

Calendar No. 443

113TH CONGRESS }
2nd Session }

SENATE

{ REPORT
113-198

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL, 2015

JUNE 26, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 2534]

The Committee on Appropriations reports the bill (S. 2534) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Total obligational authority, fiscal year 2015

| | |
|--|------------------|
| Total of bill as reported to the Senate ^{1 2 3 6} | \$47,226,793,000 |
| Amount of 2014 appropriations ^{4 5} | 46,583,386,000 |
| Amount of 2015 budget estimate ^{1 2 6} | 46,346,037,000 |
| Bill as recommended to Senate compared to— | |
| 2014 appropriations | + 643,407,000 |
| 2015 budget estimate | + 880,756,000 |

¹Committee recommendation includes \$731,093,000 in rescissions compared to \$200,000,000 in proposed cancellations.

²Includes a permanent indefinite appropriation of \$176,970,000 for the Coast Guard healthcare fund contribution.

³Includes \$213,000,000 for the Coast Guard for the cost of overseas contingency operations.

⁴Includes rescissions totaling \$693,426,000 pursuant to Public Law 113-76. Includes permanent indefinite appropriation of \$201,000,000 for the Coast Guard healthcare fund contribution. Includes \$227,000,000 for the Coast Guard for the costs of overseas contingency operations.

⁵Includes \$5,626,386,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112-25.

⁶Includes \$6,437,793,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112-25.

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OVERVIEW AND SUMMARY OF THE BILL

| | Fiscal year 2015 request ^{1 2 3} | Fiscal year 2015 Committee recommendation ^{1 2 3 4} |
|--|--|--|
| Title I—Departmental Management and Operations | \$1,171,749,000 | \$1,033,363,000 |
| Title II—Security, Enforcement, and Investigations | 31,404,277,000 | 32,519,823,000 |
| Title III—Protection, Preparedness, Response, and Recovery | 12,048,420,000 | 12,417,695,000 |
| Title IV—Research and Development, Training, and Services | 1,770,591,000 | 1,760,905,000 |
| Title V—General Provisions | – 49,000,000 | – 504,993,000 |
| Total, new budget (obligational authority) | 46,346,037,000 | 47,226,793,000 |

¹ Committee recommendation includes \$731,093,000 in rescissions compared to \$200,000,000 in proposed cancellations.

² Includes a permanent indefinite appropriation of \$176,970,000 for the Coast Guard healthcare fund contribution.

³ Includes \$6,437,793,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112–25.

⁴ Includes \$213,000,000 for the Coast Guard for the cost of overseas contingency operations.

The Committee recommends a total appropriation of \$47,226,793,000 for the Department of Homeland Security [DHS] for fiscal year 2015, \$880,756,000 more than the budget request. Of this amount, \$45,650,793,000 is for discretionary programs, including \$213,000,000 for Coast Guard overseas contingency operations and \$6,437,793,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112–25.

The Committee recommends discretionary appropriations, excluding Coast Guard overseas contingency operations and the FEMA Disaster Relief Fund adjustment, of \$39,000,000,000, \$667,756,000 above the request. Even with this modest increase, discretionary appropriations for the DHS have declined by 8.3 percent since fiscal year 2010.

OVERVIEW

Homeland security refers to our national effort to prevent terrorist attacks within the United States, reduce the vulnerability of the United States to terrorism, and minimize the damage from attacks that do occur. Although we have been spared from terrorist attacks with the devastating consequences of September 11 for more than a decade, the Boston marathon bombing, which was conducted by home-grown extremists less than 15 months ago, reminded us that complacency is not an option. The long war on terrorism is far from over. We face an increasing number of home-grown terror plots that originate within our own borders, in which one or more of the plotters are American citizens, legal permanent residents, or visitors radicalized in the United States. At the same time, individuals and terrorist groups abroad continue to focus on doing us harm. Our Nation is still threatened by al Qaeda affiliates from countries such as Yemen and Pakistan, as well as foreign fighters traveling to and from Syria. The threat today is rapidly evolving and diffuse, with al Qaeda affiliates in the Arabian Peninsula being the most active in plotting against our homeland. These terrorists, be they homegrown zealots or radical actors from

abroad, seek sophisticated means of attack, including chemical, biological, radiological, nuclear and explosive weapons, as well as cyber. While we continue to focus on these known threats, we must also be vigilant against new methods of recruitment and engage communities at risk of being targeted by terrorist recruiters. This bill provides adequate resources for us to keep pace with all of these threats. For example:

- At U.S. Customs and Border Protection [CBP], the bill recommends hiring 1,000 new CBP officers at our air and sea ports of entry to facilitate the processing of legitimate trade and travelers while preventing entry of those who would do us harm.
- At U.S. Immigration and Customs Enforcement [ICE], the second largest investigative agency in the Government, Homeland Security Investigations will use the \$1,775,269,000 included in the bill for its 6,400 criminal investigators to conduct transnational criminal investigations to protect the United States against terrorist and other criminal organizations that threaten public safety and national security while bringing to justice those seeking to exploit customs and immigration laws worldwide. The bill provides \$5,000,000 above the request to ICE for human trafficking and smuggling investigations as well as investigations in commercial trade fraud.
- At the Transportation Security Administration, the bill includes \$162,469,000 for explosives detection technologies to screen passengers and their belongings at airports and \$99,569,000 for Secure Flight, which matches passenger data against portions of the Terrorist Screening Database.
- The bill includes \$425,552,000 for research and development in innovative technology solutions and other countermeasures to strengthen the homeland and outpace our adversaries.
- A total of \$300,000,000 is included to complete construction of the National Bio and Agro-Defense Facility, which is being built to prevent the accidental or intentional introduction of deadly animal diseases into the United States.
- A total of \$306,342,000 for the Domestic Nuclear Detection Office to detect illicit radiological material that has fallen out of regulatory control, and deter our enemies from using that material for nuclear terrorism. The bill provides \$7,000,000 above the request for the Securing the Cities program, which helps State and local governments develop nuclear detection capabilities for high-density, high-threat urban areas.
- A total of \$162,991,000, the same amount as fiscal year 2014, is provided for first responder weapons of mass destruction training.
- A total of \$26,024,000 is provided to strengthen the Department's ability to safeguard and share classified information with its Federal, State, and local partners, and to help deter the unauthorized release of such information. In the wake of past and recent public disclosures of critical national security information, such safeguards are vital to ensuring effective controls are in place to prevent the illicit removal and dissemination of classified information.

—A total of \$9,961,000 for the Office of Bombing Prevention to advance training, analysis, and awareness.

Terrorism is not the only threat we must be prepared for. We face a constant onslaught of cyber intrusions and attacks on our Government networks and critical infrastructure. According to the Internet security experts at Norton, we lose \$114,000,000,000 each year to global cybercriminals, with another \$274,000,000,000 in lost productivity due to time spent on cybercrime and its effects. That total eclipses the global black market in marijuana, cocaine, and heroin combined. In 2013, there were over 63,000 security incidents and 1,367 confirmed data breaches. These range from attacks that were carried out on media outlets like The New York Times and The Wall Street Journal, theft of personal information stolen from universities around the country, and the stealing of financial data from consumers who used payment card systems at several major retail companies. Verizon recently published a report using real world data gleaned from 50 organizations around the world, including DHS, which clearly showed that individuals, companies, and industries are all vulnerable to some type of cyber event/attack. Sadly, the data also showed that attackers are becoming more proficient, able to complete their attacks in days, and sometimes in a matter of minutes. Conversely, it often takes our cyber warriors—the good guys—over a month to discover and block an infiltration, and even longer to completely resolve the issue. This bill takes steps to decrease our vulnerability to cyber attacks and intrusions, stop the exfiltration of data, and help remediate the impacts of a cyber attack. Specifically,

—The bill recommends a total of \$757,340,000 for cybersecurity protection of Federal networks and incident response. This amount includes \$15,810,000 for cybersecurity education to train future cyber warriors.

—The bill provides a total of \$163,743,000 for ICE to support 761 full-time equivalents in a variety of cyber investigations including efforts to counter child pornography as well as funding to operate the Cyber Crimes Center.

—A total of \$103,937,000 for the United States Secret Service for cyber investigations and to provide cyber crime training to State and local law enforcement, legal, and judicial professionals for computer forensics and cyber investigations. In the last 4 years, the Secret Service's cyber investigations affected over 4,900 arrests and avoided approximately \$1,370,000,000 in fraud losses.

At the same time we are facing a constant barge of cyber intrusions and attacks, we are also facing a humanitarian crisis on our Southern border the likes of which we have never before experienced. More than 66,000 unaccompanied alien children will be apprehended at our border this fiscal year and, at the current rate, we can expect to apprehend 145,000 in fiscal year 2015. According to the Department of Health and Human Services [HHS], this is an 815 percent increase in child apprehensions by the end of this fiscal year compared to fiscal year 2011. There were 6,500 children apprehended in fiscal year 2011 but in fiscal year 2013 that number rose to nearly 25,000 unaccompanied children. Things have gotten so dire, that on June 2, 2014, the President appointed the

FEMA Administrator to lead the Unified Coordination Group in response to this crisis.

Unfortunately, while knowing of these increasing arrivals year after year, the budget request did not reflect additional resources for DHS or HHS to address this problem. After hearing bipartisan and bicameral cries of concern, the Office of Management and Budget acknowledged in a May 30, 2014, letter to the Committees on Appropriations that DHS needed \$164,547,000 more than it had requested in the budget to adequately address its fiscal year 2015 requirements. In response, this bill provides the following increased resources:

- CBP is provided \$76,942,000 above the request to provide for initial processing, medical care, food, shelter, and clothing for the children they encounter.
- ICE is provided \$87,605,000 above the request for transportation—often via commercial or charter aircraft—of these children from DHS custody to the legally required shelters operated by the Office of Refugee Resettlement within HHS.
- Also, a detailed, multi-agency briefing is required to be held not later than September 15, 2014, of the specific steps each department—DHS, HHS, Justice, and State—is taking to mitigate the crisis and reverse this rapidly escalating trend line.

