastructure is in place that meets the Department's needs. The reduction reflects migration amounts that will not be obligated in fiscal year 2011. The Department is directed to provide quarterly briefings to the Committee on the progress of these initiatives, as well as OneNet implementation and migration to Networx.

NATIONAL SECURITY SYSTEMS

The Committee recommendation includes $62,009,000 for Infrastructure and Security Activities, $12,000,000 below the amount requested in the budget. The recommendation approves the creation of this new PPA, as requested, which includes the homeland secure data network, the realignment of communications security from the "information technology services" PPA, and the development of a top secret/sensitive compartmented information [TS/SCI] network. The OCIO schedule to develop the TS/SCI network in fiscal year 2011 appears to be overly optimistic. The OCIO must still complete its concept of operations, conduct an analysis of alternatives, and receive Acquistion Project Baseline approval before awarding a contract. Therefore, a total of $12,000,000 is provided, $4,000,000 below the request to reflect a more realistic obligation schedule.

DATA CENTER DEVELOPMENT

The Committee recommends not less than $83,948,000 within Security Activities for data center development, as requested in the budget. This includes not less than $27,730,000, the amount identified by the Secretary of Homeland Security to be included in the budget request, for infrastructure and power upgrades, and facility construction projects at Data Center One. The CIO shall continue to provide quarterly briefings to the Committees on the progress of data center development and migration.

DATA CENTER MIGRATION

In addition to the amount provided to this office for data center development and operations and maintenance, the Committee provides $87,463,000 specifically to various Departmental components for data center migration, for a total of $171,411,000. The Committee is aware that component data center migration schedules may shift during the course of the fiscal year based on changing circumstances and priorities. As a result, the bill includes a general provision allowing the Secretary to transfer funds made available for data center migration, as necessary, among components based on revised schedules and priorities with 15 days prior notice to the Committees. The OCIO is also directed to include information on revised schedules in the quarterly briefings.

Consistent with section 888 of Public Law 107–296, the Committee instructs the Department to implement the consolidation plan in a manner that shall not result in a reduction to the Coast Guard's Operations Systems Center mission or its Government-employed or contract staff levels. A general provision is included for this purpose.

ANALYSIS AND OPERATIONS

Appropriations, 2010	$335,030,000
Budget estimate, 2011	347,930,000
Committee recommendation	340,000,000

The account supports activities to improve the analysis and sharing of threat information, including activities of the Office of Intelligence and Analysis [I&A] and the Office of Operations Coordination.

COMMITTEE RECOMMENDATION

The Committee recommends $340,000,000 for Analysis and Operations. This is an increase of $4,970,000 above the fiscal year 2010 level and a decrease of $7,930,000 from the budget request. The details of these recommendations are included in a classified annex accompanying this report.

DHS INTELLIGENCE EXPENDITURE PLAN

The Committee requires the Department's Chief Intelligence Officer to submit an expenditure plan for fiscal year 2011 no later than 60 days after the date of enactment of this act.

The plan shall include the following: (1) fiscal year 2011 expenditures and staffing allotted for each program as compared to fiscal years 2010 and 2009; (2) all funded versus on-board positions, including Federal FTE, contractors, and reimbursable and nonreimbursable detailees; (3) an explanation for maintaining contract staff in lieu of Federal FTE; (4) a plan, including dates or timeframes for achieving key milestones, to reduce the office's reliance on contract staff in lieu of Federal FTE; (5) funding, by object classification, including a comparison to fiscal years 2009 and 2008; and (6) the number of I&A-funded employees supporting organizations outside I&A and within DHS. The expenditure plan shall focus the activities of the Office on areas where the Department can provide unique expertise or serve intelligence customers who are not supported by other components of the Intelligence Community.

STATE AND LOCAL FUSION CENTERS

The Committee directs I&A to brief the Committee quarterly on progress in placing DHS intelligence professionals in State and local fusion centers [SLFC]. These briefings shall include: the qualification criteria used by DHS to decide where and how to place DHS intelligence analysts and related technology; total Federal expenditures to support each center to date and during the most recent quarter of the current fiscal year, in the same categorization as materials submitted to the Committees on Appropriations on March 23, 2007; the location of each fusion center, including identification of those with DHS personnel, both operational and planned; the schedule for operational stand-up of planned fusion centers and their locations; the number of DHS-funded employees located at each fusion center, including details on whether the employees are contract or Government staff; the privacy protection policies of each center, including the number of facility personnel trained in Federal privacy, civil rights, and civil liberties laws and standards; and the number of local law enforcement agents at each center approved or pending approval to receive and review classified intelligence information. The Committee also expects that performance metrics will be developed to judge the success of I&A's SLFC program. These metrics shall be presented at the first quarterly briefing.

OFFICE OF THE FEDERAL COORDINATOR FOR GULF COAST REBUILDING

Appropriations, 2010	$2,000,000
Budget estimate, 2011	
Committee Recommendation	

The Office of the Federal Coordinator for Gulf Coast Rebuilding was established to further strengthen Federal support for the recovery and rebuilding of the gulf coast region affected by Hurricane Katrina and Hurricane Rita.

COMMITTEE RECOMMENDATION

The Committee appreciates the support the Office of the Federal Coordinator for Gulf Coast Rebuilding [OFCGCR] provided for the States impacted by Hurricanes Katrina and Rita. In fiscal year 2010, $100,000 in unobligated funds from the OFCGCR were transferred to the Federal Emergency Management Agency to ensure that the successful practices and lessons learned during previous disaster recovery efforts, including Hurricanes Katrina and Rita, are incorporated in operational guidance for use in future disasters.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2010 [1]	$113,874,000
Budget estimate, 2011	129,806,000
Committee recommendation [1]	116,806,000

[1] Excludes $16,000,000 made available from FEMA Disaster Relief.

This account finances the Office of Inspector General's activities, including audits, inspections, investigations, and other reviews of programs and operations of the Department of Homeland Security to promote economy, efficiency, and effectiveness and to prevent and detect fraud, waste, and abuse.

COMMITTEE RECOMMENDATIONS

The Committee recommends $116,806,000 for the Office of Inspector General [OIG] for fiscal year 2011, $2,932,000 above the fiscal year 2010 level. In addition, the Committee includes bill language transferring $16,000,000 needed by the OIG for audits and investigations related to disasters from the Federal Emergency Management Agency "Disaster Relief" account [DRF]. The OIG is required to notify the Committee no less than 15 days prior to all transfers from the DRF. When combined, the recommendation exceeds the request by $3,000,000. Included in the recommendation are increased resources for integrity oversight and investigations.

The Committee is pleased that the Secretary, pursuant to Public Law 110–161, established a direct link to the DHS OIG on the DHS Web site. The Committee directs the Secretary to update and maintain the Web link.

INTEGRITY OVERSIGHT

Since fiscal year 2006, U.S. Customs and Border Protection has hired more than 15,700 new employees, a 37 percent increase, and U.S. Immigration and Customs Enforcement has hired over 8,200 new personnel, a 31 percent increase. The Committee is concerned

due to the rapid hiring in CBP and ICE, that there is the potential for increased allegations of corruption. To avoid corruption and misconduct it is imperative that all agents, especially new hires, receive comprehensive training in ethics and public integrity. The OIG provides ethics training to all agencies and is in charge of investigating all allegations of criminal misconduct throughout the Department. It is essential that the OIG, CBP, and ICE work jointly and cooperatively to combat corruption. Within the total funding recommended, the Committee provides the OIG an increase of $3,000,000 for integrity investigations. The Committee directs the Inspector General to submit a plan for expenditure of these funds no later than 90 days after the date of enactment of this act. This plan shall be developed in coordination with CBP and ICE.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SUMMARY

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

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $11,281,621,000, including direct appropriations of $9,916,453,000 and estimated fee collections of $1,365,168,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request [1]	Committee recommendations [1]
Appropriations:			
Salaries and Expenses	8,064,713	8,207,986	8,290,986
Automation Modernization	422,445	347,575	347,575
Border Security Fencing, Infrastructure, and Technology [BSFIT]	800,000	574,173	574,173
Air and Marine Interdiction, Operations, Maintenance, and Procurement	519,826	503,251	523,751
Construction and Facilities Management	319,570	175,968	179,968
Total, Appropriations	10,126,554	9,808,953	9,916,453
Estimated fee collections:			
Immigration inspection user fee	584,000	525,443	525,443
Immigration enforcement fines	5,000	1,037	1,037
Land border inspection fee	30,000	28,598	28,598
COBRA fee	393,000	390,974	390,974
APHIS inspection fee	320,000	318,472	318,472
Global entry user fee	.....	2,500	2,500
Puerto Rico Trust Fund	92,000	89,980	89,980
Small airport user fee	8,000	8,164	8,164
Total, Estimated fee collections	1,432,000	1,365,168	1,365,168
Total, U.S. Customs and Border Protection, Available Funding	11,558,554	11,174,121	11,281,621

[1] Reflects a rescission of $99,772,000, as proposed by the President.

SALARIES AND EXPENSES

Appropriations, 2010	$8,064,713,000
Budget estimate, 2011	8,207,986,000
Committee recommendation	8,290,986,000

The U.S. Customs and Border Protection [CBP] Salaries and Expenses appropriation provides funds for border security, immigration, customs, agricultural inspections, regulating and facilitating international trade, collecting import duties, and enforcing U.S. trade laws. In addition to directly appropriated resources, fee collections are available for the operations of CBP from the following sources:

Immigration Inspection User Fee.—CBP collects user fees to fund the costs of international inspections activities at airports and seaports, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Immigration Enforcement Fine.—CBP collects fines from owners of transportation lines and persons for unauthorized landing of aliens, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Land Border Inspection Fee.—CBP collects fees for processing applications for the Dedicated Commuter Lanes program, the Automated Permit Ports program, the Canadian Border Boat Landing program, and both Canadian and Mexican Non-Resident Alien Border Crossing Cards, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

Consolidated Omnibus Budget Reconciliation Act [COBRA] Fee.—CBP collects fees for inspection services involving customs-related functions. The COBRA user fee statutory authority (19 U.S.C. 58c) specifies the types of expenses to be reimbursed and the order for the reimbursement of these types of expenses.

Animal and Plant Health Inspection Service Inspection Fee.—CBP receives as a transfer a distribution of agriculture inspection fees collected by the United States Department of Agriculture. The user fees, as authorized by the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136), are charged to offset costs for the services related to the importation, entry, or exportation of animals and animal products.

Global Entry User Fee.—CBP collects fees to cover the cost of a register traveler program to expedite screening and processing of international passengers as authorized under the Consolidated Appropriations Act of 2008, section 565(3)(B).

Puerto Rico Trust Fund.—Customs duties, taxes, and fees collected in Puerto Rico by CBP are deposited in the Puerto Rico Trust Fund. After providing for the expenses of administering CBP activities in Puerto Rico, the remaining amounts are transferred to the Treasurer of Puerto Rico pursuant to 48 U.S.C. sections 740 and 795.

Small Airport User Fee.—The User Fee Airports Program authorized under 19 U.S.C. 58b and administered under 19 U.S.C. 58c(b)(9)(A)(i), authorizes inspection services to be provided to participating small airports on a fully reimbursable basis. The fees charged under this program are set forth in a memorandum of

agreement between the small airport facility and the agency, and may be adjusted annually as costs and requirements change.

COMMITTEE RECOMMENDATIONS

The Committee recommends $8,290,986,000 for salaries and expenses of U.S. Customs and Border Protection [CBP] for fiscal year 2011, including $3,274,000 from the Harbor Maintenance Trust Fund. The Committee includes bill language making available up to $150,000 for payment for rental space for preclearance operations and $1,000,000 for payments to informants. The Committee also includes bill language placing a $35,000 annual limit on overtime paid to any employee, and making $1,700,000 available until September 30, 2012, for the Global Advanced Passenger Information/Passenger Name Record program.

LAYERED BORDER SECURITY

Since the creation of the Department of Homeland Security, a key philosophy to providing security is to "push our borders out" as well as the concept of "layered border security". The Committee is disappointed that the President proposes deep cuts in effective programs which accomplish these goals. The Committee strongly supports programs which provide this layered border security and adds funding above the request for a number of these programs. While unable to fully restore the reductions to the Container Security Initiative, the Customs-Trade Partnership Against Terrorism [C–TPAT], and the Western Hemisphere Travel Initiative, the Committee recommends $29,900,000 above the request for these programs and requests a briefing within 90 days of enactment of this act on how these additional funds will be allocated to enhance security as well as what steps will be taken to mitigate the impact on security of the remaining cuts.

The Committee recommends an additional $5,200,000 above the request to expand the Immigration Advisory Program [IAP] to three additional overseas locations. This program stations CBP officers at international airports and assists the airlines in vetting air passenger manifests to ensure that individuals who would not be allowed entry into the United States upon arrival are prevented from boarding U.S.-bound aircraft. Given that these officers are being provided more information about potentially dangerous passengers, expansion of this program will help prevent individuals such as the December 25 terrorist from ever boarding a plane.

The Committee has included bill language making $1,700,000 available until September 30, 2012, for the Global Advanced Passenger Information/Passenger Name Record Program.

SOUTHWEST BORDER INITIATIVE

Between fiscal years 2008–2009, Border Patrol apprehensions of illegal aliens decreased from 723,800 to 556,000. This 23 percent reduction is an indication that the combined effect of the recession and our bipartisan efforts to secure the border are resulting in fewer people attempting to illegally cross the border. Over the 5-year period ending in fiscal year 2009, Border Patrol apprehensions along the Southwest border decreased by 53 percent.

Similarly, between fiscal years 2008–2009, illegal bulk cash seizures rose 14 percent; illegal weapons seizures rose 29 percent; and illegal drug seizures rose 15 percent.

There has been an increased level of violence being directed at our Border Patrol agents and CBP officers stationed at and between our ports of entry. In fiscal year 2008, there were 575 assaults on agents and 97 on officers. Those numbers jumped in fiscal year 2009 to 1,073 agent assaults and 332 officer assaults. As of the end of April 2010, there have been 529 agent assaults and 17 officer assaults. As we have moved to further secure the Southwest border, we have increased the cost of doing business for the smugglers while also increasing their levels of frustration.

In March 2009, the Secretary of Homeland Security announced a major initiative to assist the Mexican Government in combating drug cartel violence by deploying additional CBP and United States Immigration and Customs Enforcement [ICE] personnel and resources to the Southwest border. Between the Supplemental Appropriations Act, 2009 (Public Law 111–32) and the Department of Homeland Security Appropriations Act, 2010, more than $88,600,000 has been added above the President's requests for CBP for Southwest border security, including outbound inspections to combat smuggling of guns and bulk cash which support the drug cartels.

To continue this effort, the Committee recommends a total of $66,400,000 in various CBP accounts to hire more CBP officers and pilots, and procure one additional unmanned aerial system [UAS]. With these additional funds, combined with funds requested in the President's budget, and those in the inventory or awaiting delivery, CBP will have a total of nine UAS to patrol our borders.

Specifically, as detailed later in this report, the Committee recommends $20,000,000 to hire no fewer than 80 new CBP officers and $10,000,000 to hire the 62 CBP officers funded by the Congress in the fiscal year 2010 act but not hired due to overall CBP fee revenue shortfalls. Finally, the Committee recommends $15,900,000 above the request for hiring 86 pilots, marine enforcement agents, and operational support staff, as well 5 new positions in support of the additional UAS.

CONDUCT AND INTEGRITY OVERSIGHT

The Committee recommends a total of $158,286,000, $17,000,000 above the request for CBP to expand integrity training for its officers, conduct investigations, and reduce the backlog of reviews and the polygraph backlog. Over the last 5 years, CBP has hired more than 15,700 new personnel, a 37 percent increase since fiscal year 2006. The Committee is aware that CBP's Office of Internal Affairs is facing a significant backlog in completing Periodic Reinvestigations [PRI] of current employees. Additionally, CBP is having difficulty reaching its goal of polygraphing 100 percent of the applicant pool for front line officer and agent positions without increasing staffing in this area. The additional $17,000,000 above the request will allow CBP to perform polygraphs on 100 percent of the law enforcement applicant pool, an increase from 25 percent in fiscal year 2010, and begin to reduce the PRI backlog. The Committee urges the Department to provide additional funding for these crit-

ical officer integrity activities in the fiscal year 2012 budget request. The Committee also is concerned that the CBP budget proposes to reduce CBP-wide travel by 8 percent. The Committee directs that the Office of Internal Affairs receive the same amount for travel as in fiscal year 2009 in order to travel and conduct integrity training and investigations and ensure the effectiveness of integrity efforts.

As discussed in title I of this report, valid concerns have been raised about which DHS entity has responsibility for conducting integrity and official corruption investigations. The Committee directs CBP and ICE to jointly submit a plan for expenditure no later than 90 days after the date of enactment of this act reflecting how funds provided to each agency are to be used. This plan shall be developed in coordination with the Office of Inspector General.

COMBATING SOUTHBOUND SMUGGLING

The Committee recommends $20,000,000 above the request to hire no fewer than 80 additional CBP officers and other personnel in support of ongoing activities involved with combating the southbound smuggling of weapons and bulk cash which support the drug cartel-related violence in Mexico. These funds are also available for equipment, signage, and minor modifications to ports of entry to assist in making southbound inspections safer for the CBP officers and the travelling public as well as additional canine teams to assist in conducting inspections. The Committee directs CBP to provide a plan for expenditure specifying how these additional resources are to be deployed not later than 45 days after the date of enactment of this act.

BORDER PATROL AGENTS

Since Congress began increasing the size of the Border Patrol by funding the hiring of 500 new agents in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13), a total of 9,344 new Border Patrol agents, and attendant support positions, will have been funded and hired through the end of fiscal year 2010. The Congress strongly supports the Border Patrol mission of securing our borders and fully funds the amended fiscal year 2011 request.

Included in the amount recommended by the Committee for "Border Security and Control" is a total of $3,536,833,000, $10,000,000 below the request. The amount does not include the hiring of additional intelligence analysts, as discussed later in the report. These funds provide the full funding necessary for 20,370 Border Patrol agents and the attendant support positions, as compared with 9,951 agents on board at the end of fiscal year 2002.

Bill language is included mandating a floor of not less than 20,370 Border Patrol agents on-board throughout fiscal year 2011.

OPERATION STREAMLINE

The Committee supports Operation Streamline, a program in which individuals apprehended crossing the Southwest border are sentenced by a judge to serve a period of time in jail. In Border Patrol sectors where Operation Streamline is robustly in effect, there

has been a noticeable reduction in attempted illegal crossings. The Committee encourages the Department to work with the appropriate Department of Justice agencies and the Judiciary to expand Operation Streamline to additional Border Patrol sectors.

Additionally, the Committee encourages CBP to consider expanding the community liaison officers program and provide a briefing to the Committees on Appropriations not later than 90 days after the date of enactment of this act on the costs and benefits associated with this program.

NORTHERN BORDER STAFFING

The Committee strongly supports CBP's commitment to reach its Border Patrol staffing goals for the Northern border by the end of calendar year 2010. The Committee remains concerned, however, about CBP officer staffing levels for Northern border ports of entry. The Committee believes that many of the concerns about Northern border staffing could be allayed by more complete reporting to Congress about CBP's Northern border staffing plans. The Committee directs CBP to submit a plan with the fiscal year 2012 budget detailing specific staffing and funding for, and implementation of, planned Northern border enforcement initiatives.

INTELLIGENCE AND OPERATIONS COORDINATION STAFFING

The Committee recommends a total of $58,009,000, the same as the amount provided in fiscal year 2010 and a reduction of $10,000,000 from the amount requested in the budget, for intelligence and operations coordination staffing. The Committee is skeptical that CBP will be able to hire all of the requested staff in 1 year and believes CBP has higher operational priorities.

JOURNEYMAN INCREASE

The Committee recommends $310,403,000, as requested, for the journeyman pay increase and associated supervisory pay increases. This increase was required after review by the courts and was announced to CBP employees by the Secretary and the Acting Commissioner on October 14, 2009. The Committee is disappointed that it took more than 9 months from the announcement for CBP to identify funds to begin implementing the increase and communicate that proposal to the Congress. The Committee notes that this pay grade increase will affect 27,587 CBP employees in fiscal year 2011.

AIR AND MARINE STAFFING

Included in the amount recommended by the Committee is a total of $314,052,000, 2,015 positions, and 1,943 FTE for Air and Marine staffing. This represents an increase of $15,900,000, 144 positions, and 72 FTE, above the level requested in the budget.

In the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83), the Committee fully funded the President's budget request to hire 144 new Office of Air and Marine pilots, vessel commanders, and support personnel. The Committee agreed with the President that it is critical to fill these positions in order to fly the planes and command the unmanned aircraft sys-

tems and vessels which protect our borders from entry of illegal persons, drugs, or other contraband. Therefore, the Committee was disappointed to learn that not only were funds not requested in the fiscal year 2011 request to sustain the majority of these positions but, in fact, a decision had been made early in fiscal year 2010 to hire only 24 of the 144 positions. This decision is penny wise and pound foolish. Given the very lengthy hiring and training process before these personnel can be considered fully operational, as well as the increased demand for security operations along our borders, the Committee recommends $15,000,000 above the request to hire a portion of these essential personnel. The additional $900,000 above the request is to hire the pilots and other personnel associated with the one additional unmanned aircraft system funded in the "Air and Marine Interdiction, Operations, Maintenance, and Procurement" account.

INSPECTION TECHNOLOGY

The Committee recommends $155,093,000, for "Inspection and Detection Technology Investments", as requested in the budget. The Committee understands that in addition to ongoing operations and maintenance of CBP's inventory of technology systems, $44,700,000, will be used to procure and deploy new and replacement nonintrusive inspection systems.

PASSENGER NAME RECORD INFORMATION

The Committee is aware that the International Civil Aviation Organization [ICAO] is reviewing options for further standardizing the information fields used by the airlines to collect passenger name record [PNR] data. Over the last nearly 20 years, the analysis of PNR data has become an integral part of our effort to manage the U.S. border securely, efficiently, and fairly and has significantly reduced wait times at our border crossings. PNR data holds information that can be used in identifying persons involved in transnational crimes and terrorism. When PNR is available, CBP officers use it to identify travelers that potentially pose a greater risk of terrorism or serious transnational crimes, based on intelligence and the analysis of current and past law enforcement cases. In this way, PNR helps CBP to identify known threats earlier and previously unknown threats by uncovering travel practices known to be indicative of illicit activity.

CBP's Automated Targeting System.—Passenger maintains PNR information received from commercial air carriers and uses that information to assess risk associated with travelers seeking to enter, exit, or pass through the United States. The system utilizes scenario-based targeting rules in order to identify "unknown" potential higher-risk individuals. The recent events associated with the failed car bombing in New York City and other high-profile terrorist incidents since the fall of 2009 are evidence of the need to receive reliable and comprehensive PNR data.

The Committee believes that having the most up-to-date PNR information is critical. The data needs to be provided in a timely manner and in a format for appropriate screening and action if necessary. The Committee urges CBP to work with ICAO on standardizing PNR data and ensuring that it is received on a timely basis.

The Committee also encourages CBP to explore adding passport numbers to the PNR data field.

DATA CENTER MIGRATION

As part of the Department-wide effort to assign data center migration funding to the component agencies which will be migrating, the Committee provides a total of $34,370,000, in new funding to support CBP's portion of this activity in fiscal year 2011, as requested in the budget.

INTELLECTUAL PROPERTY RIGHTS

The Committee recommendation includes $20,000,000 for intellectual property rights, an increase of $20,000,000 above the fiscal year 2010 level and $5,000,000 less than the budget request. The Committee also includes language in the bill withholding $20,000,000 from obligation until the Commissioner of CBP submits the 5-year intellectual property rights enforcement strategy required in the joint explanatory statement accompanying the Conference Report (House Report 111–298) on Public Law 111–83.

INVASIVE SPECIES

The Committee directs CBP to fund activities associated with the control of invasive species, such as carrizo cane, and any mitigation efforts from within the "Border Security Fencing, Infrastructure, and Technology" account.

ADVANCED TRAINING CENTER

Included in the amount recommended by the Committee is $35,510,827, as proposed in the budget, for programmatic expenses (including salaries and benefits) and the National Training Plan, at the Advanced Training Center. In fiscal year 2010, it is estimated that there will be 3,786 graduates of the advanced training program and that 2,800 employees will have received weapons requalifications at the Advanced Training Center.

Pursuant to Public Law 106–246, the training to be conducted at the Center shall be configured in a manner so as to not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center [FLETC]. Training currently being conducted at a FLETC facility shall not be moved to the Center.

ANTIDUMPING AND COUNTERVAILING DUTY ENFORCEMENT

The Committee has ensured that, within the amounts provided for in this account, there will be sufficient funds to administer the ongoing requirements of section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c), referenced in subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154).

The Committee directs CBP to continue to work with the Departments of Commerce and Treasury, and the Office of the United States Trade Representative (and all other relevant agencies) to increase collections, and provide a public report on an annual basis, within 30 days of each year's distributions under the law. The report should summarize CBP's efforts to collect past due amounts

and increase current collections, particularly with respect to cases involving unfairly traded United States imports from China. The report shall provide the amount of uncollected duties for each antidumping and countervailing duty order, and indicate the amount of open, unpaid bills for each such order. In that report, the Secretary, in consultation with other relevant agencies, including the Secretaries of the Treasury and Commerce, should also advise as to whether CBP can adjust its bonding requirements to further protect revenue without violating U.S. law or international obligations, and without imposing unreasonable costs upon importers.

The Committee further directs the Secretary to work with the Secretary of Commerce to identify opportunities for the Commerce Department to improve the timeliness, accuracy, and clarity of liquidation instructions sent to CBP. Increased attention and interagency coordination in these areas could help ensure that steps in the collection of duties are completed in a more expeditious manner.

The Committee directs CBP to ensure that adequate resources are directed to the field and to key seaports to address issues of customs fraud, including circumvention of duties and misclassification on entries of imports of goods from China. CBP should work with its counterparts at ICE to address aggressive targeting of unfairly traded imports of steel pipe and tube from China to ensure that appropriate actions are taken to end these illegal activities. The Committee requests a briefing from CBP on steps it is taking to address this issue as well as other options it can explore with other agencies and departments to further improve targeting.

TRADE ENFORCEMENT AND COMPLIANCE

The Committee is concerned that CBP may not be providing sufficient resources and personnel to the Office of Trade. The volume of trade continues to expand and as the economy improves the country will experience an even greater volume of trade. The Committee fully funds the President's request for trade enforcement and compliance and encourages CBP to increase hiring of trade enforcement and compliance personnel to the greatest extent possible. The Committee directs CBP to submit to the Committees on Appropriations the updated resource optimization model required to be prepared under section 403 of the SAFE Port Act.

AGRICULTURAL PESTS

The Committee notes that Hawaii's globally significant natural environment, as well as the State's important diversified agricultural industry, are uniquely vulnerable to the introduction of invasive weeds, animals, insects, and diseases. The Committee expects the Department to work with the USDA and the Hawaii Department of Agriculture to share information and expertise to ensure their respective inspection and quarantine activities provide coordinated and collaborative biosecurity protection for the State. The Committee urges CBP to work with State officials to devise a plan for an improved joint inspection facility to be jointly operated by the State of Hawaii, the Department of Agriculture, and the Department of Homeland Security/CBP.

JONES ACT

U.S. Customs and Border Protection is charged with enforcement of U.S. cabotage laws. The Jones Act provides for the national and economic security of the United States by supporting a strong U.S. merchant marine. By virtue of the Outer Continental Shelf Lands Act, as amended by Public Law 106–580, the coastwise laws apply to marine transportation between points and places in the United States, including on the Outer Continental Shelf. U.S. vessels, mariners, and shipyards have been negatively impacted and underutilized as a result of prior rulings inconsistent with congressional intent. The Committee urges the Department to expeditiously complete the ongoing rulemaking process to establish clarity in the law regarding the application of the Jones Act to the offshore energy sector.

TRAINING REGARDING HUMAN TRAFFICKING

CBP plays a critical role in identifying potential human trafficking victims as they enter the United States. The Committee encourages CBP to work with appropriate nonprofit organizations and victim service providers to improve the training of CBP officers in the field to assist in the identification of human trafficking victims and provide appropriate referrals to victim service organizations.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Salaries and expenses:			
Headquarters management and administration:			
Management and administration, border security inspections, and trade facilitation	520,575	520,182	537,182
Management and administration, border security, and control between port of entry	495,425	493,242	493,242
Rent	402,263	400,573	400,573
Subtotal, Headquarters Management and Administration	1,418,263	1,413,997	1,430,997
Border security inspections and trade facilitation at ports of entry:			
Inspections, trade, and travel facilitation at ports of entry	2,262,235	2,509,157	2,544,257
Harbor maintenance fee collections (trust fund)	3,226	3,274	3,274
International cargo screening	162,000	83,438	103,438
Other international programs	11,181	11,247	11,247
Customs Trade Partnership Against Terrorism	62,612	50,034	55,034
Trusted Traveler Programs	11,274	10,865	10,865
Inspection and detection technology investments	153,563	155,093	155,093
Automated targeting systems	32,560	32,482	32,482
National Targeting Center	26,355	36,327	36,327
Training	24,778	20,808	20,808

U.S. CUSTOMS AND BORDER PROTECTION—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Subtotal, Border security inspections and trade facilitation at ports of entry	2,749,784	2,912,725	2,972,825
Border security and control between ports of entry:			
Border security and control	3,535,286	3,546,833	3,536,833
Training	51,751	36,279	36,279
Subtotal, Border security and control between ports of entry	3,587,037	3,583,112	3,573,112
Air and Marine operations, personnel compensation and benefits	309,629	298,152	314,052
Total, Salaries and expenses	8,064,713	8,207,986	8,290,986

AUTOMATION MODERNIZATION

Appropriations, 2010	$422,445,000
Budget estimate, 2011	347,575,000
Committee recommendation	347,575,000

The automation modernization account includes funds for major information technology systems and services for U.S. Customs and Border Protection [CBP], including the Automated Commercial Environment [ACE] and the International Trade and Data System projects, and connectivity of and integration of existing systems.

COMMITTEE RECOMMENDATIONS

The Committee recommends $347,575,000, to be available until expended, as proposed in the budget, for automation modernization. In light of the continued problems with program oversight, management, and development, the Committee agrees the reduction is appropriate and believes that CBP should take this opportunity to address and resolve these problems.

INTERNATIONAL TRADE DATA SYSTEM

Included in the amount recommended is $16,000,000, as requested, for the International Trade Data System.

EXPENDITURE PLAN

The Committee includes bill language making not less than $50,000,000 available for development of ACE upon the submission of a comprehensive expenditure plan for the program. The Committee also expects to continue receiving the ACE quarterly reports. CBP is directed to brief the Committees on Appropriations immediately on the plan to decommission the Automated Commercial System [ACS], the updated program plan for ACE, how the ACS decommission plan is integrated into the program plan, and the updated master schedule for ACE development.

TECS MODERNIZATION

The Committee directs CBP and ICE to continue to conduct the semiannual joint briefings for the Committee.

COMMITTEE RECOMMENDATION

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

AUTOMATION MODERNIZATION

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Automated Commercial Environment/International Trade Data System [ITDS]	227,960	153,090	153,090
Current operations protection and processing support	194,485	194,485	194,485
Total, Automation modernization	422,445	347,575	347,575

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

Appropriations, 2010	$800,000,000
Budget estimate, 2011	574,173,000
Committee recommendation	574,173,000

The Border Security, Fencing, Infrastructure, and Technology account funds the capital procurement and total operations and maintenance costs associated with fencing, infrastructure, sensors, surveillance, and other technology.

COMMITTEE RECOMMENDATION

The Committee recommends $574,173,000, as requested, for this activity.

The Committee supports the continued investment in technology and infrastructure on the northern border, and includes $40,000,000 as requested to continue this effort.

SECURE BORDER INITIATIVE

Approximately $4,500,000,000 has been appropriated to the Secure Border Initiative [SBI] program between fiscal years 2005–2010. With the $574,173,000 recommended in this bill, more than $5,000,000,000 will have been made available to secure our borders via physical fencing, tactical infrastructure, and other technologies.

The Committee has strongly supported the SBI program—including SBInet, the so-called "virtual fence". From the beginning, however, the SBInet program has been troubled by both real and perceived problems. More than $1,200,000,000 of the total funding has been devoted to SBInet and the Committee is concerned with the performance of the SBInet contract and how it has been implemented. While the program is under strong leadership at this point, it is imperative that outstanding issues must be resolved quickly. On March 15, 2010, the Secretary halted further expansion, development, and deployment of the testing activities beyond the Tucson-1 and Ajo-1 projects currently ongoing in Arizona pending a two-stage review of the entire SBInet program. The Committee supports this review, but notes that, contrary to media reports, Border Patrol agents have been using the cameras and sensors being tested in the Tucson sector and they report that improvements have been made. These agents have been able to use

these cameras to make apprehensions and are pleased to have a detection technology previously unavailable in the sector.

Pending this review, the Committee strongly urges the Department to use currently available funding, as well as the funds provided in this bill, to procure and deploy useful and proven technologies—such as remote video sensors and mobile surveillance systems—to further assist agents who daily secure our borders.

The tactical communications program is also a proven system which provides vastly improved communications capabilities to Border Patrol agents working in remote areas along the borders. The Committee strongly supports the use of funds provided in this bill to further expand the tactical communications program to Border Patrol sectors according to the approved Border Patrol plan. The total life-cycle cost for this planned upgrade is estimated to be nearly $1,600,000,000 to be implemented over a period of 10 years. The Committee also encourages CBP to explore other interoperable communications options, including satellite phones, for use in remote areas and to improve officer safety. We must not delay in providing these agents with the technology they need to secure the border and ensure their personal safety.

INVASIVE SPECIES

The Committee directs CBP to fund activities associated with the control of invasive species, such as carrizo cane, and any mitigation efforts from within the "Border Security Fencing, Infrastructure, and Technology" account.

EXPENDITURE PLAN

The Committee expects a timely submission of the plan mandated in this bill. It is the responsibility of CBP, the Department, and the Office of Management and Budget to ensure expenditure plans, when submitted, comply with the law.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Development and deployment	508,000	335,643	335,643
Operations and maintenance	200,000	169,357	169,357
Program management	92,000	69,173	69,173
Total, Border Security Fencing, Infrastructure, and Technology	800,000	574,173	574,173

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

Appropriations, 2010	$519,826,000
Budget estimate, 2011	503,251,000
Committee recommendation	523,751,000

The U.S. Customs and Border Protection [CBP] Air and Marine Interdiction, Operations, Maintenance, and Procurement [AMO] ac-

count funds the capital procurement and total operations and maintenance costs of the CBP air and marine program and provides support to other Federal, State, and local agencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends $523,751,000, an increase of $20,500,000 above the request, to remain available until expended, for air and marine interdiction, operations, maintenance, and procurement.

The Committee strongly supports CBP's continued efforts to recapitalize its air and marine assets. Since fiscal year 2005, the Congress has appropriated more than $2,870,000,000 to this account. Working with the Office of Air and Marine, the Committee has provided resources to meet the Department's border security requirements in the air, coastal, and riverine environments as delineated by the CBP Air and Marine Recapitalization Plan. Resources to address some of these requirements are provided in this bill. The Committee notes the lengthy period of time it takes in procuring certain types of aircraft and other air systems because of the need to compete with the Department of Defense for these systems in a time of war, but AMO is to be commended for the creative use of multi-purchase awards.

UNMANNED AIRCRAFT SYSTEMS

The Committee recommends a total of $34,500,000, $20,500,000 above the request, for two additional Unmanned Aircraft Systems [UAS]. Funds for the procurement of one additional UAS are requested in the budget and the $18,500,000 above the request is for the procurement of an additional UAS for total procurement of two UAS in fiscal year 2011. An additional $900,000 is provided in "Salaries and Expenses" to hire five new positions associated with the additional UAS and $2,000,000 above the request is provided in this account for attendant UAS support materials and equipment. The Committee notes that the procurement and final acceptance process for a UAS takes between 18 and 24 months. A similar period of time is required to hire and train UAS pilots and ground station operators. Thus, it is important that this process be initiated as early as possible. With the funds provided in this bill, CBP will eventually have nine UAS, including three for maritime operations. The Committee directs CBP to maintain the current level of UAS on the Northern border.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Operations and maintenance	374,217	371,642	371,642
Procurement	145,609	131,609	152,109

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT—Continued

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget request	Committee recommendations
Total, Air and Marine Interdiction, Operations, Maintenance, and Procurement	519,826	503,251	523,751

CONSTRUCTION AND FACILITIES MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

Appropriations, 2010	$319,570,000
Budget estimate, 2011 [1]	175,968,000
Committee recommendation [1]	179,968,000

[1] Includes a rescission of $99,772,000 in unobligated prior year balances.

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, customs, and alien registration.

COMMITTEE RECOMMENDATIONS

The Committee recommends $179,968,000 for construction and facilities management activities of U.S. Customs and Border Protection [CBP], to be available until expended.

BORDER PATROL FACILITIES

The Committee is disappointed that due to a lack of execution of funds provided in prior years for accelerated construction of Border Patrol facilities to keep pace with the expansion of the Border Patrol workforce, budget constraints facing overall CBP operations have resulted in unobligated prior-year balances in this account being available for rescission. The Committee reluctantly concurs with the rescission request, but directs CBP to increase the proposed rescission of various alterations projects by $19,100,000 and submit a revised projects rescission plan to the Committees on Appropriations not later than 60 days after the date of enactment of this act. The Committee directs that the rescission have no impact on the previously funded project to replace the Border Patrol station at Oroville, Washington which currently has 49 agents in a facility designed to house 20 agents. Bill language has been included limiting the rescission to Border Patrol projects and facilities.

SANTA TERESA PORT OF ENTRY

The Committee is aware that the existing infrastructure at the Santa Teresa Port of Entry [POE] may be insufficient to accommodate increased port traffic given the increased export production activities on the Mexican side of the border and urges CBP to report, in coordination with the General Services Administration [GSA]—which owns the facility, to the Committee not later than 90 days after the date of enactment of this act on the cost of constructing at least two additional passenger vehicle lanes and related inspection booths at the port. The report should also examine the impact on wait times and traffic flows at other area POEs of any expansion at the Santa Teresa POE.

ADVANCED TRAINING CENTER

The Committee provides $14,100,000, as requested in the budget, for maintenance, repairs, and operations activities for the Advanced Training Center [ATC]. The Committee also recommends $4,000,000 to equip and expand the Leadership Academy and complete dormitory construction consistent with the ATC Master Plan which was submitted to the Committee on April 4, 2007, by the Department of Homeland Security Under Secretary for Management. The ATC opened in September 2005. It provides advanced training to more than 3,700 CBP law enforcement personnel, managers, and supervisors per year and will train approximately 4,000 per year by the end of 2011.

FIVE-YEAR CONSTRUCTION PLAN

The Committee is disappointed that CBP, GSA, and the Office of Management and Budget had ample time to produce and submit with the budget the 5-year construction plan for land border POE construction mandated in the fiscal year 2010 act, yet failed to do so. The Committee again has included bill language requiring CBP, in consultation with GSA, to include the 5-year construction plan with the fiscal year 2012 request. The plan shall include a yearly update of total projected future funding needs.

The Committee directs the Department to continue to work with the GSA on its nationwide strategy to prioritize and address the infrastructure needs at land border POEs and to comply with the requirements of the Public Buildings Act of 1959 (40 U.S.C. 3301) to seek necessary funding.