While we improve our defenses against terrorists and cyber attacks, DHS must remain focused on other legacy and statutory missions, such as enforcing our immigration laws, facilitating legitimate travel and trade, protecting our currency, interdicting drugs and migrants, responding to oil and chemical spills, and rescuing those in need. This bill does so by refocusing resources on requirements that the Committee believes were underfunded in the fiscal year 2015 request and supplementing the request in key areas to address technological limitations. For example:

- The recommendation for the Coast Guard includes several increases above the request, including \$25,000,000 and 231 positions to enhance drug and migrant interdiction efforts, \$208,000,000 to acquire new vessels desperately needed to replace an aging fleet, \$24,500,000 for mid-life repairs and service life extension projects on the existing fleet of vessels, \$6,000,000 to address the construction backlog for military housing, and \$4,967,000 above the request to restore 300 reservists to active status, which will enable the Coast Guard to retain the majority of the first responders proposed for reduction.
- The bill recommends a total of \$1,500,000,000 for first responder grants, \$294,531,000 above the request to provide for the protection of infrastructure and the readiness of police, firefighters, public health officials and emergency managers in States, urban areas, ports, and transit systems.
- The bill funds a minimum of 31,039 ICE detention beds, which is 500 beds above the request. Funding reflects the current cost of these bed contracts.
- The bill begins funding the preliminary costs related to candidate protection for the 2016 presidential campaign and funds Secret Service agents who protect the First Family and other

individuals while also conducting investigations into counterfeiting currency and securing financial networks.

- At CBP, the bill directs that not less than \$10,000,000 be used to sustain the traveler process enhancements, including staffing at certain locations, as provided for in last year's law.
- And to assist people lawfully present in this country who wish to become U.S. citizens, a total of \$10,000,000 is allocated for immigrant integration grants.

In addition, the Nation must be resilient to all hazards and be able to quickly respond to and recover from all hazards that threaten our citizens, property, and way of life. While we have also been spared the devastation of a storm with the damaging effects of Hurricane Katrina and have proven we are a Nation better able to respond and recover quickly than we were before, within the last 3 years, each State has sought Federal assistance for disaster recovery. History tells us a catastrophic disaster will strike again in the future. We must be ready. This bill provides resources to continue recovery from disasters and get ready for future disasters.

- A total of \$7,033,464,494 for disaster relief, \$812,556,400 above fiscal year 2014.
- A total of \$100,000,000 for flood hazard mapping, \$15,597,000 above the request. In the past 5 years, all 50 States have experienced floods or flash floods. Accurate and useful flood maps help protect people and property along our waterways on the coast and inland against a known risk.
- A total of \$25,000,000 for predisaster mitigation grants. These grants help officials plan for and build more resilient communities to withstand the disasters they are likely to face, ultimately saving money and lives when the next disaster strikes. For example, smart building also saves money—\$4 for every \$1 invested.
- A total of \$35,180,000 for urban search and rescue teams for location, rescue, and initial medical care of people in large scale disasters.

These initiatives can only be undertaken with budgetary restraint in mind. In this austere fiscal climate, we cannot solve all of our homeland security challenges by spending more money. DHS must continue to root out fraud, waste, and abuse, while refocusing effort on programs that truly make a difference. In addition, the Department must make a concerted effort to strengthen relationships with other Federal, State, local, and international partners in order to maintain our national security and increase our resilience. DHS cannot achieve these broader objectives by operating in a vacuum. For fiscal year 2015, the Committee continues several major reforms, while instituting several new initiatives to strengthen and streamline the Department.

- The bill allows for the decommissioning of eight Coast Guard patrol boats that have become too expensive to maintain, saving \$6,053,000.
- The bill includes funding for six critically needed Coast Guard fast response cutters (instead of two requested). Procuring six maximizes the production line and generates cost savings of at least \$5,000,000 per hull for a total savings to the taxpayers of \$30,000,000.

- The bill calls for the Department to develop a strategy to reduce the length of time it takes to hire new employees, which is well above the Governmentwide average and inhibiting efforts to select high-quality candidates.
- As DHS acquisition management remains on GAO’s “high risk” list, the bill requires GAO to evaluate select acquisitions across the Department to ensure programs are on track to meet cost, schedule, and capability goals; and identify challenges the Department faces in managing its large acquisition projects.
- The bill requires CBP to submit an action plan for expediting the travel experience at U.S. international gateway airports through the use of innovative technology and changed methodology. These include: expanding the use of automated passport control kiosks which greatly reduces a traveler’s interaction with a CBP officer; expanding the use of these kiosks to travelers from visa waiver countries; taking advantage of the creativity of individual airports, such as expanding the use of “1-Stop” for express screening of those passengers arriving with just carry-on luggage and proper documentation; and reviewing how CBP allocates its personnel at air ports of entry, to include consideration of non-law enforcement personnel to cover processing duties. All of these efforts should streamline the U.S. entry process and minimize wait times.
- The bill continues a provision included in fiscal year 2014 which authorizes CBP to enter into public-private partnerships to upgrade land ports of entry [POEs] and/or to pay overtime to CBP officers at POEs, expands the number of eligible airports that can participate in these pilots from five to seven a year.
- The bill rejects the unauthorized National Preparedness Grant proposal, waiting for the appropriate authorizing committees to act.
- The bill includes eight statutorily mandated expenditure plans for robust congressional oversight. In addition, there are another seven expenditure plans in the report. The Committee encourages DHS to issue these reports in an unclassified format so that they can be available to the public, to the maximum extent practicable.
- The bill includes seven multiyear investment reports so that the Committee can better track when acquisitions and procurements are required for large capital programs and anticipate their operations and maintenance tails.
- The bill requires all reports requested by the Committee to be posted on the Department’s Web site except for those that may compromise homeland security or contain proprietary information.
- The bill continues annual and monthly reporting requirements for expenditures from the Disaster Relief Fund and directs FEMA to make these reports available to the public no later than 5 days after the close of each month.
- The bill continues a monthly obligation, expenditure, and staffing reporting requirement. Delivery of these reports is required within 30 days after the end of the month.

—The bill continues long-standing provisions prohibiting the use of first class travel and limits attendance at international conferences.

In conclusion, the recommendations contained in this bill sustain the Department's vital frontline security operations, while providing resources for the Department to nimbly react to emergent threats, be they man-made or naturally occurring. It also provides sufficient management and administrative oversight to ensure fiscal responsibility and wise investment of the taxpayers' money.

REFERENCES

This report refers to several Public Laws by short title as follows: the Budget Control Act of 2011, Public Law 112–25, is referenced as the BCA; Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110–53, is referenced as the 9/11 Act; and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, is referenced as the Stafford 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, offices, or other organizations in the Department of Homeland Security.

Any reference to FTE shall mean full-time equivalents.

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

Any reference to HSPD shall mean Homeland Security Presidential Directive.

Any reference to GAO shall mean Government Accountability Office.

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

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$122,350,000 |
| Budget estimate, 2015 | 128,769,000 |
| Committee recommendation | 124,571,000 |

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 the Executive Secretary; the Office of Policy; the Office of Public Affairs; the Office of Legislative Affairs; the Office of General Counsel; the Office for Civil Rights and Civil Liberties; the Citizenship and Immigration Services Ombudsman; the Office of Intergovernmental Affairs; and the Privacy Officer.

COMMITTEE RECOMMENDATION

The Committee recommends \$124,571,000 for the Office of the Secretary and Executive Management. This is \$4,198,000 below the amount requested and \$2,221,000 above the amount provided in fiscal year 2014. Of this amount, the Committee recommends not to exceed \$45,000 for official reception and representation expenses.

The Committee includes \$5,825,000 for the Citizenship and Immigration Services Ombudsman [CISOMB], including an additional \$521,000 and five positions for employment-based case inquiries. During the 2014 reporting period (April 1, 2013 to March 2014), CISOMB experienced a 33 percent increase in the number of employment-based immigration inquiries.

The Committee recommends \$37,559,000 for the Office of Policy, including \$715,000 to strengthen the capabilities and requirements process to ensure that strategic guidance related to Departmental investments is turned into results. The Office of Policy, Office of the Chief Financial Officer, and Science and Technology Directorate are to keep the Committee apprised of these efforts.

The request to restore other reductions taken to OSEM offices in prior years is denied due to an insufficient justification for the funds. Reductions made in prior years were not considered temporary and are a reflection of a declining discretionary funding base for DHS and the Committee's intent to focus limited resources on the Department's critical operational missions.

The specific levels recommended by the Committee as compared to the fiscal year 2014 and budget request levels are as follows:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Immediate Office of the Secretary | 4,050 | 3,950 | 3,939 |
| Immediate Office of the Deputy Secretary | 1,750 | 1,751 | 1,740 |
| Office of the Chief of Staff | 2,050 | 2,112 | 2,062 |
| Executive Secretary | 7,400 | 7,719 | 7,477 |
| Office of Policy | 36,500 | 38,470 | 37,559 |
| Office of Public Affairs | 8,550 | 8,741 | 8,591 |
| Office of Legislative Affairs | 5,350 | 5,583 | 5,403 |
| Office of Intergovernmental Affairs | 2,250 | 2,429 | 2,273 |
| Office of General Counsel | 19,750 | 21,310 | 19,950 |
| Office for Civil Rights and Civil Liberties | 21,500 | 22,003 | 21,719 |
| Citizenship and Immigration Services Ombudsman | 5,250 | 6,428 | 5,825 |
| Privacy Officer | 7,950 | 8,273 | 8,033 |
| Total, Office of the Secretary and Executive Management | 122,350 | 128,769 | 124,571 |

THE CRISIS OF UNACCOMPANIED CHILDREN

On May 30, 2014, the Committee received a missive from the Deputy Director of the Office of Management and Budget acknowledging the severe deficiencies in the President's fiscal year 2015 budget request to address the skyrocketing growth in apprehensions of unaccompanied alien children [UAC] on our southern border. Under the latest projections, OMB states DHS would require an additional \$164,547,000 "to expand base capabilities such as [CBP] overtime, contract services for care and support of UACs, and ICE transportation costs".

These children, ranging in age from 17 years to mere infants, are primarily coming from El Salvador, Guatemala, and Honduras. In many instances they are fleeing violence in their home countries, especially from armed criminal gangs, but in many others they are being sent for by a parent or guardian who is already present in the United States. Experts disagree, but the reality is that many of these children are being sent for by parents who may be resident in the United States without legal status but who have an expectation—real or perceived—that some sort of immigration reform will be enacted and that they would be better off if the entire family were together in the United States to obtain the benefits of reform. However, U.S. Government officials, including the White House and the Secretary of DHS, have stressed that the children now arriving at our borders are not eligible for any immigration benefits under current or currently envisioned law. Indeed, they are placed into removal proceedings upon being processed and directed to appear before an immigration court.

The journey through Central America and Mexico can take 1–2 months and can be incredibly dangerous well before even reaching the U.S. border. Children travel alone, in groups, or accompanied by a guide or smuggler. Many children travel packed dangerously on tops of trains, nicknamed "the beast." Many are physically abused by their guides or others along the way.