The Committee further directs the Department to encourage the use of small businesses in all phases of the contracting process for construction and renovation of POEs.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

CONSTRUCTION AND FACILITIES MANAGEMENT

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Facility Construction and Sustainment	282,557	239,357	243,357
Program Oversight and Management	37,013	36,383	36,383
Rescission/Cancellation	.....	(99,772)	(99,772)
Total, Construction and Facilities Management	319,570	175,968	179,968

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SUMMARY

U.S. Immigration and Customs Enforcement [ICE] is responsible for enforcing immigration and customs laws, detaining and removing deportable or inadmissible aliens, and providing security of Federal buildings and property.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $5,862,549,000, including direct appropriations of $5,551,162,000, and estimated fee collections of $311,387,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Appropriations:			
Salaries and expenses	5,342,134	5,439,100	5,466,462
Automation modernization	90,000	84,700	84,700
Construction	4,818	.....	.....
Total, Appropriations	5,436,952	5,523,800	5,551,162
Estimated Fee Collections:			
Immigration inspection user fee	109,800	116,387	116,387
Student exchange and visitor fee	120,000	120,000	120,000
Breached bond/detention fund	75,000	75,000	75,000
Total, Estimated fee collections	304,800	311,387	311,387
Total, Available funding	5,741,752	5,835,187	5,862,549

SALARIES AND EXPENSES

Appropriations, 2010	$5,342,134,000
Budget estimate, 2011	5,439,100,000
Committee recommendation	5,466,462,000

The ICE Salaries and Expenses account provides funds for the enforcement of immigration and customs laws, intelligence, and detention and removals. In addition to directly appropriated resources, funding is derived from the following offsetting collections:

Immigration Inspection User Fee.—ICE derives funds from user fees to support the costs of detention and removals in connection with international inspections 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, and schools and universities to certify and monitor participating schools, and to conduct compliance audits.

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 the Immigration and Nationality Act to support the cost of the detention of aliens.

COMMITTEE RECOMMENDATIONS

The Committee recommends $5,466,462,000, for salaries and expenses of ICE for fiscal year 2011. The Committee includes bill language placing a $35,000 limit on overtime paid to any employee;

making up to $10,000,000 available for special operations; making up to $2,000,000 available for the payment of informants; making up to $11,216,000 available to reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; making not less than $305,000 available for promotion of public awareness of the child pornography tipline and anti-child exploitation activities; making not less than $5,400,000 available to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act; limiting the use of funds for facilitating agreements consistent with section 287(g) of the Immigration and Nationality Act to the same activities funded in fiscal year 2005; making $15,770,000 available for activities to enforce laws against forced child labor, of which $6,000,000 shall remain available until expended, and making $7,300,000 available until expended for the Visa Security Program.

SOUTHWEST BORDER ENFORCEMENT INITIATIVE

In March 2009, the Secretary of Homeland Security announced a major initiative to assist the Mexican Government in combating drug cartel violence by deploying additional ICE and U.S. Customs and Border Protection [CBP] personnel and resources to the Southwest border. Between the Supplemental Appropriations Act, 2009 (Public Law 111–32) and the Department of Homeland Security Appropriations Act, 2010, more than $81,000,000 has been added above the President's requests for ICE for Southwest border security, including investigations into outbound smuggling activities of guns and bulk cash which support the drug cartels, expanding the number of Border Enforcement Security Task Forces [BESTs], as well as increasing the number of agents, intelligence analysts, and support personnel along the Southwest border.

Since the Mexican Government began its offensive on drug trafficking organizations in 2007, more than 22,700 people have been killed. While the violence has not spilled over the border into the United States, the level of violence has increased the fears of many living in the Southwest. As the drug cartels become more violent and fight each other for access to smuggling routes, often robbing each other of humans, drugs, or other contraband they are attempting to smuggle into the United States, the costs of these efforts escalate in both financial and human terms. These cartels are increasing their presence in the United States, and not just along the border. A recent report issued by the Department of Defense's Southern Command stated, "Of particular concern is the smuggling of criminal aliens and gang members who pose public safety threats to communities throughout the border region and the country. These individuals include hundreds of undocumented aliens from special interest countries, primarily China, but also Afghanistan, Iran, Iraq, and Pakistan."

Guns obtained in the United States fuel the violence in Mexico. ICE is able to use intelligence gleaned from the BESTs and other sources to interdict weapons. On the Southwest border with Mexico, firearms violence has reportedly spiked in recent years as drug trafficking organizations have competed for control of key smuggling corridors into the United States. The drug trafficking organizations and other criminals are reportedly buying firearms in the

United States that contribute to this violence. In early June of this year, officials in Laredo, Texas seized a cache of 147 new, boxed assault rifles, 200 high-capacity magazines, 53 bayonets, and 10,000 rounds of ammunition. Drugs continue to enter this country at staggering rates. Seizures at the border of marijuana and cocaine have increased, but so have the sizes of the drug loads. Ninety percent of the cocaine and half of the marijuana and methamphetamine sold in the United States are smuggled across the border. Sale of these drugs funds the drug cartels as well as the violence in Mexico.

Finally, bulk cash smuggling is the other major source of revenue perpetuating the cycle of killing and retaliation. The recently released United States of America-Mexico "Bi-National Criminal Proceeds Study", an inquiry into the laundering of cash proceeds of organized transnational crime, estimates that between $19,000,000,000 and $29,000,000,000 annually travels to Mexico from the United States in support of "criminal enterprises involved in drug trafficking". It notes that major U.S. cities are hub cities for bulk cash smuggling, but cities such as Denver, Colorado and Yakima, Washington serve as consolidation points in support of these efforts. DHS personnel have been successful in stopping the exit of some of these proceeds—such as the seizure of more than $724,000 at the Arizona border over the course of 2 weeks in late May 2010. But the sheer scope of these activities indicates that our country faces a very real threat.

ICE is uniquely situated to address this threat. It is the only agency whose criminal mission revolves entirely around cross-border crime, namely the smuggling of aliens, narcotics, firearms, and bulk cash. ICE has a role in every form of smuggling and is not limited to one type of contraband (such as firearms or drugs). ICE also is unique in terms of the breadth of its statutory authority under titles 8, 18, 19, 21, 22, 31, and 50 of the United States Code. ICE also has unmatched immigration authority among criminal investigative agencies. Rather than addressing domestic drug dealing or firearms violations, ICE is focused on cross-border narcotics and firearms trafficking—offenses that are driving crime on the Southwest border. Thus, additional resources to ICE will bolster the attack on every form of border crime.

The Committee recommends $30,000,000, 130 positions, and 65 FTE above the request, to enhance ongoing efforts to combat criminal activities which pose a threat to our Nation along the Southwest border. These funds will be used to increase enforcement activities and investigations at ICE's BESTs, target human, contraband, weapon, and bulk cash smuggling, with a focus on terrorist groups, drug trafficking organizations, criminal aliens, and transnational gangs. The Committee encourages ICE to use a portion of these additional resources for counterproliferation investigations and investigations into child exploitation and sex tourism which often are funded with proceeds from smuggling activities. Included in the amount listed above is $1,000,000 provided in "Intelligence" to support enhanced intelligence capabilities in Mexico. The Committee directs ICE to provide a plan for expenditure specifying how additional resources are to be deployed not later than 45 days after the date of enactment of this act.

Also, included in the total amount recommended by the Committee is $10,000,000, as requested, to expand the BEST program to three additional locations.

The Committee encourages ICE to work with the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF] to identify and apprehend traffickers of firearms who contribute to violence on the Southwest border with Mexico. This cooperation would include ICE working with ATF to expand the use of ballistics imaging technology and other methods, including the capture and transfer of all ballistics images from guns seized through southbound inspections or by Mexican authorities, to trace weapons used in criminal acts in Mexico. For instance, tracing the ballistic images on the guns used to kill three individuals, including two American citizens, in Juarez, Mexico, could assist in bringing these individuals to justice. "Operation Gunrunner" has proven to be very effective in this effort to track guns used by drug trafficking organizations in Mexico.

Recognizing the primary role that ICE plays in cross-border cash smuggling investigations, the Committee is also interested in ongoing discussions at the Department to create a centralized Southwest border task force to specifically focus on the issues of bulk cash and gun smuggling, transnational gangs, and other cross-border violence issues. The Department is directed to brief the Committee on these efforts not less than 90 days after the date of enactment of this act.

ICE ENFORCEMENT PRIORITIES

While the Congress has not specifically mandated that ICE shall have no higher immigration enforcement priority than identifying individuals convicted of dangerous crimes and removing them from the country once a court has ruled they should be deported, over the past 3 years, Congress has emphasized that ICE has multiple immigration enforcement priorities. Among the priorities identified by Congress are conducting worksite enforcement investigations and identifying foreign-born individuals who have been convicted of crimes and sentenced to imprisonment and removing those individuals once they have been judged deportable by the immigration court system. While it is imperative that ICE target criminal aliens, it is important to remember that the 9/11 hijackers would not be viewed as "criminal aliens" so it is incumbent upon ICE to enforce all of the laws within its jurisdiction.

Enforcement of customs laws, using immigration and customs authorities, is also an ICE enforcement priority. The Assistant Secretary stated in testimony before the House Homeland Security Appropriations Subcommittee on March 18, 2010, "As the primary criminal investigative arm of the Department of Homeland Security [DHS], ICE protects the security of the American people and the homeland by vigilantly enforcing the Nation's immigration and customs laws. ICE protects national security through the work of our special agents who target, investigate, and dismantle criminal organizations and terrorist networks that exploit weaknesses in our legitimate trade, travel, and financial systems. Our criminal priorities include counterterrorism and counterproliferation, and involve the targeting of intellectual property, child sex tourism, alien, narcotics, weapons, and bulk cash smuggling, human traf-

ficking, immigration fraud, and illegal employment offenses. ICE officers enforce civil immigration laws to secure the homeland and protect our communities by identifying and removing aliens who support terrorism, criminal aliens, alien gang members, and human rights violators. By removing these aliens and aliens with final orders of removal, ICE provides integrity to the Nation's immigration system. ICE is committed to meeting this mission in an increasingly efficient and effective manner."

Just as CBP must stop the entry into the United States of contraband, people, and goods, while also facilitating the flow of legitimate trade and commerce, so ICE must also maintain a balance of enforcing immigration and customs laws while also protecting the country by removing those individuals who are here illegally.

MANAGEMENT AND ADMINISTRATION—IMPROVED INTEGRITY OVERSIGHT

Over the last 4 years, ICE has hired more than 8,200 new personnel, a 31 percent increase since fiscal year 2006. In order to support long-term border security efforts and avoid fraud, the Committee believes it is important to keep in front of any possible increase in workforce fraud by hiring additional agents who will investigate cases of fraud and other illegal activities.

The Office of Professional Responsibility [OPR] investigates all Inspector General-referred allegations of criminal misconduct by ICE and CBP employees. ICE and CBP have critical missions, including preventing the flow of drugs, dangerous goods, and illegal immigrants into the country, and sensitive technology and weapons out of the country. To ensure the continued integrity of the workforce, growth in ICE staffing should be matched by commensurate growth in OPR. The Committee recommends a total of $99,104,000 and 506 FTE to perform workforce integrity investigations and training, detention facility inspections, ICE field office management inspections, and physical security management inspections. This is an increase of $5,000,000 and 12 FTE above the fiscal year 2010 level, and $5,000,000 and 12 FTE above the request. This will provide for $93,058,000 to conduct integrity investigations, including additional funds for ICE to expand its OPR presence along the Southwest border.

COLLOCATION OF ICE FACILITIES

The Committee recommends $51,073,000, the same as the fiscal year 2010 level and $19,938,000 below the request, for collocation activities for ICE facilities. The Committee supports ICE's ongoing efforts to consolidate leases and reduce the number of facilities it occupies in cities across the country. Bill language has been included directing that none of the funds provided for collocation activities at ICE shall result in a net loss below 33,400 detention beds and requiring 15-day notification to the Committees on Appropriations of any proposed collocation.

OFFICE OF STATE AND LOCAL COORDINATION

The Committee recommends $68,321,000, 125 positions and FTE, as requested, for the Office of State and Local Government Coordi-

nation. Included in this amount is funding for training and information technology assistance for participants in the 287(g) program.

The Committee notes that the 287(g) program is a voluntary, not mandatory, program through which communities which choose to join enter into discussions with ICE to determine the proper fit for the individual community and ICE. Section 287(g) of the Immigration and Nationality Act was made law in the United States in 1995 as a result of congressional passage of the Illegal Immigration Reform and Immigrant Responsibility Act. Unless and until Congress adopts any changes to the law concerning the 287(g) program, it is anticipated that ICE will continue to make the program available to communities wishing to receive 287(g) training provided by ICE. The Committee intends that the appropriate accountability and training standards, including instruction on multicultural communication and the avoidance of racial profiling, are adhered to by participating communities and has provided sufficient resources, as requested in the budget, to ensure that these standards are met.

LAW ENFORCEMENT SUPPORT CENTER

The Committee recommends a total of $34,990,000, 316 positions and FTE, as requested in the budget, to assist in responding to requests for assistance from State and local law enforcement officers.

FORENSICS DOCUMENT LAB

The Committee recommends $14,357,000, 80 positions and FTE, as requested, for the Forensics Document Lab [FDL]. The FDL provides forensic document analysis and operations support services to combat travel and identity document fraud.

DATA CENTER MIGRATION

As part of the Department-wide effort to assign data center migration funding to the component agencies which will be migrating, the Committee recommends $10,400,000 in new funding as requested to support ICE's portion of this activity in fiscal year 2011.

SUPPORT FOR FEDERAL PROTECTIVE SERVICE

The Committee notes that a memorandum of understanding [MOU] between ICE and the National Protection and Programs Directorate [NPPD] regarding business services provided to FPS has not yet been signed. When the Committee approved the transfer of FPS from ICE to NPPD in fiscal year 2010, as requested in the President's budget, it was with the understanding that the same core support, some of which ICE would still provide as appropriate, would be maintained. NPPD and ICE are directed to provide the Committee with a copy of the signed MOU without delay. Similar language is included for NPPD.

INVESTIGATIONS—WORKSITE ENFORCEMENT

The Committee recommends $134,626,000 for the overall level of effort for worksite enforcement activities, as requested. The Committee notes that the number of criminal and administrative ar-

rests has dropped since the new worksite enforcement strategy was announced on April 30, 2009. Criminal arrests related to worksite enforcement investigations dropped from 1,103 in fiscal year 2008 to only 410 in fiscal year 2009. Similarly, administrative arrests dropped from 5,184 in fiscal year 2008 to 1,644 in fiscal year 2009.

While the Committee applauds the apparent renewed vigor with which ICE is performing I–9 (workplace authorization) audits in an effort to target employers who knowingly hire illegal aliens, which is something the Committee called for in Senate Report 110–396, this is only half of the equation.

Based on briefings with ICE officials, the Committee expects ICE to commit a total level of worksite enforcement effort of $134,626,000. The Committee directs ICE to provide quarterly briefings on how it is meeting this level of effort no later than 30 days after the end of each quarter.

OFFICE OF INVESTIGATIONS—MISSION SUPPORT STAFFING

The Committee is pleased that the Department has followed the recommendation provided by the Congress in the fiscal year 2010 act and recommends an additional $15,000,000, 167 positions, and 84 FTE, for mission support personnel, as requested in the budget.

VISA SECURITY PROGRAM

The Visa Security Program, mandated in section 428 of the Homeland Security Act of 2002 (Pubic Law 107–296), extends the border overseas to prevent terrorists and other criminals from receiving U.S. visas. The Office of International Affairs has developed a multi-year expansion plan which includes a prioritized expansion to the 32 highest-risk visa issuing posts. According to the plan, the program will cover approximately 75 percent of the highest risk visa activity posts by 2013. The Committee is displeased that planned expansion of visa security units to critical overseas consular posts were delayed, in one instance—Sanaa, Yemen—for up to 18 months. Unfortunately, it took the December 25, 2009, attempted airline bombing to spring lose from the Department of Homeland Security to the Department of State the requests to expand these units. Bureaucratic delays are unacceptable when it comes to national security and congressionally mandated activities. The Committee recommends $37,986,000, $7,300,000 above the request, to fully fund planned visa security programs and expand the units to four additional consular posts.

INTELLECTUAL PROPERTY RIGHTS

The Committee provides $5,000,000, as requested, for the Intellectual Property Rights Coordination Center and an additional $5,000,000 above the request for additional special agents nationwide to investigate intellectual property rights.

ICE INTELLIGENCE

The Committee recommends $72,107,000, an increase of $2,265,000 above the fiscal year 2010 level and $1,000,000 above the request, for ICE intelligence activities. The $1,000,000 above

the request is for additional support for ongoing intelligence activities in Mexico.

The Committee is pleased with the manner in which the Office of Intelligence has expanded and staffed its Field Intelligence Groups. ICE's BEST teams along the borders and at the seaports make great use of these specialists and the personnel increases funded in this bill will help to ensure that the BESTs are used to their greatest capacity. The Committee directs ICE to provide an updated Intelligence staffing briefing no later than 60 days after the date of enactment of this act.

DETENTION AND REMOVAL—CUSTODY OPERATIONS (BEDS)

The Committee recommends a total of $1,903,764,000, an increase of $132,596,000 above the amount provided in fiscal year 2010, as requested in the budget. The Committee notes that what appears to be a significant increase between fiscal years 2010 and 2011 actually reflects the administration's proposal to fund all detention beds within "Custody Operations" as opposed to spreading the detention bed funding between that activity, "Fugitive Operations", "Criminal Alien Program", and "Secure Communities". The Committee strongly supports this proposal to streamline the process to provide proper accounting for bed funding. After all, a bed is a bed is a bed. This framework provides better transparency into the actual costs of each of these programs while ensuring that beds are available for individuals who need to be detained.

The Committee encourages ICE to continue working to ensure that its detention bedspace funding model is accurate and reflects the actual cost of a bed as it develops the fiscal year 2012 budget request.

The Committee also requests that it be briefed on the development of this bedspace cost model no later than 90 days after the date of enactment of this act.

Maintaining an adequate number of detention beds is critical to ensuring the integrity of our detention and removal system while at the same time preventing a return to the ill-advised "catch and release" policy. We must ensure that all removable illegal aliens apprehended are removed from this country as expeditiously as possible. The Committee notes that in fiscal year 2009, ICE removed a total of 405,662 illegal aliens compared with 240,665 in fiscal year 2004. This clearly demonstrates that the additional resources the Congress has provided above the President's requests the past 6 fiscal years for securing our borders continues to have an impact.

The bill continues current law directing that a detention bed level of 33,400 beds shall be maintained throughout fiscal year 2010.

DETENTION CARE AND STANDARDS

The Committee strongly supports ICE's recent efforts to review and improve upon its detention care and standards. It is imperative that individuals detained in ICE-owned or -contracted facilities be provided the highest levels of care, including medical care, and treatment. The Committee is encouraged that ICE has begun this effort by reviewing its detention standards and placing an ICE offi-

cer in the 50 largest contract detention facilities. This was one of the recommendations in the October 6, 2009, Immigration Detention Overview and Recommendations report. The Committee notes that no funds were requested in the budget to implement these recommendations and the Committee encourages that, to the extent ICE intends to act on these recommendations, sufficient funds be included in the fiscal year 2012 request to do so. The Committee also encourages ICE to consider creating an ombudsman to independently investigate complaints about detainee treatment in detention facilities.

DETENTION AND REMOVAL—ALTERNATIVES TO DETENTION

The Committee recommends a total of $72,075,000, 181 positions, and 182 FTE, as requested in the budget. The Committee encourages ICE to prioritize enrollment of families with children in this program, to continue to use intensive supervision, and directs ICE to brief the Committee semiannually on the program beginning no later than 60 days after the date of enactment of this act.

The Committee is disappointed that the Department has yet to submit the report on collection of data on deportation of parents of U.S.-born children which was due July 1, 2010, as mandated in the joint explanatory statement accompanying Public Law 111–83, and directs that it be submitted immediately.

The Committee is aware that concerns have been raised in the past about techniques used to determine the age of unaccompanied alien children who are in ICE custody. The Department of Homeland Security Inspector General reported on current ICE practices (OIG–10–12 Nov 2009). While some have suggested using "holistic age-determination methodologies", the OIG noted that the Trafficking Victims Protection and Reauthorization Act of 2008 [TVPRA] does not require the adoption of such an approach, nor does guidance released in March 2009 by the Department of Health and Human Services. In order to determine what such an approach might consist of, the OIG conducted interviews with medical professionals, including representatives of medical centers and universities as well as immigrants' rights advocates. They "were not aware of a specific holistic approach to age determinations". Additionally, the OIG noted that further guidance signed by the acting director of the Office of Refugee Resettlement and informed by the TVPRA permits the nonexclusive use of radiographs for age determination. The Committee encourages ICE to comply with the direction provided by the OIG's report.

DETENTION AND REMOVAL—TRANSPORTATION AND REMOVAL

Included in the amount recommended by the Committee is $294,632,000, as requested in the budget, for all ICE-related transportation and removal activities.

DETENTION AND REMOVAL—FUGITIVE OPERATIONS

Included in the amount recommended by the Committee is $168,449,000, 677 positions, and 677 FTE, as requested in the budget. The National Fugitive Operations Program is responsible for reducing the fugitive alien population in the United States. As

of May 31, 2010, ICE estimates that there are approximately 512,869 immigration fugitives in the United States, a decrease of more than 119,800 since October 2006. ICE works to reduce the population of these fugitives from the law through the use of Fugitive Operations teams. All 104 Fugitive Operations teams are operational and conducting enforcement operations. Funds associated with detention beds are provided in the "Custody Operations" account.

DETENTION AND REMOVAL—CRIMINAL ALIEN PROGRAM

Included in the amount recommended by the Committee is $179,317,000, 945 positions, and 942 FTE, as requested in the budget. ICE is funded for 126 Criminal Alien Program teams and in fiscal year 2009 it charged over 217,000 aliens in jails. Funds associated with detention beds are provided in the "Custody Operations" account.

SECURE COMMUNITIES

The Committee recommends $146,943,000, 552 positions, and 552 FTE, as requested. Congress initiated this program in fiscal year 2008 and has provided total new funding of $550,000,000 over the past 3 years. Secure Communities focuses on interoperability, using biometrics to ensure that any individual booked into a jail or other facility is indeed who he or she claims to be and also is able to determine, by running fingerprints against the IDENT and IAFIS databases, the immigration status of the individual. It is important to remember that Secure Communities is applied to everyone booked into a jail. All individuals are treated the same and no profiling occurs. Through the use of biometrics, ICE is able to determine not only immigration status, but also if the individual has committed more serious crimes in the past (so while they are booked on what appears to be a lower level crime, Secure Communities is able to determine the entirety of an alien's criminal history).

The Committee is pleased that the administration has embraced this program as one of many tools at its disposal to identify and remove illegal aliens, including criminal aliens, and otherwise enforce our Nation's existing immigration laws. In fiscal year 2010, Secure Communities expanded coverage to establish biometric identification of arrested criminal aliens in more than 180 counties. Secure Communities' threat-based deployment schedule prioritizes those counties with the highest threat criminal alien populations first, consisting primarily of counties in major metropolitan areas throughout the country as well as all counties along the southwest border. In fiscal years 2007 through 2009, 352,565 criminal aliens were removed. Secure Communities estimates that after deploying to the additional counties funded in this request, ICE will cover more than 84 percent of the Nation's criminal alien population. The Department anticipates that, with continued funding, including redeployment of existing resources, it will establish biometric identification of arrested criminal aliens in all counties that are willing and technically able to participate by the end of fiscal year 2012.

The Committee has included bill language, as requested, ensuring that all illegal aliens encountered when enforcing our immigra-

tion laws are apprehended. The Committee also directs ICE to continue to provide quarterly briefings on progress being made in implementing the Secure Communities program. The briefings shall include Secure Communities' impact on removals reporting at the level of detail of the quarterly detention and removals report. The first briefing should occur no later than 45 days after the date of enactment of this act.

DETENTION AND REMOVAL REPORTING

The Committee continues to request ICE to submit a quarterly report to the Committee which compares the number of deportation, exclusion, and removal orders sought and obtained by ICE. The report should be broken down: by district in which the removal order was issued; by type of order (deportation, exclusion, removal, expedited removal, and others); by agency issuing the order; by the number of cases in each category in which ICE has successfully removed the alien; and by the number of cases in each category in which ICE has not removed the alien. The first fiscal year 2011 quarterly report is to be submitted no later than January 15, 2011.

TRAINING REGARDING HUMAN TRAFFICKING

ICE plays a critical role in investigating criminal organizations trafficking individuals into the United States. The Committee encourages ICE to work with appropriate nonprofit organizations and victim service providers to improve the training of ICE officers in the field to assist in the identification of human trafficking victims and provide appropriate referrals to victim service organizations.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Headquarters Management and Administration:			
Personnel compensation and benefits, services, and other costs	279,073	300,371	285,433
Headquarters-managed IT investment	233,264	209,363	209,363
Subtotal, Headquarters management and administration	512,337	509,734	494,796
Legal proceedings	221,666	221,666	221,666
Investigations:			
Domestic	1,649,551	1,727,038	1,761,038
International	112,872	113,689	113,689
Visa Security Program	30,686	30,686	37,986
Subtotal, Investigations	1,793,109	1,871,413	1,912,713
Intelligence	69,842	71,107	72,107
Detention and Removal Operations:			
Custody Operations	1,771,168	1,903,764	1,903,764
Fugitive Operations	229,682	168,449	168,449

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Criminal Alien Program	192,539	179,317	179,317
Alternatives to Detention	69,913	72,075	72,075
Transportation and Removal Program	281,878	294,632	294,632
Subtotal, Detention and Removal Operations	2,545,180	2,618,237	2,618,237
Identification and Removal of Criminal Aliens (Secure Communities)	200,000	146,943	146,943
Total, Salaries and Expenses	5,342,134	5,439,100	5,466,462

AUTOMATION MODERNIZATION

Appropriations, 2010	$90,000,000
Budget estimate, 2011	84,700,000
Committee recommendation	84,700,000

The Automation Modernization account provides funds for major information technology [IT] projects for U.S. Immigration and Customs Enforcement [ICE], including the Atlas Program, modernization of TECS (formerly known as the Traveler Enforcement and Compliance System), modernization of Detention and Removal Operations' IT systems for tracking detainees [DRO Modernization], and other systems.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total of $84,700,000, as requested. These funds are to remain available until expended. The Committee includes bill language making $10,000,000 available upon the submission of an expenditure plan.

The Committee also continues the requirement for semiannual briefings on this activity.

CONSTRUCTION

Appropriations, 2010	$4,818,000
Budget estimate, 2011	.....
Committee recommendation	.....

This appropriation provides funding to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, detention, and alien registration.

COMMITTEE RECOMMENDATIONS

The Committee notes that the budget requests no funding for ICE Construction as it is reviewing the possible privatization of the Service Processing Centers which it owns. The Department intends that carryover funds within the no-year Construction account will be used for emergency repairs and alterations. The Committee also notes that not funding this account will have no impact on the ability of ICE to continue to detain illegal aliens at other locations around the country.

The bill includes a general provision, requested in the budget, providing ICE with the authority to dispose of ICE-owned facilities and retain the receipts to provide repairs and alterations to other facilities. Bill language is also included mandating that any sale or collocation of ICE-owned facilities will not result in a reduction of detention bedspace below 33,400 beds and requiring 15-day notification to the Committees.

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. Separate appropriations are provided for the following activities within TSA: aviation security; surface transportation security; transportation threat assessment and credentialing; transportation security support; and Federal Air Marshals.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $8,064,495,000 and a net of $5,673,275,000 for the activities of TSA for fiscal year 2011.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Aviation Security	5,214,040	5,559,894	5,490,549
Aviation Security Capital Fund (mandatory)	250,000	250,000	250,000
Surface Transportation Security	110,516	137,558	137,558
Transportation Threat Assessment and Credentialing (direct appropriations)	171,999	173,724	147,224
Transportation Threat Assessment and Credentialing (fee-funded programs)	47,620	41,220	41,220
Transportation Security Support	1,001,780	1,052,369	1,047,929
Federal Air Marshals	860,111	950,015	950,015
Total, Transportation Security Administration (gross)	7,656,066	8,164,780	8,064,495
Offsetting Fee Collections	−2,100,000	−2,100,000	−2,100,000
Aviation Security Capital Fund (mandatory)	−250,000	−250,000	−250,000
Fee Accounts [TTAC]	−47,620	−41,220	−41,220
Total, Transportation Security Administration (net)	5,258,446	5,773,560	5,673,275

AVIATION SECURITY

Appropriations, 2010	$5,214,040,000
Budget estimate, 2011	5,559,894,000
Committee recommendation	5,490,549,000

The TSA aviation security account provides for Federal aviation security, including screening of all passengers and baggage, deployment of on-site law enforcement, continuation of a uniform set of background requirements for airport and airline personnel, and deployment of explosives detection technology.

The aviation security activities include funding for: Federal transportation security officers [TSOs] and private contract screeners; air cargo security; procurement, installation, and maintenance of explosives detection systems; checkpoint support; and other aviation regulation and enforcement activities.

COMMITTEE RECOMMENDATIONS

TThe Committee recommends $5,490,549,000 for aviation security, $69,345,000 below the amount requested and $276,509,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

AVIATION SECURITY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Screening Operations	4,358,076	4,470,968	4,400,012
Aviation Security Direction and Enforcement	855,964	1,088,926	1,090,537
Aviation Security Capital Fund (mandatory)	[250,000]	[250,000]	[250,000]
Total, Aviation Security	5,214,040	5,559,894	5,490,549

AVIATION SECURITY FEES

The Congressional Budget Office, in its analysis of the President's budget, has re-estimated collections from existing aviation security fees to be $2,100,000,000 for fiscal year 2011.

SCREENING OPERATIONS

The Committee recommends $4,400,012,000 for TSA screening operations, $70,956,000 below the amount requested and $41,936,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

SCREENING OPERATIONS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Screener Workforce:			
Privatized Screening Airports	149,643	142,678	142,678
Passenger and baggage screener personnel, compensation, and benefits	2,758,575	2,997,664	2,960,599
Subtotal, Screener Workforce	2,908,218	3,140,342	3,103,277
Screener Training and Other	204,713	264,643	258,384
Checkpoint Support	128,739	360,026	360,026
Explosives Detection Systems/Explosives Trace Detection [EDS/ETD]:			
EDS/ETD purchase and installation	778,300	373,832	355,000
Screening technology maintenance and utilities	316,625	332,125	323,325
Operation Integration	21,481	.....	.....
Subtotal, EDS/ETD Systems	1,116,406	705,957	678,325

SCREENING OPERATIONS—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Total, Screening Operations	4,358,076	4,470,968	4,400,012

PRIVATIZED SCREENING AIRPORTS

The Committee recommends $142,678,000 for privatized screening airports, the same amount as requested in the budget and $6,965,000 below the fiscal year 2010 level. The reduction from fiscal year 2010 is associated with contract efficiencies.

TSA is directed to approve applications for those airports that are seeking to participate in the screening partnership program [SPP] when Government estimates indicate that contract screening can be provided at that location in a cost-effective manner. TSA shall notify the Committee if the agency expects to spend less than the appropriated amount due to situations where no additional airports express interest in converting, either fully or partially, to privatized screening, or where airports currently using privatized screening convert to using Federal screeners. TSA shall adjust its PPA line items, and notify the Committee within 10 days, to account for any changes in private screening contracts, including new awards under the SPP, or the movement from privatized screening into Federal screening. The Committee also expects to be briefed on any proposed changes being considered for the SPP program.

The Committee is aware of three additional airports in Montana that are interested in joining the SPP. The recommended funding level is sufficient to accommodate these airports, if selected for inclusion into the program.

PASSENGER AND BAGGAGE SCREENER PERSONNEL, COMPENSATION AND BENEFITS

The Committee recommends $2,960,599,000 for passenger and baggage screener personnel, compensation, and benefits, $37,065,000 below the amount requested and $202,024,000 above the fiscal year 2010 level. The recommendation includes funding for pay adjustments, annualizations, the realignment of Bomb Appraisal Officers [BAOs] to the "airport management and support" PPA, and additional Transportation Security Officers [TSOs] at the checkpoint in order to support the deployment of advanced imaging technology [AIT] units. The request proposes to add 5,355 new TSOs to staff AIT units. However, TSA is already behind schedule in deploying AIT units funded in prior years and will not need to hire as many TSOs as early in the fiscal year as originally estimated. Therefore, the amount to staff AIT units is reduced by $21,000,000 below the request.

The Committee denies the requested increase of $16,193,000 for additional behavior detection officers [BDOs]. The Committee continues to be concerned with TSA's acceleration of the Screening of Passengers by Observation Techniques [SPOT] program without a complete assessment and validation of the program's effectiveness. The Government Accountability Office [GAO] released a critical report (GAO–10–763) on the SPOT program on May 14, 2010, ques-

tioning whether behavior detection principles can be reliably used for counterterrorism purposes. The Committee is also aware and supportive of TSA's plans to revise BDO training and airport audit protocols. The Committee believes TSA should focus on completing its internally driven changes as well as addressing GAO's recommendations before expanding the program further. Therefore, the Committee provides $215,145,000 to maintain the current level of 2,986 BDOs. TSA shall brief the Committee no later than 60 days after the date of enactment of this act on its progress in these matters. Finally, the Committee directs the Science and Technology Directorate to conduct a peer reviewed study of efforts currently underway to validate the SPOT program.

The bill includes a general provision rescinding $15,000,000 from prior-year balances resulting from savings associated with the completion of planned in-line explosives detection systems [EDS] and large unobligated balances. With the large influx of funding provided by ARRA and the Department of Homeland Security Appropriations Act, 2010, TSA is able to greatly expedite the deployment of in-line EDS, thereby permitting a reduction in personnel. In addition, TSA continues to carry forward large balances for staffing from year to year, including over $76,000,000 into fiscal year 2010. The Committee sees no reason for such large carry-over amounts in this PPA from year-to-year.

SCREENER TRAINING AND OTHER

The Committee recommends $258,384,000 for screener training and other, $6,259,000 below the amount requested in the budget and $53,671,000 above the fiscal year 2010 level. Funds are provided to support training of TSOs and other direct costs associated with TSO operations, such as: consumable supplies; checkpoint janitorial services; travel for the National Deployment Force; uniform allowances; hazardous materials disposal; and a model workforce program. The recommended amount includes requested adjustments for pay increases, realignment of BAO training costs to the "airport management and support" PPA, and consumables relating to the purchase of additional explosives trace detection [ETD] devices funded under the "checkpoint support" PPA. The recommendation does not include the full request to support the training of additional TSO's due to the reduction made under the "passenger and baggage screener, personnel, compensation and benefits" PPA.

CHECKPOINT SUPPORT

The Committee recommends $360,026,000 for checkpoint support, the same amount requested in the budget and $231,287,000 above the fiscal year 2010 level. Funds are provided to field test and deploy equipment for passenger screening, carry-on baggage screening, checkpoint reconfiguration, electronic surveillance of checkpoints, and operational integration of systems. As requested, $192,200,000 is provided to deploy an additional 503 AIT units bringing the total to 1,000. AIT units screen passengers for metallic and nonmetallic threats—including weapons, explosives, and other objects concealed under layers of clothing. With this increase, there will be an AIT unit in most Category X, I, and II airports. The

Committee is aware of efforts by TSA to deploy automated target recognition [ATR] capability with AIT units in fiscal years 2010 and 2011. ATR displays a passenger's image as a stick figure on a monitor attached to an AIT unit, improving privacy protections and eliminating the need for private rooms to view AIT images. However, this technology has yet to be certified by TSA. As discussed below, TSA is to update the Committee regularly on the development of ATR, which will alleviate the need for remote viewing rooms.

TSA is to work closely with local airport authorities to ensure that all space/facility requirements and constraints have been taken into consideration before AIT units are deployed. TSA shall provide funding for the installation of AIT units at screening checkpoints, including costs for normal site preparation; architectural and engineering drawings; electrical modifications; removal of small nonload bearing walls; installation of security glass; installation of any ancillary equipment; and certain shipping, rigging, and storage costs associated with deploying the equipment. TSA shall provide funding for other related terminal modifications if it is determined that no other design to accommodate the installation of the equipment is possible. The recommendation includes $65,473,000, as requested, for these costs.

TSA is to brief the Committee regularly on AIT, including: the schedule to deploy and staff the units; progress on ATR development and associated funding requirements; facility modification costs necessary to accommodate AIT equipment at security checkpoints; and efforts to address concerns raised by GAO regarding the ability of AIT machines to detect certain weapons, such as the one used in the attempted attack on Northwest Flight 253 on December 25, 2009.

The recommendation includes $6,000,000, as requested, for the Advanced Surveillance Program [ASP] at airport checkpoints. ASP provides enhanced remote security and surveillance capability, including security cameras at exit lanes and sterile areas. Security cameras have demonstrated to be a critical layer of security and the committee encourages TSA to ensure that the Nation's highest risk airports have working security cameras in place at all checkpoints and secure exits.

The recommendation also includes an additional $39,000,000, as requested, to purchase more than 800 portable ETD units to detect residue from explosives material on passengers at lanes not covered by an AIT. An additional $21,000,000, as requested, is included under the "screener, training, and other" PPA for consumables related to these portable ETD units. Funds are also available, as requested, to purchase other checkpoint security systems, including: credential authentication; advanced technology; universal conveyor systems; shoe scanning devices; and an automated system to determine wait times.

SECURITY CAMERAS AT EXIT LANES

No later than 180 days after the date of enactment of this act, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall submit a report that makes recommendations for improving the security of each location at an air-

port where passengers exit the sterile area. The report shall include: (1) an assessment of the differences in configurations of such locations; and (2) an evaluation of options for improving security at such locations, such as increasing personnel assigned to exit lanes and the use of technology to improve security. The report shall be submitted to the Committee on Appropriations and the Committee on Commerce, Science, and Transportation.

A general provision also is included providing for increased penalties for violating security regulations at airports.

EXPLOSIVES DETECTION SYSTEMS

The Committee recommends $355,000,000 in discretionary appropriations for EDS procurement and installation, $18,832,000 below the level requested in the budget and $423,300,000 below the fiscal year 2010 level. Pursuant to section 516 of Public Law 111–83, TSA is able to use recoveries from lapsed accounts for EDS procurement and installation. The reduction below the request is based on TSA's estimate that $30,000,000 to $50,000,000 in recoveries will be available for this purpose in fiscal year 2011, thus reducing the need for direct appropriations. An additional $250,000,000 in mandatory spending will be available for in-line projects from Aviation Security Capital Fund fee collections. TSA estimates that 12 additional in-line projects will be funded in fiscal year 2011.

The Committee supports TSA's efforts to complete a competitive procurement process for all three classes of EDS machines, including more rigid requirements for detection, lower false alarm rates, and screening. TSA shall regularly brief the Committee on its progress to meet this goal, including results from certification testing at the Transportation Security Laboratory and operational test and evaluation at selected airports. The Committee is aware of schedule delays that have occurred in the acquisition process. The briefings shall also include updates on TSA's strategy to avoid such delays.

Within the funds provided, not less than 8 percent shall be available to procure and deploy certified EDS at medium- and small-sized airports. This is the amount of funding TSA estimates will be needed in fiscal year 2011 based on current airport project applications. Funding for EDS systems by medium- and small-sized airports reflected in these applications has decreased due to current economic conditions. TSA is to inform the Committee if these projections change. An additional $50,000,000 in mandatory funds is provided to small-sized and nonhub airports pursuant to the 9/11 Act.

EXPENDITURE PLANS FOR EDS/CHECKPOINT TECHNOLOGIES

The Committee includes statutory language under the "Transportation Security Support" appropriation restricting $50,000,000 from being obligated for headquarters administration until TSA submits to the Committee, no later than 60 days after the date of enactment of this act, detailed expenditure plans for checkpoint security and EDS refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2011. The plans shall include specific technologies for purchase, project timelines, a schedule for

obligation of the funds, and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. Because the fiscal year 2010 expenditure plan wasn't submitted until nearly 7 months into the fiscal year, the Committee has increased the withholding in an effort to encourage timely submissions of materials necessary for robust and informed oversight. TSA shall frequently brief the Committee with updates on EDS and checkpoint expenditures, with an explanation of any deviation from the original plan. Quarterly updates are no longer required.

The Committee does not include statutory language requested in the budget that would provide TSA with the authority to alter the Federal share of in-line baggage system projects. The proposed legislation is an authorizing matter and not under the jurisdiction of the Appropriations Committee.