Regardless of why these children are coming, the fact remains that they are—in ever increasing numbers. From 6,500 UACs in fiscal year 2011, and 13,600 in fiscal year 2012, the number grew to 24,700 in fiscal year 2013. The most cautious estimates suggest 66,000 UACs will be encountered by the end of this fiscal year—and more than 145,000 could arrive here in fiscal year 2015. In May, the Secretary of Homeland Security declared a “Level IV Condition of Readiness” on the Southwest border indicating the current situation exceeds the manpower and resources of ICE and CBP, and that other agency resources are needed to address the problem. He appointed a Federal coordinator—the Deputy Chief of the Border Patrol—to coordinate a Governmentwide response. And on June 2, 2014, at the direction of the President, he appointed the FEMA Administrator as the Federal Coordinating Official of the Unified Coordination Group. He will oversee the “whole-of-government” response to this crisis.

In addition to the astronomical increase in unaccompanied children, the Border Patrol has seen a significant increase in apprehensions across the Southwest border this year over recent years. Approximately two thirds of those apprehensions are occurring in the Rio Grande Valley Sector. For fiscal year 2014 to date (October 1, 2013, to June 1, 2014), the Rio Grande Valley Border Patrol Sector has apprehended over 162,000 illegal aliens, a 73 percent increase over the same time period in fiscal year 2013. For the month of May 2014, the Rio Grande Valley averaged approximately 1,200 apprehensions per day. On average, 970 of them, or 81 percent, were other-than-Mexican nationals. The number of adult female apprehensions is up 93 percent over last year, and the number of members crossing as family units is up even higher, more than 500 percent over last year.

A number of Department of Defense and other government and private facilities are being used and/or considered for conversion into temporary shelters for these children—who have been placed into removal proceedings which will be reviewed by an immigration court—as they await proper placement with foster or other families by the Department of Health and Human Resources’ Office of Refugee Resettlement [ORR].

Border Patrol stations and land ports of entry were never designed for detaining and caring for children. It is in the best interests of the child to be held in such facilities for the shortest period of time possible. And the men and women who work at these facilities are trained law enforcement personnel, not social workers. They are trained to apprehend and hold often dangerous drug traffickers and human smugglers, or to process visitors and legal cargo entering our ports. Rather than using law enforcement professionals, who need to be on the frontlines protecting our borders, DHS is strongly encouraged to take advantage of the expertise of non-governmental and other organizations who are experts in the field of child and family services.

While the administration has not submitted a budget amendment to address the overwhelming increase in UACs, the Committee has been able to find other resources to provide funding above the request to address this humanitarian issue. Included in the bill is an additional \$87,605,000 to fund ICE’s transportation

costs of UACs to ORR at HHS. Additionally, there is \$76,942,000 above the request for CBP to meet the costs identified by the administration for the care and feeding of these minors while they are in their custody.

The Committee directs DHS, in conjunction with the Department of State and other U.S. Government departments and agencies, to work with the governments of Mexico, El Salvador, Guatemala, and Honduras to better make known the dangers of children coming to the United States.

With regard to the governments of El Salvador, Guatemala, and Honduras, DHS shall also increase its efforts with the State Department to expand information campaigns better advertising the dangers of heading north and the fact that these children will not be eligible for any immigration benefits.

DHS shall, through its ICE attaché, work with the government of Mexico to further assist in breaking up the smuggling rings that bring these children to our borders.

Finally, the Committee directs CBP and ICE to work with the consulates of El Salvador, Guatemala, Honduras, and Mexico to expedite the removal of children who are found ineligible to receive an immigration benefit or who voluntarily chose to repatriate to their home country. This would include more rapidly obtaining travel documents from the consulates.

The Committee directs the Department, jointly with the Departments of State, Health and Human Services, Justice, and the Office of Management and Budget, to brief the House and Senate Committees on Appropriations not later than September 15, 2014, on the U.S. Government's joint actions taken, and future actions to be taken, regarding this humanitarian crisis.

The briefing shall also include the specific steps taken by each agency responsible for administering its responsibilities of the Prison Rape Elimination Act to adhere to the act as it affects unaccompanied children.

Separately, DHS shall submit electronic reports on a biweekly basis on the number of UACs CBP encounters, the length of time they are in CBP's custody before transfer to ORR, and the cost estimates for CBP to care for UACs during each reporting period. The reports shall also include data from ICE on the transportation costs associated with UAC transfer to ORR, including how many UACs are being transported and by what means (vehicle, commercial air, charter, or via U.S. Government asset).

In addition, given the overall increase in apprehensions, the Committee directs the Department to include operational statistics on all apprehensions when providing the Committee with data on UACs. The Department shall keep the Committee apprised of the impacts of increased apprehensions on border security and immigration enforcement activities and resource needs. For example, the Committee understands that the Department is seeking temporary solutions for detention of family units and directs the Department to report on the use of non-CBP/ICE facilities, such as the Federal Law Enforcement Training Center in Artesia, New Mexico, for family units, including the average length of stay in detention in these facilities, the removal status of these individuals, the impact of the facility's use on the local community, and the impact on the facili-

ty's primary mission. The Committee also directs the Department to communicate fully and transparently regarding their current and future plans for the new uses of non-CBP/ICE facilities with host States and communities. The Committee further urges the Department to avoid imposing financial burdens on those States and communities as a result of new uses of such facilities.

Finally, a new general provision has been included in the bill directing OMB and DHS to ensure that budget documents submitted with the fiscal year 2016 budget include, among other items, estimates of UACs anticipated to be apprehended during the fiscal year and the number of agent or officer hours required to process, manage, and care for such children.

ADMINISTRATIVELY UNCONTROLLABLE OVERTIME

On January 27, 2014, the Secretary announced interim measures concerning administratively uncontrollable overtime [AUO]. He recognized the pervasive, and frequently inappropriate, use of overtime to supplement the basic pay of certain DHS employees, especially in the Border Patrol and the National Protection and Preparedness Directorate. As a follow-up, on May 23, 2014, the Deputy Secretary charged the heads of a number of DHS components to improve AUO administration within their payroll and human resources systems and announced a DHS-wide solution to the long-standing problem of inconsistent policies and procedures across the Department's components. The Committee expects to be regularly updated as this process moves forward.

REPORTING REQUIREMENTS

The Committee is fully aware that congressionally required reports and expenditure plans can be time-consuming endeavors involving a commitment of personnel and leadership attention. However, the information contained in these documents is essential for the Committee to serve its role as overseer of the Federal purse and to ensure better management of government spending. While the Department has improved its overall performance in getting these documents to the Committee near their required due dates, some of the more high profile reports have been significantly delayed, or in certain cases, ignored completely. The Coast Guard's Capital Investment Plan, which was due with the submission of the fiscal year 2015 budget, was received by the Committee more than 3 months after it was due, the latest this information has ever been provided since it was first mandated in fiscal year 2006. Quarterly updates on Jones Act violations have not been received, nor has a report required in the fiscal year 2013 act examining the consolidation of offices focused on detecting weapons of mass destruction. Reports on ICE deportations and another on border security statistics were received 2 years after the required due date, minimizing the value of their contents. Whatever the causes are for the delays in getting required information to the Committee, the expectation is that the Department's performance will improve. In certain circumstances, a significant portion of a component's appropriation is withheld from obligation until the required report is submitted. Sadly, this seems to be the only measure that incentivizes the Department to improve upon its poor performance. In an effort to re-

duce the Department's burden on congressional reports, several requirements that are no longer necessary or redundant have been discontinued.

QUARTERLY REPORTS OF OPERATIONAL STATISTICS

The Committee continues its requirement that the Department submit quarterly Border Security Status and Detention and Removal Operations reports, as directed in prior years. In an era of supposed Government transparency, this data should be readily available to the Committee and the public. However, the Department has failed to meet any of these basic expectations. The Committee received the Border Security Status Report for the first quarter of fiscal year 2013 just 1 month ago—a report covering operational data for a period that closed 17 months before and long after many of these same statistics had been published by DHS. This delay is unacceptable. The Committee expects the new Secretary to meet his commitment to Congress of timely responses to congressional reports and inquiries.

The Committee expects the Department and all of its relevant components to support efforts to enhance migrant lifecycle data and the ability to report on illegal entrants from apprehension or arrest through final disposition, working with the Department of Justice's Executive Office for Immigration Review. The Department is encouraged to charter a working group to take a programmatic look at this issue. Additionally, the Committee encourages the Department, working with the Departments of Justice, State, and Health and Human Services, to study the ability of DHS information sharing systems, such as the DHS Data Framework and Homeland Security Information Network, to support this capability. The Committee directs the Department and all the relevant components to brief the Committee on its migrant lifecycle data effort and related efforts to improve its operational immigration and border security data reporting, including potential solution, cost and schedule considerations, not later than 90 days after the date of enactment of this act.

STRENGTHENING DHS UNITY OF EFFORT

The Committee is supportive of the new Secretary's desire to improve the Department's planning, programming, budgeting, and execution process. To that end, the Secretary has identified several areas of emphasis for review, such as the management process for investments; strategy, planning, and analytical capability; and enhancement of coordinated operations. The Committee recognizes that this is an evolving effort, but expects frequent updates on progress and adoption of new policies, procedures, and guidelines.

EXPENDITURE PLANS

The bill includes language directing the Secretary to submit expenditure plans to the Committee with the submission of the President's fiscal year 2016 budget request for the Offices of Policy, Intergovernmental Affairs, Civil Rights and Civil Liberties, Citizenship and Immigration Services Ombudsman, and Privacy. Each plan shall include details on: staffing by programmatic function

area, expenses, contracts, obligations, funds by sub-offices (if appropriate), and how resources are aligned to specific activities and initiatives in fiscal year 2015 and proposed for fiscal year 2016.

EVOLVING THREATS

The demands on the Department of Homeland Security continue to grow as the threats from terrorism persistently evolve. Whether it is homegrown terrorism; cyber intrusions; biological, chemical, or nuclear attacks; food tampering; surgically implanted explosives; animal diseases; or varying locations and means for crossing our borders (such as tunnels or ultra-light aircraft), the Department must be able to respond and adapt swiftly to interdict these threats at the earliest point possible. Further, naturally occurring events put our Nation at risk. Severe storms and wildfires are growing more frequent and larger, and earthquakes threaten major population areas, posing a risk to critical infrastructure. DHS is to continue quarterly threat briefings to the Committee on how it is addressing these evolving threats.

INTERNATIONAL COSTS

A recent summary of the Department's DHS attaché costs revealed an annual budget of \$418,983,402 to support nearly 1,500 positions in international locations. This is up from \$357,429,275 and 1,200 positions in fiscal year 2014. While the Committee recognizes the importance of the Department's activities abroad, today's constrained budget environment and the growing costs imposed by the State Department demand a more critical look at its international footprint, including the costs necessary to support this work. The Committee directs the Department to examine these costs and develop a plan to reduce international costs by 10 percent in fiscal year 2015. The Department is to brief the Committee not later than 60 days after the date of enactment of this act on this plan including efforts to reduce unnecessary overlap and redundancies in its attaché laydown while maintaining a strong presence internationally.