INSTALLATION OF OPTIMAL BAGGAGE SCREENING SYSTEMS AND FTE SAVINGS

With the large influx of funding provided in this act and in prior appropriations acts for EDS procurement and installation, TSA is able to greatly expedite the deployment of in-line checked baggage screening systems, thereby permitting a reduction in personnel. For instance, by the end of fiscal year 2010, TSA estimates that 59 airports will possess operational in-line EDS, with an annual savings of 2,316 FTE versus staffing required for their pre in-line equipment configuration. TSA shall continue to report to the Committees, in tandem with the annual budget request, on the savings achieved and anticipated by fiscal year from the installation new in-line systems.

AIRPORTS THAT HAVE INCURRED ELIGIBLE COSTS FOR IN-LINE BAGGAGE SYSTEM DEPLOYMENT

As required by the 9/11 Act, TSA is to give funding consideration to airports that incurred eligible costs for EDS and that were not recipients of funding agreements. The fiscal year 2011 EDS expenditure plan shall identify airports eligible for funding pursuant to section 1604(b)(2) of Public Law 110–53 and funding, if any, allocated to reimburse those airports.

The Committee is aware of several airports that have incurred costs to procure and install EDS with the expectation of reimbursement from TSA. The Committee strongly encourages TSA to establish a reimbursement program with the authority provided by the 9/11 Act.

SCREENING TECHNOLOGY MAINTENANCE AND UTILITIES

The Committee recommends $323,325,000 for screening technology maintenance and utilities, $8,800,000 below the amount requested in the budget and $6,700,000 above the fiscal year 2010 level. The recommendation does not include $8,800,000, as requested, for maintenance of new AIT units. This amount is no longer necessary in fiscal year 2011 due to TSA's re-negotiation of warranty contracts from 1 year to 2 years

OPERATION INTEGRATION

Funding for operation integration is included within the "checkpoint support" and "EDS procurement and installation" PPAs as requested. Funds are provided to test, evaluate, and analyze pre-production or production representative systems under realistic conditions, including operation by those who will use the equipment in the field in a variety of environmental conditions.

AVIATION SECURITY DIRECTION AND ENFORCEMENT

The Committee recommends $1,090,537,000 for aviation direction and enforcement, $1,611,000 above the amount requested in the budget and $234,573,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

AVIATION DIRECTION AND ENFORCEMENT

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Aviation regulation and other enforcement	254,064	368,363	368,363
Airport management and support	453,924	577,315	574,926
Federal flight deck officer and flight crew training	25,127	25,694	25,694
Air cargo	122,849	117,554	121,554
Total, Aviation Security Direction and Enforcement	855,964	1,088,926	1,090,537

AVIATION REGULATION AND OTHER ENFORCEMENT

The Committee recommends $368,363,000 for aviation regulation and other enforcement, the same level as requested in the budget and $114,299,000 above the fiscal year 2010 level. The recommended amount provides for law enforcement and regulatory activities at airports to: ensure compliance with required security measures, respond to security incidents, and provide international support for worldwide security requirements. The recommendation includes amounts requested to maintain current services and $111,873,000 in program increases. Program increases include: $38,844,000 to strengthen international programs in high-risk areas around the world; $69,149,000 for 275 proprietary canine teams to strengthen explosives detection capabilities; and $3,880,000 to increase the stipend for the cooperative agreements to State and local canine teams. TSA is to brief the Committee on its progress to implement these new initiatives no later than 90 days after the date of enactment of this act.

AIRPORT MANAGEMENT AND SUPPORT

The Committee recommends $574,926,000 for airport management and support, $2,389,000 below the amount requested in the budget and $121,002,000 above the fiscal year 2010 level. Funds are provided for: the workforce to support TSA Federal security directors; BAOs; Explosives Security Specialists; the Transportation Security Operations Center; airport rent and furniture; a vehicle fleet; airport parking; and employee transit benefits. The recommended amount includes the requested transfer of funding for

BAOs from the "passenger and baggage screener personnel, compensation, and benefits" PPA and Explosives Security Specialists from the Federal Air Marshals "management and administration" PPA. This shift is appropriate as these employees report directly to Federal Security Directors. An additional $22,500,000, as requested, is provided for remote viewing rooms for AIT images. As noted under the "checkpoint support" PPA, the Committee is aware of efforts to develop and certify an automatic target recognition feature, which would alleviate the need for remote viewing rooms. TSA is to update the Committee regularly on the development of this technology.

The recommendation does not include the full request to support the hiring of additional TSO's due to the reduction made under the "passenger and baggage screener, personnel, compensation, and benefits" PPA.

FEDERAL FLIGHT DECK OFFICER AND FLIGHT CREW TRAINING PROGRAMS

The Committee recommends $25,694,000 for Federal flight deck officer and flight crew training programs, the same amount as requested in the budget and $567,000 above the fiscal year 2010 level. Funds are provided to deputize qualified airline pilots who volunteer to be Federal law enforcement officers. This program provides initial and recurrent law enforcement training. Funds are also provided for the Crew Member Self-Defense Training program for the purpose of teaching crew members basic self-defense concepts and techniques.

AIR CARGO

The Committee recommends $121,554,000 for air cargo security activities, an increase of $4,000,000 above the amount requested in the budget and $1,295,000 below the fiscal year 2010 level. Funds are provided to secure the air cargo supply chain, conveyances, and people. The recommended amount includes the request to annualize 50 inspectors funded in fiscal year 2010 and increase cooperative agreement stipends with State and local canine teams. TSA is to continue regular air cargo briefings on compliance with the 100 percent screening mandate scheduled to take effect by August 2010. The briefings shall also discuss progress made to increase screening of international inbound cargo, including efforts to make use of U.S. Customs and Border Protection's automated targeting system to conduct risk screening on international inbound cargo on passenger aircraft. The additional $4,000,000 recommended above the request is to accelerate these efforts in fiscal year 2011.

The Committee acknowledges TSA's ongoing efforts to assist the fresh fruit industry to comply with new cargo scanning requirements. Several screening systems suitable for fresh fruit have been added to the Air Cargo Screening Technology List. The Committee encourages TSA to continue these efforts and expedite the approval of effective and suitable technologies for screening of air cargo commodities.

The Committee includes statutory language under the "Transportation Security Support" appropriation restricting $50,000,000 from being obligated for headquarters administration until TSA submits

to the Committee, no later than 60 days after the date of enactment of this act, an expenditure plan on the allocation of air cargo funds, including carryover balances. Because the fiscal year 2010 expenditure plan wasn't submitted until 8 months into the fiscal year, the Committee has increased the withholding in an effort to encourage timely submission of materials necessary for robust and informed oversight.

A general provision is included in the bill directing TSA to continue to report quarterly on air cargo screening statistics. In addition, the provision requires TSA to provide an implementation plan for meeting the 100 percent screening mandate if the August 2010 deadline is not met. The Committee directs TSA to take all possible measures to ensure air carriers are submitting data consistent with current security directives, including enforcement action for noncompliance.

PERIMETER SECURITY

Airports continue to face a wide range of risks beyond well known threats at passenger and baggage screening checkpoints. The Committee is concerned that no funding has been requested to address the many specific security concerns that have been identified by GAO involving commercial airport perimeters. While the Committee is pleased that previously appropriated funding for this purpose has now been obligated, it is unclear what TSA's long-term plan is to address perimeter security vulnerabilities. Therefore, the Committee directs TSA to provide a report to the Committee no later than 90 days after the date of enactment of this act that: (1) describes what actions to date TSA has taken to secure commercial airport perimeters; (2) provides a timeline and cost estimate to deploy and support qualified perimeter security systems at the 100 most vulnerable commercial airports as identified by TSA and remaining commercial airports; and (3) outlines a timeline to implement perimeter security requirements either through an acquisition program or by regulation.

SURFACE TRANSPORTATION SECURITY

Appropriations, 2010	$110,516,000
Budget estimate, 2011	137,558,000
Committee recommendation	137,558,000

Surface transportation security provides funding for personnel and operational resources to assess the risk of a terrorist attack on nonaviation modes, standards, and procedures to address those risks, and to ensure compliance with established regulations and policies.

COMMITTEE RECOMMENDATIONS

The Committee recommends $137,558,000 for surface transportation security, the same amount as requested in the budget and $27,042,000 above the fiscal year 2010 level. Funds are available to assess the risk of terrorist attacks for all nonaviation transportation modes, issue regulations to improve the security of those modes, and enforce regulations to ensure the protection of the transportation system. In addition to amounts provided for surface

transporation security under this heading, the Committee has provided $350,000,000 for rail, transit, and bus security grants under the Federal Emergency Management Agency's "State and Local Programs" appropriation. The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

SURFACE TRANSPORTATION SECURITY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Staffing and Operations	42,293	39,947	39,947
Surface Transportation Security Inspectors and Canines	68,223	97,611	97,611
Total, Surface Transportation Security	110,516	137,558	137,558

SURFACE TRANSPORTATION SECURITY STAFFING AND OPERATIONS

The Committee recommends $39,947,000 for surface transportation security staffing and operations, the same amount as requested in the budget and $2,346,000 below the fiscal year 2010 level.

SURFACE TRANSPORTATION SECURITY INSPECTORS AND CANINES

The Committee recommends $97,611,000 for surface transportation security inspectors and canines, the same amount as requested in the budget and $29,388,000 above the fiscal year 2010 level. Funds are included for the annualization of 15 Visible Intermodal Prevention and Response [VIPR] teams and 100 additional surface transportation security inspectors funded in fiscal year 2010, and an increase for cooperative agreement stipends with State and local canine teams.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

Appropriations, 2010	$171,999,000
Budget estimate, 2011	173,724,000
Committee recommendation	147,224,000

Transportation threat assessment and credentialing includes several TSA credentialing programs: Secure Flight, Crew Vetting, Screening Administration and Operations, Registered Traveler, Transportation Worker Identification Credential, Hazardous Materials Commercial Drivers License Endorsement Program, and Alien Flight School.

COMMITTEE RECOMMENDATIONS

The Committee recommends a direct appropriation of $147,224,000 for transportation threat assessment and credentialing, $26,500,000 below the amount requested in the budget and $24,775,000 below the fiscal year 2010 level. In addition, an estimated $41,220,000 in fee collections is available for these activities in fiscal year 2011, as proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Direct Appropriations:			
Secure Flight	84,363	84,637	84,637
Crew and Other Vetting Programs	87,636	89,087	62,587
Subtotal, Direct Appropriations	171,999	173,724	147,224
Fee Collections:			
Transportation Worker Identification Credential	9,000	9,200	9,200
Hazardous Materials	15,000	12,000	12,000
Alien Flight School (Transfer from DOJ)	4,000	4,000	4,000
Certified Cargo Screening Program	5,200	5,200	5,200
Large Aircraft Security Program	1,600	1,200	1,200
Secure Identification Display Area Checks	10,000	8,000	8,000
Other Security Threat Assessments	100	100	100
General Aviation at DCA	100	100	100
Indirect Air Cargo	2,600	1,400	1,400
Sensitive Security Information	20	20	20
Subtotal, Fee Collections	47,620	41,220	41,220

SECURE FLIGHT

The Committee recommends $84,637,000 for Secure Flight, the same amount as requested in the budget and $274,000 above the fiscal year 2010 level. As recommended by the 9/11 Commission and mandated by the Intelligence Reform Act, this program moves the responsibility of airline passenger watch list matching from the air carriers to the Federal Government. All passengers traveling within the United States and its territories are now being checked against terrorist watchlist data through Secure Flight. TSA expects all international carriers with direct flights to and from the United States to begin using Secure Flight by the end of calendar year 2010. If delays occur in meeting this schedule, TSA shall brief the Committee on the reasons why.

The bill includes a provision requiring the Assistant Secretary of Homeland Security [TSA] to certify no significant security risks are raised if the Secure Flight program checks airline passenger names against a subset of the full terrorist watchlist instead of the full terrorist watchlist.

CREW AND OTHER VETTING PROGRAMS

The Committee recommends $62,587,000 for Crew and Other Vetting Programs, $26,500,000 below the amount requested in the budget and $25,049,000 below the fiscal year 2010 level.

The Committee recommendation includes funds to annualize personnel provided in fiscal year 2010 to support vetting infrastructure improvements and pay related adjustments.

The Committee supports TSA's efforts to modernize its vetting and credentialing infrastructure, which is currently made up of disconnected and duplicative systems. This has resulted in high system complexity and lengthy adjudication processes due to manual reviews. TSA intends to modernize its system to address these issues and improve vetting and credentialing services. However,

following the budget submission, the Department's Acquisition Review Board required TSA to change its acquisition strategy to include full and open competition for this modernization effort. This new acquisition strategy requires less development funding in fiscal year 2011 than originally budgeted. Therefore, the Committee recommendation includes $31,300,000 instead of $57,800,000 requested in the budget. With carryover funding, nearly $70,000,000 is available for this effort in fiscal year 2011. TSA is to brief the Committee quarterly on its efforts to develop this system.

TRANSPORTATION SECURITY SUPPORT

Appropriations, 2010	$1,001,780,000
Budget estimate, 2011	1,052,369,000
Committee recommendation	1,047,929,000

The transportation security support account supports the operational needs of TSA's extensive airport/field personnel and infrastructure. Transportation security support includes: headquarters' personnel, pay, benefits and support; intelligence; mission support centers; human capital services; and information technology support.

COMMITTEE RECOMMENDATION

The Committee recommends $1,047,929,000 for transportation security support activities, $4,440,000 below the amount requested in the budget and $46,149,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations compared to the fiscal year 2010 and budget request levels:

TRANSPORTATION SECURITY SUPPORT

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Headquarters Administration	248,929	271,399	269,774
Information Technology	498,310	480,435	479,685
Human Capital Services	226,338	262,747	260,682
Intelligence	28,203	37,788	37,788
Total, Transportation Security Support	1,001,780	1,052,369	1,047,929

HEADQUARTERS ADMINISTRATION

The Committee recommends $269,774,000 for headquarters administration, $1,625,000 below the amount requested in the budget and $20,845,000 above the fiscal year 2010 level. Adjustments are included for pay, annualization of positions added in fiscal year 2010, and other technical realignments as proposed in the budget.

The recommended amount includes an increase of $19,987,000, $1,625,000 below the amount proposed in the budget, to increase the number of TSA covert teams to directly support security at the checkpoint; background investigations of new TSOs; positions to support acquisition decisions, security directives, and regulatory and rulemaking issues; and additional personnel to enhance the DHS Traveler Redress Inquiry Program.

TSA shall continue semi-annual briefings on covert testing activities.

Recent findings by the DHS Inspector General in report OIG–10–72 found that TSA "did not have an adequate number of properly trained core acquisition staff to administer contracts and oversee support services contractors' performance." Further, the report concluded that TSA "did not have reasonable assurance that contractors were performing as required, that it contracted for the services it needed, that it received the services it paid for, or that taxpayers were receiving the best value." TSA's briefing on its fiscal year 2012 budget request shall include an update on compliance with the recommendations made in the report, including the agency's review of inherently governmental functions and efforts to strengthen contracting officer's technical representatives [COTR] training.

The Committee includes bill language withholding the obligation of $50,000,000 for headquarters administration until: fiscal year 2011 expenditure plans for air cargo security, explosives detection systems procurement and installation, and checkpoint support are provided to the Committee. The expenditure plans are due no later than 60 days after the date of enactment of this act.

INFORMATION TECHNOLOGY

The Committee recommends $479,685,000 for information technology, $750,000 below the amount requested in the budget and $18,625,000 below the fiscal year 2010 level. The recommendation includes adjustments as requested for pay inflation; annualization of fiscal year 2010 funding; a reduction of one-time costs for data center migration; a realignment of funds to the "human capital services" PPA; additional funding for wireless communications technology to support the deployment of AIT units; and other information technology costs related to the fiscal year 2011 TSO staffing increase. The recommendation does not include the full request to support the hiring of additional TSOs due to the reduction made under the "passenger and baggage screener, personnel, compensation and benefits" PPA.

HUMAN CAPITAL SERVICES

The Committee recommends $260,682,000 for human capital services, $2,065,000 below the amount requested in the budget and $34,344,000 above the fiscal year 2010 level. The recommendation includes adjustments as requested for pay inflation, annualization of fiscal year 2010 funding, and a realignment of funds from the "information technology" PPA. Funds are also provided for recruitment and servicing of new TSOs and support staff hired in response to the evolving threats to transportation security. The recommendation does not include the full request to support the hiring of additional TSOs due to the reduction made under the "passenger and baggage screener, personnel, compensation and benefits" PPA.

INTELLIGENCE

The Committee recommends $37,788,000 for the Office of Intelligence, the same amount as requested in the budget and

$9,585,000 above the fiscal year 2010 level. The recommendation includes requested adjustments for pay, annualization of intelligence positions added in fiscal year 2010, and realignment of personnel from the "headquarters administration" PPA. The recommendation also includes $6,620,000 to expand the Field Intelligence Officer program by 31 positions and communications equipment, as requested.

RISK-BASED DECISIONMAKING AND BUDGETING

The Government Accountability Office has criticized TSA for not having a risk assessment, cost-benefit analysis, or performance measures to guide funding decisions. Given the significant investments made for TSA activities, it is critically important that this work be completed. In the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2009 (signed into law on September 30, 2008), the Committee required TSA to complete a comprehensive risk analysis and its impact on resource allocations. Unfortunately, the first report was not submitted until 9 months into fiscal year 2010. The Committee expects future reports to be on time as detailed in Senate Report 110–396.

FEDERAL AIR MARSHALS

Appropriations, 2010	$860,111,000
Budget estimate, 2011	950,015,000
Committee recommendation	950,015,000

The Federal Air Marshals [FAMs] protect the air transportation system against terrorist threats, sabotage, and other acts of violence. The FAMs account provides funds for the salaries, benefits, travel, training, and other expenses of the program.

COMMITTEE RECOMMENDATION

The Committee recommends $950,015,000, the same amount as requested in the budget and $89,904,000 above the fiscal year 2010 level. The recommendation includes the requested increase to sustain domestic flight coverage while maintaining the enhanced international flight coverage initiated in response to the failed terrorist attack on December 25, 2009. In order to facilitate the ability to place Federal Air Marshals on international flights to the United States that may be carrying "selectees", report language is included within Departmental Operations encouraging the Secretary to negotiate with the relevant foreign governments to permit rapid Federal Air Marshal deployments to/from such countries.

TSA is delinquent in complying with the directive to reassess the long-term staffing needs of FAMs. This report shall be submitted promptly.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

FEDERAL AIR MARSHALS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Management and Administration	762,569	822,900	822,900
Travel and Training	97,542	127,115	127,115
Total, Federal Air Marhsals	860,111	950,015	950,015

COAST GUARD

SUMMARY

The Coast Guard's primary responsibilities are the enforcement of all applicable Federal laws on the high seas and 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 in 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 the Department of Homeland Security.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $10,400,318,000 for the activities of the Coast Guard for fiscal year 2011. The Committee adamantly rejects the administration's funding proposal to reduce the Coast Guard's capacity and capability to secure U.S. ports, intercept illegal migrants, interdict drug smugglers, save lives, and perform its other important missions. This ill-advised proposal, if approved, would unnecessarily expand mission gaps, exacerbate known vulnerabilities, and reduce 1,112 Coast Guard billets. The request would erode the Coast Guard's ability to respond to events, such as the January 2010 earthquake in Haiti and the ongoing oil spill in the Gulf of Mexico. The Committee recommendation includes a targeted funding increase above the request to maintain key assets, retain personnel, and replace aging assets.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

COAST GUARD—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2010 budget request [1]	Committee recommendations
Operating Expenses	6,805,391	6,650,950	6,970,681
Environmental Compliance and Restoration	13,198	13,329	13,329
Reserve Training	133,632	135,675	135,675
Acquisition, Construction, and Improvements	1,537,080	1,381,228	1,582,578
Alteration of Bridges	4,000	.....	4,000
Research, Development, Test, and Evaluation	24,745	20,034	28,034
Health Care Fund Contribution (Permanent Indefinite Appropriations)	261,000	265,321	265,321
Retired Pay	1,361,245	1,400,700	1,400,700

COAST GUARD—FUNDING SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2010 budget request [1]	Committee recommendations
Total, Coast Guard	10,140,291	9,867,237	10,400,318

[1] The President's budget request includes a transfer of $254,461,000 from ''Operation and Maintenance, Navy'' for overseas contingency operations.

The Coast Guard will pay an estimated $265,321,000 in fiscal year 2011 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 the National Defense Authorization Act for fiscal year 2005 (Public Law 108–375).

OPERATING EXPENSES

Appropriations, 2010	$6,805,391,000
Budget estimate, 2011 [1]	6,650,950,000
Committee recommendation	6,970,681,000

[1] The President's budget request includes a transfer of $254,461,000 from "Operation and Maintenance, Navy" for overseas contingency operations

The Operating Expenses appropriation provides funds for 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 fall into the following categories:

Search and Rescue.—As one of its earliest and most traditional missions, the Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

Aids to Navigation.—To help mariners determine their location and avoid accidents, the Coast Guard maintains a network of manned and unmanned aids to navigation along the Nation's coasts and on its inland waterways. In addition, the Coast Guard operates radio stations in the United States and abroad to serve the needs of the armed services and marine and air commerce.

Marine Safety.—The Coast Guard ensures compliance with Federal statutes and regulations designed to improve safety in the merchant marine industry and operates a recreational boating safety program.

Marine Environmental Protection.—The primary objectives of the marine environmental protection program are to minimize the dangers of marine pollution and to assure the safety of ports and waterways.

Enforcement of Laws and Treaties.—The Coast Guard is the principal maritime enforcement agency with regard to Federal laws on the navigable waters of the United States and the high seas, including fisheries, drug smuggling, illegal immigration, and hijacking of vessels.

Ice Operations.—In the Arctic and Antarctic, Coast Guard icebreakers escort supply ships, support research activities and Department of Defense operations, survey uncharted waters, and col-

lect scientific data. The Coast Guard also assists commercial vessels through ice-covered waters.

Defense Readiness.—During peacetime, the Coast Guard maintains an effective state of military preparedness to operate as a service in the Navy in time of war or national emergency at the direction of the President. As such, the Coast Guard has primary responsibility for the security of ports, waterways, and navigable waters up to 200 miles offshore.

COMMITTEE RECOMMENDATIONS

The Committee recommends $6,970,681,000 for Coast Guard Operating Expenses, including $24,500,000 from the Oil Spill Liability Trust Fund and $594,461,000 for Coast Guard defense-related activities. Of this amount, the Committee recommends not to exceed $20,000 for official reception and representation expenses.

The recommended amount is $319,731,000 above the request and $165,290,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Military Pay and Allowances:			
Military Pay and Allowances	2,718,493	2,768,886	2,795,195
Military Healthcare	371,399	412,338	415,893
Permanent Change of Station	164,620	176,538	170,076
Subtotal, Military Pay and Allowances	3,254,512	3,357,762	3,381,164
Civilian Pay and Benefits	699,794	757,255	757,398
Training and Recruiting:			
Training and Education	103,417	101,994	101,610
Recruiting and Training Centers	102,761	101,875	102,274
Subtotal, Training and Recruiting	206,178	203,869	203,884
Operating Funds and Unit Level Maintenance:			
Atlantic Area Command	177,474	177,823	177,835
Pacific Area Command	195,943	196,994	198,099
1st District	60,074	60,599	60,610
5th District	21,941	21,854	21,901
7th District	78,338	80,557	80,499
8th District	49,276	48,360	48,269
9th District	31,672	31,189	31,483
11th District	17,641	17,749	17,749
13th District	23,060	22,824	22,824
14th District	19,289	19,098	19,109
17th District	29,829	29,647	29,647
Headquarters Directorates	288,630	247,636	248,502
Headquarters Managed Units	158,901	151,116	156,621
Other Activities	882	825	879
Subtotal, Operating Funds and Unit Level Maintenance	1,152,950	1,106,271	1,114,027
Centrally Managed Accounts	334,275	345,831	346,949
Immediate and Depot Level Maintenance:			
Aeronautical	365,291	329,023	329,860
Electronic	155,101	164,366	164,694

OPERATING EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Civil/Ocean Engineering & Shore Facilities	183,929	180,890	180,890
Vessel	211,858	205,683	217,354
Subtotal, Intermediate and Depot Level Maintenance	916,179	879,962	892,798
Marine Safety and Response Personnel			20,000
Overseas Contingency Operations	241,503	(1)	254,461
Total, Operating Expenses	6,805,391	6,650,950	6,970,681

[1] The President's budget includes a transfer of $254,461,000 from ''Operation and Maintenance, Navy'' for overseas contingency operations.

OVERSEAS CONTINGENCY OPERATIONS

The Committee provides $254,461,000 for Coast Guard operations in support of overseas contingency operations requirements. While funding for these activities was requested in the Department of Defense budget for the Navy, the Committee adopted a practice beginning in the fiscal year 2009 Supplemental Appropriations Act to appropriate these amounts directly to the Coast Guard. The Committee continues this practice and urges the administration to budget for Coast Guard overseas contingency operations under the Department of Homeland Security in future budget requests. The Coast Guard shall brief the Committee no later than September 10, 2010, on any changes expected during fiscal year 2011 on its mission in Iraq.

GULF OF MEXICO OIL SPILL RESPONSE

The Coast Guard has been responding to the oil spill in the Gulf of Mexico since the day the Mobile Offshore Drilling Unit Deepwater Horizon exploded. British Petroleum and any other responsible party under the Oil Pollution Act of 1990 are legally charged with paying for the cost of the response and damages that result from the oil spill and must reimburse any funds expended by any entity receiving funds within this act in response to the oil spill. The large deployments of personnel, cutters, and aircraft from operational commands nationwide have exacerbated the Coast Guard's readiness challenges and put at risk its ability to execute statutory missions, including responding to future disasters. In a 3-month period, nearly 2,400 Coast Guard personnel (5 percent of its workforce) have deployed for extended durations to the Gulf in response to the Deepwater Horizon oil spill. This personnel surge has created gaps in key leadership positions around the Nation as Sector Commanders, Deputies, and Flag Officers have deployed to the Gulf of Mexico. The 17 cutters on-scene supporting clean-up efforts have suffered 77 equipment related failures to date, damaging an already fragile fleet. Because of this surge in personnel, cutters, and aircraft, the Coast Guard has scaled back efforts in other mission areas such as facility inspections, law enforcement, and aids to navigation. The Committee expects this situation to be properly monitored and encourages the President to address any Coast Guard requirements as soon as possible to deal with its long-term

presence in the Gulf of Mexico. Further, the Secretary is to devise a plan to minimize the diversion of personnel and assets from critical Coast Guard sectors and districts nationwide.

REDUCTION IN CONTRACTOR RELIANCE

The Committee supports the Coast Guard's efforts to reduce its reliance on contractors. The recommended level includes a reduction of $14,500,000, as requested, in savings resulting from the insourcing of professional services contracts to Government service. The Committee is to be briefed on the Coast Guard's plans to achieve these savings no later than 60 days after the date of enactment of this act.

ASSET DECOMMISSIONINGS

The budget request proposes to decommission 19 different assets including surface, air, and Maritime Safety and Security Teams [MSSTs]. The Committee recommendation partially denies the request by continuing $13,460,000 and 368 positions for two High Endurance Cutters [HECs], $5,503,000 and 68 positions for five HH–65 helicopters, and $21,811,000 and 440 positions for five MSSTs. This recommendation is consistent with the unfunded priorities listed by the Coast Guard Commandant during testimony before the Committee on April 13, 2010. Changes from the President's request are described below.

High Endurance Cutters.—Legacy HECs, with an average age of 42 years, require significant maintenance budgets to sustain. The Committee has supported efforts to replace these assets through the acquisition of National Security Cutters [NSCs] and has appropriated over $2,431,000,000 for this effort to date. Two NSCs are anticipated to be operational by 2011, thereby allowing the Coast Guard to begin retiring its HEC fleet. However, the request proposes to retire four HECs with only two NSCs to replace them. This decision would limit the Coast Guard's ability to perform drug and illegal migrant interdiction, fisheries enforcement, and other missions requiring the sea-keeping capabilities of an HEC. Therefore, the recommendation allows for the decommissioning of two HECs, instead of four as requested in the budget, saving 3,330 cutter hours that otherwise would have been cut.

Rotary Wing Capacity.—The Committee denies the proposal to decommission five HH–65 helicopters from active service and close two seasonal air facilities in Muskegon, Michigan, and Waukegan, Illinois. The proposal is dependent on four HH–60 helicopters being permanently relocated to Coast Guard Station Traverse City, Michigan. Subsequent to the request, one of the HH–60 helicopters, proposed for transfer, crashed and is no longer operable. In addition, two other HH–65 helicopters and one additional HH–60 helicopter have been lost in recent accidents. As a result of these incidents, the budget request cannot be executed as proposed without a detrimental impact to other Coast Guard locations. Further, given the Coast Guard's significant rotary wing mission hour gap, it makes little sense to decommission five aircraft from a fleet that has been recently re-engined to increase aircraft performance.

The helicopters stationed at the air facilities in Muskegon, Michigan, and Waukegan, Illinois, are critical to the safety of Great

Lakes mariners and recreational users. The Coast Guard is to work with the Committee on the future missions of these air facilities.

Maritime Safety and Security Teams [MSSTs].—The Committee denies the request to eliminate 5 of 12 MSSTs. These teams were created pursuant to the Maritime Transportation Security Act of 2002 to enhance the Coast Guard's port security posture. These teams are designed to be a rapid response force in the event of a terrorist attack in a maritime environment. They provide protection of critical infrastructure, conduct law enforcement operations, and provide force protection of Department of Defense outloads. In addition, MSSTs are deployed to support security at National Special Security Events and to respond to disasters such as Hurricane Katrina and the Deepwater Horizon oil spill. During fiscal year 2009, MSSTs were deployed 235 times for over 2,500 days. Decommissioning five MSSTs would severely reduce the Coast Guard security presence in our critical ports and present greater demands to ensure optimal and expedient mobilization during an emerging incident.

No later than 120 days after the date of enactment of this act, the Coast Guard is to brief the Committee on the results of its comprehensive analysis of the MSST program, as recommended in the OIG report (OIG–10–89).

NORTH PACIFIC PATROLS

The President's budget request, which proposes to decommission four High Endurance Cutters [HECs] and one Medium Endurance Cutter, does not include sufficient resources to adequately patrol the Bering Sea, the Gulf of Alaska, and the Aleutian Islands. The recommendation includes $13,460,000 and 368 positions to continue operations, crewing, and maintenance of two of the four HECs proposed to be decommissioned, which will enable the Coast Guard to maintain current major cutter patrol presence and response in the operational areas described above.

LAW ENFORCEMENT DETACHMENTS

The Committee recommends an increase of $3,609,000 for the Law Enforcement Detachment [LEDET] program, as requested. LEDETs are used in the maritime environment for drug interdiction and security operations. This investment addresses a rise in the demand for these units by expanding the size of each of the 17 existing LEDET teams from 11 to 12 personnel and creates a new 12-person LEDET. This also strengthens the Coast Guard's maritime narcotics interdiction capacity, specifically by supporting Combatant Commanders and counter-drug operations in the Caribbean and Eastern Pacific.

MARINE SAFETY ENHANCEMENTS

The administration's request to cut active-duty personnel by nearly 3 percent would leave the Coast Guard less able to prevent and respond to catastrophes such as the ongoing oil spill in the Gulf of Mexico. To meet the challenges of a growing maritime industry, more inspectors and investigators are needed to assist in the protection of the environment and natural resources. The rec-

ommendation includes $20,000,000 more than the budget request to improve the Coast Guard's capacity and competencies in its Marine Safety workforce, adding 176 positions to improve regulation, enforcement, and compliance of the maritime industry, including the offshore oil industry. This initiative will strengthen the Coast Guard's core marine safety competencies with focus on standards development, mariner licensing and documentation, casualty investigation and analysis, and compliance, in accordance with the Coast Guard's Marine Safety Improvement Plan.

CRITICAL DEPOT LEVEL MAINTENANCE

The Committee recommends $10,000,000 above the budget request to address the Coast Guard's critical depot level maintenance backlog for its aging assets. The request proposes to cut $45,000,000 for this purpose, which is unwise given the significant shore depot level maintenance backlog, shortage of spare parts, and an increase in mission degrading equipment failures to its fleet. A similar increase provided in the fiscal year 2009 supplemental appropriations act has paid significant dividends through the increased availability of Coast Guard high endurance cutters to support the administration's drug interdiction strategy.

NATIONAL MARITIME CENTER

The Committee recommendation includes $17,500,000 for the National Maritime Center, as requested.

OPERATIONS SYSTEMS CENTER

The Operations Systems Center [OSC] continues to experience steady growth in both the number of systems being developed and the number of people required to support those systems. Currently, over 550 Government and contractor personnel work at the OSC. The existing main facility space has been at capacity for 5 years and it will not accommodate expected growth to over 900 staff. The planned expansion project will facilitate the consolidation of the current workforce from multiple satellite locations and temporary trailers to a permanent structure, as well as improve the delivery of information technology services through the amalgamation of software development and support activities dispersed throughout the Coast Guard. A prospectus incorporating the Coast Guard's requirements for a competitively awarded lease has been approved by the administration and forwarded to Congress for consideration. The Committee encourages the Coast Guard to include any required buildout and any other tenant related costs in the President's fiscal year 2012 budget request.

MARITIME PATROL AIRCRAFT FOLLOW-ON

The recommendation does not include $5,504,000 requested for operations and maintenance [O&M] for Maritime Patrol Aircraft [MPA] #12. Due to MPA acquisition delays, the delivery of this aircraft is not expected until fiscal year 2012, thereby negating the need for O&M funding in fiscal year 2011.

NATIONAL STRIKE FORCE COORDINATION CENTER

The Committee approves the request to re-align the National Strike Force Coordination Center's [NSFCC] functional responsibilities within the Deployable Operations Group and the Coast Guard's Office of Incident Management and Preparedness. The Committee expects that the capabilities currently provided by the NSFCC will remain intact, including all coordination and support for the National Strike Force teams. The Committee is concerned that the Coast Guard's focus on the environmental response mission has been diluted by the increased demands of other homeland security missions. In fact, according to the Abstract of Operations reports submitted quarterly to the Committee, the Coast Guard has experienced over a 45 percent decrease in mission hours dedicated to the Marine Environmental Response mission since the terrorist attacks on September 11, 2001. The Committee directs the Commandant to submit a transition plan to the Committee, including: (1) a description of all existing functions and capabilities of the NSFCC and identification of where each of those functions will be re-aligned within either the Deployable Operations Group or the Office of Incident Management and Preparedness, (2) a detailed listing of the 17 NSFCC positions to be reassigned and description of how those positions will maintain dedicated support to the National Strike Force within their realigned location, and (3) identification of any personnel or resource gaps within the National Strike Force teams that need to be addressed due to this re-alignment and the increased response requirements incurred by the Deepwater Horizon oil spill and/or other recent major oil and hazardous material spills.

AVIATION SAFETY ASSESSMENT

Since 2008, the Coast Guard's aircraft fleet has suffered six serious accidents (one HC–130H, three HH–65s, and two HH–60s). The Coast Guard has undertaken an effort to look into the cause of these incidents, including an evaluation of training, operations, and maintenance procedures. Once completed, the results of the assessment shall be briefed to the Committee, including recommended solutions to improve the safety of aviation operations.

MARINE DEBRIS REMOVAL

Marine debris is an increasing problem that is manifesting itself in all U.S. waters. The Committee directs the Coast Guard to provide a report no later than 90 days after the date of enactment of this act on its activities focused on marine debris removal, including dedicated resources. The Committee encourages the Coast Guard to include sufficient resources for these activities in the President's annual budget submission to Congress.

FINANCIAL MANAGEMENT OVERSIGHT

The Coast Guard shall continue to periodically brief the Committee on its efforts to address material weaknesses in its financial management enterprise that prevent accurate, complete, and timely financial information. These weaknesses have contributed to the inability of financial auditors to provide an unqualified opinion on

the Department's balance sheets. The Coast Guard is to continue working with the Department's Office of the Chief Financial Officer on these efforts.

POLAR OPERATIONS AND MAINTENANCE FUNDING

The Committee notes the budget request once again does not transfer operating and maintenance funds for the polar icebreakers from the National Science Foundation [NSF] to the Coast Guard despite congressional direction to the contrary. Public Law 111–117 transfers $54,000,000 from the NSF to the Coast Guard for icebreaking services to cover all anticipated operation and maintenance costs for fiscal year 2010. For fiscal year 2012, the Committee expects the operating and maintenance budget authority and associated FTE to be included in the Coast Guard's budget request.

The Coast Guard expects the *Polar Star* to be reactivated in fiscal year 2013. In keeping with the standard practice of crewing ships in advance to ensure appropriate training and readiness, fielding a crew for the *Polar Star* is required in fiscal year 2012. The Committee expects sufficient funding to be included in the Coast Guard's fiscal year 2012 request for this purpose.

The Committee also notes that the Coast Guard's analysis of national mission needs in the high latitude regions has yet to be completed. This effort was funded in fiscal year 2009 to inform the national polar policy debate. The results of this study are to be submitted expeditiously and include projected assets and resources necessary to address identified requirements.

COAST GUARD YARD

The Committee recognizes the Coast Guard Yard at Curtis Bay, Maryland, is a critical component of the Coast Guard's core logistics capability which directly supports fleet readiness. The Committee further recognizes the Yard has been a vital part of the Coast Guard's readiness and infrastructure for more than 100 years and believes that sufficient industrial work should be assigned to the Yard to maintain this capability.

NATIONAL VESSEL DOCUMENTATION CENTER

The Committee understands that user fee collections, which help pay for Coast Guard activities at the National Vessel Documentation Center [NVDC], have fallen significantly due to the economic downturn. The Committee directs the Coast Guard to avoid any reduction in the NVDC's Government-employed or contract staff levels, ordinarily funded through proprietary receipts made available in this or any other act by reassigning such staff to nonfee-related Coast Guard activities.

REPORTING REQUIREMENTS WITHOLDING

In an effort to encourage timely submissions to the Committees of materials necessary for robust and informed oversight, the Committee withholds $75,000,000 from obligation from the Coast Guard's "Headquarters Directorates" until the Quarterly Acquisition Report for the second quarter of fiscal year 2011, Revised

Deepwater Implementation Plan, and a comprehensive 5-year Capital Investment Plan for fiscal years 2012–2016 have been submitted.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2010	$13,198,000
Budget estimate, 2011	13,329,000
Committee recommendation	13,329,000

The Environmental Compliance and Restoration account provides funds to address environmental problems at former and current Coast Guard units as required by applicable Federal, State, and local environmental laws and regulations. Planned expenditures for these funds include major upgrades to petroleum and regulated substance storage tanks, restoration of contaminated ground water and soils, remediation efforts at hazardous substance disposal sites, and initial site surveys and actions necessary to bring Coast Guard shore facilities and vessels into compliance with environmental laws and regulations.

COMMITTEE RECOMMENDATIONS

The Committee recommends $13,329,000 for environmental compliance and restoration, $131,000 above the fiscal year 2010 level and the same as the budget request.

RESERVE TRAINING

Appropriations, 2010	$133,632,000
Budget estimate, 2011	135,675,000
Committee recommendation	135,675,000

COMMITTEE RECOMMENDATIONS

The Committee recommends $135,675,000, as proposed in the budget, for Reserve Training. This is $2,043,000 more than the fiscal year 2010 level.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2010	$1,537,080,000
Budget estimate, 2011	1,381,228,000
Committee recommendation	1,582,578,000

Funding in this account supports Coast Guard plans for fleet expansion and improvement. This funding provides for the acquisition, construction, and improvement [AC&I] of vessels, aircraft, information management resources, shore facilities, and aids to navigation required to execute the Coast Guard's missions and achieve its performance goals.

Vessels.—The Coast Guard continues to acquire multi-mission platforms that use advanced technology to reduce life-cycle operating costs.

Integrated Deepwater Systems [Deepwater].—The Deepwater capability replacement project is a multi-year, performance-based acquisition that will replace or modernize the major Coast Guard cutters, offshore patrol boats, fixed wing aircraft, multi-missioned helicopters, and the communications equipment, sensors, and logistics systems required to maintain and operate them.

Other Equipment.—The Coast Guard invests in numerous management information and decision support systems that will result in increased efficiencies, including Rescue 21 (formerly the National Distress and Response System Modernization Project), and the Nationwide Automatic Identification System.

Shore Facilities.—The Coast Guard invests in modern structures that are more energy-efficient, comply with regulatory codes, minimize follow-on maintenance requirements, and replace existing dilapidated structures.

COMMITTEE RECOMMENDATION

The Committee recommends $1,582,578,000 for acquisitions, construction, and improvements, including $20,000,000 from the Oil Spill Liability Trust Fund. The recommended amount is $201,350,000 above the request and $45,498,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Vessels:			
Response Boat-Medium	121,000	42,000	62,000
140' Icebreaker Fleet Refurbishment	.....	.....	21,200
Subtotal, Vessels	121,000	42,000	83,200
Other Equipment:			
Rescue 21	117,000	36,000	36,000
High Frequency Recapitalization	2,500	.....	.....
Interagency Operation Centers	10,000	.....	.....
Subtotal, Other Equipment	129,500	36,000	36,000
Personnel and Related Support:			
Core Acquisition Costs	500	510	510
Direct Personnel Costs	104,700	107,051	107,051
Subtotal, Personnel and Related Support	105,200	107,561	107,561
Integrated Deepwater Systems:			
Aircraft:			
Maritime Patrol Aircraft	138,500	40,000	49,000
HH–60 Conversions	45,900	32,000	32,000
HC–130H Conversions/Sustainment	45,300	25,000	25,000
HH–65 Conversion/Sustainment	38,000	.....	.....
HC–130J Fleet Introduction	1,300	4,000	4,000
Unmanned Aircraft Systems	.....	.....	2,000
Subtotal, Aircraft	269,000	101,000	112,000
Surface Ships:			
National Security Cutter	389,480	538,002	648,002
Offshore Patrol Cutter	9,800	45,000	45,000
Fast Response Cutter	243,000	240,000	240,000
IDS Small Boats	3,000	3,000	3,000
Patrol Boat Sustainment	23,000	.....	.....
Medium Endurance Cutter Sustainment	31,100	30,000	30,000
Polar Icebreaker Sustainment	27,300	.....	.....

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
High Endurance Cutter Sustainment	4,000	.....	.....
Subtotal, Surface	730,680	856,002	966,002
Technology Obsolescence Prevention	1,900	1,000	1,000
C4ISR	35,000	30,500	30,500
Logistics	37,700	50,000	50,000
Systems Engineering and Management	35,000	29,000	29,000
Government Program Management	45,000	45,000	45,000
Subtotal, Integrated Deepwater System	1,154,280	1,112,502	1,233,502
Shore Facilities and Aids to Navigation	27,100	69,200	108,350
Military Housing	.....	13,965	13,965
Total, Acquisition, Construction, and Improvements	1,537,080	1,381,228	1,582,578

RESPONSE BOAT-MEDIUM

The Committee recommends $62,000,000 for the Response Boat-Medium [RB–M] acquisition, $20,000,000 above the budget request. These funds will allow the Coast Guard to purchase 19 RB–Ms in fiscal year 2011, 9 more than requested. The RB–M is a critical asset for the Coast Guard to replace aging 41-foot Utility Boats acquired in the early 1970s and will serve as a platform for boardings, search and rescues, and port security. Recent studies have identified the lack of response boats as an impediment to fully implementing the Coast Guard's mission requirements. The Committee notes that the RB–M project continues to meet cost, schedule, and performance parameters.

ICEBREAKING CAPABILITIES IN THE GREAT LAKES AND NORTHEAST

The Coast Guard's aging fleet of nine 140-foot icebreaking tugs is critical to operations on the Great Lakes and Northeast coast. These tugs help clear shipping channels in the winter, and support law enforcement operations and enforce environmental regulations in all seasons. However, most of these vessels have been operating year round under taxing conditions for more than 30 years and are now in need of refurbishment to be able to sustain their high-operational tempo.

The Committee provides $21,200,000 to begin a 10-year service life extension on all nine of the Coast Guard's 140-foot icebreaking tugs operating in the Great Lakes and along the Northeast coast. Included in this amount is $8,000,000 in nonrecurring engineering (survey and design) costs and $13,200,000 for refurbishment of the first hull.

RESCUE 21

The Committee provides $36,000,000 for Rescue 21, as requested. Rescue 21 is the Coast Guard's command, control and communications system to improve the ability to assist mariners in distress and save lives and property at sea. Rescue 21 is replacing the leg-

acy National Distress and Response System and is being deployed in stages. As requested, funds will complete deployment at Sectors Detroit; Los Angeles/Long Beach; Honolulu; San Juan; Guam; and Buffalo. The Coast Guard is directed to continue quarterly briefings on the status of the program, including any changes to the schedule outlined in the request. The Committee expects funding for deployment of Rescue 21 to the Western Rivers will be requested in the Coast Guard's fiscal year 2012 budget request.

NATIONWIDE AUTOMATIC IDENTIFICATION SYSTEM

The request includes no funding for the Nationwide Automatic Identification System [NAIS], which is the Coast Guard's system to identify, track, and exchange information with vessels operating in or approaching U.S. waters. The Coast Guard estimates that deployment of the system will not be completed until 2015; 13 years after Congress mandated that vessels be equipped with automatic identification system technology. Currently, Coast Guard available balances for NAIS allow for deployment of the permanent solution (receive and transmit capability) to just 3 of 35 sectors. The Committee encourages the Coast Guard to request adequate resources in fiscal year 2012 to further deploy the NAIS solution to additional sectors. The Coast Guard is to brief the Committee no later than 60 days after the date of enactment of this act on its plans for sector deployment.

AC&I PERSONNEL

The Committee provides $107,561,000 for personnel and related support, as requested.

DEEPWATER FUNDING

The Committee recommends $1,233,502,000 for Deepwater, $121,000,000 above the amount requested and $79,222,000 above the fiscal year 2010 level. Details of major procurements under this program and other acquisitions are provided below.

MARITIME PATROL AIRCRAFT

The Committee recommends $49,000,000 for the Maritime Patrol Aircraft [MPA], $9,000,000 above the budget request. Funds are recommended for the acquisition of one aircraft (#15), which will provide an additional 1,200 hours to address the Coast Guard's MPA flight-hour gap. The amount above the request funds an additional mission system pallet [MSP] and sparing. The Coast Guard is behind schedule in producing MSPs for its fleet of MPAs. Closing this gap will accelerate the deployment of fully missionized aircraft to the field.

UNMANNED AIRCRAFT SYSTEMS

In addition to funding included for the ship-based Unmanned Aircraft Systems [UAS] project in the Committee's recommendation for "Research, Development, Test, and Evaluation," the Committee includes $2,000,000 in this account to accelerate pre-acquisition activities in accordance with the Coast Guard's Major Systems Acquisition Manual "Analyze/Select" Phase for the ship-based UAS.

NATIONAL SECURITY CUTTER

The recommendation includes $648,002,000 for the National Security Cutter [NSC] acquisition, $110,000,000 above the budget request. The Committee disagrees with the administration's decision to delay funding for the 6th NSC. The NSC program, which is already 2 years behind schedule, will be further delayed without additional funds. The 12 legacy cutters the NSC will replace are frequently out of service due to unscheduled maintenance requirements. These 12 cutters lose an average of 250 operational days per year due to unplanned maintenance, which is directly impacting the Coast Guard's ability to perform its many missions. Funds are provided to complete production of NSC #5, as requested, and for long lead-time materials for NSC #6, which avoids additional project costs and recapitalization delays associated with a break in NSC production. Funding long lead-time material for NSC #6 in conjunction with production funding for NSC #5 is consistent with the Department of Homeland Security's approved Acquisition Program Baseline for the NSC program.

The Committee strongly supports the procurement of one National Security Cutter per year until all eight planned ships are procured. The continuation of production without a break will ensure that these ships, which are vital to the Coast Guard's mission, are procured at the lowest cost, and that they enter the Coast Guard fleet as soon as possible.

FAST RESPONSE CUTTER

The Committee recommends $240,000,000 for the Coast Guard's Fast Response Cutter [FRC], as requested. This funding will allow the Coast Guard to acquire four FRC hulls (9–12). The first FRC is scheduled for delivery in fiscal year 2011 and will be fully operational in fiscal year 2012. The Committee expects the Coast Guard to continue quarterly briefings to the Committee on the status of this procurement, including critical decision points and dates; status of service life extensions of the existing 110-foot patrol boats; and patrol boat operational metrics.

MEDIUM ENDURANCE CUTTER SUSTAINMENT

The recommendation includes $30,000,000 for the Medium Endurance Cutter [WMEC] Sustainment Project, as requested. Funding will complete sustainment work on three 270-foot cutters. This funding is intended to improve mission effectiveness of these vessels to allow them to meet their goals for program availability through the remainder of their service lives. This program has been successful in significantly reducing the number of major equipment failures on these vessels resulting in a much higher percentage of time they are fully mission capable. The Committee is concerned that the total funding in the fiscal year 2011–15 Capital Investment Plan for the WMEC Sustainment project is $20,700,000 less than the project's approved Acquisition Program Baseline cost estimate. Work items will be scaled back and the last two 270-foot WMECs will not undergo the sustainment project. Given the success of this program in mitigating fleet equipment failures and delays in fielding a replacement asset (Offshore Patrol Cutter), the

Committee encourages the Coast Guard to reconsider this decision as it develops its fiscal year 2012 budget request.

PATROL BOAT SUSTAINMENT

No funding is identified in the fiscal year 2011–15 Capital Investment Plan for patrol boat sustainment due to the administration's decision to de-scope the project. This decision means that 17 instead of 20 patrol boats will undergo sustainment. While the Coast Guard is in the process of acquiring 58 FRCs to replace the legacy patrol fleet (which has well surpassed its expected service life), only 22 are expected to be delivered by the end of fiscal year 2015. This should reinforce the need to sustain the legacy fleet until replacements are deployed. The Committee encourages the Coast Guard to reconsider this decision as it develops its fiscal year 2012 budget request.

OFFSHORE PATROL CUTTER

The recommendation includes $45,000,000 for the Offshore Patrol Cutter [OPC], as requested. Funding provides for pre-acquisition activities. The Committee expects the Coast Guard to provide quarterly briefings to the Committee on the status of this procurement, including critical decision points and dates. Further, in accordance with section 511 of this act, no funds may be used in contravention of the Buy American Act, including the procurement of main propulsion engines for the OPC.

POLAR ICEBREAKER SUSTAINMENT

The Coast Guard shall continue to periodically brief the Committee on progress made to reactivate CGC *Polar Star*. According to the Coast Guard, reactivation work will be completed by 2013, increasing the fleet of operational polar icebreakers to three. As discussed in the "Operating Expenses" section of this report, the Committee expects sufficient funding to be requested in fiscal year 2012 to field a crew for the vessel.

The Committee recently learned that the *Polar Sea* has been unexpectedly taken out of service due to excessive wear in its main diesel engines and will likely be in a maintenance status and unavailable for operations until at least January 2011. As a result of this situation, the scheduled fall 2010 Arctic patrol will be cancelled as will an Antarctic Operation Deep Freeze standby period (December 2010–January 2011). The Committee is aware of a root-cause failure-analysis into the underlying cause of the engine wear. The Committee is to be briefed on its results upon its completion and the Coast Guard's plans to address them.

DEEPWATER EXPENDITURE PLAN

The Coast Guard is directed to brief the Committee on its fiscal year 2011 Deepwater expenditure plan no later than 60 days after the date of enactment of this act. The briefing shall be consistent with the Deepwater expenditure plan requirements set forth in Public Law 110–329.

QUARTERLY ACQUISITION REPORTS

The Commandant is directed to continue to submit to the Committee quarterly acquisition and mission emphasis reports consistent with deadlines articulated under section 360 of division I of Public Law 108–7. The Coast Guard shall continue submitting these reports in the same format as required in fiscal year 2010. In addition, for each asset covered, the reports should present the objective for operational hours the Coast Guard expects to achieve, the gap between that objective and current capabilities, and how the acquisition of the specific asset closes the gap. The information should include a discussion of how the Coast Guard calculated the operational hours, an explanation on risks to mission performance associated with the current shortfall, and the operational strategy to mitigate such risks.

GAO DEEPWATER REVIEW

The GAO is directed to continue its oversight of the Deepwater program, including a continued focus on acquisitions nearing critical decision points and Coast Guard progress in functioning as the systems integrator. GAO has informed the Committee that the Coast Guard has not completed its planned fleet mix analysis that was intended to revalidate the quantities of assets needed to meet mission needs. The Coast Guard is to complete this analysis and submit the results no later than 120 days after the date of enactment of this act. GAO shall provide an assessment of the report as part of its annual review of the Deepwater program.

COAST GUARD MILITARY HOUSING

The Committee provides $13,965,000, as requested, for the recapitalization, improvement, and/or acquisition of housing to support military families.

COAST GUARD SECTOR HONOLULU COMMAND AND INTERAGENCY OPERATION CENTER

The amount recommended for shore facilities includes $18,100,000 in additional funding to begin construction of the Sector Honolulu Command and Interagency Operation Center. The Coast Guard should take a phased approach to this project to fully utilize the funds available.

COAST GUARD STATION CLEVELAND HARBOR

The amount recommended for shore facilities includes $21,050,000 in additional funding for the Coast Guard Station Cleveland Harbor/Marine Safety Unit, Ohio, recapitalization project. This will allow the Coast Guard to proceed with work on additional phases of the project. Maintaining the phased approach to this work will maximize the use of available funds.

SHORE AC&I NEWPORT, RHODE ISLAND PIER

The amount recommended for shore facilities includes $23,500,000, as requested, to rehabilitate an existing pier at Naval Station Newport where Coast Guard buoy tenders moor.

CAPITAL INVESTMENT PLAN

The Commandant is to submit to the Committee a comprehensive capital investment plan each year at the time the President's budget is submitted to the Congress.

UNFUNDED PRIORITIES

The Committee directs the Commandant to provide to the Congress, at the time of the President's budget submission, a list of approved but unfunded Coast Guard priorities and the funds needed for each.

ALTERATION OF BRIDGES

Appropriations, 2010	$4,000,000
Budget estimate, 2011	
Committee recommendation	4,000,000

Under the provisions of the Truman-Hobbs Act of June 21, 1940 (33 U.S.C. 511 et seq.), the Coast Guard, as the Federal Government's agent, is required to share with owners the cost of altering railroad and publicly owned highway bridges which obstruct the free movement of navigation on navigable waters of the United States in accordance with the formula established in 33 U.S.C. 516. Alteration of obstructive highway bridges is eligible for funding from the Federal-Aid Highways program.

COMMITTEE RECOMMENDATIONS

The Committee recommends $4,000,000 above the request for the Union Pacific Railroad Bridge in Clinton, Iowa.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Appropriations, 2010	$24,745,000
Budget estimate, 2011	20,034,000
Committee recommendation	28,034,000

The Coast Guard's Research and Development program develops techniques, methods, hardware, and systems that directly contribute to increasing the productivity and effectiveness of the Coast Guard's operating missions. This account provides funds to operate and maintain the Coast Guard Research and Development Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends $28,034,000 for the Coast Guard's research, development, test, and evaluation activities, $8,000,000 above the budget request and $3,289,000 above the fiscal year 2010 level.

Included in the amount recommended by the Committee is $8,000,000 above the request for ship-based unmanned aircraft system [UAS]. This funding, in addition to amounts previously appropriated, is required to purchase the necessary shipboard integration equipment and support an advanced concept technology demonstration. An additional $2,000,000 is included for the ship-based UAS in the Committee's recommendation for "Acquisition, Construction, and Improvements."

With regard to land-based UAS, the Committee urges the Coast Guard to continue cooperation with U.S. Southern Command [USSOUTHCOM] in its evaluation of unmanned aircraft systems. Many of USSOUTHCOM's maritime patrol missions closely correlate with the Coast Guard's maritime missions.

The Committee encourages the Coast Guard to research and develop a composite or hybrid-composite year-round ice buoy that will possess equivalent characteristics to legacy buoys.

RETIRED PAY

Appropriations, 2010	$1,361,245,000
Budget estimate, 2011	1,400,700,000
Committee recommendation	1,400,700,000

This account provides for the retired pay of military personnel of the Coast Guard and Coast Guard Reserve, members of the former Lighthouse Service, and for annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan (10 U.S.C. 1431–1446) and survivor benefit plan (10 U.S.C. 1447–1455); payments for career status bonuses under the National Defense Authorization Act; 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 $1,400,700,000, as proposed in the budget, for retired pay. This amount is $39,455,000 above the fiscal year 2010 level.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

Appropriations, 2010	$1,478,669,000
Budget estimate, 2011	1,567,642,000
Committee recommendation	1,571,642,000

The United States Secret Service's [USSS], salaries and expenses appropriation provides funds for the security of the President, the Vice President, and other dignitaries and designated individuals; for enforcement of laws relating to obligations and securities of the United States and laws relating to financial crimes; and for protection of the White House and other buildings within the Washington, DC, metropolitan area.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,571,642,000 for Salaries and Expenses. This is an increase of $92,973,000 from the fiscal year 2010 level and $4,000,000 above the amount proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Headquarters, Management and Administration	221,045	253,176	253,176
Protection:			
Protection of Persons and Facilities	755,521	792,042	792,042
Protective Intelligence Activities	67,824	68,914	68,914
National Special Security Event Fund	1,000	1,000	1,000
Presidential Candidate Nominee Protection	.....	17,867	17,867
White House Mail Screening	22,415	25,315	25,315
Subtotal, Protection	846,760	905,138	905,138
Investigations:			
Domestic Field Operations	260,892	257,412	261,412
International Field Office Administration, Operations, and Training	30,705	31,171	31,171
Electronic Crimes Special Agent Program and Electronic Crimes Task Forces	56,541	57,158	57,158
Support for Missing and Exploited Children	8,366	8,366	8,366
Subtotal, Investigations	356,504	354,107	358,107
Training: Rowley Training Center	54,360	55,221	55,221
Total, Salaries and Expenses	1,478,669	1,567,642	1,571,642

DOMESTIC INVESTIGATIONS

The Committee recommends $261,412,000, an increase of $4,000,000 above the request, for domestic field office investigations, administration, operations, and training. Given that protecting the U.S. currency and conducting financial fraud investigations was the first responsibility given to the USSS when it was established in 1865 and represents approximately half of its current mission, the Committee is disappointed that the President's budget requests a $3,480,000 reduction in this program from the fiscal year 2010 level. In fiscal year 2009, the Secret Service made 5,035 domestic financial crimes arrests; 2,506 domestic counterfeit arrests; conducted 650 seizures totaling $142,000,000 in criminal proceeds; prosecuted financial and cybercrime cases involving $443,000,000 in total actual loss; and prevented $1,800,000,000 in total potential loss. These figures do not include the Secret Service's successful investigation into the network intrusion of Heartland Payment Systems. This investigation revealed that data from more than 130 million credit card accounts was at risk of being compromised and transferred to a command and control server operated by a transnational criminal group involved in other ongoing Secret Service investigations. The potential loss in this case is approximately $65,000,000,000. Given the magnitude of these investigations and their impact on both our financial system and individual citizens, the Committee believes it is imperative that the Secret Service be provided the resources it needs to perform its many missions.

These additional funds are solely for additional investigations activities, including mortgage and other financial fraud investigations authorized under the Fraud Enforcement Recovery Act of 2009

(Public Law 111–21). The Secret Service is directed to maintain its efforts to achieve its intended budget efficiencies as stated in the Director's testimony to the House of Representatives Appropriations Subcommittee on Homeland Security on March 18, 2010.

INTERNATIONAL ACTIVITIES AND OFFICES

The Secret Service has 22 international field offices and 1 domicile office in 18 countries. With a relatively small number of agents stationed abroad, USSS is able to greatly leverage this investment to protect U.S. currency, businesses, and citizens. In fiscal year 2009, USSS international offices closed 259 counterfeit cases, 170 financial crimes cases, 378 protective intelligence cases, 337 protective surveys, and 167 noncriminal cases. During this period, USSS international offices also assisted its law enforcement partners abroad with the arrest of 1,066 suspects, while seizing over $108,000,000 in counterfeit U.S. currency before it could be introduced into circulation.

The Committee recommends $31,171,000 and 74 FTE, as requested, for international field office administration, operations, and training. The Committee is impressed with the work that the Bogota Field Office has accomplished in its liaison with Colombian law enforcement. Working with specially vetted groups of Colombian law enforcement officials, and with the assistance of the Secret Service, Columbia is no longer the largest producer of counterfeit currency in the world. The passing of Colombian-made counterfeit U.S. dollars has declined from $19,500,000 in fiscal year 2001 to $3,700,000 in fiscal year 2009—an 81 percent drop. By aggressive enforcement and increasing the cost of doing business, many counterfeiters have moved out of Colombia to other locations.

Peru is now the largest producer of counterfeit U.S. currency in the world. From fiscal year 2008 to fiscal year 2009, USSS noted a 156 percent increase in worldwide passing of counterfeit U.S. currency originating in Peru. The Government of Peru recognizes this growing problem and has welcomed USSS training and support to address it. Currently, agents from the Miami Field Office are temporarily rotated to Lima in support of Peruvian actions. Since beginning temporary activities in Lima on March 15, 2009, the cooperative task force has yielded 38 arrests, 17 counterfeit plant suppressions, and the seizure of more than $20,600,000 in counterfeit U.S. currency. The Committee understands consideration is being given to opening a field office in Lima. The Committee encourages USSS to build on its growing relationship with the Government of Peru and open an office if it is determined that doing so would be in our Nation's best interests.

FINANCIAL MANAGEMENT

The Committee is troubled by the Secret Service spending more funds than it has available to it, resulting most recently in a finding by the Government Accountability Office [GAO] of April 27, 2010, that USSS violated the Antideficiency Act. The Antideficiency Act requires that the agency head "shall report immediately to the President and Congress all relevant facts and a statement of actions taken." The Committee notes that this statutory requirement relevant to the recent violation cited by the GAO

has not yet been met. To ensure future compliance with the Antideficiency Act, the Committee directs the Department of Homeland Security Chief Financial Officer and the USSS to implement the GAO's recommendations related to financial management and compliance in the recently released GAO report (GAO–10–762). The Committee is pleased that there appears to be better communication between the Department and the Secret Service on financial matters. The Committee encourages all parties to embrace the program, project, and activity structure listed at the end of this report and cooperate and share information on a timely basis to avoid future problems.

INFORMATION INTEGRATION AND TRANSFORMATION PROGRAM

The Committee became aware of the significant information technology [IT] integration and transformation requirements facing the Secret Service during the 2008–2009 Presidential transition and provided $31,700,000 in emergency funding for USSS to immediately address White House Communications Agency interoperability requirements and to begin jointly addressing these additional IT funding requirements with the Office of Management and Budget. The Committee recommends funding of $69,960,000, an increase of $36,000,000 and 3 FTE, as requested; and directs the Secret Service and the DHS Chief Information Officer to provide semiannual briefings on progress in upgrading these IT systems and programs. The Committee also retains bill language withholding from obligation $20,000,000 until the Chief Information Officer of the Department of Homeland Security submits a report to the Committees on Appropriations of the Senate and the House of Representatives certifying that all information security modernization plans are consistent with Department of Homeland Security data center migration and enterprise architecture requirements.

DATA CENTER MIGRATION

As part of the Department-wide effort to assign data center migration funding to the component agencies which will be migrating, the Committee recommends $12,600,000 in new funding, as requested, to support USSS's portion of this activity in fiscal year 2011.

ELECTRONIC CRIMES

The Committee strongly supports the Electronic Crimes Task Force program, authorized in the USA PATRIOT Act of 2001 (Public Law 107–56), and is pleased that it is operating in 27 locations across the Nation. The Committee recommends $57,158,000 and 315 FTE for the Electronic Crimes Special Agent Program and Electronic Crimes Task Forces, an increase of $617,000 above the fiscal year 2010 level and the same as the the amount requested in the budget. The Committee encourages the use of these funds for activities authorized under the Fraud Enforcement Recovery Act (Public Law 111–21).

PRESIDENTIAL CANDIDATE NOMINEE PROTECTION

The Committee recommends $17,867,000, and 24 FTEs, as requested in the budget, to provide training to candidate protective detail personnel, procure supplies and equipment to support these operations, and to procure critical protective vehicles and equipment for the 2012 Presidential campaign.

UNIFORMED DIVISION

The Committee notes that the Uniformed Division plays a critical role in providing protective services to Secret Service protectees and others. In the past 4 fiscal years, an average of 11.6 percent of Uniformed Division Officers have become Special Agents. The Committee believes it is important to make full use of these officers' expertise and notes that an authorizing bill has been passed by the Senate and the House to reform the pay structure for the Uniformed Division of the Secret Service. The Committee provides $8,000,000 associated with this proposed salary restructuring, as requested. Bill language is included withholding the obligation of these funds until enactment of authorizing language that incorporates the authorities of the United States Secret Service Uniformed Division into the United States Code.

WHITE HOUSE MAIL SCREENING FACILITY

The Committee recommends $25,315,000, as requested, for the White House mail facility.

MISSING AND EXPLOITED CHILDREN

As requested by the President, the Committee provides $2,366,000 for the Secret Service's forensic support costs, and provides $6,000,000, to remain available until expended, for activities related to investigations of exploited children.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2010	$3,975,000
Budget estimate, 2011	3,975,000
Committee recommendation	3,975,000

This appropriation provides funding for security upgrades of existing facilities; to continue development of the current master plan; to maintain and renovate existing facilities, including the James J. Rowley Training Center (Center); and to ensure efficient and full utilization of the Center.

COMMITTEE RECOMMENDATIONS

The Committee recommends an appropriation of $3,975,000, the same as the fiscal year 2010 and the budget request level, for facility acquisition, construction, repair, improvements, and related expenses of the Secret Service for fiscal year 2011.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

The National Protection and Programs Directorate aims to foster better integration of national approaches between strategic homeland security programs, facilitate infrastructure protection, ensure broad emergency communications capabilities, integrate risk management, identity safeguards for visitors to this country, and ensure the protection of Federal buildings and facilities.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Management and Administration	44,577	46,137	45,137
Infrastructure Protection and Information Security:			
Infrastructure Protection	347,303	333,778	339,236
National Cyber Security Division	397,154	378,744	387,744
Office of Emergency Communications	45,060	44,524	44,524
National Security Emergency Preparedness Telecoms	109,899	108,919	108,919
Federal Protective Service [1]	1,115,000	1,115,000	1,115,000
United States Visitor and Immigrant Status Indicator Technology	373,762	334,613	334,613
Total, National Protection and Programs Directorate (gross)	2,432,755	2,361,715	2,375,173
Offsetting Fee Collections	−1,115,000	−1,115,000	−1,115,000
Total, National Protection and Programs Directorate (net)	1,317,755	1,246,715	1,260,173

[1] Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2010	$44,577,000
Budget estimate, 2011	46,137,000
Committee Recommendation	45,137,000

This account funds salaries and expenses for the Office of the Under Secretary, which oversees all activities of the National Protection and Programs Directorate [NPPD]. This account also funds business operations, information technology support services, and the Office of Risk Management and Analysis.

COMMITTEE RECOMMENDATIONS

The Committee recommends $45,137,000, for Management and Administration, of which $36,347,000 is for Directorate Administra-

tion and $8,790,000 is for the Office of Risk Management and Analysis. In total, this is $560,000 above the fiscal year 2010 level, and $1,000,000 below the budget request.

NPPD PERFORMANCE

While recognizing the broad mission of NPPD, the Committee has previously expressed frustration with NPPD's loosely defined and ill-focused efforts. Improved congressional budget justifications and regular program briefings, as required in the Department of Homeland Security Appropriations Act, 2010, and the accompanying explanatory statement, have begun to help clarify the mission and efforts of NPPD. While progress has been made, much work is still needed to clarify NPPD programs, such as Next Generation Networks and certain programs in the Office of Risk Management and Analysis. The Committee encourages NPPD to continue to refine its direction, budgeting process, and mission focus to ensure investments are made in the most critical areas for the security of the Nation's infrastructure, information, and people.

OFFICE OF RISK MANAGEMENT AND ANALYSIS

The Committee recommends $8,790,000 for the Office of Risk Management and Analysis [RMA], a reduction of $1,000,000 from the budget request and $1,105,000 below the fiscal year 2010 level. The explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, requires an expenditure plan for RMA in an attempt to gain clarity into how funds are being allocated to accomplish the goals and targeted outcomes of the Office. The plan described the mission, vision, and strategic context, unfortunately, it did little to clarify the quantifiable outcomes of RMA to fulfill its mission to "enable and advance the effective management of risk by the homeland security enterprise". For example, one objective is to complete the second phase of the Department's first quantitative all hazards risk assessment by the end of the second quarter of fiscal year 2010. To date, RMA has not been able to demonstrate even a prototype of this assessment to the Committee, despite the fact that the second phase first received funding in fiscal year 2009. Further perplexing, the one area in which the RMA expenditure plan describes specific outcomes—technical assistance programs to DHS components—is identified for reductions in the fiscal year 2011 budget request. RMA must focus its efforts on the investments that yield the highest return and eliminate programs that are diffusing its focus on effective outcomes. Therefore, the Office of the Under Secretary is directed to brief the Committee within 60 days after the date of enactment of this act on which quantifiable priorities will be implemented in fiscal year 2011 with the appropriations provided and how these priorities will assist the Department to better meet the security needs of the Nation.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

Appropriations, 2010	$899,416,000
Budget estimate, 2011	865,965,000
Committee recommendation	880,423,000

Infrastructure Protection and Information Security [IPIS] assists the entities and people responsible for securing the Nation's critical infrastructure assets. In addition, IPIS works collaboratively with public, private, and international entities to secure cyberspace and U.S. cyber assets, and reduce the vulnerability of the Nation's telecommunications and information technology infrastructures.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of $880,423,000 for Infrastructure Protection and Information Security [IPIS] programs.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Infrastructure Protection:			
Identification and Analysis	90,610	82,837	88,595
Coordination and Information Sharing	59,582	52,515	52,215
Mitigation Programs	197,111	198,426	198,426
Subtotal, Infrastructure Protection	347,303	333,778	339,236
National Cyber Security Division: [1]			
Management and Administration	14,851	16,151	16,151
Cybersecurity Protection and Response	277,560	253,331	262,331
Cybersecurity Compliance, Standards, and Workforce Development	39,581	46,329	46,329
Critical Infrastructure Cyber Protection and Awareness	60,162	52,933	52,933
Cybersecurity Coordination	5,000	10,000	10,000
Subtotal, National Cyber Security Division	397,154	378,744	387,744
Office of Emergency Communications	45,060	44,524	44,524
National Security/Emergency Preparedness Telecommunications:			
Priority Telecommunications Services	56,773	56,283	56,283
Next Generation Networks	25,000	21,095	21,095
Programs to Study and Enhance Telecommunications	16,774	16,657	16,657
Critical Infrastructure Protection	11,352	14,884	14,884
Subtotal, National Security/Emergency Preparedness Telecommunications	109,899	108,919	108,919
Total, Infrastructure Protection and Information Security	899,416	865,965	880,423

[1] A new PPA structure is recommended for the National Cyber Security Division [NCSD], similar to the new PPA structure proposed in the Congressional Justification addendum. Additional detail is provided under NCSD. Fiscal year 2010 enacted and the fiscal year 2011 budget request are presented on a comparable basis to the new PPA structure.

INFRASTRUCTURE PROTECTION

The Committee recommends $339,236,000 for Infrastructure Protection, $5,458,000 above the request and $8,067,000 below the fiscal year 2010 level.

The Committee recognizes that the Office of Infrastructure Protection [OIP] has taken a proactive approach in forming cooperative relationships with critical infrastructure and key resource owners and operators and in developing programs to ensure useful information can be easily shared to further security measures. The

Committee encourages OIP to ensure that the best practices from these efforts are shared across the Nation.

INFRASTRUCTURE PROTECTION—IDENTIFICATION AND ANALYSIS

The Committee recommends $88,595,000 for Identification and Analysis, $5,758,000 above the request and $2,015,000 below the fiscal year 2010 level. This amount includes $26,521,000 for Vulnerability Assessments, $3,758,000 above the request and the same amount as the fiscal year 2010 level. The Committee continues to recognize the importance of vulnerability assessments which are a collaborative effort between Federal, State, and local governments, and the private sector to identify vulnerabilities and enhance the security of high-risk infrastructure ranging from single-site security to large-scale regional efforts.

This amount also includes $18,000,000 for the National Infrastructure Simulation and Analysis Center [NISAC], $2,000,000 above the request and $2,000,000 below the fiscal year 2010 level. The Committee encourages NISAC to continue to work with the National Incident Management Systems and Advanced Technologies Institute at the University of Louisiana at Lafayette.

INFRASTRUCTURE PROTECTION—COORDINATION AND INFORMATION SHARING

The Committee recommends $52,215,000 for Coordination and Information Sharing, $300,000 below the request and $7,367,000 below the fiscal year 2010 level. This amount includes $37,433,000 for National Infrastructure Protection Plan [NIPP] implementation and Critical Infrastructure/Key Resources partnership management, $7,000,000 above the request and $7,291,000 below the fiscal year 2010 level for these activities. The increase over the budget is to be distributed between the two activities proportionate to the fiscal year 2010 enacted level. The Committee continues to recognize the important role these efforts play in fostering and sustaining collaborative relationships between industry and Government. The Committee also notes efficiencies must be found in managing the programs. The Committee directs the GAO to review the efforts of both the NIPP implementation and Critical Infrastructure/Key Resources partnership management and provide recommendations to improve the process to reach the highest level of coordination and efficiency.

This amount does not include $7,300,000, as requested in the budget, for data center migration. The Committee understands that this delay will not have an impact on the OIP mission. NPPD is encouraged to resubmit its request for data center migration in fiscal year 2012.

INFRASTRUCTURE PROTECTION—MITIGATION PROGRAMS

The Committee recommends $198,426,000 for Mitigation Programs, the same amount as the budget request and $1,315,000 above the fiscal year 2010 level. This amount includes $105,036,000 for infrastructure security compliance, which includes the chemical facility and ammonium nitrate security programs. NPPD is directed to complete hiring for this activity expeditiously

and to provide quarterly briefings on the hiring level for this program.

The Committee understands that OIP continues to look for and provide innovative initiatives to enhance security. The Committee encourages OIP to continue to work with the University of Southern Mississippi to address the range of potential and actual threats and risks to the ongoing safety and security at venues with large crowds.

The Committee encourages the Secretary as part of Risk Based Performance Standard 9 (Response) under the Chemical Facility Antiterrorism Standards [CFATS] program to consider whether or not a covered facility has an effective communications mechanism between the facility and local law enforcement and other first responders. For example, the installation of a dedicated telecommunications system between the covered facility and the local public safety answering point; development of a training schedule for use of the dedicated line; and implementation of an operational testing schedule of the dedicated line could prove beneficial for both the facility and surrounding communities in the event of an emergency.

NPPD is encouraged to review products that have been cleared by the Federal Drug Administration, have received Designation and Certification under the SAFETY Act, and are on the Department of Defense list of approved treatments for decontamination and neutralization for possible use at covered facilities for post-attack readiness.

The Committee encourages the Office of Bombing Prevention to continue its efforts in piloting a program related to training and critical response to explosive systems known as Radio Controlled Improvised Explosive Devices.

NATIONAL CYBER SECURITY DIVISION

NPPD was required to submit the fiscal year 2011 budget request in the same Program, Project, and Activity [PPA] structure as the Department of Homeland Security Appropriations Act, 2010 since in previous years shifts in the budget request made it impossible to compare proposed spending levels to current and prior year levels. The NPPD fiscal year 2011 budget request has been submitted in the fiscal year 2010 enacted PPA structure as directed but also includes an addendum proposing a new PPA structure for the National Cyber Security Division [NCSD] in fiscal year 2011 in the Congressional Justification. The Committee recommendation does include a new PPA structure for the NCSD, which is similar to the structure proposed in the addendum. The modifications to the proposed structure were included to balance flexibility with accountability and are discussed in the following sections of this report.

The following table summarizes the fiscal year 2010 level, fiscal year 2011 budget request, and the Committee recommendation in the new PPA structure. The fiscal year 2010 level and fiscal year 2011 budget request are also displayed in the current PPA structure as enacted and in the new structure on a comparable basis parenthetically.

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
National Cyber Security Division: [1]			
U.S. Computer Emergency Response Team [US–CERT]	323,629	314,989	
Strategic Initiatives	64,179	56,880	
Outreach Programs	9,346	6,875	
Management and administration	(14,851)	(16,151)	16,151
Cybersecurity protection and response	(277,560)	(253,331)	262,331
Cybersecurity compliance, standards, and workforce development	(39,581)	(46,329)	46,329
Critical infrastructure cyber protection and awareness	(60,162)	(52,933)	52,933
Cybersecurity coordination	(5,000)	(10,000)	10,000
Subtotal, National Cyber Security Division	397,154	378,744	387,744

[1] A new PPA structure is recommended for the National Cyber Security Division [NCSD], similar to the new PPA structure proposed in the Congressional Justification addendum. The fiscal year 2010 level and the fiscal year 2011 budget request are displayed based on the current PPA structure and parenthetically, on a comparable basis, for the new structure.

NATIONAL CYBER SECURITY DIVISION—CYBERSECURITY PROTECTION AND RESPONSE

The Committee recommends $262,331,000 for Cybersecurity Protection and Response, of which $80,406,000 is for United States-Computer Emergency Readiness Team [US–CERT], and $181,925,000 is for network security deployment. This is $15,229,000 below the fiscal year 2010 level and $9,000,000 above the request. The Committee understands that a portion of the proposed reduction below the fiscal year 2010 level can be absorbed, given the large amount of fiscal year 2010 unobligated balances of the programs, especially for US–CERT. However, the Committee cautions that while some of the delay in obligations is attributable to unavoidable delays in contract executions, NSCD should be agile enough to focus resources on other allowable projects within the scope of their mission given the dynamic needs associated with cybersecurity. The Committee recommendation includes an increase of $5,000,000 above the request to expedite deployment of network security, of which up to $2,500,000 may be used, including personnel costs, to study available private sector capabilities and technologies; examine appropriate methods to streamline acquisitions processes; and conduct pilot programs. The pilot programs shall illustrate how innovative technologies can be deployed across Government agencies and key elements of the private sector consistent with an executable operational concept. This effort shall not conflict with, but instead contribute to, the President's Cyberspace Policy Review and the Comprehensive National Cyber Security Initiative.

When launching the Cyberspace Policy Review, the President declared that, "the cyber threat is one of the most serious economic and national security challenges we face as a nation" and that "America's economic prosperity in the 21st century will depend on cybersecurity." A June 2010 report by the Office of the Inspector General (OIG–10–94) found that progress has been made in securing cyberspace but challenges remain. NPPD is directed to brief the Committee quarterly on its progress to address and implement the OIG findings.

Finally, the Committee does not transfer $4,000,000 for the National Computer Forensics Institute from NPPD to the Federal Law Enforcement Training Center, as proposed in the budget. The total

amount requested by the President is included in this total. The Committee expects the National Protection and Programs Directorate will continue to administer the NCFI in the same manner as fiscal year 2010, including allowing non-Federal, nonlaw enforcement cyber security professionals as students.

NATIONAL CYBER SECURITY DIVISION—CYBERSECURITY COMPLIANCE, STANDARDS, AND WORKFORCE DEVELOPMENT

The Committee recommends $46,329,000 for Cybersecurity Compliance, Standards, and Workforce Development, of which $29,245,000 is for Federal network security and $17,084,000 is for global cyber security management. These are the same amounts as in the request.