DEPARTMENTAL INTEGRITY EFFORTS

The Committee maintains a strong interest in enhancing the investigative relationship between the OIG and CBP regarding corruption investigations. However, given the recent personnel changes in CBP's Office of Internal Affairs, the Committee directs the Deputy Secretary, jointly with the OIG, CBP, and ICE, to submit a status update report, not later than 60 days after the date of enactment of this act, outlining the specific steps being taken to further address the process for investigating cases of corruption of DHS employees, and outline the plan to address, as a unified DHS, the engagement of DHS with the Department of Justice's Border Corruption Task Forces.

RECEPTION AND REPRESENTATION EXPENSES

Within the total amount recommended for the Office of the Secretary and Executive Management, up to \$45,000 is included for reception and representation expenses. The Department is directed to

submit quarterly reports to the Committee listing obligations for all DHS reception and representation expenses by purpose and dollar amount, at a level of detail provided in fiscal year 2014 and 2015, or in greater detail if that is required to explain how funds were used. In recognition of a more constrained budget environment and to limit opportunities for waste and abuse, the Committee maintains the 12 percent reduction implemented over the past two fiscal years for reception and representation expenses. The Department shall refrain from using funds available for reception and representation to purchase unnecessary collectables or memorabilia.

OVERHEAD COSTS

The Department should continue to seek to reduce operating expenses by placing greater scrutiny on overhead costs and looking at creative ways to achieve efficiencies. For instance, risk-based security measures at TSA and the deployment of higher throughput screening technologies have begun to yield real savings in the agency's operational budget. The Department should be commended for this achievement and strive to streamline where it makes the most sense. For example, field personnel could take more advantage of mobile technology and automation to reduce labor-intensive and paper-based incident reporting. This would also have benefits to operations, such as facilitating a near real-time picture of operations for field and headquarters leadership. The Committee directs the Department to provide a briefing on the cost reductions achieved by the Department in fiscal year 2014 and its plan to reduce overhead costs within 60 days after the date of enactment of this act to include the areas identified in Executive Order 13589 as well as consolidating and reducing administrative support personnel, as appropriate; consolidating and reducing contractor support, as appropriate; taking advantage of mobile technology and automation to reduce certain support personnel needs; and better managing and reducing overtime costs.

PUBLIC ACCESS TO FEDERALLY FUNDED RESEARCH

In February 2013, the Office of Science and Technology Policy issued guidelines on increasing public access to the results of federally funded scientific research. Given the importance of the research funded by the Science and Technology Directorate and the Domestic Nuclear Detection Office, the Committee encourages the Department to expeditiously comply. DHS is to brief the Committee not later than 30 days after the date of enactment of this act on its efforts and internal policies established to comply with these guidelines.

ILLEGAL TRAFFICKING OF WILDLIFE AND OTHER NATURAL RESOURCES

The Committee notes the recent increase of illegal trade in rhinoceros horns, elephant ivory from Africa, and illegally harvested timber, the large sums of money that these products command on the black market, and the linkages between illegal wildlife and natural resources trafficking and other transnational organized crimes (including trafficking in narcotics, arms, and humans). These activities threaten the stability and development of African countries

and pose a threat to U.S. security interests. The Committee is pleased with the Department's membership on the Presidential Task Force on Wildlife Trafficking that was established by Executive order on July 1, 2013. The Committee agrees that the connections between trafficking in illegal wildlife and natural resources and financing of groups pose a threat to the United States. The Committee directs the Secretary to submit a status update report, not later than 180 days after the date of enactment of this act, outlining the specific steps being taken by the Department to further address wildlife trafficking and illegal natural resources trade, the engagement of DHS with the Presidential Task Force on Wildlife Trafficking, including steps to improve coordination with the U.S. Fish and Wildlife Service Office of Law Enforcement, steps taken by DHS to implement the National Strategy on Wildlife Trafficking, and what resources have been aligned to activities and initiatives to address wildlife and natural resources trafficking.

LIBERIAN DEFERRED ENFORCED DEPARTURE

The Committee is aware that the current extension of Deferred Enforced Departure [DED] for Liberians displaced by that country's former armed conflict and widespread civil strife expires on September 30, 2014. The Department of Homeland Security is encouraged to work with the Executive Office of the President and the Department of State to move expeditiously on considering an extension of DED for qualifying Liberians.

TAX-BASED CITIZENSHIP RENUNCIANTS

Under section 212(a)(10)(E) of the Immigration and Nationality Act, the Department of Homeland Security has the authority to deny admission to former U.S. citizens that are deemed to have expatriated for purposes of tax avoidance. In over a decade, the Department has not issued regulations nor has it undertaken any significant steps to enforce this provision. The Committee directs the Secretary to report within 90 days on the steps the Department is undertaking to enforce this law, including a schedule for issuing guidance or regulations, if necessary.

COST SAVINGS ON VEHICLE PARTS

The Committee encourages the Secretary to promote the use of remanufactured vehicle parts in place of new parts when they are the most cost effective alternative and when doing so would not delay vehicle repair or reduce performance quality.

TEXTILE PRODUCTS

Section 604 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) contains restrictions on the Department's acquisition of certain foreign textile products. Consistent with the Department's conclusion that section 604 is permanent law, the Committee expects DHS to maintain compliance with its statutory requirements.

CRIMEA

The Committee remains concerned about the Russian aggression in Ukraine, Russia’s illegal annexation of Crimea, and Russia’s illegal and unacceptable efforts to exploit stolen Crimean resources, and urges that none of the funds in this act be used to recognize, or imply recognition, of the sovereignty of the Russian Federation over Crimea, its territory, airspace, or territorial waters.

STOLEN AND LOST TRAVEL DOCUMENTS

The Committee is concerned that only a few countries use INTERPOL’s Stolen/Lost Travel Document [SLTD] database to run against international airline passenger information. CBP is the world’s largest user of this information, an effort that took several years to develop but which has had positive results. In fiscal year 2013, CBP issued nearly 500 “no board” recommendations based on stolen and lost document data for individuals seeking to board flights bound for the United States, including foreign nationals using lost or stolen U.S. passports. The Committee directs the Office of Policy, in conjunction with CBP and INTERPOL, to issue an annual report on use of the SLTD database.

AMMUNITION

In fiscal year 2014, a general provision was included in Public Law 113–76 requiring the Secretary to report on the purchase and usage of ammunition by the Department with the submission of the President’s budget. Because this is permanent law, this language has not been retained; however, the Committee expects receipt of this report with the fiscal year 2016 request as required by section 569 of Public Law 113–76.

DISCONTINUED REPORTS

The Committee no longer requires the Secretary to submit quarterly updates on user fees as originally directed in the conference report accompanying Public Law 111–83. Additionally, the Department is no longer required to report semiannually to the Committee on the current projects tasked to Federally Funded Research and Development Centers. The information contained in these reports may be requested of the Department as part of the Committee’s normal oversight responsibilities.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$196,015,000 |
| Budget estimate, 2015 | 195,286,000 |
| Committee recommendation | 192,692,000 |

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 Readiness Support Officer.

COMMITTEE RECOMMENDATION

The Committee recommends \$192,692,000 for the Under Secretary for Management. This is \$2,594,000 below the amount requested and \$3,323,000 below the amount provided in fiscal year 2014. Of this amount, the Committee recommends not to exceed \$2,250 for official reception and representation expenses. The Committee's recommendation includes funding for oversight of major acquisitions, recruitment and development of a skilled workforce, and security measures to safeguard DHS personnel, property, facilities, and information. The Committee supports the one-DHS concept, which can only be executed when such missions are appropriately funded. Effective government is not accomplished through excessive funding cuts for these essential capabilities.

The recommendation provides \$8,000,000 for the Human Resource Information Technology Program, \$185,000 above the fiscal year 2014 enacted level and \$1,878,000 below the request. The reduction below the request reflects available carryover balances for the program.

The specific levels recommended by the Committee, as compared to the fiscal year 2014 and budget request levels, are as follows:

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Immediate Office of the Under Secretary for Management | 2,700 | 2,757 | 2,740 |
| Office of the Chief Security Officer | 64,000 | 63,597 | 63,391 |
| Office of the Chief Procurement Officer | 65,000 | 64,036 | 63,726 |
| Office of the Chief Human Capital Officer: | | | |
| Salaries and Expenses | 22,000 | 21,253 | 21,156 |
| Human Resources Information Technology Program | 7,815 | 9,878 | 8,000 |
| Office of the Chief Readiness Officer: | | | |
| Salaries and expenses | 30,000 | 29,272 | 29,186 |
| Nebraska Avenue Complex | 4,500 | 4,493 | 4,493 |
| Total, Office of the Under Secretary for Management | 196,015 | 195,286 | 192,692 |

COMPREHENSIVE AND QUARTERLY ACQUISITION STATUS REPORTS

In order to obtain the information necessary for in-depth congressional oversight, statutory language is included in this act that requires a Comprehensive Acquisition Status Report to be included as part of the submission of the President's fiscal year 2016 budget, with quarterly updates to be submitted 45 days after the completion of each quarter. The requirements for the reports are described in House Report 112-331.

PROCUREMENT PROCESS

The Committee commends the Department for its renewed interest and efforts to formalize a joint requirements process and continue to provide greater rigor and oversight of major acquisitions. While that focus on requirements and major acquisitions is critical, it is clear that DHS is not effectively managing what should be more routine contract actions. The Committee consistently hears complaints and frustration from industry, DHS program managers,

DHS contract officials, and DHS budget personnel about the lack of strategy associated with how DHS approaches many of its procurements; the bureaucratic issues that drive how procurements move or fail to move to award; the lack of communication among those involved in the process; and how unreliable DHS acquisition forecasts are. As a result, resources are wasted, good people leave DHS, and the mission suffers.

In order to more effectively meet mission needs, as well as institute more transparent and streamlined procurement processes, the Committee directs the Under Secretary for Management to outline the entire procurement process from need identification to contract award, extension, or modification, including any protest actions or other delays. This effort shall include identifying the accountable program or contract personnel responsible for each step and setting goals for the time each step should take. The Under Secretary shall brief the Committee not later than 180 days after the date of enactment of this act on how DHS will approach this effort, including how the process will be segmented as well as the cost and schedule for this effort. The Committee believes that by shedding light on the procurement process, DHS can facilitate improvements that will reduce the cost overruns from delays, and uncertainty; give DHS programs, customers, suppliers, and industry better insight into DHS' needs and schedules; and deliver mission needs in a timely, efficient manner.

The Department has made strides in designating component acquisition executives [CAE] to facilitate improvements in acquisition strategy across the Department. However, in many components, it appears that procurements are run separately from the organization where the CAE sits, which may limit the CAE's authority to address many of the procurement issues outlined above. The Committee directs the Under Secretary to consider the most effective use of the CAEs in instituting more transparent, streamlined procurement processes.