NATIONAL CYBER SECURITY DIVISION—CRITICAL INFRASTRUCTURE CYBER PROTECTION AND AWARENESS

The Committee recommends $52,933,000 for Critical Infrastructure Cyber Protection and Awareness, which is a combination of the same activities that were previously split among the Strategic Initiatives and Outreach and Programs PPAs. This is the same amount as requested in the budget.

NATIONWIDE CYBER SECURITY REVIEW

The explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, required NCSD to develop cyber network security assessment tools so that a comprehensive effort to assess the security level of cyber space at all levels of government could be completed. The Committee is pleased with the vigor with which NCSD has approached implementation of this important effort. The establishment of specific timeframes for outcomes and the inclusivity of Federal, State, and local partners, as well as other stakeholders, has put this effort on a positive path for results. The Committee directs NCSD to continue implementation of this important effort, in conjunction with FEMA, at least at the same level as in fiscal year 2010.

NATIONAL CYBER SECURITY DIVISION—MANAGEMENT AND ADMINISTRATION

The Committee recommends $16,151,000 for Management and Administration, which includes the budget request for business operations and the Office of the Assistant Secretary for Cybersecurity and Communications.

NATIONAL CYBER SECURITY DIVISION—CYBERSECURITY COORDINATION

The Committee recommends $10,000,000 for cybersecurity coordination, the same amount as the budget request and $5,000,000 above the fiscal year 2010 level.

OFFICE OF EMERGENCY COMMUNICATIONS

The Committee recommends $44,524,000 for the Office of Emergency Communications [OEC], the same amount as the budget request and $536,000 below the fiscal year 2010 level. The Com-

mittee recognizes that the initial goal established in the National Emergency Communications Plan is scheduled to be accomplished in calendar year 2010. The Committee anticipates the Department will confirm the goal—that 90 percent of high-risk urban areas are able to demonstrate response level communications within an hour of routine events with multi-jurisdictions—has been successfully completed.

The Committee also notes that the 10th anniversary of the terrorist attacks on September 11, 2001, will arrive in fiscal year 2011. The failure of communications during that incident has been cited in the 9/11 Commission report and has been the subject of many recommendations for resolution. Since that time, the Federal Government and the Department of Homeland Security have devoted significant resources to solving the interoperable communications problem; more than $4,500,000,000 in Federal homeland security grants alone. Progress has been made; however, interoperable emergency communications remain inadequate. The emergence of commercial broadband services provide emergency responders with new opportunities to improve communications. Despite this potential, public safety officials face several challenges in integrating new technologies and proving their reliability. OEC is to report to the Committee no later than 6 months after the date of enactment of this act on the progress made since September 11, 2001, to improve emergency communications and detail what challenges lie ahead. Particular focus should be placed on the adoption of broadband technologies and the key issues and barriers still facing the emergency response agencies on this issue. The report is to include any needed update to the National Emergency Communications Plan to reflect the emergence of broadband technologies for public safety and this update shall be developed in cooperation with State, local, and tribal governments, relevant Federal agencies, emergency response providers, and the private sector. Further, the report shall include a plan to develop and disseminate training and best practices on governance, standard operating procedures, equipment purchases, and related issues for broadband technologies; and to deliver technical assistance to public safety agencies on broadband technologies.

The Committee recommendation includes $1,000,000 for planning, analysis, and coordination with the Federal Communications Commission [FCC] for deployment and operation of the Public Safety Broadband Network, as requested in the budget. The Committee supports Federal agencies working together to ensure program effectiveness and cost efficiencies, but remains concerned that the concept for the Emergency Response Interoperability Center, which is proposed to carry out the planning, analysis, and coordination for deployment and operation of the Public Safety Broadband Network, was hastily developed prior to the budget submission. Therefore, the Committee directs OEC, in conjunction with the FCC, to brief the Committees on Appropriations on the full concept of this effort, including how it will be structured, who will be represented and participate, and how decisions will be made. The briefing shall include a description of how this effort is not in conflict with but instead complimentary to the Emergency Communications Preparedness Center, and possible benefits and drawbacks for combining the

two efforts. The Committee is not interested in a proliferation of centers that are similarly named, similarly structured, with similar missions, yet working in stovepipes. Duplicative efforts waste money and create confusion which will not aid in reaching the end goals of operability and interoperability.

NEXT GENERATION NETWORKS

The Committee recommends $21,095,000 for Next Generation Networks, the same amount as proposed in the budget and $3,905,000 below the fiscal year 2010 level. The Committee remains concerned that this program lacks clarity of mission. Over the last 3 fiscal years, this program has yet to prove able to obligate funds in a timely manner. The transition of legacy voice communications priority services to new infrastructure and protocols is imperative for effective communications during a crisis. Therefore, the Committee directs NPPD leadership to continue aggressive oversight of this program.

FEDERAL PROTECTIVE SERVICE

Appropriations, 2010 [1]	$1,115,000,000
Budget estimate, 2011 [1]	1,115,000,000
Committee recommendation [1]	1,115,000,000

[1] Fully funded by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

The Federal Protective Service [FPS] is responsible for the security and protection of Federal property under the control of the General Services Administration [GSA]; and for the enforcement of laws for the protection of persons and property, the prevention of breaches of peace, and enforcement of any rules and regulations made and promulgated by the GSA Administrator and/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, offset by collections paid by GSA tenants and credited to the account.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,115,000,000, as requested, for salaries and expenses of the Federal Protective Service for fiscal year 2011; this amount is fully offset by collections of security fees.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Basic security	213,673	220,000	220,000
Building specific security	426,327	420,000	420,000
Reimbursable security fees (contract guard services)	475,000	475,000	475,000
Total, Federal Protective Service	1,115,000	1,115,000	1,115,000
Offsetting Fee Collections	−1,115,000	−1,115,000	−1,115,000

ADEQUATE RESOURCING

Since fiscal year 2007, the Committee has expressed concern over the lack of adequate resourcing for FPS. Federal employees have been killed or injured in numerous attacks on facilities that house Federal employees in the United States including the 1993 attack at the World Trade Center, the 1995 Oklahoma City bombing, and the 2001 attacks at the World Trade Center and the Pentagon. In addition, there have been recent attacks at Federal facilities in Austin, Texas; Las Vegas, Nevada; and the Pentagon. Unfortunately, in spite of the increased threat and a projected 2 percent increase in protected square footage since the last Federal Protective Service [FPS] fee increase, the President's budget does not assume an increase in fees for fiscal year 2011.

The Government Accountability Office [GAO] (GAO–10–341 and July 2009 testimony) has identified significant challenges in FPS's ability to meet the current threat. FPS is currently funded through fees assessed to participating agencies by the Office of Management and Budget [OMB]. In establishing the fee for fiscal year 2012, OMB is directed to increase the fee appropriately to meet the threat to the security of Federal employees and is encouraged to adjust the existing fee for fiscal year 2011. The Department of Homeland Security Appropriations Act, 2010, required the Secretary and the Director of OMB to certify that FPS is sufficiently funded to support a staff of 1,200 employees, including at least 900 Police Officers, Inspectors, Area Commanders, and Special Agents by December 31, 2009. The Committee includes similar language this year but has increased the number of employees to 1,348, including at least 1,011 Police Officers, Inspectors, Area Commanders, and Special Agents.

The Committee understands that an FPS staffing model has been developed. The Committee directs the National Protection and Programs Directorate to provide the staffing model to the Committee on Appropriations and the GAO within 45 days of the date of enactment of this act. GAO is directed to report to the Committee on Appropriations within 75 days after the receipt of the model on its validity.

Finally, the Committee notes that a Memorandum of Understanding [MOU] between U.S. Immigration and Customs Enforcement [ICE] and NPPD regarding business services provided to FPS has not yet been signed. When the Committee approved the transfer of FPS from ICE to NPPD in fiscal year 2010, as requested in the President's budget, it was with the understanding that the same core support, some of which ICE would still provide as appropriate, would be maintained. The Committee is concerned that 8 months after the transfer the MOU is still not complete. Without the MOU, it is impossible to determine if adequate resources are being provided for the struggling Service. NPPD and ICE are directed to provide the Committee with a copy of the signed MOU without delay. Similar language is included within ICE.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

Appropriations, 2010	$373,762,000
Budget estimate, 2011	334,613,000
Committee recommendation	334,613,000

The United States Visitor and Immigrant Status Indicator Technology [US-VISIT] account funds the development of a system to collect, maintain, and share appropriate information through an integrated information technology system, which determines the eligibility of aliens for admissions and benefits.

The US-VISIT program office has lead responsibility within the Department of Homeland Security to work with the Federal Bureau of Investigation [FBI] on the further integration of the Automated Biometric Identification System [IDENT] and the FBI's Integrated Automated Fingerprint Identification System [IAFIS].

COMMITTEE RECOMMENDATIONS

The Committee recommends $334,613,000, the same as the budget request, of which $50,000,000 shall remain available until September 30, 2012, for the United States Visitor and Immigrant Status Indicator Technology [US-VISIT].

IMPLEMENTATION OF BIOMETRIC AIR EXIT

The Committee strongly supports the full implementation of a biometric air exit capability at the earliest practicable time.

The Committee is concerned that the Department of Homeland Security has failed to implement a comprehensive biometric air exit program. The Committee strongly believes it is the responsibility of the Department to ensure that the visa waiver program works efficiently without compromising our national security and reminds the Department that expansion of the visa waiver program is prohibited by law until a biometric air exit system is in place.

The Committee includes language in the bill providing that not less than $50,000,000 in prior-year balances shall remain available until expended solely for implementation of a biometric air exit capability.

BRIEFINGS

All current quarterly briefings on US-VISIT programs shall be provided on a semiannual basis beginning in fiscal year 2011.

DELAYED DELIVERY OF THE US-VISIT EXPENDITURE PLAN

Once again, the Department has not complied with the requirement in law to submit an expenditure plan for US-VISIT. The law required the plan to be submitted not later than 90 days after the date of enactment of the fiscal year 2010 act, yet the plan was not received until May 13, 2010, well into the third quarter of the fiscal year. History with the last administration regarding this program sadly is repeating itself with this administration. For a national security program that biometrically tracks the entry of individuals into this country, this delay is not acceptable. Bill language is included prohibiting the obligation of $167,307,000 for US-VISIT,

half of the request, until an expenditure plan for use of the fiscal year 2011 funds is submitted to the Committees on Appropriations.

UNIQUE IDENTITY/IAFIS INTEGRATION AND 10-PRINT TRANSITION

Since the creation of the Department, this Committee has strongly supported and encouraged real-time interoperability between the IDENT and IAFIS biometric databases and the transition to capturing 10 fingerprints of all visitors to the United States. The Committee notes that the interoperability effort from September 2006 through April 30, 2010, has identified more than 48,162 individuals with wants and warrants or who are known or suspected terrorists [KST] and has prevented their entry into the United States. The Committee recognizes that while the FBI's transition to the Next Generation Identification of fingerprinting technology is an ongoing, multi-year process, the Committee fully funds the $25,852,000 request for Unique Identity as US-VISIT continues its portion of the interoperability effort with the FBI. The Committee directs the US-VISIT program office to continue aggressively pursuing this issue and to continue providing quarterly briefings on progress being made on Unique Identity.

IDENTITY MANAGEMENT

Due to its cross-cutting nature, US-VISIT not only offers high-quality identity management services to all DHS operational components, but also provides a unique opportunity for sharing information and collaborative planning and problem solving among biometric stakeholders at the Departments of State, Justice, Defense, and the Intelligence Community. In short, US-VISIT continues to grow and develop as a resource that benefits not only DHS but other national and international efforts.

It is vital that Department recognize the importance and impact of biometrics in safeguarding the security of the United States, and as such, should take a leadership role in biometric identification in the U.S. Government and throughout the world. The Department needs to formally designate US-VISIT as the biometric service provider for the entire Department.

The Committee is encouraged by the progress US-VISIT has made in working closely with an increasing number of foreign governments as they seek to implement biometrics into their immigration and border management processes, exploring more and more opportunities for gaining global cooperation and collaboration to combat terrorism and international crime. The Committee directs US-VISIT to provide quarterly briefings to the Committees on Appropriations regarding its ongoing efforts with other countries in laying the foundation for biometric information sharing about criminals, immigration violators, and KSTs. As part of these briefings, the Committee also requests updates, if any, regarding what steps are being taken to strengthen the Department's position as a formidable player in the biometric and identity management field.

OFFICE OF HEALTH AFFAIRS

Appropriations, 2010	$139,250,000
Budget estimate, 2011	212,734,000
Committee recommendation	155,459,000

SUMMARY

The Office of Health Affairs [OHA], headed by the Chief Medical Officer who also serves as the Assistant Secretary for Health Affairs, leads the Department on medical issues related to natural and man-made disasters; serves as the principal advisor to the Secretary on medical and public health issues; coordinates biodefense activities within the Department; and serves as the Department's primary contact with other Departments and State, local, and tribal governments on medical and public health issues.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

OFFICE OF HEALTH AFFAIRS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
BioWatch	89,513	173,505	113,505
National Biosurveillence Integration Center	13,000	7,000	7,000
Rapidly Deployable Chemical Detection System	2,600	2,400	4,400
Planning and Coordination	3,726	2,276	3,001
Salaries and Expenses	30,411	27,553	27,553
Total, Office of Health Affairs	139,250	212,734	155,459

BIOWATCH

The Committee recommends $113,505,000 for the BioWatch program, $23,992,000 above the fiscal year 2010 level and $60,000,000 below the budget request. The Committee has expressed great concern about the troubled implementation and slow progress of the BioWatch program from its inception. While concerns remain, the Committee recognizes that progress is being made with the development and maturity of the BioWatch program, including an effort to work more cooperatively with Federal, State, and local partners. The Committee remains committed to ensuring the Nation has an early warning network to detect a biological agent to speed response and recovery from a terrorist event. The Committee encourages OHA to pursue a vigorous schedule and to rectify emerging problems as soon as possible to ensure that important advancements in this critical program can be deployed.

Of the total amount requested, $89,513,000 is for operation of Generation 1, 2, and 2.5 technologies and the Committee recommends full funding for those activities. The remaining $23,992,000 is for development, long lead support, and deployment of Generation 3 technology. According to the BioWatch fiscal year 2010 expenditure plan required in the statement accompanying the Department of Homeland Security Appropriations Act, 2010, the absence of a widely accepted assay validation standard and procurement delays have resulted in program implementation delays for the Generation 3 technology. For example, the delays in award-

ing the contracts for Generation 3 field testing caused $30,000,000 in fiscal year 2009 funds to be carried over into fiscal year 2010. The Committee understands that the delays will also result in moving the start of operational testing and evaluation into fiscal year 2012. While long lead items, such as modeling analysis, site selection, site preparation, and community acceptance efforts, to prepare for the deployment will still need to be initiated in fiscal year 2011, only 65 percent of the total budget request will actually be committed in fiscal year 2011. The Committee recommends 65 percent of the budget request to fully fund activities that can feasibly be completed in fiscal year 2011.

NATIONAL BIOSURVEILLENCE INTEGRATION CENTER

The Committee recommends $7,000,000 for the National Biosurveillance Integration Center [NBIC], $6,000,000 less than the fiscal year 2010 level and the same amount as the budget request. Of the $6,000,000 reduction requested, $5,000,000 is for one-time costs, and $1,000,000 is attributed to a reduction in the number of agency detailees and liaison officers assigned to the NBIC.

The Committee is perplexed by the proposed reduction in detailees and liaisons. In December 2009, the Government Accountability Office [GAO] found in a report on Biosurveillance (GAO–10–171) that "NBIC is not fully equipped to carry out its mission because it lacks key resources—data and personnel—from its partner agencies . . .". As established in section 316 of the Homeland Security Act (Public Law 107–296), the NBIC's mission is to enhance the capability to rapidly indentify, characterize, localize, and track a biological event of national concern; disseminate information; and oversee development and operation of the National Biosurveillance Integration System. To date, NBIC has tried to accomplish this by placing liaisons from cooperating Federal and State agencies in the NBIC. Yet, the budget proposal provides no explanation of how the NBIC will continue to attempt to fulfill its mission in lieu of the budget reduction. Therefore, the Committee directs OHA to brief the Committees on Appropriations within 180 days of the date of enactment of this act on its progress in implementing the GAO recommendations (GAO–10–171), with which DHS concurred. The briefing should also include a discussion about the feasibility to collocate the NBIC with another coordination or operation center. An assessment of the feasibility of collocation should include: any cost savings associated with collocating the NBIC; any additional information sharing benefits to collocation; and any organizational factors to consider to ensure the biosurveillance integration mission is not overwhelmed by such collocation.

RAPID DEPLOYABLE CHEMICAL DETECTION SYSTEM

The Committee recommends $4,400,000 for the Rapid Deployable Chemical Detection System, which is $1,800,000 above the fiscal year 2010 level and $2,000,000 above the budget request. The increase is provided to complete at least one additional demonstration project in OHA's ongoing effort to build an end-to-end chemical defense architecture. The site shall be competitively selected through the current process based on requirements, priorities, and specifications of the overarching chemical detection architecture.

PLANNING AND COORDINATION

The Committee recommends $3,001,000, which is $725,000 below the fiscal year 2010 level and $725,000 above the budget request. The $725,000 above the budget request is to maintain funding for the Food, Agricultural, and Veterinary Defense Division [FAV]. The Committee recognizes FAV's role related to Homeland Security Presidential Directive-9 in advising Departmental leadership on security issues regarding food, water, agro-defense, veterinary, and zoonotic diseases.

SALARIES AND EXPENSES

The Committee recommends $27,553,000 for salaries and expenses, a decrease of $2,858,000 from the fiscal year 2010 level and the same amount as the budget request. The decrease is attributed to cost efficiencies in supplies, staff travel, training and development, and the conversion of contract support services for associated management and administration activities.

FEDERAL EMERGENCY MANAGEMENT AGENCY

MISSION

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

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $7,345,070,000 for activities of FEMA for fiscal year 2011.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Management and Administration	[1] 797,650	902,996	[2] 696,236
State and Local Programs	3,015,200	[3] 4,000,590	3,078,970
Firefighter Assistance Grants	810,000	([4])	810,000
Emergency Management Performance Grants	340,000	([5])	345,000
Radiological Emergency Preparedness Program	−265	−361	−361
United States Fire Administration	45,588	45,930	45,930
Disaster Relief	[6] 1,600,000	1,950,000	[7] 1,950,000
Disaster Assistance Direct Loan Program Account	295	295	295
Flood Hazard Mapping and Risk Analysis [8]	220,000	194,000	194,000
National Flood Insurance Fund	(146,000)	(169,000)	(169,000)
National Predisaster Mitigation Fund	100,000	100,000	75,000
Emergency Food and Shelter	200,000	100,000	150,000

FEDERAL EMERGENCY MANAGEMENT AGENCY—Continued

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Total, Federal Emergency Management Agency	7,128,468	7,293,450	7,345,070

[1] Excludes a transfer of $105,600,000 from Disaster Relief which makes the comparable level to the budget request $903,250,000.
[2] Excludes a transfer of $216,760,000 from Disaster Relief which makes the comparable level to the budget request $912,996,000.
[3] Includes $610,000,000 for Firefighter Assistance Grants and $345,000,000 for Emergency Management Performance Grants.
[4] Budget proposes $610,000,000 under ''State and Local Programs'' account.
[5] Budget proposes $345,000,000 under ''State and Local Programs'' account.
[6] Includes $16,000,000 for transfer to the Office of Inspector General and $105,600,000 for transfer to FEMA Management and Administration.
[7] Includes $16,000,000 for transfer to the Office of Inspector General and $216,760,000 for transfer to FEMA Management and Administration.
[8] Program formerly called the Flood Map Modernization Fund.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2010 [1]	$797,650,000
Budget estimate, 2011	902,996,000
Committee recommendation [2]	696,236,000

[1] Excludes a transfer of $105,600,000 from Disaster Relief which makes the comparable level to the budget request $903,250,000.
[2] Excludes a transfer of $216,760,000 from Disaster Relief which makes the comparable level to the budget request $912,996,000.

Funding for FEMA's Management and Administration [M&A] provides for the development and maintenance of an integrated, nationwide capability to prepare for, mitigate against, respond to, and recover from the consequences of major disasters and emergencies, regardless of cause, in partnership with Federal agencies, State, local, and tribal governments, volunteer organizations, and the private sector. M&A supports FEMA's programs by coordinating between Headquarters and Regional Offices the policy, managerial, resources, and administrative actions.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $912,996,000 for Management and Administration, including $216,760,000 made available by transfer from Disaster Relief. Of this amount, $4,000,000 is for the Emergency Management Assistance Compact; $10,215,000 is for the National Earthquake Hazards Reduction Program; $2,615,000 is for the National Hurricane Program; $10,717,000 is for the National Dam Safety Program; and $71,076,000 is for the Office of the Chief Information Officer, of which $5,900,000 is for data center migration, as requested in the budget. No less than $11,000,000 is for the Emergency Management Institute program which is $2,000,000 above the request. Also included in the total is $18,213,000 for the Integrated Public Alert and Warning System, which is the same amount as requested in the budget, however up to $2,000,000 is to study Radio Broadcast Data System technology to define and address the specific requirements for vulnerable individuals, including elderly, disabled, special needs, economically challenged, and English as second language persons, which shall be competitively awarded.

The specific levels recommended by the Committee, as compared to the fiscal year 2010 and budget request levels, are as follows:

MANAGEMENT AND ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Operations Activities	758,155	867,947	651,187
National Capital Region Coordination	6,995	7,049	7,049
Urban Search and Rescue	32,500	28,000	38,000
Total, Management and Administration	[1] 797,650	902,996	[2] 696,236

[1] Excludes a transfer of $105,600,000 from Disaster Relief which makes the comparable level to the budget request $903,250,000.
[2] Excludes a transfer of $216,760,000 from Disaster Relief which makes the comparable level to the budget request $912,996,000.

OPERATIONS ACTIVITIES

The Committee recommends $651,187,000 for Operations Activities, instead of $867,947,000 as proposed in the budget and $758,155,000 provided in fiscal year 2010. The Committee recommends a transfer of $216,760,000 from Disaster Relief for management and administration activities bringing the total for Operating Activities to the budget request level.

FISCAL MANAGEMENT AND TRANSPARENCY IN SPENDING

The Committee includes a provision directing FEMA to submit its fiscal year 2012 budget request, including justification materials, by office. Each office and FEMA region shall provide: (1) budget detail by object classification; (2) the number of FTE onboard; (3) the number of FTE vacancies; and (4) the appropriation account(s) used to support the office and the programs managed by the office. This level of detail provides improved transparency and refined tracking of actual spending which is imperative given FEMA's growth in size and mission. Further, FEMA shall report to the Committee within 15 days if any office receives or transfers more than 5 percent of the total amount allocated to each office.

The Committee continues to recognize that the FEMA Office of the Chief Financial Officer [OCFO] is the key to stabilizing the important fiscal reforms that have and need to occur. The OCFO is encouraged to continue the proactive and transparent management of resources which will further support FEMA's ability to successfully accomplish its mission.

The Committee recommends a new provision requiring FEMA to provide an expenditure plan for all funds made available for "Management and Administration" no later than 90 days after the date of enactment of this act.

CORE MANAGEMENT FUNCTIONS

Disasters today are more frequent, more expensive, and larger in scale. FEMA's mission is to support citizens and first responders to ensure a coordinated effort to build, sustain, and improve the Nation's capability to prepare for, protect against, respond to, recover from, and mitigate against all hazards. Before, during, and after a disaster, FEMA coordinates efforts to minimize loss and facilitate recovery. Since 1979, FEMA has had mixed success with its ability to fulfill its mission. Less successful times have occurred when there has not been a large-scale disaster for some period of time, such as during Hurricane Andrew in 1992; or when the Agency is

caught off guard because it is under staffed and overwhelmed, such as during Hurricane Katrina in 2005. The Committee notes that it is not just hurricanes but also terrorist attacks, earthquakes, floods, and incidents such as the space shuttle explosion that have tested FEMA's capabilities to coordinate.

Since 2005, FEMA's Management and Administration appropriation has increased by 104 percent to support preparedness, response, recovery, mitigation, and mission support. FEMA's permanent workforce has grown by 75 percent. During this period of growth, FEMA also received new authorities and has been reorganized several times. The Committee recognizes that with this growth, it is more important than ever for FEMA to expertly manage three core requirements to run an effective agency: budget, human capital, and information services. In the Department of Homeland Security Appropriations Act, 2010, and the accompanying explanatory statement, Congress directed FEMA to address financial weakness and refine budget details; conduct a human capital study; and dedicate specific funding to information technology and the development of preparedness metrics. Many required products are nearing completion.

The Committee is pleased to note that the Administrator's fiscal year 2012–2016 Future Year Homeland Security Program emphasizes establishing priorities, defining outcomes, developing strategies, and budgeting for activities. The Administrator challenges FEMA's leaders to develop performance plans and budgets that will achieve results and continue an open dialogue regarding priorities and available resources. Having had a year to take stock, FEMA is urged to use fiscal year 2011 to complete any plans, products, and processes to implement long-lasting systemic solutions for stabilization of the Agency. Institutionalizing FEMA's core functions will end the cycle of building the agency up, letting it wither on the vine, only to build it up again after a major disaster. The Office of the Administrator is directed to brief the Committees on Appropriations quarterly on the specific progress of FEMA stabilizing its core administrative functions: budget, human capital, and information systems. Regarding the budget, the briefings shall focus on describing the readiness of the Agency, and the Nation, based on specific investments. The briefings related to human capital shall focus on FEMA efforts to be the right size and have the right capabilities. The briefings regarding information technology [IT] shall explain how comprehensive investments for an agency, which works in a very dynamic environment, are being made in IT, instead of merely patching together old systems in hopes that they will stay functional.

INDIVDUAL AND COMMUNITY PREPAREDNESS

The FEMA 2009 Citizen Corps National Survey (December 2009), found that 48 percent of individuals have familiarity with what local hazards are in their community, and 38 percent are familiar with official sources of public safety information. Regarding knowledge about what to do in the first 5 minutes of an earthquake or tornado, 53 percent of the citizens feel confident that they know to respond. Further, 31 percent of citizens are confident about how to respond to a bomb, and 26 percent and 20 percent respectively

are confident with their ability to know how to respond to a release of a chemical agent or to an explosion of a radiological or dirty bomb. The report also recognizes that past research has found that participants often perceive themselves to be more prepared than their reported actions would indicate.

The Committee notes that through testimony and speeches, the Administrator has committed, "to foster an approach to emergency management in this Nation that is built upon a foundation of proactive engagement with neighborhood associations, businesses, schools, faith-based community groups, trade groups, fraternal organizations and other civic-minded organizations that can mobilize their networks to build community resilience and support local emergency management needs". The Committee notes that most of the effort for engagement happens at the local, State, and Tribal level. Therefore, it is perplexing that no funding was proposed for the Citizens Corps program in the fiscal year 2011 budget, the one program that specifically concentrates on individual and community preparedness. The Office of Individual and Community Preparedness shall brief the Committee on Appropriations within 60 days of the date of enactment of this act regarding the specific actions that will be taken to further individual and community preparedness and what specific resources are being committed to the implementation. The briefing shall include a discussion on how resiliency is increased through citizen preparedness, and how childhood education on preparedness can facilitate community readiness. The briefing shall also include an update on the ways in which the Planning Guidance for Response to a Nuclear Detonation, which was developed in accordance with direction provided in House Report 110–107, has been further incorporated into preparedness and public information activities with specific outcomes.

Further, FEMA is directed to create an easily accessible inventory of shareable products that have been developed through the Citizens Corps program to further individual and community preparedness. The Committee understands the products range from school curricula to emergency information which is translated into foreign languages. Sharing this information will maximize the investments made to date.

LOCAL, STATE, TRIBAL, AND FEDERAL TASK FORCE

The explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, established a Local, State, Tribal, and Federal Preparedness Task Force to make recommendations after taking stock of preparedness efforts to date. The Committee appreciates the time and commitment of the Task Force members to address three overarching issues facing the Nation's preparedness system: policy, assessments, and grants. The Committee expects that the Task Force will present its recommendations to the Committee by September 30, 2010. The Committee also notes that the Task Force needs to remain available to discuss the recommendations with the Committee and interested organizations and associations. FEMA is directed to continue supporting the Task Force during fiscal year 2011. FEMA is encouraged to assist the Task Force in developing a process by which the

Task Force can share the recommendations with interested organizations and associations and collect their comments.

PLANNING

The need for planning related to natural-, technological-, or human-caused emergencies or disasters has been met with varying degrees of acceptance and resistance among the many disciplines and levels of government that must participate to make any disaster planning effort successful. The FEMA Comprehensive Preparedness Guide 101 [CPG 101], March 2009, stated that planning has a proven ability to influence events before they occur and is an indispensable contribution to unity of effort during an event. Planning also ensures common logical and analytical problem-solving to deal with complexities, in physical, spatial, and time-related dimensions. It has been 15 months since CPG 101 was released and the Committee has no greater clarity on the commitment level of emergency management to complete comprehensive planning nor the resources that need to be committed, at all levels of government, to ensure that trained and skilled planners are dedicated to the effort. The Committee directs FEMA, in conjunction with the Homeland Security Studies and Analysis Institute or another appropriate federally funded research and development center, to review and report to the Committees on Appropriations regarding the status of planning, particularly catastrophic planning, as well as training and exercise needs to ensure that State and local emergency management officials can develop plans to meet the all hazards mission.

TRAINING AND EDUCATION

The Committee understands that FEMA is reviewing its training and education programs to ensure efficiency and effectiveness. The Committee urges FEMA to review the need for additional capacity for current and emerging training needs such as those for planning, cybersecurity, intelligence, and catastrophic planning, response, and recovery. Additionally, FEMA should consider the need for education programs that develop critical leadership skills, enabling managers to operate in a complex, dynamic disaster environment. Finally, FEMA is encouraged to establish a capacity to use contemporary research to help identify current and emerging needs and trends. FEMA is directed to report to the Committees on Appropriations no later than 180 days after the date of enactment of this act regarding a comprehensive approach to training and education and identifying any gaps, including a plan to address those gaps.

NATIONAL DISASTER RECOVERY FRAMEWORK

The Committee is pleased that FEMA has undertaken the development of a National Disaster Recovery Framework to identify the roles and responsibilities of all levels of government, individuals, and the nonprofit and private sectors during each phase of the recovery process. Additional efforts are required to clarify leadership and coordination issues within the draft framework released in February 2010, and the agency is directed to remain focused on

this effort and provide the necessary resources to improve, finalize, operationalize, and implement the framework.

REGIONAL OFFICES

The Committee understands that FEMA will delegate certain authorities from headquarters to the offices of the Regional Administrators. FEMA is directed to brief the Committees on Appropriations within 30 days of the date of enactment of this act regarding this effort. The briefing shall include a list of authorities that will be delegated; a timeframe for implementation; and what procedures will be instituted to ensure consistent application of FEMA policies across the Nation.

NATIONWIDE CYBER SECURITY REVIEW

The Committee directs FEMA to continuing working with the National Protection and Programs Directorate [NPPD] on tools to assess cyber network security, as discussed in the NPPD section of this report.

OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends $7,049,000 for the Office of National Capital Region Coordination [ONCRC], the same amount as the budget request and $54,000 above the fiscal year 2010 level. Congress established the ONCRC to enhance domestic preparedness through cooperation of the Federal, State, and local governments in the unique environment of the National Capital Region [NCR].

The Committee remains concerned that planning for evacuation of the NCR during a disaster has not incorporated all of the pertinent officials from the appropriate local communities and States in the decisionmaking process. Therefore, the Committee includes bill language requiring inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the NCR decisionmaking and planning process for mass evacuations. Further, the Committee again directs the Department to include officials from the counties and municipalities that contain the evacuation routes and their tributaries in the planning process.

URBAN SEARCH AND RESCUE RESPONSE SYSTEM

The Committee recommends $38,000,000 for the Urban Search and Rescue Response System, $10,000,000 above the request and $5,500,000 above the fiscal year 2010 level. The Committee directs FEMA to provide an expenditure plan to the Committees on Appropriations no later than 90 days after the date of enactment of this act. The Committee understands that FEMA will complete an intensive review of the program to ensure the capacity meets the need. The expenditure plan shall reflect the findings of the review. The Committee is concerned that the 28 existing teams do not have adequate equipment to respond to a chemical, biological, radiological, nuclear, or explosive events. Additionally, the review may find that additional teams are needed to provide adequate response times and coverage in the Nation.

STATE AND LOCAL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2010	$3,015,200,000
Budget estimate, 2011[1]	4,000,590,000
Committee recommendation[2]	3,078,970,000

[1] Includes $610,000,000 proposed for Firefighter Assistance Grants and $345,000,000 proposed for Emergency Management Performance Grants, which continue to be funded in separate accounts.

[2] The Committee recommendation is $33,380,000 above the comparable request.

State and local programs provide grants for training, equipment (including interoperable communications equipment), exercises, and technical assistance to improve readiness for potential disasters.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

STATE AND LOCAL PROGRAMS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Grants:			
State Homeland Security Grant Program[1]	950,000	1,050,000	950,000
Operation Stonegarden[1]	[60,000]	[50,000]	[60,000]
Urban Area Security Initiative	887,000	1,100,000	950,000
Regional Catastrophic Preparedness Grants	35,000	35,000	35,000
Metropolitan Medical Response System	41,000	([2])	38,000
Citizen Corps	13,000	([2])	11,500
Public Transportation Security Assistance and Railroad Security Assistance	300,000	300,000	350,000
Port Security Grants	300,000	300,000	350,000
Over-the-Road Bus Security Assistance	12,000	.....	([3])
Buffer Zone Protection Program Grants	50,000	50,000	50,000
Driver's License Security Grants Program	50,000	([2])	([2])
Interoperability Emergency Communications Grant Program	50,000	([2])	50,000
Emergency Operations Centers	60,000	.....	31,520
Firefighter Assistance Grants	([4])	610,000	([4])
Emergency Management Performance Grants	([5])	345,000	([5])
Subtotal, Grants	2,748,000	3,790,000	2,816,020
National Programs:			
National Domestic Preparedness Consortium/Other Programs	103,700	51,500	99,450
Center for Domestic Preparedness/Noble Training Center	62,500	62,500	62,500
National Exercise Program	40,000	42,000	40,000
Technical Assistance	13,000	15,000	15,000
Continuing Training Grants	29,000	21,590	30,000
Evaluations and Assessments	16,000	18,000	16,000
Rural Domestic Preparedness Consortium	3,000	.....	.....
Subtotal, National Programs	267,200	210,590	262,950
Total, State and Local Programs	3,015,200	4,000,590	[6] 3,078,970

[1] Funding for Operation Stonegarden provided within the State Homeland Security Grant Program.

[2] Activities are eligible expenses in State Homeland Security Grant Program and/or Urban Area Security Initiative.

[3] Funding available under Public Transportation Security Assistance and Railroad Security Assistance PPA.

[4] Funds appropriated under the Firefighter Assistance Grants account.

[5] Funds appropriated under the Emergency Management Performance Grants account.

[6] The Committee recommendation is $33,380,000 above the request after reducing the request by the amounts requested under this heading that are funded in separate accounts.

COMMITTEE RECOMMENDATIONS

The Committee recommends $3,078,970,000 for State and local programs. The Committee recommendation is $33,380,000 above the comparable requested level. The Committee does not approve the budget request to fund Firefighter Assistance Grants and Emergency Management Performance Grants under this heading, each program is funded in a separate account consistent with previous years. The Committee includes a provision providing up to 5 percent of the total amount appropriated for State and local programs for both the Grants Programs Directorate [GPD] and the National Preparedness Directorate [NPD]. This is consistent with the structure of previous years and provides the same amount as requested in the President's fiscal year 2011 budget for these important activities. The Committee also includes a provision allowing grantees to use no more than 5 percent of grant funding for management and administrative costs.

The Committee includes specific time frames for grant dollar distribution and expects FEMA and the Department to comply with the law to ensure homeland security funds are distributed in a timely manner. For the State Homeland Security Grant Program [SHSGP], the Urban Area Security Initiative [UASI], Regional Catastrophic Preparedness Grants, Metropolitan Medical Response System Grants, and Citizens Corps Program grant guidance shall be issued in 25 days, applicants shall apply within 90 days after guidance is issued, and FEMA shall act on the application within 90 days after applications are due. For Public Transportation Security Assistance and Railroad Security Assistance, Port Security Grants, Over-The-Road Bus Security Assistance, Interoperable Emergency Communications Grant Program, and Buffer Zone Protection Program, grant guidance shall be issued in 30 days, applicants shall apply within 45 days after guidance is issued, and FEMA shall act on the application within 60 days after applications are due.

The funds provided for State and local grants are to be used for purposes consistent with each program as authorized and may not, with certain exceptions, be used for construction activities.

For purposes of eligibility for funds under this heading, any county, city, village, town, district, borough, parish, port authority, transit authority, intercity rail provider, commuter rail system, freight rail provider, water district, regional planning commission, council of government, Indian tribe with jurisdiction over Indian country, authorized tribal organization, Alaska Native village, independent authority, special district, or other political subdivision of any State shall constitute a "local unit of government."

The Department is encouraged to consider the need for mass evacuation planning and pre-positioning of equipment for areas potentially impacted by mass evacuations in allocating first responder funds. The Committee notes the Department's efforts to support the homeland security needs of federally recognized tribes and encourages FEMA to continue its efforts in ensuring federally recognized tribes are included in homeland security efforts through State and local planning efforts. The Department is encouraged to require State and local governments to address child care services

and facilities in response and recovery plans, exercises, and training. Additionally, the Committee is concerned that State and local cyber security issues are not receiving the required resources and attention and the Department is encouraged to require State and local governments to include Chief Information Officers in planning efforts. The Committee is concerned that drinking water and sanitation security needs, especially related to emergency response initiatives, are not adequately addressed and the Department is encouraged to require State and local governments to include rural water associations in planning efforts as well.

The Committee is supportive of the Department's efforts to evaluate applications based on risk and effectiveness. The Department should continue its efforts to evaluate SHSGP and UASI applications based on how effectively these grants will address identified homeland security needs. The Department shall work aggressively to ensure grant applicants have the same information that is available to the Department with regard to threat, vulnerability, and consequence to ensure applications reflect true risk.

The Committee expects FEMA to continue to fully engage subject matter experts within the Department when appropriate in the development of grant guidance and the determination of awards.

ASSESSING STATE AND LOCAL PROGRAMS

The Committee remains supportive of State and local efforts to prepare for, respond to, recover from, and mitigate against disasters. We face a dynamic threat by both man and nature and without State and local first responders and homeland security partners there is no homeland security and no effective emergency management.

In a resource constrained environment, reductions are unavoidable. Programs that can describe specific outcomes fair the best. Despite many efforts, including specific direction and funding provided by the Congress, outcomes and gains made through homeland security grant programs, combined with the investments made at the State and local level, cannot be clearly articulated. Neither can the remaining needs.

In the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, a Local, State, Tribal, and Federal Preparedness Task Force was created and charged with making recommendations regarding the most appropriate way to collectively assess the Nation's capabilities and capability gaps. The Task Force was also charged with making recommendations regarding which preparedness guidance documents and policies need updating, which grant programs work the most efficiently, and where programs can be improved. The work of the Task Force continues and recommendations are forthcoming.

In response to the evolving threat to this country, the Committee remains committed to supporting homeland security grant programs. However, in the absence of demonstrable measures of effectiveness during fiscal year 2011, long-term support for these programs cannot be assumed.