The Committee encourages the Under Secretary for Management to examine whether level one acquisition programs within DHS are actually being managed by appropriately certified program managers and how this is impacting performance. The 180 day briefing by the Under Secretary on the contracting process shall include a discussion of this issue and what steps, if any, are being taken to address it.

GAO REVIEW OF SELECTED DHS MAJOR ACQUISITION PROJECTS

While DHS continues to make progress to improve oversight and accountability throughout the agency, acquisition management remains on the GAO "high risk" list. The Committee requests that GAO develop a plan for ongoing reviews of DHS' major acquisition projects. This plan should include an assessment of the extent to which the programs are on track to meet cost, schedule, and capability goals; the status of testing; and any common risks and challenges the Department faces in managing its large acquisition projects. The Department shall provide access to all necessary data, as determined by GAO, in order for the reviews to be completed and provided in a timely manner to the Committee. The Committee believes that these GAO reviews will be valuable in identifying cost

overrun and schedule slippage problems early, so they can be addressed immediately.

HIRING DELAYS

The Committee is concerned with the length of time it takes to hire an employee at several DHS components. According to information from the Office of Personnel Management, the average number of days to hire an employee at DHS was 146 days in 2013, while the Government-wide average was 90 days. Certain areas of concern are with the Department’s law enforcement components such as CBP and the United States Secret Service where, on average, it takes 278 days and 327 days, respectively, to hire an employee. Non-law enforcement hires at the headquarters level take 106 days on average and 198 days for senior executive employees. The President’s 2010 memorandum on improving the Federal Hiring and Recruitment process said that “Americans must be able to apply for Federal jobs through a commonsense hiring process and agencies must be able to select high-quality candidates efficiently and quickly.” Unless the Department improves upon its lengthy hiring process, the best and brightest candidates will more than likely choose other Federal agencies or opt for the private sector. DHS is to report to the Committees not later than 60 days after the date of enactment of this act on its strategy to decrease the number of days it takes to hire and report quarterly on time to hire statistics by component.

HEADQUARTERS CONSOLIDATION

A general provision is included in the bill providing \$48,600,000 for the “Office of the Under Secretary for Management” for costs associated with headquarters consolidation and mission support consolidation. The Under Secretary shall submit an expenditure plan no later than 90 days after the date of enactment of this act detailing how these funds will be allocated, including a revised schedule and cost estimates for headquarters consolidation. Quarterly briefings are required on headquarters and mission support consolidation activities, including any deviation from the expenditure plan.

OFFICE OF THE CHIEF FINANCIAL OFFICER

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$46,000,000 |
| Budget estimate, 2015 | 94,626,000 |
| Committee recommendation | 48,213,000 |

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 Program 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 \$48,213,000 for the Office of the Chief Financial Officer [OCFO]. This is \$46,413,000 below the amount requested and \$2,213,000 above the amount provided in fiscal year 2014.

The recommendation includes \$39,500,000 for Financial Systems Modernization as a general provision in title V of this act, \$5,870,000 below the request. The reduction below the request is due to program delays that have occurred since the budget request was formulated.

The recommendation reduces the request for personnel compensation right sizing by \$847,000. Reductions made in prior years were not considered temporary and are a reflection of a declining discretionary funding base for DHS and the Committee's intent to focus limited resources on the Department's critical operational missions.

The Committee includes the requested increase to improve the Department's capacity to evaluate capability gaps, prioritize mission needs, and inform tradeoffs in the allocation of program resources. The OCFO, with the Office of Policy and Science and Technology Directorate are to keep the Committee apprised of these efforts.

COST OF LIVING ADJUSTMENT

The Committee assumes the cost of living adjustment for civilian employees across the Department will be absorbed within amounts appropriated in this act.

FINANCIAL SYSTEMS MODERNIZATION

For the first time, the Department achieved an unmodified (clean) opinion on all of its financial statements in 2013. While this is a significant achievement that should be applauded, the Department's independent auditor identified several deficiencies, four of which were considered material weaknesses. That is why the Department must continue to improve the reliability and transparency of its financial data. The DHS OIG, in response to the independent audit recommended that OCFO "continue the Financial Systems Modernization initiative, and make necessary improvements to the Department's financial management systems and supporting IT security controls." In that regard, DHS is to maintain frequent communications with the Committee on financial management improvement plans necessary to support the Department's missions, including total resource requirements by fiscal year and a timeline for implementation with discrete milestones.

UNAUTHORIZED FEES

The Committee has included a new general provision to address the executive branch's practice of submitting budgets that assume additional offsetting collections from unauthorized fee increases. This year, the budget assumes the collection of \$570,000,000 in new aviation security fees that have not been authorized. As a result, the Committee is forced to offset these unauthorized fees with scarce discretionary budget authority. The Committee expects this

practice to end and has included language prohibiting funding for personnel who prepare or submit appropriations language as part of the President's budget submission that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless the budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the convening of a committee bill or conference for the fiscal year 2016 appropriations act.

PAY REFORM

The Department has proposed two changes to certain components' pay structures after the fiscal year 2014 bill was enacted. While the Committee recognizes that the Department has the authority to make these adjustments, it expects to be kept informed of these initiatives before they occur. Therefore, the bill includes a general provision prohibiting the obligation of funds for any new structural pay reform that affects more than 100 employees or costs more than \$5,000,000 in a single year without a 30-day notification period to the Committee.

BUDGET EXECUTION AND STAFFING REPORT

The Committee continues a general provision requiring the Department to continue to submit to the House and Senate 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 and the Working Capital Fund. The report is to be submitted no later than 30 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; 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.

ANNUAL BUDGET JUSTIFICATIONS

The Chief Financial Officer is directed to ensure that fiscal year 2016 budget justifications for classified and unclassified budgets of all Department components are submitted on February 3, 2015, concurrent with the President's budget submission to Congress. The justifications shall include:

- Detailed data and explanatory descriptions for each appropriations request and for each PPA reflected in the table accompanying this statement, including offices that have been identified as PPAs. Information regarding actual and planned accomplishments should be in quantifiable terms and demonstrate a direct relationship to funding;
- Tables that reflect actual and estimated funding by PPA for fiscal years 2015 and 2016; identify each increase, decrease, transfer, and staffing change proposed in fiscal year 2016; and explain such year-to-year changes in terms that are clear and unambiguous, and exclude nonspecific terms such as “technical adjustment” or “administrative savings” unless accompanied by a detailed explanation. To establish a common baseline reference, the fiscal year 2015 discretionary data shall tie to the fiscal year 2015 discretionary total in the table accompanying this statement or have a table identifying each change. Explanations of adjustments to base funding, whether increases or decreases, should be specific and compared to prior year activity level not merely the entire PPA level, and programmatic changes and initiatives should be clearly identified and justified;
- For each PPA that is comprised of acquisition and procurement activity, the justification should address all proposed spending using a zero-based budget description;
- Information by appropriations account and PPA on all reimbursable agreements and significant uses of the Economy Act for each fiscal year;
- An accurate detailed table identifying the last year that authorizing legislation was enacted into law for each appropriation PPA, including the amount of the authorization, when the authorization expires, and the appropriation in the last year of authorization;
- The text and citation of all Department appropriations provisions enacted to date that are permanent law;
- Explanations and justifications for all proposed legislative language changes, whether they are new or amend existing law, whether they are substantive or technical in nature, with an annotated comparison of proposed versus existing language; and
- A report on the status of overdue Committee reports, plans, and briefings for each of fiscal years 2014 and 2015.

The Committee also expects the OCFO to monitor the overuse of funding realignments by the Transportation Security Administration and the National Protection and Programs Directorate. The annual budget restructuring by these components creates a budget maze that makes it difficult to maintain proper oversight of appropriations.

FUTURE YEARS HOMELAND SECURITY PROGRAM

A statutory provision is included requiring the Secretary to submit a Future Years Homeland Security Program budget as part of the fiscal year 2016 budget justification. The report is to display funding by appropriation account and subordinate program, project, or activity. The report shall be in unclassified form so as to be accessible to the general public. Having a forward-looking budget forecast provides a reasonable understanding of future program and acquisition needs and the proportionate resources needed to execute the Department’s mission of protection and defense of the homeland, as well as emergency planning and response.

OFFICE OF THE CHIEF INFORMATION OFFICER

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$257,156,000 |
| Budget estimate, 2015 | 256,343,000 |
| Committee recommendation | 254,001,000 |

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 \$254,001,000, of which \$95,078,000 is for salaries and expenses, and \$158,923,000 is to be available through fiscal year 2016 for Department-wide technology investments overseen by the Office of the Chief Information Officer [OCIO]. The recommendation is \$2,342,000 below the amount requested and \$3,155,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

OFFICE OF THE CHIEF INFORMATION OFFICER

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Salaries and expenses | 115,000 | 95,444 | 95,078 |
| Information technology services | 34,000 | 38,627 | 38,627 |
| Infrastructure and security activities | 45,000 | 52,140 | 52,140 |
| Homeland security data network | 63,156 | 70,132 | 68,156 |
| Total, Office of the Chief Information Officer | 257,156 | 256,343 | 254,001 |

MULTIYEAR INVESTMENT PLAN

The Committee includes bill language requiring a multiyear investment plan be submitted to the Committees on Appropriations with the fiscal year 2016 budget submission to Congress. As the OCIO develops the fiscal year 2016 plan, it shall take proper stock of all IT investments and identify and adopt best practices, such as those identified by GAO in an October 2011 report, GAO–12–7, to encourage proper management of these investments.

INFRASTRUCTURE AND SECURITY ACTIVITIES

The Committee recommendation includes \$52,140,000, for development and acquisition of IT equipment, software, services, and related activities. The Committee believes the OCIO leads and manages efforts vital to the continued modernization of the Department's IT infrastructure.

The Committee is pleased with the Department's leadership in data center consolidation. The Committee agrees with the Department's position that these efforts will lead to operational efficiencies, reduced geographic footprint, data sharing synergies, reduced energy consumption, and clarity of mission throughout the Department. The Committee understands that the Department has successfully consolidated 18 out of 42 major data centers and has sufficient resources to complete all 42. Although no funding is requested in fiscal year 2015 to continue the migration project, due to unanticipated efficiencies in migration, the Committee requests that the Department make it aware of any resources not yet provided but which are needed to complete the consolidation.

SHARING AND SAFEGUARDING CLASSIFIED INFORMATION

The recommendation includes \$26,024,000 to implement information sharing and safeguarding measures to protect classified national security information. This is necessary in order to be compliant with measures resulting from Executive Order 13587—Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information. The OCIO is to brief the Committee by April 15, 2015, on the implementation strategy, development schedule, and milestones for improving the protection of national security information held by the Department. The Committee also expects any structural reforms to be consistent with appropriate protections for privacy and civil liberties.

FEE-FOR-SERVICE

The Committee understands that DHS has a plan for consolidation and adoption of shared services across the Department. The Committee recognizes that other Departments have established a Fee-for-Service Shared Services Center that offers software design, development, and sustainment for other Federal agencies, and State and local government. The Committee urges the DHS CIO to look into all possible shared service models, including the Fee-for-Service model, to garner all potential efficiencies and cost savings as it begins implementing shared services across the Department.

MAJOR IT PROJECT SPENDING

The Committee continues to be concerned with several large DHS IT projects that have experienced lengthy delays, cost overruns, and bureaucratic bottlenecks. DHS has spent years attempting to improve major IT programs that are critical to the homeland security mission, such as FEMA's Logistics Supply Chain Management System, ICE's Student And Exchange Visitor Information System, and TECS modernization. However, despite the significant investment of taxpayer dollars in these efforts, the Department has

been unable to produce timely results and millions of dollars have been wasted. These programs have suffered from improper requirements management, poor contractor performance, inadequate change management procedures, and poor coordination with stakeholders. The Committee directs the OCIO to be actively involved in either getting these projects back on track or finding a different solution. The OCIO is to brief the Committee not later than 60 days after the date of enactment of this act on the plan forward to ensure these programs are meeting the operational needs of the Department in an efficient and cost-effective manner.

ANALYSIS AND OPERATIONS

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$300,490,000 |
| Budget estimate, 2015 | 302,268,000 |
| Committee recommendation | 295,269,000 |

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 \$295,269,000 for Analysis and Operations. This is \$6,999,000 below the amount requested and \$5,221,000 below the amount provided in fiscal year 2014. 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 brief the Committee on the I&A expenditure plan for fiscal year 2015 no later than 60 days after the date of enactment of this act. The plan shall include the following:

- fiscal year 2015 expenditures and staffing allotted for each program as compared to fiscal years 2013 and 2014;
- all funded versus on-board positions, including Federal FTE, contractors, and reimbursable and nonreimbursable detailees;
- a plan, including dates or timeframes for achieving key milestones;
- allocation of funding within each PPA for individual programs and a description of the desired outcomes for fiscal year 2015; and
- actions taken to address the recommendations in GAO report (GAO–14–397), “Additional Actions Needed to Address Analytic Priorities and Workforce Challenges”.

STATE AND LOCAL FUSION CENTERS

The Committee directs I&A to continue semiannual briefings on the State and Local Fusion Centers program.

OFFICE OF INSPECTOR GENERAL

| | |
|---|---------------|
| Appropriations, 2014 ¹ | \$115,437,000 |
| Budget estimate, 2015 ¹ | 121,457,000 |
| Committee recommendation ¹ | 118,617,000 |

¹ Excludes \$24,000,000 made available from the FEMA Disaster Relief Fund.

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 \$118,617,000 for the Office of Inspector General [OIG], \$2,840,000 below the comparable amount requested and \$3,180,000 above the amount provided in fiscal year 2014. In addition, the Committee includes bill language transferring \$24,000,000 requested by the OIG for audits and investigations related to natural disasters from the Disaster Relief Fund [DRF]. The Committee supports the budget request for training and investments to upgrade the capabilities and morale of the OIG workforce. The Committee has reduced the level of OIG funding from the budget request due to the expiration of the 7-year comprehensive auditing period, directed by the 9/11 Commission Act of 2007, which required audits of every U.S. State and territory receiving grants under the Urban Area Security Initiative or the State Homeland Security Grant Programs.

The Committee directs the Inspector General to submit a plan of expenditure for all funds no later than 30 days after the date of enactment of this act. For fiscal year 2016 and thereafter, OIG shall submit a detailed expenditure plan with its annual budget justification documents. The plan shall include: (1) expenditures of each office within the OIG, including the Offices of Audits, Integrity and Quality Oversight, Emergency Management Oversight, Investigations, Information Technology Audits, Management and Inspections; (2) the number of FTE on board; (3) the number of FTE vacancies and a timetable to fill those vacancies; (4) budget detail by function areas such as travel, rent, office supplies, and equipment costs; and (5) details on how resources are aligned to specific activities and initiatives in fiscal year 2015 as well as proposed for fiscal year 2016. Finally, the spend plan shall also include all DRF transfers (which shall satisfy the requirements for notification of DRF transfers under section 503 of this act).

FEMA AUDITS

The Committee notes the continuing process for FEMA and the OIG to identify preventative measures to eliminate waste, fraud, and abuse; and expects specific solutions and measurable results within fiscal year 2015.

INTEGRITY OVERSIGHT

The Committee remains concerned about the potential for increased corruption due to the rapid hiring in CBP and ICE since fiscal year 2005. Incidents continue to highlight the need for integ-

rity oversight. To avoid corruption and misconduct, it is imperative that all officers and 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. The Committee has made a deliberate effort in the past several appropriations acts to provide additional funding specifically for integrity investigations. The Committee directs OIG to submit an expenditure plan of integrity oversight funds in coordination with CBP and ICE, which shall be submitted along with its annual expenditure plan.

CONFERENCES AND SPECIAL EVENTS

The Committee continues the requirement for OIG to report to the Committees not later than 30 days after the end of fiscal year 2015 on DHS spending on conferences, ceremonies, and similar events, based on quarterly reporting to OIG. The report shall substantiate DHS compliance with all applicable laws and regulations and describe in detail the total costs to the Government associated with events. It shall include the number of conferences held, the amount of funds obligated, and expenses by appropriation or other source of funding, including budget accounts and subaccounts used to pay for events.

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 \$12,567,478,000, including direct appropriations of \$10,683,584,000 and estimated fee collections of \$1,883,894,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY
[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Appropriations: | | | |
| Salaries and expenses | 8,145,568 | 8,326,386 | 8,320,391 |
| Small airport user fee | 5,000 | 9,000 | 9,000 |
| Automation modernization | 816,523 | 812,410 | 806,699 |
| Border Security Fencing, Infrastructure, and Technology [BSFIT] | 351,454 | 362,466 | 362,466 |
| Air and Marine operations | 805,068 | 708,685 | 706,569 |
| Construction and facilities management | 456,278 | 482,205 | 478,459 |
| Total, Appropriations | 10,579,891 | 10,701,152 | 10,683,584 |
| Estimated fee collections: | | | |
| Immigration inspection user fee | 598,552 | 630,218 | 630,218 |
| Immigration enforcement fines | 773 | 752 | 752 |
| ESTA | 55,168 | 54,929 | 54,929 |
| Land border inspection fee | 42,941 | 43,931 | 43,931 |
| COBRA fee | 500,134 | 482,501 | 482,501 |
| APHIS inspection fee | 355,216 | 464,514 | 464,514 |
| Global entry user fee | 34,835 | 91,192 | 91,192 |
| Puerto Rico Trust Fund | 98,602 | 98,076 | 98,076 |
| Virgin Island fee | 11,302 | 11,789 | 11,789 |
| Customs Unclaimed Goods | 5,992 | 5,992 | 5,992 |
| Total, Estimated fee collections | 1,703,515 | 1,883,894 | 1,883,894 |
| Total, U.S. Customs and Border Protection, available funding | 12,283,406 | 12,585,046 | 12,567,478 |

SALARIES AND EXPENSES

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$8,145,568,000 |
| Budget estimate, 2015 | 8,326,386,000 |
| Committee recommendation | 8,320,391,000 |

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).

Electronic System for Travel Authorization Fee.—CBP collects fees to cover the cost of operating and implementing a system to pre-screen visitors from countries participating in the Visa Waiver Program prior to their arrival in the United States to avoid security risks, as authorized by section 711(h)(3)(B) of the 9/11 Act (Public Law 110–53).

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 registered traveler program to expedite screening and processing of international passengers as authorized under the Consolidated Appropriations Act of 2008, section 565(3)(B).

U.S. Virgin Islands Fee Fund.—The U.S. Virgin Islands [USVI] are an unincorporated territory of the United States and although a U.S. territory, the USVI is expressly excluded from the definition of customs territory of the United States. The importation of goods into the USVI is governed by Virgin Islands law. CBP collects duties on behalf of the USVI and deposits them into the USVI Fee

Fund. The account is now known as the U.S. Virgin Islands Fees Fund, in which duties and taxes collected in the USVI are deposited. The account is managed annually as a reimbursable account with any remaining funds remitted back to the USVI at the conclusion of the fiscal year.

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.

Unclaimed Goods.—Any goods entered or un-entered merchandise (except merchandise under section 557 of the Tariff Act of 1930, as amended (19 U.S.C. 1557), but including merchandise entered for transportation in bond or for exportation) which remain in Customs custody for 6 months from the date of importation or a lesser period for special merchandise as provided by section 127.28(c), (d), and (h), and without all estimated duties and storage or other charges having been paid, shall be considered unclaimed and abandoned. This account represents the proceeds from the liquidation of that account.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$8,320,391,000 for Salaries and Expenses of U.S. Customs and Border Protection for fiscal year 2015, including \$3,274,000 from the Harbor Maintenance Trust Fund and, of which \$2,313,000,000 is derived from the merchandise processing fee. This is \$5,995,000 below the request and \$174,823,000 above the amount provided in fiscal year 2014.

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 capping official reception and representation expenses at \$34,425. A general provision is included to allow CBP to access collections associated with the U.S.-Colombia Trade Promotion Agreement Implementation Act, Public Law 112-42. A new general provision is included adjusting the Immigration User Fee to fund the hiring of 1,000 new CBP officers.