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends $950,000,000 for the State Homeland Security Grant Program [SHSGP], of which $60,000,000 shall be for Operation Stonegarden Grants, the same amounts as the fiscal year 2010 level. The budget request of $1,050,000,000 for SHSGP includes funding for activities appropriated under Metropolitan Medical Response System, Citizens Corps, Driver's Licenses Security Program, and Interoperability Emergency Communications Program Grants in fiscal year 2010. The budget proposes to combine several grant programs which are specifically authorized as separate programs in the 9/11 Act. The Committee does not approve the proposed restructuring of the grant programs, but encourages FEMA to continue to work with stakeholders on ways to streamline grant programs and processes. In accordance with section 2004 of the Homeland Security Act of 2002, all funds (excluding Operation Stonegarden) above the amount automatically allocated to States and territories, shall be allocated based on risk (as defined by threat, vulnerability, and consequence) and effectiveness. Operation Stonegarden shall be competitively awarded and all border States shall be eligible to apply in fiscal year 2011.

URBAN AREA SECURITY GRANT PROGRAM

The Committee recommends $950,000,000 for the UASI Grant Program, $63,000,000 above the fiscal year 2010 level. Of this amount, the recommendation includes $20,000,000 for nonprofit entities determined to be at risk by the Secretary.

LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

In accordance with section 2006 of the Homeland Security Act of 2002, the Law Enforcement Terrorism Prevention Program [LETPP] is funded through a required set aside of 25 percent of the funds appropriated through the SHSGP and UASI programs. The Committee directs FEMA to provide clear guidance to States and urban areas to ensure that the intent of LETPP is fully realized.

REGIONAL CATASTROPHIC PREPAREDNESS GRANT PROGRAM

The Committee recommends $35,000,000 for the Regional Catastrophic Preparedness Grant Program [RCPGP], the same amount as the fiscal year 2010 level and as proposed in the budget. Of this amount, no more than $3,000,000 shall be for technical assistance. FEMA is directed to make a portion of technical assistance available for issues related to mass evacuation and host communities. Due to economic restraints, the Committee understands that in fiscal year 2010 some grantees were unable to meet the match requirement for regional activities, leaving critical projects at risk for completion, as they use limited resources for meeting requirements in their own jurisdictions. Therefore, in fiscal year 2011 there shall be no requirement for grantees to match funding for this program so that grantees can implement regional solutions for catastrophic events without delay.

RCPGP has provided needed funding for planning efforts to date. The Committee recognizes that a crucial step after initial plan development is to exercise and validate those plans and ensure train-

ing needs are filled. Therefore grant funds shall be available for overtime, backfill, exercises (tabletop, functional, or full-scale), and training. Exercises should be coordinated through the National Exercise Program. Further, as plans are completed, FEMA is directed to: prioritize funding for efforts which formalize sustainable working groups for continued effective coordination; ensure synchronization of plans and shared best practices; implement citizen and community preparedness campaigns; and pre-position needed commodities and equipment. FEMA is further directed to take into account the needs of both the area at risk of attack and likely host communities.

METROPOLITAN MEDICAL RESPONSE SYSTEM

The Committee recommends $38,000,000 for the Metropolitan Medical Response System [MMRS], which is $3,000,000 below the fiscal year 2010 level. The budget requests no specific funding for MMRS. The Committee recognizes the important work of MMRS in preparing the Nation for a large-scale medical response in urban areas.

CITIZENS CORPS

The Committee recommends $11,500,000 for the Citizens Corps Program, which is $1,500,000 below the fiscal year 2010 level. The budget requests no specific funding for Citizens Corps. The Committee recognizes the important work Citizens Corps grantees have completed to better prepare their communities for an emergency response to date. As required under the heading, Management and Administration, FEMA is directed to develop an inventory of the products and best practices developed through the Citizens Corp programs.

PUBLIC TRANSPORTATION SECURITY ASSISTANCE, RAILROAD SECURITY ASSISTANCE, AND OVER-THE-ROAD BUS SECURITY ASSISTANCE

The Committee recommends $350,000,000 for Public Transportation Security Assistance [PTSA], Railroad Security Assistance [RSA], and Over-The-Road Bus Security Assistance; instead of $300,000,000 for PTSA and RSA, and no funding for Over-The-Road Bus Security Assistance as proposed in the budget request. Of the recommended amount, no less than $25,000,000 is provided for Amtrak security needs and no less than $6,000,000 is for Over-The-Road Bus Security Assistance. The Committee notes that since 2004 there have been over 1,300 attacks on trains, subways, and buses worldwide resulting in over 4,000 killed and 14,000 injured. It is essential that FEMA continue to work with grantees to ensure that funds are used rapidly and effectively. The Committee remains concerned about the slow pace of spending these funds and directs FEMA to brief the Committees on Appropriations no later than 90 days after the date of enactment of this act on efforts to expedite the effective expenditure of these funds.

PORT SECURITY GRANTS

The Committee recommends $350,000,000 for the Port Security Grant Program, $50,000,000 above the amount proposed in the

budget and $50,000,000 above the fiscal year 2010 level. The Committee notes that physical security, preparedness and planning for response to a disaster, and training of port facility officials at the Nation's ports is imperative to economic security.

BUFFER ZONE PROTECTION PROGRAM

The Committee recommends $50,000,000 for the Buffer Zone Protection Program, as proposed in the budget.

DRIVER'S LICENSE SECURITY GRANTS PROGRAM

The Committee recommends no separate funding for the Driver's License Security Grants Program, as proposed in the budget. States may use SHSGP funding for this activity

INTEROPERABILITY EMERGENCY COMMUNICATIONS GRANTS

The Committee recommends $50,000,000 for Interoperability Emergency Communications Grants, which is same amount as the fiscal year 2010 level. The budget request provides no specific funding for this grant program.

The Committee expects that before grant dollars can be obligated by grantees for interoperable communications equipment, jurisdictions must certify to FEMA that the funds are being spent in accordance with their plans. The Committee directs FEMA Regional Offices, in conjunction with the National Protection and Programs Directorate Office of Emergency Communications, to assist in integrating communications plans.

EMERGENCY OPERATIONS CENTERS

The Committee recommends $31,520,000 for Emergency Operations Centers, instead of no funding as proposed in the budget. Of the amount provided $15,760,000 shall be competitively awarded.

Bill language is included providing for the Congressionally directed spending items listed in the following table:

EMERGENCY OPERATIONS CENTERS

	Amount
City of Compton, CA	$500,000
City of Pasadena, CA	500,000
State of Illinois, Springfield, IL	1,000,000
Polk County, IA	610,000
Louisana Sheriffs' Association, Baton Rouge, LA	750,000
City of Baton Rouge, LA	250,000
State of Michigan, Lansing, MI	250,000
Missoula County, MT	771,000
Park County, MT	129,000
City of Passaic, NJ	950,000
Hudson County, NJ	3,450,000
City of Orange Township, NJ	600,000
Rhode Island Emergency Management Agency, RI	1,000,000
State of West Virginia	5,000,000

CENTER FOR DOMESTIC PREPAREDNESS

The Committee recommends $62,500,000 to continue activities for the Center for Domestic Preparedness, the same amount as the

fiscal year 2010 level and the request level. Included in this amount is funding to continue activities for the Noble Training Center.

NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM

The Committee recommends $97,000,000 for the National Domestic Preparedness Consortium, instead of $51,500,000, as proposed in the budget. Funds are to be allocated in the same amounts as fiscal year 2010 to the following existing members of the Consortium: the National Energetic Materials Research and Testing Center, New Mexico Institute of Mining and Technology; the National Center for Biomedical Research and Training, Louisiana State University; the National Emergency Response and Rescue Training Center, Texas A&M University; the National Exercise, Test, and Training Center, Nevada Test Site; and the National Disaster Preparedness Training Center, University of Hawaii, Honolulu, Hawaii.

CENTER FOR COUNTERTERRORISM AND CYBERCRIME

The Committee recommends $2,450,000 for counterterrorism and cybercrime training at Norwich University in Northfield, Vermont.

CONTINUING TRAINING GRANTS

The Committee provides $30,000,000 for continuing training grants, $8,410,000 above the request and $1,000,000 above fiscal year 2010, of which State and local government intelligence awareness training shall be no less than $1,000,000 above the level funded in fiscal year 2010. The Committee supports full funding of programs that deliver homeland security curricula in the form of executive education programs and accredited master's degree education. The Committee also notes the importance of the Mobile Education Team providing half-day, graduate-level seminars on homeland security challenges for Governors, Mayors, and senior staff being conducted prior to any emergency their community may experience.

The Committee directs FEMA to report to the Committees on Appropriations, no later than 180 days after the date of enactment of this act, regarding the needs being met by the continuing training grants to date. The report shall include any potential gaps in new needs that have evolved including training for planning and response to catastrophic events, State and local government intelligence, and law enforcement response related to all-hazards events, including jail evacuation.

NATIONAL EXERCISE PROGRAM

The Committee recommends $40,000,000 for the National Exercise Program, the same amount as fiscal year 2010, and $2,000,000 below the budget request.

The Committee understands the national exercise program is under review, by the Department and FEMA, to ensure exercises validate response capabilities and provide assessments of plans, organization, training, and equipment needs which are relevant to realistic scenarios. FEMA is directed to brief the Committee no later than 90 days after the date of enactment of this act on any planned

and needed program reforms. The briefing shall include a discussion on how exercises can produce specific and measurable accomplishments such as effective regional response protocol, information sharing, and citizen preparedness. Further, the briefing shall provide information regarding an effective way to use reconstruction of actual events that have already occurred as opportunities to validate response capabilities and assess plans, organization, training, and equipment needs.

TECHNICAL ASSISTANCE

The Committee recommends $15,000,000 for technical assistance, the same amount as the budget request, and $2,000,000 above fiscal year 2010. The Committee recognizes the importance of the technical assistance program, which delivers quick and effective problem solving tools for homeland security partners and supports the delivery of technical assistance for three major areas, as outlined in the budget request, for grants management, planning, and prevention activities. In administering grants management technical assistance, FEMA should focus on assistance related to expediting the drawdown of Federal funds.

The Committee encourages FEMA to continue to provide training to first responders through the Domestic Preparedness Equipment Technical Assistance Program.

EVALUATIONS AND ASSESSMENTS

The Committee recommends $16,000,000 for evaluations and assessments, the same amount as the fiscal year 2010 level and $2,000,000 below the request. The Committee views the responsibilities encompassed by evaluations and assessments as crucial to policy development, grant funding determinations, and measuring the outcomes of the Nation's preparedness efforts. The lack of effective assessment development and direction for this effort, by both the former Preparedness Directorate and FEMA, is disappointing: it has left the Nation less able to forge ahead on preparedness in the most effective and cost efficient way. Assessing the preparedness of the Nation in a Federal system is complicated, but it can and must be done. Leadership and commitment to the task are imperative to its completion. So is the cooperation of stakeholders. The Committee considered withholding funds of the Office of the Administrator and grantees until a way forward on assessments is in place. However, with the Preparedness Task Force set to make recommendations at the end of the fiscal year, the Committee did not want to impose a deadline that would restrict full consideration of the Task Force recommendations. Therefore, the Office of the Administrator is directed to brief the Committee quarterly on the progress of implementing an outcomes based preparedness assessment. The initial briefing shall include a review of how other nations have attempted to complete such an effort. FEMA is encouraged to submit a reprogramming request after the Task Force recommendations are received if additional resources are needed to implement the recommendations.

FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2010	$810,000,000
Budget estimate, 2011 [1]	
Committee recommendation	810,000,000

[1] Budget proposes $610,000,000 under State and Local Programs.

Firefighter assistance grants, as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229), assist local firefighting departments for the purpose of protecting the health and safety of the public and fire fighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

COMMITTEE RECOMMENDATIONS

The Committee recommends $810,000,000 for firefighter assistance grants, including $390,000,000 for firefighter assistance grants, and $420,000,000 for firefighter staffing grants, to remain available until September 30, 2011. This is the same amount as the fiscal year 2010 level and $200,000,000 above the level requested in "State and Local Programs".

The Committee directs the Department to continue the present practice of funding applications according to local priorities and those established by the United States Fire Administration, and to continue direct funding to fire departments and the peer review process. Up to 5 percent of grant funds shall be for program administration.

The Committee notes that the U.S. Fire Service Needs Assessment, which was required in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010 to be submitted no later than April 9, 2010, has not been received by the Committee. FEMA is directed to submit the assessment without delay. The Committee directs FEMA to brief the Committees on Appropriations no later than 60 days after the date of enactment of this act regarding the implementation of the recommendations of the recent GAO report (GAO–10–64) on additional actions which would improve the grants process.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2010	$340,000,000
Budget estimate, 2011 [1]	
Committee recommendation	345,000,000

[1] Budget proposes $345,000,000 under State and Local Programs.

Funding requested in this account provides support to the Nation's all-hazards emergency management system and helps to build State and local emergency management capability.

COMMITTEE RECOMMENDATIONS

The Committee recommends $345,000,000 for emergency management performance grants [EMPG], the same level as the amount requested in the budget within the "State and Local Programs" account and $5,000,000 above the fiscal year 2010 level. EMPG is an essential source of funding for State and local emergency management.

The Committee directs FEMA to retain EMPG as a separate grant program, and not to combine its funding with any other grant allocation or application process. Not to exceed 3 percent of grant funds shall be for administrative expenses.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2010 [1]	−$265,000
Budget estimate, 2011 [1]	−361,000
Committee recommendation [1]	−361,000

[1] Fee collections are estimated to exceed costs.

The Radiological Emergency Preparedness [REP] program assists State and local governments in the development of off-site radiological emergency preparedness plans within the emergency planning zones of commercial nuclear power facilities licensed by the Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated to be obligated in the next fiscal year for expenses related to REP program activities.

COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105–276. The budget estimates fee collections to exceed expenditures by $361,000 in fiscal year 2011.

UNITED STATES FIRE ADMINISTRATION

Appropriations, 2010	$45,588,000
Budget estimate, 2011	45,930,000
Committee recommendation	45,930,000

The mission of the United States Fire Administration [USFA] is to reduce losses, both economic and human, due to fire and other emergencies through training, research, coordination and support. USFA also prepares the Nation's first responder and healthcare leaders through ongoing, and when necessary, expedited training regarding how to evaluate and minimize community risk, improve protection to critical infrastructure, and be better prepared to react to all hazard and terrorism emergencies.

COMMITTEE RECOMMENDATIONS

The Committee recommends $45,930,000 for the USFA, as requested in the budget.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2010	$1,600,000,000
Budget estimate, 2011	1,950,000,000
Committee recommendation	1,950,000,000

Through the Disaster Relief Fund [DRF], the Department provides a significant portion of the total Federal response to victims in presidentially declared major disasters and emergencies. Major disasters are declared when a State requests Federal assistance and proves that a given disaster is beyond the local and State ca-

pacity to respond. Under the DRF, FEMA will continue to operate the primary assistance programs, including Federal assistance to individuals and households; and public assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure. The post-disaster hazard mitigation set-aside to States, as part of the DRF, works as a companion piece to the National Predisaster Mitigation Fund.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,950,000,000 for disaster relief, the same amount as the budget request and $350,000,000 above the fiscal year 2010 level. Of this amount, $216,760,000 shall be transferred to FEMA "Management and Administration" for management and administration functions; and $16,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters, subject to section 503 of this act. The Committee also recommends bill language requiring an expenditure plan and quarterly reports for disaster readiness and support costs; and a monthly report on the disaster relief expenditures.

The Office of Management and Budget fails to provide Congress with timely information of funding requirements for disaster relief activities. The President's $5,100,000,000 supplemental request was not submitted until February 2010, when a funding shortfall was known in May 2009. Further, the Committee is aware that the President's fiscal year 2011 request is $1,000,000,000 to $2,000,000,000 short of known requirements for prior disasters, including Hurricanes Katrina, Rita, Gustav, Ike, and the Midwest floods. The FEMA Administrator shall provide a report to the Committees on Appropriations no later than September 7, 2010, on the estimated fiscal year 2011 requirements for prior and future disasters.

FEMA is directed to maintain the Florida long-term recovery office as long as there is sufficient work to be done following the 2004 and 2005 hurricanes that struck the State. FEMA is directed to notify the Committees 60 days prior to closing the office.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 2010	$295,000
Budget estimate, 2011	295,000
Committee recommendation	295,000

Disaster assistance loans authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162) are loans to States for the non-Federal portion of cost sharing funds, and community disaster loans to local governments incurring a substantial loss of tax and other revenues as a result of a major disaster. The funds requested for this program include direct loans and a subsidy based on criteria including loan amount and interest charged. As required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), this account records, for this program, the subsidy costs associated with the direct loans obligated in 1992 and beyond (including modifications of direct loans), as well as administrative expenses of the program. The subsidy amounts are esti-

mated on a present value basis; the administrative expenses are estimated on a cash basis.

COMMITTEE RECOMMENDATIONS

The Committee recommends $295,000, as proposed in the budget, in subsidy costs for disaster assistance direct loans.

Bill language is included directing the gross obligations for the principal amount of direct loans to not exceed $25,000,000.

The Committee recognizes that the Department issued a rulemaking in January 2010 providing for the cancellation of Special Community Disaster Loans [SCDLs] issued by FEMA following Hurricane Katrina, more than a year and a half after passage of the law providing for cancellation of these loans in 2007. The Committee is pleased with FEMA's efforts to assist communities in their applications for cancellation of SCDLs and directs FEMA to continue their work with these communities to ensure maximum flexibility within the law as it considers cancellation applications. The Committee further directs FEMA to provide communities whose loans are not ultimately cancelled with extended deadlines and financing for loan repayment.

FLOOD HAZARD MAPPING AND RISK ANALYSIS [1]

Appropriations, 2010	$220,000,000
Budget estimate, 2011	194,000,000
Committee recommendation	194,000,000

[1] Formerly called the Flood Map Modernization Fund.

This appropriation supports the functions necessary to develop, and keep current, flood risk information and flood maps. The flood maps are used to determine appropriate risk-based premium rates for the National Flood Insurance Program, to complete flood hazard determinations required of the Nation's lending institutions, and to develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends $194,000,000 for Flood Hazard Mapping and Risk Analysis, the same amount as the budget request and $26,000,000 below the fiscal year 2010 level. FEMA and the cooperating partners have delivered modernized maps for 80 percent of the United States population and are projecting coverage of 92 percent of the population once the fiscal year 2010 funds are obligated. The Committee recommendation includes language in the bill that provides that up to 5 percent of the funds may be made available for administrative purposes. The budget proposes no cap on administrative expenses. The Committee also recommends the program name change, as proposed in the budget, which better reflects the focus of future flood map modernization activities.

FLOOD PREVENTION AND RECOVERY

Flood prevention and recovery at the local level are impacted by several Federal agencies and programs, including FEMA and the United States Army Corps of Engineers [USACE], which interact in the establishment of certain Flood Insurance Rate Maps. Updat-

ing Flood Insurance Rate Maps and educating residents about flood risk contributes significantly to mitigating future losses to floods for homeowners, businesses, and American taxpayers. However, communities seeking a resolution to disagreements about flood control infrastructure protection and mapping are often left at an impasse due to the inability of FEMA and USACE to clarify Federal roles and responsibilities. The stovepiped approach by Federal agencies to date has left communities with two options—ignore the risk or face unaffordable costs. Neither is acceptable. There is not a clear understanding of the scope of the problems or the full set of reasonable solutions to mitigate them. Nonetheless, the costs to communities to complete flood control infrastructure repairs, and to individuals as a result of sudden increases in flood insurance, are causing serious concerns about affordability, especially in the current economy.

Therefore, FEMA is directed to create an inter-agency task force, to include the USACE and the Office of Management and Budget [OMB], to track, address, and where possible, resolve concerns stemming from FEMA mapping efforts in communities with issues related to flood control infrastructure protection, such as levees, drainage, or dams. OMB, as a participant in the task force, shall work to ensure any conflicts between agencies on the task force are resolved in a timely fashion. The task force shall provide a quarterly report to the Committees on Appropriations and other appropriate congressional committees, the first of which shall be issued no later than 45 days after the date of enactment of this act. The report shall provide a list of contacts made by a community official to either FEMA or USACE, including the date of each contact; a brief summary of the community official's concern; a determination of which governmental entity is legally responsible for the maintenance and certification of the flood protection infrastructure; and a joint response from FEMA and USACE to the concern, including all options the Federal Government allows to resolve the concern. Within 6 months after the date of enactment of this act, the Government Accountability Office [GAO] shall initiate an examination of the number and status, including timeliness, of responses to issues communities have submitted to the task force members regarding flood control infrastructure and the effect on Flood Insurance Rate Maps and the estimated costs to the community. GAO shall periodically update the report on a schedule to be agreed upon with the Committees on Appropriations.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2010 [1]	($146,000,000)
Budget estimate, 2011 [1]	(169,000,000)
Committee recommendation [1]	(169,000,000)

[1] Fully offset by fee collections.

The National Flood Insurance Fund is a fee-generated fund which provides funding for the National Flood Insurance Program. This program enables property owners to purchase flood insurance otherwise unavailable in the commercial market. The National Flood Insurance Act of 1968 authorizes the Federal Government to provide flood insurance on a national basis. This insurance is available to communities which enact and enforce appropriate floodplain

management measures and covers virtually all types of buildings and their contents up to $350,000 for residential types and $1,000,000 for all other types.

COMMITTEE RECOMMENDATIONS

The Committee recommends $169,000,000, as proposed in the budget, for the National Flood Insurance Fund, of which $40,000,000 is for expenses under section 1366 of the National Flood Insurance Act (42 U.S.C. 4104c) to provide assistance planning to States and communities for implementing floodplain management measures to reduce or eliminate the long-term risk of flood damage to buildings and other structures eligible for insurance under the National Flood Insurance Program.

The Committee has been frustrated with the lack of clarity on resources available to support mapping activities between the National Flood Insurance Fund and the program formerly called the Flood Map Modernization Fund, now Flood Hazard Mapping and Risk Analysis. FEMA is directed to continue to clarify the roles and responsibilities between these programs. The Committee does not recommend elimination of funding for the Severe Repetitive Loss Program, as proposed in the budget. Instead, FEMA is directed to streamline the process and eligibility requirements for the program to ensure its most effective use to prevent loss of property and save disaster relief resources.

NATIONAL PREDISASTER MITIGATION FUND

Appropriations, 2010	$100,000,000
Budget estimate, 2011	100,000,000
Committee recommendation	75,000,000

The National Predisaster Mitigation [PDM] Fund provides grants to States, communities, territories, and Indian tribal governments for hazard mitigation planning and implementing mitigation projects prior to a disaster event. PDM grants are awarded on a competitive basis. This program operates independent of the Hazard Mitigation Grant Program, funded through the Disaster Relief Fund, which provides grants to a State in which a disaster has been declared.

COMMITTEE RECOMMENDATIONS

The Committee recommends $75,000,000 for PDM, $25,000,000 below the fiscal year 2010 level and the request. The Committee continues to support predisaster mitigation, and recognizes the importance of coordinating predisaster mitigation projects with projects being completed through the Hazard Mitigation Grant Program. The Committee continues to be concerned about the pace of awarding these funds. Over $230,000,000 of prior-year appropriations remain unobligated as of April 30, 2010.

EMERGENCY FOOD AND SHELTER

Appropriations, 2010	$200,000,000
Budget estimate, 2011	100,000,000
Committee recommendation	150,000,000

This appropriation funds grants to nonprofit and faith-based organizations at the local level to supplement their programs for emergency food and shelter to provide for the immediate needs of the homeless.

COMMITTEE RECOMMENDATIONS

The Committee recommends $150,000,000 for Emergency Food and Shelter, which is $50,000,000 above the budget request level and $50,000,000 below the fiscal year 2010 level. The Committee continues to support the Emergency Food and Shelter Program, and recognizes it as one program, in conjunction with other Federal programs, that serves those in immediate need of food and shelter assistance.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Appropriations, 2010	$224,000,000
Budget estimate, 2011	385,800,000
Committee recommendation	171,593,000

United States Citizenship and Immigration Services [USCIS] funds expenses 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).

H1–B and L Fraud Prevention and Detection Fees.—USCIS collects fees from petitioners seeking a beneficiary's initial grant of H1–B or L nonimmigrant classification or those petitioners seeking to change a beneficiary's employer within those classifications (Public Law 108–447).

H1–B Nonimmigrant Petitioner Fees.—USCIS collects fees from petitioners using the H1–B program (Public Law 108–447).

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $2,598,150,000, including direct appropriations of $171,593,000 and estimated fee collections of $2,426,557,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Appropriations	224,000	385,800	171,593
Estimated Fee Collections:			
Immigration Examinations Fees	2,451,884	2,375,479	2,375,479
H–1B and L Fraud Prevention and Detection Fees	38,348	38,078	38,078
H–1B Non-immigrant Petitioner Fees	13,000	13,000	13,000
Total, Estimated Fee Collections	2,503,232	2,426,557	2,426,557
Total, Available Funding	2,727,232	2,812,357	2,598,150

E-VERIFY

The Committee recommends $103,400,000 for the E-verify program, as requested.

The Committee supports E-Verify and the effort the Department is performing to improve E-Verify's ability to automatically verify those who are work authorized, detect identity fraud, and detect system misuse and discrimination. E-Verify is both a tool for employers committed to maintaining a legal workforce and a deterrent to illegal immigration. The Committee notes progress continues to be made on reducing the mismatch rate. The additional funds above the request provided to this program in the fiscal year 2010 act that remain available in fiscal year 2011 will promote monitoring and compliance activities and IT-related business initiatives geared toward improved system use.

The Committee is disappointed that USCIS has not aggressively made use of the additional funds provided above the President's request for E-Verify compliance and capacity building. The Committee directs USCIS to provide a briefing by September 10, 2010, on efforts to improve compliance and the capacity of the system.

Last year, in response to an amendment adopted by the Senate to the fiscal year 2010 Department of Homeland Security Appropriations bill which would have provided private sector employers the option to use E-Verify to check the eligibility of current workers and not just newly hired employees, the Department indicated it opposed the inclusion of the Senate provision during the House-Senate conference. The Secretary of Homeland Security specifically stated that the provision "has significant implementation challenges and would impose large new burdens on the E-Verify system that have not been budgeted. I support the general intent to expand and improve employers' ability to verify the employment eligibility of their workforce, but oppose this provision until such an expansion can be implemented in a measured and well-planned fashion."

While the Secretary indicated her support for the intent of the provision, the Committee notes that there are no additional funds requested in the President's budget to expand the capacity of the E-Verify system to allow employers to verify the work eligibility status of existing employees. The Committee directs the Director of USCIS to provide a report not later than 90 days after the date of enactment of this act identifying the costs to expand E-Verify to allow employers to voluntarily verify the work eligibility of their workforce.

The Committee urges USCIS to continue to work to enhance the system to further improve performance, to continue its public outreach and education campaign, and to perform a new, independent evaluation of the system during the first quarter of fiscal year 2011.

PROPOSED NEW FEES

The budget proposed $207,000,000 in new appropriated resources to cover the costs associated with performing administrative and international programs such as asylum, refugee, and humanitarian parole. The Committee supports the existing method used to cover

the costs for those activities. The Committee notes that section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) provides the Department with broad discretion on how fees collected may be used. Specifically, it states that immigration examination fees "may be set at a level that will ensure recovery of the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants. Such fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected." The Committee recommends $50,000,000 for asylum and refugee services, the same as provided in fiscal year 2010. The Committee recommends no appropriated funds for the systematic alien verification for entitlements program, and directs that this activity and asylum and refugee services shall be funded using the existing methods to cover the costs of these activities. The Committee directs the Department to submit a reprogramming within 30 days after the date of enactment of this act, to reflect the continuation of these activities as fee-funded. The Committee notes that funding for military naturalization activities has been requested in the Department of Defense budget. The Committee also notes that approximately $72,000,000 is available in the H and L Fund for fraud investigations and that up to $38,000,000 in prior-year balances are available to be used for these and other purposes.

IMMIGRANT INTEGRATION

The Committee recommends $11,000,000, the same level as provided in fiscal year 2010, for citizenship education and immigrant integration grants. The Committee does not recommend the $7,000,000 requested in the budget for operation of the Office of Citizenship Services and directs that it continue to be a fee-funded activity.

DRIVER'S LICENSE SECURITY HUB

The Committee is disappointed that it has not yet received the REAL ID Hub expenditure plan as called for in the statement of managers accompanying the Department of Homeland Security Appropriations Act, 2010. The Committee directs that it be submitted immediately. A rescission of $10,000,000 in unobligated prior-year funding for this activity is included as a General Provision.

DATA CENTER MIGRATION

The Committee recommends $7,193,000, for data center migration activities, a reduction of $16,207,000 below the request, due to accelerated funding for these activities provided in fiscal year 2010.

NATURALIZATION CEREMONIES

The Committee encourages USCIS to work with local public and private groups to schedule naturalization and oath of allegiance ceremonies as part of Flag Day, Independence Day, and Constitution Day celebrations.

COMMITTEE RECOMMENDATIONS

The following table, which includes appropriations and estimated fee collections, summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Appropriations:			
Employment Eligibility Verification [EEV]/E-Verify	137,000	103,400	103,400
Data Center Consolidation	11,000	23,400	7,193
Systematic Alien Verification for Entitlements	.....	34,000	.....
Immigration Integration Programs	11,000	18,000	11,000
REAL ID Act Implementation	10,000	.....	.....
Asylum and Refugee Services	50,000	207,000	50,000
Military Naturalization Services	5,000	.....	.....
Total, Appropriations	224,000	385,800	171,593
Fee Collections:			
Adjudication Services (Fee Account):			
District Operations	(1,132,317)	(1,169,135)	(1,169,135)
Service Center Operations	(549,623)	(508,281)	(508,281)
Asylum, Refugee and International Ops	.....	(62,630)	(62,630)
International Operations	(64,587)	.....	.....
Record Operations	(107,113)	(102,471)	(102,471)
Business Transformation	(173,264)	(164,025)	(164,025)
Subtotal, Adjudication Services	(2,026,904)	(2,006,542)	(2,006,542)
Information and Customer Services (Fee Account):			
Operating Expenses:			
Information and Customer Service	(89,050)	(83,501)	(83,501)
Subtotal, Information and Customer Services	(89,050)	(83,501)	(83,501)
Administration, (Fee Account):			
Administration	(365,932)	(336,514)	(336,514)
Subtotal, Administration	(365,932)	(336,514)	(336,514)
Systematic Alien Verification for Entitlements [SAVE], (Fee Account)	(21,346)	.....	.....
Total, Fee Collections	(2,503,232)	(2,426,557)	(2,426,557)

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Appropriations, 2010 [1]	$239,356,000
Budget estimate, 2011 [2]	241,338,000
Committee recommendation	234,500,000

[1] Includes $1,309,000 for Federal Law Enforcement Accreditation.
[2] Includes $1,419,000 for Federal Law Enforcement Accreditation.

The Federal Law Enforcement Training Center Salaries and Expenses appropriation provides funds for basic and some advanced training to Federal law enforcement personnel from more than 80 agencies. This account also allows for research of new training

methodologies; provides for training to certain State, local, and foreign law enforcement personnel on a space-available basis; and accreditation of Federal law enforcement training programs.

COMMITTEE RECOMMENDATIONS

The Committee recommends $234,500,000 for salaries and expenses of the Federal Law Enforcement Training Center [FLETC] for fiscal year 2011.

The Committee recommendation does not include $4,000,000 requested for the National Computer Forensics Institute [NCFI] and denies the budget proposal to transfer this function to the Federal Law Enforcement Training Center. The Committee expects the National Protection and Programs Directorate will continue to administer the NCFI in the same manner as fiscal year 2010, including allowing non-Federal, nonlaw enforcement cyber security professionals as students.

The Committee includes bill language requiring the Director of FLETC to ensure all training centers are operated at the highest capacity feasible throughout the fiscal year. The Committee also expects the Director to maintain training at or near capacity before entering into new leases with private contractors or establishing new partner organizations.

INTEGRITY TRAINING

The Federal Government has experienced a significant increase in law enforcement officer hiring in the years since the tragic attacks on September 11, 2001. The Committee believes it is critical that all Federal law enforcement personnel, especially new hires, receive comprehensive training in ethics and public integrity. The Committee notes that Federal law enforcement personnel receive ethics training as part of their basic training at FLETC and expects that all newly hired Federal law enforcement officers will receive such training wherever they are trained.

ACCREDITATION

Appropriations, 2010	[1]
Budget estimate, 2011	[2]
Committee recommendation	$1,419,000

[1] $1,309,000 for Accreditation included in "Salaries and Expenses".
[2] $1,419,000 for Accreditation requested in "Salaries and Expenses".

The Federal Law Enforcement Training Accreditation [FLETA] process sets the standards for Federal law enforcement training. The accreditation of a Federal law enforcement academy or program provides assurance to the citizens they serve that they have voluntarily submitted to a process of self-regulation; and, that they have successfully achieved compliance with a set of standards that have been collectively established by their peers within their professional community that demonstrate adherence to quality, effectiveness, and integrity. The focus of the effort is to accredit Federal academies; entry-level and advanced or specialized training programs; instructor training; and other programs that affect multiple Federal, State, and local law enforcement officers.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,419,000 for the Federal Law Enforcement Training Accreditation Board [FLETA]. FLETA should lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2010	$43,456,000
Budget estimate, 2011	38,456,000
Committee recommendation	38,456,000

This account provides for the acquisition and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center [FLETC]. This includes construction and maintenance of facilities and environmental compliance. The environmental compliance funds ensure compliance with Environmental Protection Agency and State environmental laws and regulations.

COMMITTEE RECOMMENDATIONS

The Committee recommends $38,456,000 for acquisitions, construction, improvements, and related expenses for expansion and maintenance of facilities of FLETC as requested in the budget.

SCIENCE AND TECHNOLOGY

SUMMARY

The mission of Science and Technology [S&T] is to conduct, stimulate, and enable homeland security research, development, testing, and to facilitate the timely transition of capabilities to Federal, State, local, and tribal end-users.

MANAGEMENT AND ADMINISTRATION

Appropriations, 2010	$143,200,000
Budget estimate, 2011	151,959,000
Committee recommendation	146,918,000

The Management and Administration account funds salaries and expenses related to the Office of the Under Secretary for Science and Technology, and headquarters.

COMMITTEE RECOMMENDATIONS

The Committee recommends $146,918,000 for management and administration of programs and activities carried out by S&T. Of this amount the Committee recommends not to exceed $10,000 for official reception and representation expenses.

The recommended amount is $5,041,000 below the budget request and $3,718,000 above the fiscal year 2010 level. The recommendation does not include funding for data center migration, however the Department is encouraged to resubmit the request with the fiscal year 2012 budget.

REPORTING REQUIREMENTS

S&T is directed to continue to provide the following: (1) quarterly briefings to the Committee on the test and evaluation status of all level 1 acquisitions; (2) a report on results of its research and development for the prior fiscal year; and (3) a report on the amounts de-obligated from projects during the prior fiscal year and what projects those funds were subsequently obligated to. The reports listed above are to be submitted in conjunction with the fiscal year 2012 President's budget request and in each subsequent fiscal year. Further, the report on the results of research and development should detail all technologies, technology improvements, or capabilities delivered to front line users, and if the technology or capability was the result of a project reviewed and prioritized by the Integrated Product Team process.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

Appropriations, 2010	$863,271,000
Budget estimate, 2011	866,305,000
Committee recommendation	863,420,000

Science and Technology [S&T] supports the mission of DHS through basic and applied research, fabrication of prototypes, research and development to mitigate the effects of weapons of mass destruction, as well as acquiring and field testing equipment. Separate funding is provided for 12 different activities or portfolios.

COMMITTEE RECOMMENDATIONS

The Committee recommends $863,420,000, for research, development, acquisition, and operations of S&T. The recommended amount is $2,885,000 below the request and $149,000 above the fiscal year 2010 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Border and Maritime Security	44,181	39,936	39,936
Chemical and Biological	206,800	200,863	200,863
Command, Control, and Interoperability	81,764	74,832	77,082
Explosives	120,809	120,809	120,809
Human Factors	16,087	13,435	13,435
Infrastructure and Geophysical	74,958	36,122	56,987
Innovation	44,000	44,000	44,000
Laboratory Facilities	150,188	122,000	122,000
Radiological and Nuclear	.....	109,000	109,000
Test and Evaluation, Standards	29,000	23,174	23,174
Transition	46,134	42,134	42,134
University Programs	49,350	40,000	50,000
Unspecified Reduction	.....	.....	−36,000
Total, Research, Development, Acquisition and Operations	863,271	866,305	863,420

BORDER AND MARITIME SECURITY

The Committee recommendation includes $39,936,000, as requested in the budget, for developing and transitioning tools and technologies that improve the security of our Nation's border and waterways. Within the amount provided is $3,000,000 for basic research on urban tunnel detection, as requested.

The Committee encourages S&T to conduct a comprehensive technical evaluation of the various methods for detecting and interdicting the southbound movement of smuggled contraband, especially weapons and bulk cash. The evaluation should provide recommendations regarding the most effective strategies and technical assets that can be deployed in a manner that does not hamper legitimate cross-border traffic.

CHEMICAL AND BIOLOGICAL

The Committee recommendation includes $200,863,000, as requested in the budget, for developing technologies for the detection of chemical, biological, and radiological contaminants.

COMMAND, CONTROL, AND INTEROPERABILITY

The Committee recommendation includes $77,082,000, an increase of $2,250,000 above the amount requested in the budget. The Committee recommendation includes not less than $2,250,000 for Distributed Environment for Critical Infrastructure Decision-making Exercises for research of low probability, high-consequence cyber attacks against infrastructure critical to the U.S. economy.

FIRST RESPONDER COMMUNICATIONS EQUIPMENT STANDARDS

S&T, in conjunction with the Director of the National Institute of Standards and Technology, shall continue assessing the compliance of first responder communications equipment with common system standards for digital public safety radio communications (Project 25 standards).

EXPLOSIVES

The Committee recommendation includes $120,809,000, as requested in the budget. As requested, the Committee includes $15,671,000 to develop air cargo screening technologies, $17,000,000 for checkpoint screening technologies, and $3,600,000 for homemade explosives detection.

HUMAN FACTORS

The Committee recommendation includes $13,435,000, a decrease of $2,652,000, as requested in the budget. The Committee is aware of efforts to validate the Transportation Security Administration's behavior detection program called Screening Passengers by Observation Techniques. As recommended by the Government Accountability Office, the results of this study are to be peer reviewed as an important quality control mechanism. S&T is to brief the Committee no later than 60 days after the date of enactment of this act on its plans to comply with this requirement.

INFRASTRUCTURE AND GEOPHYSICAL

The Committee recommendation includes $56,987,000, an increase of $20,865,000 above the amount requested in the budget. The amount recommended includes $20,865,000 for the United States Army Corps of Engineers' Engineer Research and Development Center for competitive awards to continue the Southeast Region Research Initiative, including $2,500,000 to continue to support the efforts of the Community and Regional Resilience Institute.

INNOVATION

The Committee recommendation includes $44,000,000, as requested in the budget. As requested, specific projects to be funded include: $2,000,000 for the Multi-modal Tunnel Detect project; $2,000,000 for the Resilient Tunnel project; $4,000,000 for levee strengthening and damage mitigation; $1,500,000 for hurricane and storm surge mitigation; and $8,000,000 for the resilient electric grid.

LABORATORY FACILITIES

The Committee recommendation includes $122,000,000 for Laboratory Facilities, as requested in the budget. Included in this amount is $20,000,000 for infrastructure upgrades at the Transportation Security Laboratory, as requested.

RADIOLOGICAL AND NUCLEAR

The Committee recommendation includes $109,000,000, as requested in the budget, for developing technologies for the detection of radiological and nuclear materials, and improving response and recovery from a nuclear event. The Committee strongly endorses the consolidation of this research area into S&T, and directs S&T to conduct an independent review of all of the current research projects within this area and the state of technology development across the private sector before determining the research priorities for fiscal year 2011. Two areas the Committee encourages S&T to review are simultaneous and passive radiation detection of shielded and unshielded nuclear materials, such as muon tomography, and advanced electron accelerator for nonintrusive detection of weapons of mass destruction.

The Committee also includes bill language to transfer all available prior-year balances of transformational research and development from the Domestic Nuclear Detection Office to S&T.