The Committee does not include the proposed \$1,500,000 reduction for continued development of the Customs-Trade Partnership against Terrorism web portal, but includes the other proposed reductions as detailed in the Congressional justifications. Additionally, the bill reduces the “Border security and control” PFA by \$15,000,000 due to clearer management direction on the appropriate use of administratively uncontrollable overtime.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

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

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Salaries and expenses: | | | |
| Headquarters, management, and administration: | | | |
| Commissioner | 23,656 | 27,245 | 27,151 |
| Chief Counsel | 42,921 | 45,663 | 45,483 |
| Congressional Affairs | 2,466 | 2,514 | 2,504 |
| Internal Affairs | 149,061 | 140,141 | 139,493 |
| Public Affairs | 11,934 | 13,064 | 13,009 |
| Training and Development | 76,082 | 71,926 | 71,892 |
| Technology Innovation, Acquisition | 22,788 | 25,374 | 25,277 |
| Intelligence/Investigative Liaison | 60,747 | 61,512 | 61,235 |
| Administration | 403,473 | 386,793 | 382,819 |
| Rent | 405,802 | 409,490 | 409,490 |
| Subtotal, Headquarters, management, and admin- istration | 1,198,930 | 1,183,722 | 1,178,353 |
| Border security inspections and trade facilitation: | | | |
| Inspections, trade, and travel facilitation at ports of entry | 2,856,573 | 2,830,872 | 2,806,224 |
| Harbor maintenance fee collection (Trust Fund) | 3,274 | 3,274 | 3,274 |
| International cargo screening | 67,461 | 69,173 | 68,902 |
| Other international programs | 24,000 | 25,706 | 25,548 |
| Customs-Trade Partnership Against Terrorism [C- TPAT] | 40,912 | 40,841 | 42,119 |
| Trusted Traveler Programs | 5,811 | 5,811 | 5,811 |
| Inspection and detection technology investments | 112,004 | 123,866 | 117,811 |
| National Targeting Center | 65,106 | 70,592 | 70,123 |
| Training | 40,703 | 33,906 | 33,880 |
| Subtotal, Border security inspections and trade facilitation | 3,215,844 | 3,204,041 | 3,173,692 |
| Border security and control between ports of entry: | | | |
| Border security and control | 3,675,236 | 3,882,015 | 3,911,955 |
| Training | 55,558 | 56,608 | 56,391 |
| Subtotal, Border security and control between ports of entry | 3,730,794 | 3,938,623 | 3,968,346 |
| Total, Salaries and expenses | 8,145,568 | 8,326,386 | 8,320,391 |

UNACCOMPANIED ALIEN CHILDREN

Nowhere in the Federal Government is the UAC burden being felt more deeply than within U.S. Customs and Border Protection [CBP]. For more than 5 years, the women and men of the Border Patrol and the Office of Field Operations working along the Southwest border on a daily basis have been dealing with apprehending, caring for, processing, and transporting unaccompanied alien children [UAC]. Annually about 5,000–6,000 UACs were encountered, until fiscal year 2012, when the trickle became a torrent. There has been a more than doubling of UAC encounters year after year. Nearly 25,000 were encountered in fiscal year 2013 and estimates for this fiscal year are approaching 70,000. While initially esti-

mating 127,000 UACs next year, the number has risen to 145,000. This growth cannot be sustained.

The burden falls on CBP because it is the frontline encountering these children. Previously, the majority of the UACs were teenaged boys between 14–17 years of age. The more recent—and more troubling—trend is younger children and many more young girls. One can only imagine the horrific events they encountered trekking from Central America to South Texas. Because of the growth in the more diverse and tender aged population, special care is required—care that is not part of a law enforcement officer’s training. These men and women’s time should be spent protecting the border and arresting smugglers and dangerous contraband.

As the budget request did not include funding for this influx of UACs, the Committee has worked with the Department and OMB, and the Department has identified requirements for CBP above the request of \$76,942,000. Of this amount, \$600,000 is for the Office of Field Operations response to UACs and remainder is for the Border Patrol. These funds will address shortfalls in overtime, contract services for local transportation and guard services, child care, medical services, increased waste removal and janitorial services, food service contracts, and temporary shelters. The Committee directs the Department to keep it regularly informed of any changes in both UAC encounters and/or cost requirements to respond to this humanitarian crisis. Bill language is also included providing additional flexibility to move resources to ensure the care and transport of UACs.

FINANCIAL PLAN

To help facilitate congressional oversight, CBP is directed to submit to the Committee within 60 days after the date of enactment of this act, a financial plan reflecting a detailed breakout of funding by office for each PPA in the “Salaries and Expenses” appropriation. This financial plan shall include a comparison by office to the prior year plan amount and actual expenditures for fiscal year 2014 and planned expenditures for fiscal year 2015.

PORT OF ENTRY STAFFING AND HIRING

CBP’s Office of Field Operations [OFO] operates 329 ports of entry [POEs] 24 hours a day and 7 days a week, welcoming to the U.S. almost 1 million people daily by air, land, and sea. In addition to CBP’s primary security mission, CBP is the second-largest government revenue generator for the United States, after the Internal Revenue Service. On average, OFO collects \$116,000,000 a day in fees, duties, and tariffs. In fiscal year 2013, OFO processed \$2,380,000,000,000 worth of trade through U.S. POEs.

Visitor volume in 2014 is expected to increase 3.5 percent and reach 72.2 million visitors who stay one or more nights in the United States. This growth would build on the 4.7 percent increase in arrivals in 2013, which resulted in a record 69.8 million visitors. According to the current forecast, the United States would see 3.4 percent to 4.1 percent annual growth rates in visitor volume over the 2014–2018 timeframe.

The overall proportion of CBP’s salaries and expenses [S&E] has been growing steadily, thus squeezing other priorities. In fiscal

year 2009, S&E accounted for 55.5 percent of the total “Salaries and Expenses” account, but in fiscal year 2015 it will be approximate 71.7 percent. Cost drivers for the growing payroll include healthcare, retirement benefits (for the first time the Office of Management and Budget requires appropriated funds be used to cover retirement costs), decreasing attrition rates, and changing grade profiles. CBPOs average General Service [GS] grade level was GS-11 in fiscal year 2010. In fiscal year 2015 the average will be GS-12. For the Border Patrol it was GS-10 in fiscal year 2010 and will be GS-12 in fiscal year 2015. Officer and agent payroll costs have increased by \$299,900,000 in fiscal year 2015 compared to fiscal year 2014.

CBP’s workload staffing model indicates a shortfall of 2,373 CBP officers [CBPOs] by the end of fiscal year 2015. While the model needs further refinement, it is the best tool yet designed to assist in officer placement decisions based on traveler volume, wait times, expanded facilities, and increased cargo throughput. The model also takes into consideration the reduction in staffing requirements due to innovation and technology improvements.

This Committee took the initial steps to begin hiring new CBPOs in the Senate version of the fiscal year 2014 Homeland Security appropriations bill through a combination of direct appropriations and a slight increase in the Immigration User Fee [IUF]. Ultimately, due to outside pressure, the fee proposal was dropped in conference with the House. By making cuts to other DHS activities, direct appropriations were cobbled together to hire 2,000 new CBPOs. These officers will be hired, trained, and placed at their new duty stations through fiscal year 2015.

But CBP cannot rely on additional appropriated dollars to hire itself out of its officer deficit hole. The taxpayer expects its government to do more—more service, more efficiency, more protection—with fewer dollars. The Committee believes CBP can achieve the goal of expedited cargo inspections; a faster, more pleasant entry experience for travelers to our country; and appropriate level of security through a mix of more people, innovative use of technology, a more streamlined hiring process, and expansion of creative public-private partnerships.

People.—The IUF was established in 1987 to be used to hire additional inspectors at air and sea ports of entry and cover the actual costs of inspecting commercial air and sea passengers upon arrival. The fare has been set at \$7 since 2001. If the fee had been allowed to adjust for inflation it would now be \$12.31. In fiscal year 2013, CBP recovered only 76 percent of the inspection costs in the air environment and 43 percent in the sea environment. The remainder of those costs have been covered using direct appropriations. The Committee includes a general provision increasing the IUF by \$2 for arriving commercial air and sea passengers. This is the same provision included in the fiscal year 2014 Senate Committee-reported Homeland Security appropriations bill. This increase will fund the hiring of 1,000 additional CBPOs through fiscal year 2016. Additionally, the bill includes a new proviso directing that the funds generated by this fee adjustment be used solely for the hiring of new CBPOs to be placed at air and sea ports of entry. These funds cannot be directed for other CBP activities. This

only allows the hiring of half of the new CBPOs requested in the budget. Absent this provision, there are no additional funds for the hiring of additional CBPOs.

Technology.—CBP has made steady advancements in the use of mobile technology which permits officers to move to where the arriving passengers are located to expedite the inspection process. It has partnered with 15 airports in placing Automated Passport Control kiosks to segregate arriving U.S. citizens from those foreign visitors who might need more time to be processed. It has also made great strides in enrolling frequent travelers in the Global Entry program. Participation in the program has grown to over 1.4 million individuals, with another nearly 900,000 NEXUS members who also get the benefits of Global Entry.

Hiring Process.—When asked directly, DHS and CBP officials concede the CBP hiring process is too cumbersome and agree that modifications need to be made. It should not take as long to hire and train trade specialists or mission support personnel as it does a weapon-carrying, law enforcement officer or agent. The Committee recognizes CBP must maintain a rigorous hiring process, including the use of polygraphs, to ensure bad actors or those who have been or could become compromised by drug traffickers and the like are not inadvertently employed. But CBP must take a fresh look at its hiring and training practices.

Additional CBPOs are required at short-staffed ports of entry now, not a year from now. The Committee directs CBP, working with the Deputy Secretary and the Chief Human Capital Officer, to develop a plan to expedite the hiring of CBP personnel while maintaining the proper level of security. On average, it currently takes CBP 278 days to hire its personnel when the Office of Personnel Management [OPM] standard is 90 days. CBP must strive to meet the OPM standard and, at a maximum, reduce its average to 120 days. The plan shall be submitted to the Committee not later than 90 days after the date of enactment of this act.

Public-Private Partnerships.—The bill extends the two-pronged public-private partnership program initiated in the fiscal year 2014 DHS Appropriations Act. This provision permits CBP to enter into up to 7 agreements with State, local, or private entities to reimburse CBP for services at air, land, or sea ports of entry and also permits CBP and/or the General Services Administration to accept donations or gifts of real property for enhancements to POEs. CBP is encouraged to provide greater transparency on its staffing procedures to its partners and to take into consideration the potential for the growth in international tourism when reviewing applications submitted under this provision.

The Committee has heard concerns from the maritime industry regarding CBP's potential use of this authority or other long-standing authorities regarding the costs for purchase, installation, operations, and/or maintenance of inspection and detection equipment by the port authorities or the terminal operators. CBP shall brief the Committee not later than 60 days after the date of enactment of this act on its statutory authority in this area and on its negotiations with maritime entities on equipment costs.

LAND BORDER WAIT TIMES

In July 2013, GAO issued a report (GAO-13-603) outlining flaws in CBP's commercial vehicle wait time collection process. Specifically, GAO found that publicly reported wait time data is collected using unreliable and inconsistent methods, and cannot effectively measure trade facilitation goals or inform CBP management decisions across border crossings. Not later than 60 days after the date of enactment of this act, CBP shall brief the Committee and other committees of jurisdiction on its efforts to improve wait time collection and trade facilitation at land POEs.

IMMIGRATION REFORM

This appropriations bill for the Department of Homeland Security makes numerous funding recommendations for various border security and immigration enforcement activities. It is not intended to be an immigration reform vehicle. The Committee received numerous requests for inclusion of immigration-related policies already reflected in the immigration reform legislation passed by the Senate on June 27, 2013. As they were already considered and included in the appropriate authorizing legislation, they are not repeated in this appropriations bill and report.