TRANSITION

The Committee recommendation includes $42,134,000 for Transition, as requested in the budget. Included in this amount is $10,450,000 for first responder technologies to address gaps identified by the new Federal, State, local and Tribal First Responders Integrated Product Team. Given that this effort is just getting underway, and that project requirements have not yet been decided for any potential projects to be funded from this program, an expenditure plan for these funds is required to be submitted 60 days after the date of enactment of this act.

UNIVERSITY PROGRAMS

The Committee recommendation includes $50,000,000 for University Programs, $10,000,000 above the budget request.

UNSPECIFIED REDUCTION

The Committee recommendation includes an unspecified reduction of $36,000,000. S&T is to brief the Committee no later than 30 days after the date of enactment of this act on the distribution of this reduction across its programs and activities.

NEW TECHNOLOGIES

The Committee believes new technologies may significantly help the Department as it seeks to secure our homeland. The Committee encourages the Department to develop, through competitive awards, such technologies as: large-scale graph analytics; mobile technology that extends the command and control of first responders in the field; spatial mapping for coordinating robot teams; interconnected underwater remotely operated vehicles; rapid three-dimensional facial information; emergency transformer protection capability; and rapidly administered deception detection technology.

DOMESTIC NUCLEAR DETECTION OFFICE

SUMMARY

The Domestic Nuclear Detection Office [DNDO] is responsible for development of technologies to detect and report attempts to import, possess, store, develop, or transport nuclear and radiological material.

COMMITTEE RECOMMENDATIONS

The Committee recommends $322,820,000 for activities of DNDO for fiscal year 2011. The recommendation is a decrease of $60,217,000 below the fiscal year 2010 level and an increase of $17,000,000 above the level proposed in the budget request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2010 and budget request levels:

DOMESTIC NUCLEAR DETECTION OFFICE

[In thousands of dollars]

	Fiscal year 2010 enacted	Fiscal year 2011 budget request	Committee recommendations
Management and Administration	38,500	36,992	36,992
Research, Development, and Operations	324,537	207,828	207,828
Systems Acquisition	20,000	61,000	78,000
Total, Domestic Nuclear Detection Office	383,037	305,820	322,820

MANAGEMENT AND ADMINISTRATION

Appropriations, 2010	$38,500,000
Budget estimate, 2011	36,992,000
Committee recommendation	36,992,000

The Management and Administration account funds salaries, benefits, and expenses for DNDO.

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $36,992,000 for Management and Administration. The recommendation is a decrease of $1,508,000 below the fiscal year 2010 level and the same as the level proposed in the budget request. Of this amount the Committee recommends not to exceed $3,000 for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

Appropriations, 2010	$324,537,000
Budget estimate, 2011	207,828,000
Committee recommendation	207,828,000

The Research, Development and Operations account funds the development of nuclear detection systems and the integration and advancement of national nuclear forensics capabilities.

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $207,828,000 for Research, Development and Operations, with the funds to remain available for 2 years. The recommendation is a decrease of $116,709,000 below the fiscal year 2010 level and the same as the level proposed in the budget request. The recommendation reflects the transfer of $109,000,000 for the transformational research and development program to the Science and Technology Directorate.

Bill language rescinding $27,000,000 of prior-year balances is included in the general provisions.

SCANNING ON-DOCK RAIL CARGO

The Committee is aware of the particular challenges faced when attempting to scan incoming containerized cargo at port facilities utilizing on-dock rail, as well as DNDO's work at the Port of Tacoma Intermodal Radiation Test Center to identify technologies to address these challenges. The Committee is relieved that DNDO has recently begun the process to evaluate detectors incorporated into straddle carriers, such as those in use for the past several years at the Freeport Container Port, Bahamas. DNDO should move swiftly to complete any testing necessary to make a decision regarding operational deployments. DNDO is to report on its plans to complete its research scanning issues regarding on-dock rail no later than 90 days after the date of enactment of this act.

QUARTERLY REPORTS

The Committee believes DNDO must aggressively pursue its preventive radiation/nuclear detection mission, and go beyond addressing the potential threat posed by the use of cargo containers to transport nuclear or radioactive materials or weapons. It is critical that DNDO prioritize its efforts based on risk and with attention to pathways such as general aviation, the maritime domain, land border threats, including rail, and in areas between ports of entry, and in urban areas and critical locations in the Nation's interior.

The Committee directs DNDO to continue quarterly briefings on progress in developing architecture to guide technology research and applications; the status of such technologies, including their strengths and weaknesses; and timetables to develop and deploy them.

The Committee also directs DNDO to continue quarterly briefings on developments of the Cargo Advanced Automated Radiography Systems and Joint Integrated Non Intrusive Inspection programs; red team exercises and assessments, including vulnerabilities identified and recommendations for addressing them; the progress in the Human Portable Radiation Detection System development effort, including operational testing and production of new technology for advanced operations; and progress in developing alternatives to existing detection materials and systems, in particular progress in finding alternatives to neutron detectors based on Helium-3.

SYSTEMS ACQUISITION

Appropriations, 2010	$20,000,000
Budget estimate, 2011	61,000,000
Committee recommendation	78,000,000

The Systems Acquisition account funds the acquisition of equipment for front line users across the Department.

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $78,000,000 for Systems Acquisition. The recommendation is an increase of $58,000,000 above the fiscal year 2010 level and an increase of $17,000,000 above the level proposed in the budget request.

When DNDO was created there was logic to combining the research, development, and acquisition of nuclear detection technologies within one organization. As the deployment of the domestic nuclear detection architecture has matured, it may be more appropriate for future acquisition dollars to be placed in the operational components that perform these activities—Coast Guard, CBP, and TSA. Therefore, the Committee encourages the Department to review the placement of acquisition resources for nuclear detection technologies within what is primarily a research and development component and not an operational component. Further, if it is determined that acquisition resources would be more properly placed within the operating components noted above, the Committee encourages the Department to transfer remaining balances within this account to those components in the fiscal year 2012 budget request.

RADIATION PORTAL MONITORS

The Committee recommendation includes $20,000,000 for the Radiation Portal Monitor [RPM] program. The recommendation is an increase of $20,000,000 above the fiscal year 2010 level and an increase of $12,000,000 above the level proposed in the budget request. This amount, in addition to remaining unobligated balances, will allow DNDO to address a significant RPM gap in coverage at our seaports, land ports, airports, and rail entrances.

SECURING THE CITIES

The Committee recommendation includes $20,000,000 to continue the Securing the Cities [STC] initiative as a competitively awarded grant program. The Committee is aware that a full-scale exercise is scheduled in fiscal year 2011 to be followed by a program assessment. This assessment will help DHS determine whether to continue, discontinue, or modify the STC initiative. Results of this assessment shall be submitted to the Committee upon its completion.

HUMAN PORTABLE RADIATION DETECTION SYSTEMS

The Committee recommendation includes $38,000,000 for the Human Portable Radiation Detection Systems program. The recommendation is an increase of $38,000,000 above the fiscal year 2010 level and $15,000,000 below the level proposed in the budget request. The reduction reflects the delay in the procurement schedule to acquire next generation personal radiation detectors for U.S. Customs and Border Protection. The Committee supports efforts by DNDO to purchase handheld and backpack units for border, maritime, and interior requirements.

ADVANCED SPECTROSCOPIC PORTAL MONITORS CERTIFICATION

Bill language is included prohibiting the Department from full-scale procurement of Advanced Spectrscopic Portal [ASP] monitors until the Secretary submits a report to the Committees on Appropriations certifying that a significant increase in operational effectiveness will be achieved. In addition, separate and distinct certifications shall be submitted by the Secretary prior to the procurement of ASPs for primary and secondary deployment that address the requirements for operational effectiveness of each type of deployment. Finally, DNDO is prohibited from engaging in high-risk concurrent development and production of mutually dependent software and hardware components of detection systems.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

Section 501. The bill includes a provision 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 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 5 percent between appropriations accounts with 15-day advance notification of the Committees on Appropriations. 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 Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent) levels for the current fiscal year and to the levels required for the following fiscal year. The Committee continues to be disappointed by the quality, level of detail, and timeliness of the Department's proposed reprogrammings.

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 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 Committees on Appropriations 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 May 31 unless there are extraordinary cir-

cumstances, which place human lives or property in imminent danger.

Section 504. The bill includes a provision relating to the Department's Working Capital Fund [WCF] that: extends the authority of the Department's WCF in fiscal year 2011; 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 President's fiscal year 2011 budget; makes funds available for the WCF 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; requires the WCF to be paid in advance or reimbursed at rates which will return the full cost of each service; and subjects the WCF to the requirements of section 503 of this act. The WCF table included in the Department's congressional justification accompanying the President's fiscal year 2011 budget shall serve as the control level for reprogramming and transfer purposes in compliance with section 503 of this act.

Section 505. The bill includes a provision that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2010 from appropriations made for salaries and expenses shall remain available through fiscal year 2013 subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2011 until the enactment of an act authorizing intelligence activities for fiscal year 2011.

Section 507. The bill includes a provision requiring notification of the Committees 3 business days before any grant allocation, grant award, contract award (including Federal Acquisition Regulation-covered contracts), other transaction agreement, a task or delivery order on a DHS multiple award contract, letter of intent, or public announcement of the intention to make such an award totaling in excess of $1,000,000. If the Secretary determines that compliance would pose substantial risk to health, human life, or safety, an award may be made without prior notification but the Committees shall be notified within 5 full business days after such award or letter is issued. Additionally, FEMA is required to brief the Committees 5 full business days prior to announcing publicly the intention to make an award under State and Local Programs.

Section 508. The bill includes a provision that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without the advance approval of the Committees on Appropriations.

Section 509. The bill includes a provision that none of the funds 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, continues, and modifies by reference prior-year statutory bill language into one provision. These provisions concern contracting officers'

training, Federal building energy performance, fleet and transportation efficiency, and sensitive security information protocols.

Section 511. The bill includes a provision prohibiting any person other than the privacy officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 to alter, direct that changes may be made, delay, or prohibit the transmission to Congress of any report prepared under paragraph (b) of such subsection.

Section 512. The bill includes a provision that none of the funds may be used in contravention of the Buy American Act.

Section 513. The bill includes a provision prohibiting funds to be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Section 514. The bill includes a provision regarding competitive sourcing for United States Citizenship and Immigration Services.

Section 515. The bill includes a provision directing TSA to work with air carriers and airports to ensure the screening of cargo carried on passenger aircraft, as required by the 9/11 Act, increases incrementally each quarter until the requirements are met. TSA is required to report air cargo inspection statistics detailing how incremental progress is being made to the Committees within 45 days after the end of each quarter of the fiscal year. Finally, TSA shall submit a report no later than 90 days after the date of enactment of this act certifying that either the 100 percent mandate contained in the 9/11 Act has been met or providing its plans to comply with the mandate.

Section 516. The bill includes a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 45 days after the close of each month.

Section 517. The bill includes a provision directing that any funds appropriated or transferred to TSA "Aviation Security", "Administration", and "Transportation Security Support" in fiscal years 2004, 2005, 2006, 2007, 2008, and 2009 that are recovered or deobligated shall be available only for procurement and installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Quarterly reports must be submitted identifying any funds that are recovered or deobligated.

Section 518. The bill includes a provision requiring any funds appropriated to Coast Guard for 110–123 foot patrol boat conversions that are recovered, collected, or otherwise received as a result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

Section 519. The bill includes a provision prohibiting funds for the development, testing, deployment, or operation of any portion of a human resources management system authorized by 5 U.S.C. 9701(a), or by regulations prescribed pursuant to 5 U.S.C. 9701(a), for an "employee" as defined in 5 U.S.C. 7103(a)(2).

Section 520. The bill includes a provision relating to undercover investigative operations authority of the Secret Service.

Section 521. The bill includes a provision classifying the functions of instructor staff at FLETC as inherently governmental for purposes of the Federal Activities Inventory Reform Act of 1998.

Section 522. The bill includes a provision prohibiting the obligation of funds appropriated to the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, or the Office of the Chief Financial Officer for grants or contracts awarded by any means other than full and open competition. Certain exceptions apply. This provision does not require new competitions of existing contracts during their current terms. The IG is required to review Departmental contracts awarded noncompetitively and report on the results to the Committees.

Section 523. The bill includes a provision regarding the enforcement of section 4025(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3724) regarding butane lighters.

Section 524. The bill includes a provision prohibiting the Secretary of Homeland Secretary from reducing operations within the Coast Guard's Civil Engineering Program except as specifically authorized by a statute enacted after the date of enactment of this act.

Section 525. The bill includes a provision that precludes DHS from using funds in this act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components of the Department, subject to section 503 of this act.

Section 526. The bill includes a provision prohibiting funding to grant an immigration benefit to any individual unless the results of background checks required by statute to be completed prior to the grant of benefit have been received by DHS.

Section 527. The bill includes a provision prohibiting, hereafter, the use of funds to destroy or put out to pasture any horse or other equine belonging to the Federal Government unless adoption has been offered first.

Section 528. The bill includes a provision regarding the use of Data Center One (National Center for Critical Information Processing and Storage).

Section 529. The bill includes a provision prohibiting funds from being used to reduce the Coast Guard's Operations Systems Center mission or its Government-employed or contract staff.

Section 530. The bill includes a provision prohibiting funds to be used to conduct or implement the results of a competition under Office of Management and Budget Circular A–76 with respect to the Coast Guard National Vessel Documentation Center.

Section 531. The bill includes a provision extending other transactional authority for DHS through fiscal year 2011.

Section 532. The bill includes a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 533. The bill includes a provision prohibiting the obligation of funds for the Office of Secretary and Executive Management for any new hires that are not verified through the E-Verify Program.

Section 534. The bill includes a provision contained in Public Laws 109–295, 110–161, 110–329, and 111–83 related to prescription drugs.

Section 535. The bill includes a provision prohibiting funding from being used to implement a rule or regulation which implements the Notice of Proposed Rulemaking related to Petitions for Aliens to Perform Temporary Nonagricultural Service or Labor (H–2B) set out beginning on 70 Federal Register 3984 (January 27, 2005).

Section 536. The bill includes a provision requiring the Secretary of Homeland Security, in conjunction with the Secretary of the Treasury, to notify the Committees on proposed transfers of surplus balances from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security.

Section 537. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 538. The bill includes a provision requiring the Assistant Secretary of Homeland Security [TSA] to certify that no security risks will result if any airport does not participate in the E-Verify program.

Section 539. The bill includes a provision requiring FEMA to report on damage assessment information used to determine if a disaster should be declared and requiring this report to be placed on FEMA's Web site unless it compromises national security.

Section 540. The bill includes a provision relating to the liquidation of Plum Island assets and how the proceeds from this sale may be applied.

Section 541. The bill includes a provision directing that any official required by this act to report or certify to the Committees on Appropriations may not delegate such authority unless expressly authorized to do so in this act.

Section 542. A provision is included that extends the National Flood Insurance Program until September 30, 2011.

Section 543. The bill includes a provision extending the risk-based security standards for chemical facilities cited in section 550 of Public Law 109–295 for 1 year.

Section 544. The bill includes a provision extending current law concerning individuals detained at the Naval Station, Guantanamo Bay, Cuba.

Section 545. The bill includes a FLETC provision regarding the definition of the term "rural".

Section 546. The bill includes a provision prohibiting funds in this act to be used for first-class travel.

Section 547. The bill includes a provision prohibiting funds to be used for adverse personnel actions for employees who use protective equipment or measures, including surgical masks, N95 respirators, gloves, or hand-sanitizers in the conduct of their official duties.

Section 548. The bill includes a provision prohibiting funds to be used to employ workers in contravention of section 274A(h)(3) of the Immigration and Nationality Act.

Section 549. The bill includes a provision permitting proceeds from the sale of LORAN properties to be used as offsetting collections for environmental compliance and restoration activities, including costs of securing and maintaining equipment that may be used as a backup to GPS or to meet any other Federal navigation

requirement, for the demolition of improvements on such real property, and for the costs associated with the sale of such real and personal property, including certain costs incurred by the General Services Administration.

Section 550. The bill includes a provision permitting administrative law judges to be available temporarily to serve on an arbitration panel for public assistance projects related to Hurricanes Katrina and Rita.

Section 551. The bill includes a provision on the proper disposal of personal information collected through the Registered Traveler program. A report on procedures and status is required to be submitted 90 days after the date of enactment of this act.

Section 552. 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 553. The bill includes a provision prohibiting funds appropriated or otherwise made available by this act for DHS 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 U.S.C., and the Federal Acquisition Regulation, unless the contract is otherwise authorized by statute without regard to this section.

Section 554. The bill includes a provision allowing the Secretary to transfer data center migration funds made available by this act between appropriations for the same purpose after notifying the Committees 15 days in advance.

Section 555. The bill includes a provision providing an additional $18,000,000 for the "Office of the Under Secretary for Management" to increase the Department's acquisition workforce capacity and capabilities.

Section 556. The recommendation includes $287,800,000 to continue development of the DHS Consolidated Headquarters at St. Elizabeths and $54,300,000 to consolidate leases scattered across the National Capital Region [NCR].

The Department of Homeland Security is currently spread throughout 46 locations across the National Capital Region. This dispersion adversely impacts critical coordination, communication, and cooperation among the components in the preparation for and response to terrorism and disasters. Funding to construct a new headquarters at St. Elizabeths will maintain construction of Phase 1 (Coast Guard headquarters) and initiates Phase 2 construction (DHS headquarters, the Federal Emergency Management Agency, the National Operations Center, and the collocation of component operations centers). The Department has committed to completing Phase 1 by 2013 and Phase 2 by 2014. The Committee directs the Chief Administrative Officer to continue regular briefings on the DHS Headquarters Consolidation plan, including the status of the National Capital Planning Commission's approvals, the project's schedule, and any deviation from the plans described in the fiscal year 2011 congressional justification.

An additional $54,300,000 is provided to consolidate scattered leases for offices that will not be accommodated at the St. Eliza-

beths campus. This initiative will lower the total number of locations that house DHS components from 46 to approximately 8, reduce security risks, and improve response capability. Consolidating leases results in net present value savings of approximately $487,000,000 over 30 years and is consistent with the President's direction to dispose of unnecessary Federal property, including the consolidation of office space to reduce operating, maintenance and energy expenses.

Section 557. The bill includes a provision permitting the Department to sell ICE-owned detention facilities and use the proceeds from any sale for improvement to other facilities provided that any such sale will not result in the maintenance of less than 33,400 detention beds. ICE is required to notify the Committees on Appropriations 15 days prior to announcing any sale.

Section 558. The bill includes a provision requiring the Department to report to Congress with recommendations for savings from the identification of excess surplus property as described in the June 10, 2010, Presidential Memorandum entitled "Disposing of Unneeded Federal Real Estate."

Section 559. The bill includes a provision to impose increased penalties on individuals who circumvent security screening at airports.

Section 560. The bill includes a provision extending the existing vessel manning exemption for the distant water tuna fleet.

Section 561. The bill includes a provision related to a Hazard Mitigation Grant Program project.

Section 562. The Committee strongly believes that no company doing business with Iran should receive U.S. Government contracts. Therefore, the bill prohibits the obligation of funds in this act in contravention of the new certification requirement established by section 6(b) of the Iran Sanctions Act of 1996, which is to be included in revisions to the Federal Acquisition Regulation pursuant to that section. The revised FAR will require a certification from each prospective contractor that it does not engage in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996. Section 6(b) of the Iran Sanctions Act of 1996 was added by section 102(b) of the recent Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

Section 563. The bill includes a provision rescinding $22,600,000 in the fund codified under title 31 U.S.C. 9703.

Section 564. The bill includes a provision rescinding $10,000,000 in unobligated prior-year balances from U.S. Customs and Border Protection, "Automation Modernization".

Section 565. The bill includes a provision rescinding $25,000,000 in unobligated prior-year balances from U.S. Customs and Border Protection, "Border Security Fencing, Infrastructure, and Technology".

Section 566. The bill includes a provision rescinding $15,000,000 in unobligated prior-year balances from TSA.

Section 567. The bill includes a provision rescinding $27,000,000 in unobligated prior-year balances from the Domestic Nuclear Detection Office, "Research, Development, and Operations".

Section 568. The bill includes a provision rescinding $6,000,000 from unobligated balances of prior-year appropriations to National

Protection and Programs Directorate "Infrastructure Protection and Information Security" for the Next Generation Networks program.

Section 569. The bill includes a provision rescinding $5,000,000 from unobligated balances of funds for the "Office for Domestic Preparedness" transferred to the Department of Homeland Security when it was created in 2003, Account 70X0511.

Section 570. The bill includes a provision rescinding $14,500,000 in unobligated prior-year balances from U.S. Customs and Border Protection, "Salaries and Expenses" Headquarters Management and Administration PPA, Account 70x0503.

Section 571. The bill includes a provision rescinding $4,800,000 from unobligated balances of funds for the "Violent Crime Reduction Program" transferred to the Department when it was created in 2003, Account 70x8529.

Section 572. The bill includes a provision rescinding $10,000,000 from unobligated prior-year balances for United States Citizenship and Immigration Services, REAL ID Act hub.

Section 573. The bill includes a provision allowing the Advanced Training Center to charge fees in fiscal year 2011 and hereafter for any service or thing of value it provides to the Federal Government or non-government entities or individuals, so long as the fee does not exceed the full costs associated with the service or thing of value. Any fees that are collected are to be deposited in a separate account and used without further appropriation for necessary expenses of the Advanced Training Center program.

Section 574. A provision is included that provides an additional amount of $20,000,000 for the Federal Emergency Management Agency "State and Local Programs" to reimburse costs incurred by State and local governments affected by National Special Security Events, including use of services, personnel, equipment, and facilities. The Federal Emergency Management Agency shall brief the Committees on Appropriations within 90 days of the date of enactment of this act regarding the process to distribute this funding, including the application process and eligible costs. Funds shall remain available until expended and are not subject to any legislated timeframes required under "State and Local Programs".

Section 575. The bill includes a provision related to the non-Federal match for Hurricane Katrina Hazard Mitigation Grant Program projects.

Section 576. The bill includes a provision related to non-Federal match requirements for activities authorized by the Stafford Act for flood and other disaster response and recovery.

Section 577. The bill includes a provision related to construction of communications towers.

PROGRAM, PROJECT, AND ACTIVITY

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, 2011, the House and Senate Committee reports, and the conference report and 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 2011 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 2011 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 is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2011:

U.S. Customs and Border Protection: Salaries and Expenses; Automation Modernization; Border Security Fencing, Infrastructure, and Technology; Air and Marine Interdiction, Operations, Maintenance, and Procurement; and Construction and Facilities Management;

U.S. Immigration and Customs Enforcement: Salaries and Expenses; and Automation Modernization;

Transportation Security Administration: Transportation Threat Assessment and Credentialing; and Transportation Security Support;

Coast Guard: Operating Expenses; Environmental Compliance and Restoration; Reserve Training; Acquisition, Construction, and Improvements; Alteration of Bridges; Research, Development, Test, and Evaluation; and Retired Pay;

United States Secret Service: Salaries and Expenses; and Acquisition, Construction, Improvements, and Related Expenses;

National Protection and Programs Directorate: Management and Administration; and U.S. Visitor and Immigrant Status Indicator Technology;

Office of Health Affairs;

Federal Emergency Management Agency: Management and Administration; State and Local Programs; Disaster Relief; Flood Hazard Mapping and Risk Analysis; Firefighter Assistance Grants; National Predisaster Mitigation Fund; National Flood Insurance Fund; and Emergency Food and Shelter;

United States Citizenship and Immigration Services.

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on July 15, 2010, the Committee ordered reported en bloc an original bill (S. 3606) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2011, and for other purposes; an origi-

nal bill (S. 3607) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2011 and for other purposes; and an original bill making appropriations military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, with each subject to amendment and subject to the Committee Spending Guidance, and authorized the chairman of the committee or the chairman of the subcommittee to offer the text of the Senate-reported bill as a committee amendment in the nature of a substitute to the House companion measure, by a recorded vote of 17–12, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Inouye	Mr. Cochran
Mr. Leahy	Mr. Bond
Mr. Harkin	Mr. McConnell
Ms. Mikulski	Mr. Shelby
Mr. Kohl	Mr. Gregg
Mrs. Murray	Mr. Bennett
Mr. Dorgan	Mrs. Hutchison
Mrs. Feinstein	Mr. Brownback
Mr. Durbin	Mr. Alexander
Mr. Johnson	Ms. Collins
Ms. Landrieu	Mr. Voinovich
Mr. Reed	Ms. Murkowski
Mr. Lautenberg	
Mr. Nelson	
Mr. Pryor	
Mr. Tester	
Mr. Specter	

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, the following 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 italics; 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, 2010**]** *Until September 30, 2011,* and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

* * * * * * *

(d) Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate **[**September 30, 2010,**]** *September 30, 2011,* unless before that date the Secretary—

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 46—JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER VII—FBI TRAINING OF STATE AND LOCAL CRIMINAL JUSTICE PERSONNEL

§ 3771. Training and manpower development

(a) Functions, powers, and duties of Director of Federal Bureau of Investigation

The Director of the Federal Bureau of Investigation is authorized to—

* * * * * * *

PRIOR PROVISIONS

* * * * * * *

EMPLOYMENT OF ANNUITANTS BY FEDERAL LAW ENFORCEMENT TRAINING CENTER

Pub. L. 107–206, title I, § 1202, Aug. 2, 2002, 116 Stat. 887, as amended by Pub. L. 109–295, title IV, Oct. 4, 2006, 120 Stat. 1374; Pub. L. 110–161, div. E, title IV, Dec. 26, 2007, 121 Stat. 2068; Pub. L. 110–329, div. D, title IV, Sept. 30, 2008, 122 Stat. 3677, provided that:

"(a) The Federal Law Enforcement Training Center may, for a period ending not later than **[**December 31, 2012**]** *December 31, 2013*, appoint and maintain a cadre of up to 350 Federal annu-

itants: (1) without regard to any provision of title 5, United States Code, which might otherwise require the application of competitive hiring procedures; and (2) who shall not be subject to any reduction in pay (for annuity allocable to the period of actual employment) under the provisions of section 8344 or 8468 of such title 5 or similar provision of any other retirement system for employees. A reemployed Federal annuitant as to whom a waiver of reduction under paragraph (2) applies shall not, for any period during which such waiver is in effect, be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or such other retirement system (referred to in paragraph (2)) as may apply.

* * * * * * *

CHAPTER 50—NATIONAL FLOOD INSURANCE

SUBCHAPTER I—THE NATIONAL FLOOD INSURANCE PROGRAM

§ 4016. Financing provisions; issuance of notes or other obligations; limitation; report to Congressional committees; deposits in Fund

(a) All authority which was vested in the Director by virtue of section 2414(e) of this title (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by subsections (a) and (b) of section 1303 of this Act, shall be available to the Director for the purpose of carrying out the flood insurance program under this chapter; except that the total amount of notes and obligations which may be issued by the Director pursuant to such authority (1) without the approval of the President, may not exceed $500,000,000, and (2) with the approval of the President, may not exceed $1,500,000,000 through the date specified in section 4026 of this title, and $1,000,000,000 thereafter; except that, through [September 30, 2008] *September 30, 2011*, clause (2) of this sentence shall be applied by substituting "$20,775,000,000" for "$1,500,000,000". The Director shall report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate at any time when he requests the approval of the President in accordance with the preceding sentence.

* * * * * * *

§ 4026. Expiration of program

No new contract for flood insurance under this chapter shall be entered into after [September 30, 2008] *September 30, 2011*.

* * * * * * *

CHAPTER 68—DISASTER RELIEF

SUBCHAPTER II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE

(a) Definition of small impoverished community

In this section, the term "small impoverished community" means a community of 3,000 or fewer individuals that is economically disadvantaged, as determined by the State in which the community is located and based on criteria established by the President.

TITLE 49—TRANSPORTATION

SUBTITLE VII—AVIATION PROGRAMS

CHAPTER 463—PENALTIES

PART A—AIR COMMERCE AND SAFETY

SUBPART IV—ENFORCEMENT AND PENALTIES

§ 46301. Civil penalties

(a) GENERAL PENALTY.—(1) A person is liable to the United States Government for a civil penalty of not more than $25,000 (or $1,100 if the person is an individual or small business concern) for violating—

* * * * * * *

(5) PENALTIES APPLICABLE TO INDIVIDUALS AND SMALL BUSINESS CONCERNS.—

(A) An individual (except an airman serving as an airman) or small business concern is liable to the Government for a civil penalty of not more than $10,000 for violating—

(i) chapter 401 (except sections 40103(a) and (d), 40105, 40106(b), 40116, and 40117), section 44502 (b) or (c), chapter 447 (except sections 44717–44723), [or chapter 449] *chapter 449* (except sections 44902, 44903(d), 44904, and 44907–44909)*, or section 46314(a)* of this title; or

* * * * * * *

§ 46314. Entering aircraft or airport area in violation of security requirements

(a) PROHIBITION.— * * *

[(b) CRIMINAL PENALTY.—(1) A person violating subsection (a) of this section shall be fined under title 18, imprisoned for not more than one year, or both.]

[(2) A person violating subsection (a) of this section with intent to commit, in the aircraft or airport area, a felony under a law of the United States or a State shall be fined under title 18, imprisoned for not more than 10 years, or both.]

(b) CRIMINAL PENALTY.—A person violating subsection (a) of this section shall be fined under title 18, imprisoned for not more than 10 years, or both.

(c) NOTICE OF PENALTIES.—

(1) IN GENERAL.—Each operator of an airport in the United States that is required to establish an air transportation security program pursuant to section 44903(c) shall ensure that signs that meet such requirements as the Secretary of Homeland Security may prescribe providing notice of the penalties

imposed under sections 46301(a)(5)(A)(i) and subsection (b) of this section, are displayed near all screening locations, all locations where passengers exit the sterile area, and such other locations at the airport as the Secretary of Homeland Security determines appropriate.

(2) EFFECT OF SIGNS ON PENALTIES.—An individual shall be subject to the penalty provided for under section 46301(a)(5)(A)(i) and subsection (b) of this section without regard to whether signs are displayed at an airport as required by paragraph (1).

COAST GUARD AND MARITIME TRANSPORTATION ACT, 2006, PUBLIC LAW 109–241

TITLE IV—MISCELLANEOUS

SEC. 421. DISTANT WATER TUNA FLEET.

(a) MANNING REQUIREMENTS.—Notwithstanding section 8103(a) of title 46, United States Code, United States purse seine fishing vessels fishing exclusively for highly migratory species in the treaty area under a fishing license issued pursuant to the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America, or transiting to or from the treaty area exclusively for such purpose, may engage foreign citizens to meet the manning requirement (except for the master) **[**in the 48-month period beginning on the date of enactment of this Act if,**]** *until the date of expiration of this section if,* after timely notice of a vacancy to meet the manning requirement, no United States citizen personnel are readily available to fill such vacancy.

(b) LICENSING RESTRICTIONS.—

(1) IN GENERAL.—**[**Subsection (a)(1)**]** *Subsection (a)* only applies to a foreign citizen that holds a valid license or certificate issued—

* * * * * * *

(d) EXPIRATION.—This section expires **[**48 months after the date of enactment of this Act.**]** *on July 11, 2012.*

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007, PUBLIC LAW 109–295

TITLE V

GENERAL PROVISIONS

SEC. 501. * * *

* * * * * * *

SEC. 532. (a) UNITED STATES SECRET SERVICE USE OF PROCEEDS DERIVED FROM CRIMINAL INVESTIGATIONS.—During fiscal year **[**2010**]** *2011*, with respect to any undercover investigative operation of the United States Secret Service (hereafter referred to in

this section as the "Secret Service") that is necessary for the detection and prosecution of crimes against the United States—

* * * * * * *

SEC. 550. (a) * * *

* * * * * * *

(b) Interim regulations issued under this section shall apply until the effective date of interim or final regulations promulgated under other laws that establish requirements and standards referred to in subsection (a) and expressly supersede this section: *Provided*, That the authority provided by this section shall terminate [on October 4, 2010] *on October 4, 2011*.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93–344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee guidance [1]	Amount of bill	Committee guidance [1]	Amount of bill
Comparison of amounts in the bill with Committee spending guidance to its subcommittees for 2011: Subcommittee on Homeland Security:				
Mandatory	NA	1,300	NA	[1] 1,348
Discretionary	NA	43,790	NA	[2] 46,187
General purpose	43,536	43,356	NA	NA
Overseas deployments and other activities	255	254	NA	NA
Projection of outlays associated with the recommendation:				
2010				27,031
2011				8,556
2012				5,333
2013				2,096
2014 and future years				1,348
Financial assistance to State and local governments for 2011	NA	4,939	NA	359

[1] There is no section 302(a) allocation to the committee for fiscal year 2011.
[2] Includes outlays from prior-year budget authority.
[3] Excludes outlays from prior-year budget authority.

NA: Not applicable.

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 Senator'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 (www.appropriations.senate.gov/senators.cfm).

Following is a list of congressionally directed spending items included in the Senate recommendation discussed in this report, 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.

DEPARTMENT OF HOMELAND SECURITY

Agency	Account	Project	Amount	Requester(s)
		CONGRESSIONALLY DIRECTED SPENDING ITEMS		
CBP	Construction and Facilities Management	Advanced Training Center, WV	$4,000,000	Senator John Rockefeller
CG	Acquisition, Construction, and Improvements	Coast Guard Station Cleveland Harbor, OH	$21,050,000	Senator George Voinovich
CG	Acquisition, Construction, and Improvements	Coast Guard Sector Honolulu Command and Interagency Operations Center, HI.	$18,100,000	Senator Daniel Inouye
CG	Alteration of Bridges	Union Pacific Railroad Bridge, Clinton, IA	$4,000,000	Senator Tom Harkin
NPPD	Infrastructure Protection and Information Security	National Infrastructure Simulation and Analysis Center, NM.	$2,000,000	Senators Jeff Bingaman, Tom Udall
FEMA	State and Local Programs	Emergency Operations Center, City of Compton, CA	$500,000	Senator Dianne Feinstein
FEMA	State and Local Programs	Emergency Operations Center, City of Pasadena, CA	$500,000	Senator Dianne Feinstein
FEMA	State and Local Programs	Emergency Operations Center, State of Illinois, Springfield, IL.	$1,000,000	Senator Richard Durbin
FEMA	State and Local Programs	Emergency Operations Center, Polk County, IA	$610,000	Senator Tom Harkin
FEMA	State and Local Programs	Emergency Operations Center, Louisiana Sheriffs' Association, Baton Rouge, LA.	$750,000	Senators Mary Landrieu, David Vitter
FEMA	State and Local Programs	Emergency Operations Center, City of Baton Rouge, LA	$250,000	Senators Mary Landrieu, David Vitter
FEMA	State and Local Programs	Emergency Operations Center, State of Michigan, Lansing, MI.	$250,000	Senators Carl Levin, Debbie Stabenow
FEMA	State and Local Programs	Emergency Operations Center, Missoula County, MT	$771,000	Senators Jon Tester, Max Baucus
FEMA	State and Local Programs	Emergency Operations Center, Park County, MT	$129,000	Senators Jon Tester, Max Baucus
FEMA	State and Local Programs	Emergency Operations Center, City of Passaic, NJ	$950,000	Senators Frank Lautenberg, Robert Menendez
FEMA	State and Local Programs	Emergency Operations Center, Hudson County, NJ	$3,450,000	Senators Frank Lautenberg, Robert Menendez
FEMA	State and Local Programs	Emergency Operations Center, City of Orange Township, NJ	$600,000	Senators Frank Lautenberg, Robert Menendez
FEMA	State and Local Programs	Emergency Operations Center, Rhode Island Emergency Management Agency, East Greenwich, RI.	$1,000,000	Senators Jack Reed, Sheldon Whitehouse
FEMA	State and Local Programs	Emergency Operations Center, State of West Virginia	$5,000,000	Senator John Rockefeller
FEMA	State and Local Programs	National Energetic Materials Research and Testing Center, NM.	$10,125,000	Senators Jeff Bingaman, Tom Udall
FEMA	State and Local Programs	National Center for Biomedical Research and Training, LSU.	$10,125,000	Senator Mary Landrieu

FEMA	State and Local Programs	National Emergency Response and Rescue Training Center, Texas A&M.	$10,125,000	Senators Kay Bailey Hutchison, John Cornyn
FEMA	State and Local Programs	National Exercise, Test, and Training Center, Nevada Test Site.	$10,125,000	Senator Harry Reid
FEMA	State and Local Programs	National Disaster Preparedness Training Center, University of Hawaii, HI.	$5,000,000	Senator Daniel Inouye
FEMA	State and Local Programs	Center for Counterterrorism and Cybercrime, Norwich, VT ...	$2,450,000	Senator Patrick Leahy
S&T	Research, Development, Acquisition, and Operations	Distributed Environment for Critical Infrastructure Decision-making Exercises, Multiple Locations.	$2,250,000	Senators Patrick Leahy, Robert Bennett
S&T	Research, Development, Acquisition, and Operations	Southeast Region Research Initiative, Multi-State	$20,865,000	Senators Thad Cochran, Roger Wicker
	General Provision	Mitigation, Findlay, OH		Senator George Voinovich
	General Provision	Hurricane Katrina—Global Match		Senator Thad Cochran
	General Provision	Reimbursement for Presidentially declared disasters, MS, NJ, RI, TN.		Senator Thad Cochran, Frank Lautenberg, Jack Reed, Lamar Alexander
	General Provision	Communication Towers, MS		Senator Thad Cochran

PRESIDENTIALLY REQUESTED SPENDING ITEMS

ICE	Salaries & Expenses	Border Enforcement Security Task Forces, CA, HI, and NY ..	$10,000,000	The President
CG	Acquisition, Construction, and Improvements	Shore and Operational Support projects, various locations.	$61,500,000	The President, Senator Jack Reed
CG	Acquisition, Construction, and Improvements	Military Housing, FL and NY	$13,965,000	The President
NPPD	Infrastructure Protection and Information Security	National Infrastructure Simulation and Analysis Center, NM.	$16,000,000	The President, Senators Jeff Bingaman, Tom Udall
FEMA	State and Local Programs	National Energetic Materials Research and Testing Center, NM.	$12,875,000	The President, Senators Jeff Bingaman, Tom Udall
FEMA	State and Local Programs	National Center for Biomedical Research and Training, LSU.	$12,875,000	The President, Senator Mary Landrieu
FEMA	State and Local Programs	National Emergency Response and Rescue Training Center, Texas A&M.	$12,875,000	The President, Senators Kay Bailey Hutchison, John Cornyn
FEMA	State and Local Programs	National Exercise, Test, and Training Center, Nevada Test Site.	$12,875,000	The President, Senator Harry Reid
FEMA	State and Local Programs	Center for Domestic Preparedness, AL	$62,500,000	The President, Senator Richard Shelby
FEMA	Management and Administration	Regional Office Relocation, PA	$8,200,000	The President
S&T	Research, Development, Acquisition, and Operations	Transportation Security Laboratory, NJ	$20,000,000	The President
General Provision	DHS HQ Consolidation	DHS HQ Consolidation Project—St. Elizabeths, Washington, DC.	$287,800,000	The President, Senator Joseph Lieberman

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
DEPARTMENT OF HOMELAND SECURITY					
TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS					
Departmental Operations					
Office of the Secretary and Executive Management:					
Immediate Office of the Secretary	5,061	5,427	5,427	+366	.....
Immediate Office of the Deputy Secretary	1,810	1,974	1,974	+164	.....
Office of the Chief of Staff	2,595	3,658	3,500	+905	−158
Office of Counternarcotics Enforcement	3,612	3,872	3,612	.....	−260
Executive Secretary	7,800	8,967	8,467	+667	−500
Office of Policy	51,564	49,807	46,527	−5,037	−3,280
Office of Public Affairs	5,991	7,025	6,446	+455	−579
Office of Legislative Affairs	6,797	7,200	7,011	+214	−189
Office of Intergovernmental Affairs	2,800	4,207	3,519	+719	−688
Office of General Counsel	24,028	24,363	24,363	+335	.....
Office for Civil Rights and Civil Liberties	21,104	24,559	23,956	+2,852	−603
Citizenship and Immigration Services Ombudsman	6,685	6,864	6,685	.....	−179
Privacy Officer	7,971	9,118	9,118	+1,147	.....
Subtotal, Office of the Secretary and Executive Management	147,818	157,041	150,605	+2,787	−6,436
Office of the Under Secretary for Management:					
Immediate Office of the Under Secretary for Management	2,864	2,770	2,770	−94	.....
Office of the Chief Security Officer	90,193	72,864	72,864	−17,329	.....
Office of the Chief Procurement Officer	68,538	75,527	75,527	+6,989	.....
Office of the Chief Human Capital Officer	42,604	42,130	39,130	−3,474	−3,000
Office of the Chief Administrative Officer:					
Salaries and expenses	44,491	43,942	44,642	+151	+700
Nebraska Avenue Complex [NAC]	5,500	5,500	5,000	−500	−500

Subtotal, Office of the Chief Administrative Officer	49,991	49,442	49,642	−349	+200
Total, Office of the Under Secretary for Management	254,190	242,733	239,933	−14,257	−2,800
DHS Consolidated Headquarters Project:					
Mission support leases consolidation	.....	75,000	.....	.....	−75,000
St. Elizabeths	.....	287,800	.....	.....	−287,800
Subtotal, DHS Consolidated Headquarters Project	.....	362,800	.....	.....	−362,800
Office of the Chief Financial Officer	60,530	65,552	64,480	+3,950	−1,072
Office of the Chief Information Officer:					
Salaries and expenses	86,912	82,727	82,727	−4,185	.....
Information technology services	51,417	56,079	56,079	+4,662	.....
Infrastructure and Security activities	152,403	185,644	181,644	+29,241	−4,000
National security systems	47,661	74,009	62,009	+14,348	−12,000
Subtotal, Office of the Chief Information Officer	338,393	398,459	382,459	+44,066	−16,000
Analysis and Operations	335,030	347,930	340,000	+4,970	−7,930
National Special Security Event State and Local Reimbursement Fund	.....	20,000	.....	.....	−20,000
Total, Departmental Operations	1,135,961	1,594,515	1,177,477	+41,516	−417,038
Office of the Federal Coordinator for Gulf Coast Rebuilding	2,000	.....	.....	−2,000	.....
Office of Inspector General					
Office of Inspector General	113,874	129,806	116,806	+2,932	−13,000
Transfer from Disaster Relief	(16,000)	.....	(16,000)	.....	(+16,000)
Subtotal, Office of Inspector General (including transfers)	129,874	129,806	132,806	+2,932	+3,000
Appropriations	(113,874)	(129,806)	(116,806)	(+2,932)	(−13,000)
by transfer	(16,000)	.....	(16,000)	.....	(+16,000)
Total, title I, Departmental Management and Operations (including transfers)	1,267,835	1,724,321	1,310,283	+42,448	−414,038
Appropriations	(1,251,835)	(1,724,321)	(1,294,283)	(+42,448)	(−430,038)
by transfer	(16,000)	.....	(16,000)	.....	(+16,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS					
U.S. Customs and Border Protection					
Salaries and expenses:					
Headquarters, Management, and Administration:					
Management and administration, border security inspections, and trade facilitation	520,575	520,182	537,182	+16,607	+17,000
Management and administration, border security, and control between ports of entry	495,425	493,242	493,242	−2,183	.....
Rent	402,263	400,573	400,573	−1,690	.....
Subtotal, Headquarters, Management, and Administration	1,418,263	1,413,997	1,430,997	+12,734	+17,000
Border security inspections and trade facilitation:					
Inspections, trade, and travel facilitation at ports of entry	2,262,235	2,509,157	2,544,257	+282,022	+35,100
Harbor maintenance fee collection (trust fund)	3,226	3,274	3,274	+48	.....
International cargo screening	162,000	83,438	103,438	−58,562	+20,000
Other international programs	11,181	11,247	11,247	+66	.....
Customs-Trade Partnership Against Terrorism [C–TPAT]	62,612	50,034	55,034	−7,578	+5,000
Trusted Traveler programs	11,274	10,865	10,865	−409	.....
Inspection and detection technology investments	153,563	155,093	155,093	+1,530	.....
Automated targeting systems	32,560	32,482	32,482	−78	.....
National Targeting Center	26,355	36,327	36,327	+9,972	.....
Training	24,778	20,808	20,808	−3,970	.....
Subtotal, Border security inspections and trade facilitation	2,749,784	2,912,725	2,972,825	+223,041	+60,100
Border security and control between ports of entry:					
Border security and control	3,535,286	3,546,833	3,536,833	+1,547	−10,000
Training	51,751	36,279	36,279	−15,472	.....
Subtotal, Border security and control between ports of entry	3,587,037	3,583,112	3,573,112	−13,925	−10,000

Air and Marine Operations	309,629	298,152	314,052	+4,423	+15,900
Subtotal, Salaries and expenses	8,064,713	8,207,986	8,290,986	+226,273	+83,000
Appropriations	(8,061,487)	(8,204,712)	(8,287,712)	(+226,225)	(+83,000)
Harbor maintenance trust fund	(3,226)	(3,274)	(3,274)	(+48)	.....
Automation modernization:					
Automated commercial environment/international Trade Data System (ITDS)	227,960	153,090	153,090	−74,870	.....
Current operations protection and processing support [COPPS]	194,485	194,485	194,485	.....	.....
Subtotal, Automation modernization	422,445	347,575	347,575	−74,870	.....
Border security fencing, infrastructure, and technology [BSFIT]:					
Development and deployment	508,000	335,643	335,643	−172,357	.....
Operation and maintenance	200,000	169,357	169,357	−30,643	.....
Program management	92,000	69,173	69,173	−22,827	.....
Subtotal, BSFIT	800,000	574,173	574,173	−225,827	.....
Air and Marine Interdiction, Operations, Maintenance, and Procurement:					
Operations and maintenance	374,217	371,642	371,642	−2,575	.....
Procurement	145,609	131,609	152,109	+6,500	+20,500
Subtotal, Air and marine interdiction, operations, maintenance, and procurement	519,826	503,251	523,751	+3,925	+20,500
Construction and facilities management:					
Facility construction and sustainment	282,557	239,357	243,357	−39,200	+4,000
Program oversight and management	37,013	36,383	36,383	−630	.....
Rescissions/cancellations	.....	−99,772	−99,772	−99,772	.....
Subtotal, Construction and facilities management	319,570	175,968	179,968	−139,602	+4,000
Appropriations	(319,570)	(275,740)	(279,740)	(−39,830)	(+4,000)
Rescissions/cancellations	.....	(−99,772)	(−99,772)	(−99,772)	.....
Total, Direct appropriations for U.S. Customs and Border Protection	10,126,554	9,808,953	9,916,453	−210,101	+107,500
Fee accounts:					
Immigration inspection user fee	(584,000)	(525,443)	(525,443)	(−58,557)	.....
Immigration enforcement fines	(5,000)	(1,037)	(1,037)	(−3,963)	.....
Land border inspection fee	(30,000)	(28,598)	(28,598)	(−1,402)	.....
COBRA passenger inspection fee	(393,000)	(390,974)	(390,974)	(−2,026)	.....
APHIS inspection fee	(320,000)	(318,472)	(318,472)	(−1,528)	.....
Global entry user fee	.....	(2,500)	(2,500)	(+2,500)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Puerto Rico Trust Fund	(92,000)	(89,980)	(89,980)	(−2,020)	.....
Small airport user fee	(8,000)	(8,164)	(8,164)	(+164)	.....
Subtotal, collections	(1,432,000)	(1,365,168)	(1,365,168)	(−66,832)	.....
Total, U.S. Customs and Border Protection	(11,558,554)	(11,174,121)	(11,281,621)	(−276,933)	(+107,500)
Appropriations	(10,126,554)	(9,908,725)	(10,016,225)	(−110,329)	(+107,500)
Rescissions/cancellations	.....	(−99,772)	(−99,772)	(−99,772)	.....
(Fee accounts)	(1,432,000)	(1,365,168)	(1,365,168)	(−66,832)	.....
U.S. Immigration and Customs Enforcement					
Salaries and expenses:					
Headquarters management and administration (nondetention and removal operations):					
Personnel compensation and benefits, service and other costs	279,073	300,371	285,433	+6,360	−14,938
Headquarters-managed IT investment	233,264	209,363	209,363	−23,901	.....
Subtotal, Headquarters management and administration	512,337	509,734	494,796	−17,541	−14,938
Legal proceedings	221,666	221,666	221,666	.....	.....
Investigations:					
Domestic	1,649,551	1,727,038	1,761,038	+111,487	+34,000
International investigations:					
International operations	112,872	113,689	113,689	+817	.....
Visa security program	30,686	30,686	37,986	+7,300	+7,300
Subtotal, International investigations	143,558	144,375	151,675	+8,117	+7,300
Subtotal, Investigations	1,793,109	1,871,413	1,912,713	+119,604	+41,300
Intelligence	69,842	71,107	72,107	+2,265	+1,000

Detention and removal operations:					
Custody operations	1,771,168	1,903,764	1,903,764	+132,596	.....
Fugitive operations	229,682	168,449	168,449	−61,233	.....
Criminal alien program	192,539	179,317	179,317	−13,222	.....
Alternatives to detention	69,913	72,075	72,075	+2,162	.....
Transportation and removal program	281,878	294,632	294,632	+12,754	.....
Subtotal, Detention and removal operations	2,545,180	2,618,237	2,618,237	+73,057	.....
Identification and removal of criminal aliens (Secure Communities)	200,000	146,943	146,943	−53,057	.....
Subtotal, Salaries and expenses	5,342,134	5,439,100	5,466,462	+124,328	+27,362
Automation modernization	90,000	84,700	84,700	−5,300	.....
Construction	4,818	.....	.....	−4,818	.....
Total, Direct appropriations for U.S. Immigration Customs Enforcement	5,436,952	5,523,800	5,551,162	+114,210	+27,362
Fee accounts:					
Immigration inspection user fee	(109,800)	(116,387)	(116,387)	(+6,587)	.....
Breached bond/detention fund	(75,000)	(75,000)	(75,000)	.....	.....
Student exchange and visitor fee	(120,000)	(120,000)	(120,000)	.....	.....
Subtotal, fee accounts	(304,800)	(311,387)	(311,387)	(+6,587)	.....
Total, U.S. Immigration and Customs Enforcement	(5,741,752)	(5,835,187)	(5,862,549)	(+120,797)	(+27,362)
Appropriations	(5,436,952)	(5,523,800)	(5,551,162)	(+114,210)	(+27,362)
Fee accounts	(304,800)	(311,387)	(311,387)	(+6,587)	.....
Transportation Security Administration					
Aviation security:					
Screening operations:					
Screener workforce:					
Privatized screening	149,643	142,678	142,678	−6,965	.....
Screener personnel, compensation, and benefits	2,758,575	2,997,664	2,960,599	+202,024	−37,065
Subtotal, Screener workforce	2,908,218	3,140,342	3,103,277	+195,059	−37,065
Screener training and other	204,713	264,643	258,384	+53,671	−6,259
Checkpoint support	128,739	360,026	360,026	+231,287	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
EDS/ETD Systems:					
EDS procurement and installation	778,300	373,832	355,000	−423,300	−18,832
Screening technology maintenance and utilities	316,625	332,125	323,325	+6,700	−8,800
Operation integration	21,481	.....	.....	−21,481	.....
Subtotal, EDS/ETD Systems	1,116,406	705,957	678,325	−438,081	−27,632
Subtotal, Screening operations	4,358,076	4,470,968	4,400,012	+41,936	−70,956
Aviation security direction and enforcement:					
Aviation regulation and other enforcement	254,064	368,363	368,363	+114,299	.....
Airport management and support	453,924	577,315	574,926	+121,002	−2,389
FFDO and flight crew training	25,127	25,694	25,694	+567	.....
Air cargo	122,849	117,554	121,554	−1,295	+4,000
Subtotal, Aviation security direction and enforcement	855,964	1,088,926	1,090,537	+234,573	+1,611
Aviation security capital fund (mandatory)	(250,000)	(250,000)	(250,000)	.....	.....
Total, Aviation security (gross)	5,214,040	5,559,894	5,490,549	+276,509	−69,345
Offsetting fee collections (nonmandatory)	−2,100,000	−2,100,000	−2,100,000	.....	.....
Total, Aviation security (net)	3,114,040	3,459,894	3,390,549	+276,509	−69,345
Surface transportation security:					
Staffing and operations	42,293	39,947	39,947	−2,346	.....
Surface transportation security inspectors and canines	68,223	97,611	97,611	+29,388	.....
Subtotal, Surface transportation security	110,516	137,558	137,558	+27,042	.....
Transportation Threat Assessment and Credentialing:					
Secure Flight	84,363	84,637	84,637	+274	.....
Crew and other vetting programs	87,636	89,087	62,587	−25,049	−26,500

TWIC fees	(9,000)	(9,200)	(9,200)	(+200)	.....
Hazardous materials fees	(15,000)	(12,000)	(12,000)	(−3,000)	.....
Alien Flight School fees (by transfer from DOJ)	(4,000)	(4,000)	(4,000)	.....	.....
Certified cargo screening program	(5,200)	(5,200)	(5,200)	.....	.....
Large aircraft security program	(1,600)	(1,200)	(1,200)	(−400)	.....
Secure identification display area checks	(10,000)	(8,000)	(8,000)	(−2,000)	.....
Other security threat assessments	(100)	(100)	(100)	.....	.....
General aviation at DCA	(100)	(100)	(100)	.....	.....
Indirect air cargo	(2,600)	(1,400)	(1,400)	(−1,200)	.....
Sensitive security information [SSI] fees	(20)	(20)	(20)	.....	.....
Subtotal, Transportation Threat Assessment and Credentialing (gross)	(219,619)	(214,944)	(188,444)	(−31,175)	(−26,500)
Fee-funded programs	(47,620)	(41,220)	(41,220)	(−6,400)	.....
Subtotal, Transportation Threat Assessment and Credentialing (net)	171,999	173,724	147,224	−24,775	−26,500
Transportation security support:					
Headquarters administration	248,929	271,399	269,774	+20,845	−1,625
Information technology	498,310	480,435	479,685	−18,625	−750
Human capital services	226,338	262,747	260,682	+34,344	−2,065
Intelligence	28,203	37,788	37,788	+9,585	.....
Subtotal, Transportation security support	1,001,780	1,052,369	1,047,929	+46,149	−4,440
Federal Air Marshals:					
Management and administration	762,569	822,900	822,900	+60,331	.....
Travel and training	97,542	127,115	127,115	+29,573	.....
Subtotal, Federal Air Marshals	860,111	950,015	950,015	+89,904	.....
Total, Transportation Security Administration (gross)	7,656,066	8,164,780	8,064,495	+408,429	−100,285
Offsetting fee collections	(−2,100,000)	(−2,100,000)	(−2,100,000)	.....	.....
Aviation security capital fund	(250,000)	(250,000)	(250,000)	.....	.....
Fee accounts	(47,620)	(41,220)	(41,220)	(−6,400)	.....
Total, Transportation Security Administration (net)	5,258,446	5,773,560	5,673,275	+414,829	−100,285
Appropriations	(5,258,446)	(5,773,560)	(5,673,275)	(+414,829)	(−100,285)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Coast Guard					
Operating expenses:					
Military pay and allowances	3,254,512	3,357,762	3,381,164	+126,652	+23,402
Civilian pay and benefits	699,794	757,255	757,398	+57,604	+143
Training and recruiting	206,178	203,869	203,884	−2,294	+15
Operating funds and unit level maintenance	1,152,950	1,106,271	1,114,027	−38,923	+7,756
Centrally managed accounts	334,275	345,831	346,949	+12,674	+1,118
Intermediate and depot level maintenance	916,179	879,962	892,798	−23,381	+12,836
Marine safety and response personnel	.....	.....	20,000	+20,000	+20,000
Defense function	(581,503)	(340,000)	(594,461)	(+12,958)	(+254,461)
Overseas contingency operations (defense function)	241,503	.....	254,461	+12,958	+254,461
Subtotal, Operating expenses	6,805,391	6,650,950	6,970,681	+165,290	+319,731
Appropriations	(6,563,888)	(6,650,950)	(6,716,220)	(+152,332)	(+65,270)
Overseas contingency operations	(241,503)	.....	(254,461)	(+12,958)	(+254,461)
(Defense function)	(581,503)	(340,000)	(594,461)	(+12,958)	(+254,461)
Environmental compliance and restoration	13,198	13,329	13,329	+131	.....
Reserve training	133,632	135,675	135,675	+2,043	.....
Acquisition, construction, and improvements:					
Vessels:					
Response boat medium	121,000	42,000	62,000	−59,000	+20,000
140' Icebreaker fleet refurbishment	.....	.....	21,200	+21,200	+21,200
Other equipment:					
National distress and response system modernization (Rescue 21)	117,000	36,000	36,000	−81,000	.....
High-frequency recapitalization	2,500	.....	.....	−2,500	.....
Interagency operations centers	10,000	.....	.....	−10,000	.....
Subtotal, Other equipment	129,500	36,000	36,000	−93,500	.....

Personnel and related support:					
Core acquisition costs	500	510	510	+10	.....
Direct personnel cost	104,700	107,051	107,051	+2,351	.....
Subtotal, Personnel and related support	105,200	107,561	107,561	+2,361	.....
Integrated deepwater systems:					
Aircraft:					
Maritime Patrol Aircraft	138,500	40,000	49,000	−89,500	+9,000
HH–60 conversions	45,900	32,000	32,000	−13,900	.....
HC–130H conversions	45,300	25,000	25,000	−20,300	.....
HH-65 conversion project	38,000	.....	.....	−38,000	.....
HC–130J fleet introduction	1,300	4,000	4,000	+2,700	.....
Unmanned aircraft systems	.....	.....	2,000	+2,000	+2,000
Subtotal, Aircraft	269,000	101,000	112,000	−157,000	+11,000
Surface ships:					
National Security Cutter	389,480	538,002	648,002	+258,522	+110,000
Offshore Patrol Cutter	9,800	45,000	45,000	+35,200	.....
Fast Response Cutter	243,000	240,000	240,000	−3,000	.....
IDS small boats	3,000	3,000	3,000	.....	.....
Patrol boat sustainment	23,000	.....	.....	−23,000	.....
Medium-endurance cutter sustainment	31,100	30,000	30,000	−1,100	.....
Polar icebreaker refurbishment	27,300	.....	.....	−27,300	.....
High-endurance cutter sustainment	4,000	.....	.....	−4,000	.....
Subtotal, Surface ships	730,680	856,002	966,002	+235,322	+110,000
Technology obsolescence prevention	1,900	1,000	1,000	−900	.....
C4ISR	35,000	30,500	30,500	−4,500	.....
Logistics	37,700	50,000	50,000	+12,300	.....
Systems engineering integration	35,000	29,000	29,000	−6,000	.....
Government program management	45,000	45,000	45,000	.....	.....
Subtotal, Integrated deepwater systems	1,154,280	1,112,502	1,233,502	+79,222	+121,000
Shore facilities and aids to navigation	27,100	69,200	108,350	+81,250	+39,150
Military housing	.....	13,965	13,965	+13,965	.....
Subtotal, Acquisition, construction, and improvements	1,537,080	1,381,228	1,582,578	+45,498	+201,350

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Alteration of bridges	4,000	.....	4,000	.....	+4,000
Subtotal	4,000	.....	4,000	.....	+4,000
Research, development, test, and evaluation	24,745	20,034	28,034	+3,289	+8,000
Healthcare fund contribution (permanent indefinite discretionary)	261,000	265,321	265,321	+4,321	.....
Subtotal, Coast Guard discretionary	8,779,046	8,466,537	8,999,618	+220,572	+533,081
Retired pay (mandatory)	1,361,245	1,400,700	1,400,700	+39,455	.....
Total, Coast Guard	10,140,291	9,867,237	10,400,318	+260,027	+533,081
Appropriations	(9,898,788)	(9,867,237)	(10,145,857)	(+247,069)	(+278,620)
Overseas contingency operations	(241,503)	.....	(254,461)	(+12,958)	(+254,461)
United States Secret Service					
Salaries and expenses:					
Protection:					
Protection of persons and facilities	755,521	792,042	792,042	+36,521	.....
Protective intelligence activities	67,824	68,914	68,914	+1,090	.....
National special security event funds	1,000	1,000	1,000	.....	.....
Presidential candidate nominee protection	.....	17,867	17,867	+17,867	.....
White House mail screening	22,415	25,315	25,315	+2,900	.....
Subtotal, Protection	846,760	905,138	905,138	+58,378	.....
Investigations:					
Domestic field operations	260,892	257,412	261,412	+520	+4,000
International field office administration, operations, and training	30,705	31,171	31,171	+466	.....
Electronic crimes special agent program and electronic crimes task forces	56,541	57,158	57,158	+617	.....

Support for missing and exploited children	8,366	8,366	8,366	.....	.....
Subtotal, Investigations	356,504	354,107	358,107	+1,603	+4,000
Administration:					
Headquarters, management and administration	221,045	253,176	253,176	+32,131	.....
Training:					
Rowley training center	54,360	55,221	55,221	+861	.....
Subtotal, Salaries and expenses	1,478,669	1,567,642	1,571,642	+92,973	+4,000
Acquisition, construction, improvements, and related expenses (Rowley)	3,975	3,975	3,975	.....	.....
Total, United States Secret Service	1,482,644	1,571,617	1,575,617	+92,973	+4,000
Total, title II, Security, Enforcement, and Investigations	32,444,887	32,545,167	33,116,825	+671,938	+571,658
Appropriations	(32,203,384)	(32,644,939)	(32,962,136)	(+758,752)	(+317,197)
Overseas contingency operations	(241,503)	.....	(254,461)	(+12,958)	(+254,461)
Rescissions	.....	(−99,772)	(−99,772)	(−99,772)	.....
(Fee Accounts)	(1,784,420)	(1,717,775)	(1,717,775)	(−66,645)	.....
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY					
National Protection and Programs Directorate					
Management and administration:					
Administrative activities	34,682	36,347	36,347	+1,665	.....
Risk management and analysis	9,895	9,790	8,790	−1,105	−1,000
Total, Management and administration	44,577	46,137	45,137	+560	−1,000
Infrastructure Protection and Information Security:					
Infrastructure protection:					
Identification and analysis	90,610	82,837	88,595	−2,015	+5,758
Coordination and information sharing	59,582	52,515	52,215	−7,367	−300
Mitigation programs	197,111	198,426	198,426	+1,315	.....
Subtotal, Infrastructure protection	347,303	333,778	339,236	−8,067	+5,458
National Cyber Security Division:					
U.S. Computer Emergency Response Team [US–CERT]	323,629	314,989	.....	−323,629	−314,989
Strategic initiatives	64,179	56,880	.....	−64,179	−56,880

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Outreach and programs	9,346	6,875	.....	−9,346	−6,875
Management and administration	.....	.....	16,151	+16,151	+16,151
Cybersecurity protection and response	.....	.....	262,331	+262,331	+262,331
Cybersecurity compliance, standards, and workforce development	.....	.....	46,329	+46,329	+46,329
Critical infrastructure cyber protection and awareness	.....	.....	52,933	+52,933	+52,933
Cybersecurity coordination	.....	.....	10,000	+10,000	+10,000
Subtotal, National Cyber Security Division	397,154	378,744	387,744	−9,410	+9,000
Office of Emergency Communications	45,060	44,524	44,524	−536	.....
National Security/Emergency Preparedness Telecommunications:					
Priority telecommunications services	56,773	56,283	56,283	−490	.....
Next generation networks	25,000	21,095	21,095	−3,905	.....
Programs to study and enhance telecommunications	16,774	16,657	16,657	−117	.....
Critical infrastructure protection programs	11,352	14,884	14,884	+3,532	.....
Subtotal, National Security/Emergency Preparedness Telecommunications	109,899	108,919	108,919	−980	.....
Subtotal, Infrastructure Protection and Information Security	899,416	865,965	880,423	−18,993	+14,458
Federal Protective Service:					
Basic security	213,673	220,000	220,000	+6,327	.....
Building-specific security	426,327	420,000	420,000	−6,327	.....
Reimbursable Security Fees (contract guard services)	475,000	475,000	475,000	.....	.....
Subtotal, Federal Protective Service	1,115,000	1,115,000	1,115,000	.....	.....
Offsetting collections	−1,115,000	−1,115,000	−1,115,000	.....	.....
U.S. Visitor and Immigrant Status Indicator Technology	373,762	334,613	334,613	−39,149	.....
Total, National Protection and Programs Directorate	1,317,755	1,246,715	1,260,173	−57,582	+13,458
Appropriations	(2,432,755)	(2,361,715)	(2,375,173)	(−57,582)	(+13,458)

Offsetting collections	(−1,115,000)	(−1,115,000)	(−1,115,000)	.....	.....
Office of Health Affairs					
BioWatch	89,513	173,505	113,505	+23,992	−60,000
National biosurveillence integration system	13,000	7,000	7,000	−6,000	.....
Rapidly deployable chemical detection system	2,600	2,400	4,400	+1,800	+2,000
Planning and coordination	3,726	2,276	3,001	−725	+725
Salaries and expenses	30,411	27,553	27,553	−2,858	.....
Total, Office of Health Affairs	139,250	212,734	155,459	+16,209	−57,275
Federal Emergency Management Agency					
Management and administration:					
Operations activities	758,155	867,947	651,187	−106,968	−216,760
(Defense function)	(93,881)	(70,003)	(70,003)	(−23,878)	.....
Urban search and rescue response system	32,500	28,000	38,000	+5,500	+10,000
Office of National Capital Region Coordination	6,995	7,049	7,049	+54	.....
Transfer from Disaster relief	(105,600)	.....	(216,760)	(+111,160)	(+216,760)
Subtotal, Management and administration (including transfers)	903,250	902,996	912,996	+9,746	+10,000
Appropriations	(797,650)	(902,996)	(696,236)	(−101,414)	(−206,760)
(Defense function)	(93,881)	(70,003)	(70,003)	(−23,878)	.....
by transfer	(105,600)	.....	(216,760)	(+111,160)	(+216,760)
Grants and Training:					
State and local programs:					
State Homeland Security Grant Program	890,000	.....	890,000	.....	+890,000
Operation Stonegarden	60,000	.....	60,000	.....	+60,000
Subtotal, State Homeland Security Grant Program	950,000	.....	950,000	.....	+950,000
Urban area security initiative	887,000	.....	950,000	+63,000	+950,000
Regional catastrophic preparedness grants	35,000	.....	35,000	.....	+35,000
Metropolitan Medical Response System	41,000	.....	38,000	−3,000	+38,000
Citizen Corps program	13,000	.....	11,500	−1,500	+11,500
Public transportation security assistance and railroad security assistance	300,000	.....	350,000	+50,000	+350,000
Port security grants	300,000	.....	350,000	+50,000	+350,000
Over-the-road bus security assistance	12,000	.....	.....	−12,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Buffer Zone Protection Program grants	50,000		50,000		+50,000
Drivers license security grants	50,000			−50,000	
Interoperable emergency communications grant program	50,000		50,000		+50,000
Emergency Operations Centers	60,000		31,520	−28,480	+31,520
National Programs:					
National Domestic Preparedness Consortium	102,000		97,000	−5,000	+97,000
Center for Domestic Preparedness	62,500		62,500		+62,500
Counterterrorism and Cyber Crime Center	1,700		2,450	+750	+2,450
National exercise program	40,000		40,000		+40,000
Technical assistance	13,000		15,000	+2,000	+15,000
Continuing training grants	29,000		30,000	+1,000	+30,000
Evaluations and assessments	16,000		16,000		+16,000
Rural Domestic Preparedness Consortium	3,000			−3,000	
Subtotal, National Programs	267,200		262,950	−4,250	+262,950
State and Regional Preparedness Program:					
State Homeland Security Grant Program		1,050,000			−1,050,000
Regional Catastrophic Preparedness Grants		35,000			−35,000
Assistance to Firefighters Grants		610,000			−610,000
Emergency Management Performance Grants		345,000			−345,000
Subtotal, State and Regional Preparedness Program		2,040,000			−2,040,000
Metropolitan Statistical Area [MSA] Preparedness Program:					
Urban Area Security Initiative		1,100,000			−1,100,000
Port Security Grants		300,000			−300,000
Rail/Public Transportation Security Grants		300,000			−300,000
Buffer Zone Protection Program		50,000			−50,000
Subtotal, MSA Preparedness Program		1,750,000			−1,750,000

Training, Measurement and Exercise Program:					
National Exercise Program	.....	42,000	.....	.....	−42,000
Continuing and Emerging Training Grants	.....	21,590	.....	.....	−21,590
Center for Domestic Preparedness	.....	62,500	.....	.....	−62,500
National Domestic Preparedness Consortium	.....	51,500	.....	.....	−51,500
Technical Assistance Program	.....	15,000	.....	.....	−15,000
Evaluation and National Assessment Program	.....	18,000	.....	.....	−18,000
Subtotal, Training Measurement and Exercise Program	.....	210,590	.....	.....	−210,590
Subtotal, State and Local Programs	3,015,200	4,000,590	3,078,970	+63,770	−921,620
Firefighter assistance grants:					
Fire grants	390,000	.....	390,000	.....	+390,000
Staffing for Adequate Fire and Emergency Response [SAFER] Act grants	420,000	.....	420,000	.....	+420,000
Subtotal, Firefighter assistance grants	810,000	.....	810,000	.....	+810,000
Emergency management performance grants	340,000	.....	345,000	+5,000	+345,000
Subtotal, Grants and training	4,165,200	4,000,590	4,233,970	+68,770	+233,380
Radiological Emergency Preparedness Program	−265	−361	−361	−96	.....
United States Fire Administration	45,588	45,930	45,930	+342	.....
Disaster Relief	1,600,000	1,950,000	1,950,000	+350,000	.....
(transfer to Management and Administration)	(−105,600)	.....	(−216,760)	(−111,160)	(−216,760)
(transfer to Inspector General)	(−16,000)	.....	(−16,000)	.....	(−16,000)
Disaster assistance direct loan program account:					
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	.....	.....
Direct loan subsidy	295	295	295	.....	.....
Flood map modernization fund	220,000	.....	.....	−220,000	.....
Flood hazard mapping and risk analysis	.....	194,000	194,000	+194,000	.....
National flood insurance fund:					
Salaries and expenses	38,680	22,145	22,145	−16,535	.....
Flood plain management and mitigation	107,320	146,855	146,855	+39,535	.....
Offsetting fee collections	−146,000	−169,000	−169,000	−23,000	.....
National predisaster mitigation fund	100,000	100,000	75,000	−25,000	−25,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Emergency food and shelter	200,000	100,000	150,000	−50,000	+50,000
Total, Federal Emergency Management Agency (including transfers)	7,112,468	7,293,450	7,329,070	+216,602	+35,620
Appropriations	(7,128,468)	(7,293,450)	(7,345,070)	(+216,602)	(+51,620)
by transfer	(105,600)	.....	(216,760)	(+111,160)	(+216,760)
transfer out	(−121,600)	.....	(−232,760)	(−111,160)	(−232,760)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	.....	.....
Total, title III, Protection, Preparedness, Response and Recovery Directorate	8,569,473	8,752,899	8,744,702	+175,229	−8,197
Appropriations	(8,585,473)	(8,752,899)	(8,760,702)	(+175,229)	(+7,803)
By transfer	(105,600)	.....	(216,760)	(+111,160)	(+216,760)
Transfer out	(−121,600)	.....	(−232,760)	(−111,160)	(−232,760)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	.....	.....
TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES					
United States Citizenship and Immigration Services					
Appropriations:					
Data center consolidation	11,000	23,400	7,193	−3,807	−16,207
Systematic Alien Verification for Entitlements	.....	34,000	.....	.....	−34,000
E-Verify	137,000	103,400	103,400	−33,600	.....
Immigrant integration programs	11,000	18,000	11,000	.....	−7,000
REAL ID Act implementation	10,000	.....	.....	−10,000	.....
Asylum and refugee services	50,000	207,000	50,000	.....	−157,000
Military naturalization services	5,000	.....	.....	−5,000	.....
Subtotal	224,000	385,800	171,593	−52,407	−214,207
Adjudication services (fee account):					
District operations	(1,132,317)	(1,169,135)	(1,169,135)	(+36,818)	.....

Service center operations	(549,623)	(508,281)	(508,281)	(−41,342)	.....
Asylum, refugee and international operations	.....	(62,630)	(62,630)	(+62,630)	.....
International operations	(64,587)	.....	.....	(−64,587)	.....
Records operations	(107,113)	(102,471)	(102,471)	(−4,642)	.....
Business transformation	(173,264)	(164,025)	(164,025)	(−9,239)	.....
Digitization program (display only, nonadd)	(29,000)	.....	.....	(−29,000)	.....
Subtotal, Adjudication services	(2,026,904)	(2,006,542)	(2,006,542)	(−20,362)	.....
Information and customer services (fee account):					
Operating expenses:					
Information and customer service	(89,050)	(83,501)	(83,501)	(−5,549)	.....
Administration (fee account):					
Administration	(365,932)	(336,514)	(336,514)	(−29,418)	.....
Systematic Alien Verification for Entitlements [SAVE] (fee account)	(21,346)	.....	.....	(−21,346)	.....
Total, United States Citizenship and Immigration Services	(2,727,232)	(2,812,357)	(2,598,150)	(−129,082)	(−214,207)
Appropriations	(224,000)	(385,800)	(171,593)	(−52,407)	(−214,207)
Total Fees	(2,503,232)	(2,426,557)	(2,426,557)	(−76,675)	.....
(Immigration Examination Fees)	(2,451,884)	(2,375,479)	(2,375,479)	(−76,405)	.....
(Fraud prevention and detection fees)	(38,348)	(38,078)	(38,078)	(−270)	.....
(H1B Non-Immigrant Petitioner fees)	(13,000)	(13,000)	(13,000)	.....	.....
Federal Law Enforcement Training Center					
Salaries and expenses:					
Law enforcement training	238,047	209,919	204,500	−33,547	−5,419
Management and administration	.....	30,000	30,000	+30,000	.....
Subtotal, Salaries and expenses	238,047	239,919	234,500	−3,547	−5,419
Accreditation	1,309	1,419	1,419	+110	.....
Acquisitions, construction, improvements, and related expenses: direct appropriation	43,456	38,456	38,456	−5,000	.....
Total, Federal Law Enforcement Training Center	282,812	279,794	274,375	−8,437	−5,419

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Science and Technology					
Management and administration	143,200	151,959	146,918	+3,718	−5,041
Total, Management and administration	143,200	151,959	146,918	+3,718	−5,041
Research, development, acquisition, and operations:					
Border and maritime security	44,181	39,936	39,936	−4,245	
Chemical and biological	206,800	200,863	200,863	−5,937	
Command, control, and interoperability	81,764	74,832	77,082	−4,682	+2,250
Explosives	120,809	120,809	120,809		
Human factors	16,087	13,435	13,435	−2,652	
Infrastructure and geophysical	74,958	36,122	56,987	−17,971	+20,865
Innovation	44,000	44,000	44,000		
Laboratory facilities	150,188	122,000	122,000	−28,188	
Radiological and nuclear		109,000	109,000	+109,000	
Test and evaluations/standards	29,000	23,174	23,174	−5,826	
Transition	46,134	42,134	42,134	−4,000	
University programs	49,350	40,000	50,000	+650	+10,000
Unspecified reduction			−36,000	−36,000	−36,000
Subtotal, Research, development, acquisition, and operations	863,271	866,305	863,420	+149	−2,885
Total, Science and Technology	1,006,471	1,018,264	1,010,338	+3,867	−7,926
Domestic Nuclear Detection Office					
Management and administration	38,500	36,992	36,992	−1,508	
Research, development, and operations:					
Systems engineering and architecture	25,448	38,833	38,833	+13,385	
Systems development	100,000	69,033	69,033	−30,967	

Transformational research and development	108,537			−108,537	
Assessments	32,416	43,465	43,465	+11,049	
Operations support	38,436	33,955	33,955	−4,481	
National Technical Nuclear Forensics Center	19,700	22,542	22,542	+2,842	
Research, development, and operations	324,537	207,828	207,828	−116,709	
Systems acquisition:					
RPM/ASP program		8,000	20,000	+20,000	+12,000
Securing the Cities	20,000		20,000		+20,000
HPRDS program		53,000	38,000	+38,000	−15,000
Subtotal, Systems acquisition	20,000	61,000	78,000	+58,000	+17,000
Total, Domestic Nuclear Detection Office	383,037	305,820	322,820	−60,217	+17,000
Total, title IV, Research and Development, Training, and Services	1,896,320	1,989,678	1,779,126	−117,194	−210,552
(Fee Accounts)	(2,503,232)	(2,426,557)	(2,426,557)	(−76,675)	
TITLE V—GENERAL PROVISIONS					
Sec. 555: Acquisition workforce enhancements		24,236	18,000	+18,000	−6,236
Sec. 556 DHS consolidated headquarters project			342,100	+342,100	+342,100
Sec. 574 National Special Security Event State and Local Reimbursement fund			20,000	+20,000	+20,000
Rescission of unobligated balances:					
Sec. 573: Trucking Industry Security Grants	−5,572			+5,572	
Sec. 574: Analysis and Operations	−2,358			+2,358	
Sec. 575: Infrastructure protection and information security	−8,000			+8,000	
Sec. 576: Science and Technology	−6,944			+6,944	
Sec 577: Domestic Nuclear Detection Office	−8,000			+8,000	
Sec. 578: TSA research and development	−4,000			+4,000	
Sec 579: Coast Guard AC&I	−800			+800	
Sec. 580: Counterterrorism Fund	−5,600			+5,600	
Sec 563: Treasury forfeiture fund			−22,600	−22,600	−22,600
Sec. 564: CBP Automation modernization			−10,000	−10,000	−10,000
Sec. 565: CBP BSFIT			−25,000	−25,000	−25,000
Sec. 566: Transportation Security Administration			−15,000	−15,000	−15,000
Sec. 567: Domestic Nuclear Detection Office			−27,000	−27,000	−27,000
Sec. 568: National Protection and Programs Director			−6,000	−6,000	−6,000
Sec. 569: Federal Emergency Management Agency			−5,000	−5,000	−5,000
Sec. 570: CBP Headquarters management and Administration			−14,500	−14,500	−14,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2010 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2009—Continued

[In thousands of dollars]

Item	2010 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or −)	
				2009 appropriation	Budget estimate
Sec. 571: CBP violent crime act	.....	.....	−4,800	−4,800	−4,800
Sec. 572: USCIS REAL ID Act	.....	.....	−10,000	−10,000	−10,000
Total, title V, General Provisions	−41,274	24,236	240,200	+281,474	+215,964
Appropriations	.....	(24,236)	(380,100)	(+380,100)	(+355,864)
Rescissions	(−41,274)	.....	(−139,900)	(−98,626)	(−139,900)
Grand total	44,137,241	45,036,301	45,191,136	+1,053,895	+154,835
Mandatory	(1,361,245)	(1,400,700)	(1,400,700)	(+39,455)	.....
General purpose discretionary	(42,775,996)	(43,635,601)	(43,790,436)	(+1,014,440)	(+154,835)
Appropriations	(42,575,767)	(43,735,373)	(43,775,647)	(+1,199,880)	(+40,274)
Overseas contingency operations	(241,503)	.....	(254,461)	(+12,958)	(+254,461)
Rescissions/cancellations	(−41,274)	(−99,772)	(−239,672)	(−198,398)	(−139,900)
Fee-funded programs	(4,287,652)	(4,144,332)	(4,144,332)	(−143,320)	.....
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	.....	.....
(Transfer out)	(−121,600)	.....	(−232,760)	(−111,160)	(−232,760)
(By transfer)	(121,600)	.....	(232,760)	(+111,160)	(+232,760)