IMPACT OF FEES ON AIRPORT ACTIVITIES

To ensure the maximum level of transparency is provided to justify these increases, the Committee directs CBP to provide a quarterly electronic report to the general public and interested stakeholders, posted on its Web site, on the amount of fee-funded activity that occurred over the preceding fiscal year at airports. This report shall include all fees, such as APHIS, IUF, COBRA, and the Small Airport User Fee. The report will also provide annual average wait time data for high volume port locations receiving additional IUF fee resources, demonstrating a direct connection between service levels and resources. It is important for CBP to deploy CBPOs at critical international arrivals airports which experience the greatest delays and longest processing times.

EXPEDITING TRAVELERS AND EXPANDING/GROWING TOURISM

The number of international travelers to the United States has grown by 12 percent from 55 million visitors in 2009 to 70 million in 2013. Each overseas visitor spends on average \$4,500 in our restaurants, hotels, shopping malls, and attractions. And the growth in these visitors has created more than 175,000 American jobs over the past 5 years. On May 22, 2014, the President announced a series of new steps to improve the entry process to welcome more international travelers to our country. Additionally, he charged DHS Secretary Johnson and Commerce Secretary Pritzker to work with industry to develop a goal to improve the entry process, reduce wait times, and build out implementation plans starting with the 15 largest airports for international arrivals.

The Committee wholeheartedly supports this effort to develop creative and responsible solutions to provide international travelers with reasonable wait times and an efficient entry process. The Committee urges DHS and the Department of Commerce to start

by ensuring that international business travelers and tourists alike have a good arrival experience. Because CBP officers are the first face of America for these arriving passengers, it is incumbent on CBP to train its frontline personnel to be welcoming, as well as professional, as they determine the eligibility of the traveler for entry into the United States.

And, as discussed above, wait times must be reduced. The Committee understands that Chicago's O'Hare International and Dallas/Fort Worth [DFW] International airports have had the greatest success at reducing wait times in the past year or so. Both airports were early supporters of the automated passport control program, which now is used in 15 airports. These kiosks provide modern touch screen technology that allows passengers to scan their passports and enter their customs declaration information. Provided through public-private partnership with airport authorities, these kiosks expedite air passenger inspection for U.S. and Canadian citizens at participating airports. They reduce officer interaction to approximately 30 seconds from 55 seconds while increasing security by allowing officers to focus on the passenger instead of the paperwork. Since installing the kiosks, both O'Hare and DFW have experienced reductions in average wait times of 30 percent or more. CBP should work in tandem with other airports and expand the APC program to 10 additional airports by the end of 2014. Also, CBP should encourage use of the enhanced, multi-lingual APC kiosks, which permits their use by the passengers from the 38 member countries of the Visa Waiver Program further reducing international passenger processing times.

Additionally, CBP should take advantage of the creativity of individual airports. For instance, George Bush Intercontinental Airport in Houston was the first airport to pilot a "one stop" program to facilitate passengers traveling with only carry-on luggage through entry processing. Chicago O'Hare also launched its "1-Stop" program last year at International Terminal 5. Informational signage in seven languages is posted in the secure corridor leading to the CBP's passport control area. The signage guides eligible travelers to enter designated lanes for entry processing. Travelers make "one-stop" at a booth with a CBP officer, then move on to an "express corridor" that bypasses baggage claim and CBP Exit Control inspection areas. The new initiative streamlines the U.S. entry process and minimizes wait times.

The Committee also understands CBP is developing a new web and mobile application ("app") that can be added to a passenger's smartphone so that arriving passengers can fill their Customs declaration on the plane prior to deplaning. Advances like these will be especially useful for business travelers and other frequent flyers, and the Committee urges expeditious rollout of this new "app".

The Committee encourages CBP to open additional enrollment centers across the Nation for all DHS Trusted Traveler Programs, including Global Entry and NEXUS. To the extent that Global Entry can be expanded to passengers from other countries, CBP is encouraged to do so. The more enrollees in these programs, the faster arriving passengers can be processed upon arrival. And CBP should consider expanding Global Entry to large and medium-sized

international hub airports, especially those which do not have a permanent CBP presence.

The Committee understands CBP, working with travel industry associations and an outside source, has been conducting annual traveler satisfaction surveys. The surveys ask arriving passengers such questions as if their arrival process was welcoming, if the process was understandable, and if their wait time was reasonable. CBP could benefit from getting reactions from passengers on a more regular basis because results from an annual survey do not allow for rapid responses to a growing problem, especially at the largest gateway airports.

The Committee recognizes the need for CBP to work with airports as it designs its future work spaces and operations centers. It recommends that CBP streamline the required non-disclosure agreements [NDAs] for discussions and collaboration to include only those NDAs that pertain to truly sensitive information.

Finally, CBP must review how it allocates its personnel at airports of entry. There are creative ways CBP can work with its employees and the host airport to place appropriate law enforcement personnel at the inspection booths while other, non-law enforcement or mission support personnel can cover other processing duties.

The Committee directs CBP to submit an action plan to the Committee not later than 90 days after the date of enactment of this act on the specific steps it will take to implement each of the proposed activities listed above. This plan shall include the timeline for implementing each activity and, to the extent there are other activities planned or underway, they shall be included in this plan.

Additionally, of the total amount provided for CBP Salaries and Expenses, \$10,000,000 shall be used for sustaining the traveler process enhancements, including CBP officers at existing preclearance locations, as discussed in Senate Report 113-77 and directed in Public Law 113-76.

The Committee continues a general provision regarding limitations on expanding overseas preclearance operations to additional locations. The Committee notes that the fiscal year 2014 DHS Appropriations Act requires the Commissioner to develop metrics that support the goal of reducing passenger processing times at air, land, and sea POEs. Additionally, he is required to develop and implement operational work plans to meet the goal just listed at the POEs with the highest passenger volume and longest wait times. The Committee reminds the Commissioner that he shall consult with appropriate stakeholders, including but not limited to, airlines and airport operators, port authorities, and importers. The Committee also encourages the Commissioner to consider the economic impact of these activities on U.S. air carriers. These work plans and metrics shall be developed and briefed to the Committee no later than September 15, 2014.

NORTHERN BORDER PORT STAFFING

The fiscal year 2014 DHS Appropriations Act funded the hiring of 2,000 additional CBP officers and notes some of the new officers are to be allotted to Northern border POEs. The Committee remains concerned, however, about CBP officer staffing levels on the

Northern Border. As trade and tourism increase along the U.S.-Canadian border, additional resources should be provided as appropriate.

The Committee believes that many of the concerns about Northern Border staffing could be allayed by more complete reporting and transparency to Congress about CBP's Northern Border staffing plans. The Committee directs CBP to submit an updated resource allocation model with the fiscal year 2016 budget detailing specific staffing and funding for, and implementation of, planned Northern Border enforcement initiatives by port of entry. The Committee also directs CBP to provide a briefing to the Committee not later than December 1, 2014, on the CBP officer staffing requirements on the Northern Border based on increased trade flows, the current threat environment, and the workload staffing model.

TRAINING REGARDING HUMAN TRAFFICKING

CBP plays a critical role in identifying potential human trafficking victims as they enter the United States. The Committee encourages DHS to continue to work with appropriate nonprofit organizations and victim service providers to improve the training of DHS personnel in the field to assist in the identification of human trafficking victims, especially children, and provide appropriate referrals to victim service organizations. Further, the Committee encourages the Commissioner to post the National Human Trafficking Resource Center hotline, email address, and Web site information in all U.S. POEs.

LAND BORDER FEE STUDY

The Committee continues a general provision prohibiting CBP from conducting any studies for establishing and collecting any new land border fee. This provision does not affect any existing trusted traveler program such as FAST, NEXUS, SENTRI, and the like.

ANIMAL AND PLANT HEALTH INSPECTION SERVICES

The Committee encourages CBP to work with the Animal and Plant Health Inspection Service on the revised regulations released on April 22, 2014, to ensure that the final regulations reflect prevailing overtime pay rates for CBP Agriculture inspectors in order to enable reimbursement by non-Federal entities.

CROSS-BORDER TUNNELS

Tunnels along the United States-Mexico border remain an attractive alternative to overland drug smuggling because of increased security measures and aggressive enforcement activity on traditional cross-border routes. The Committee supports the ongoing efforts of the DHS Tunnel Task Force to detect and respond to new tunnels, encourages CBP to dedicate sufficient resources to continue detecting, responding to, and remediating tunnels as they are encountered. The Committee drops the reporting requirement and instead directs an annual briefing on cross-border tunnels not later than 120 days after the date of enactment of this act.

CONDUCT AND INTEGRITY OVERSIGHT

Since Congress initiated the rapid increase in CBP and ICE staffing in 2005, the Committee has been concerned about the potential for increased corruption by CBP and ICE personnel. The Committee remains committed to addressing this problem. The Committee fully funds the request for CBP to continue to expand integrity training for its officers, conduct investigations, reduce the backlog of reviews and polygraphs, and meet the requirements of the Anti-Border Corruption Act of 2011 (Public Law 111–338). The Committee directs the Deputy Secretary to continue to oversee the coordination of the OIG, CBP, and ICE on program integrity issues.

BORDER PATROL AGENTS

The number of Border Patrol agents has grown from 9,800 in 2001 to 21,370 today. Border Patrol apprehensions have increased from 327,577 in fiscal year 2011 to 414,397 in fiscal year 2013. As of April 30, 2014, apprehensions for this fiscal year were 262,880. Clearly more people are attempting to cross our border without authorization. Included in the amount recommended by the Committee for Border Security and Control is a total of \$3,968,346,000 for hiring, paying, equipping, and training Border Patrol agents. Bill language is included mandating a floor of not less than 21,370 Border Patrol agents on-board throughout fiscal year 2015. With the funds in this act, there will continue to be 21,370 Border Patrol agents on duty, more than double the Agents on board at the end of fiscal year 2002.

REPATRIATION

The Committee urges CBP and ICE to repatriate removable migrants in a manner that protects deportee safety. Whenever possible and based on mutually agreed arrangements determined in the field, DHS should limit deportations to daylight hours and avoid locations that are determined to have high indices of crime and violence, except in cases justified by compelling government interest or the informed consent of the adult being removed. DHS officials should notify their Mexican counterparts in advance of repatriating pregnant women or individuals with medical or other special needs and take all reasonable and appropriate steps to ensure their safe repatriation. To the extent practicable, in the development and renegotiation of agreements with the Government of Mexico regarding arrangements for the deportation or removal of apprehended individuals, appropriate hours for conducting deportations and removals, and identifying safety concerns at deportation and removal sites, DHS is encouraged to consult with non-governmental social service providers and faith-based organizations that provide services to returned migrants in order to ensure that deportations occur at times and in locations where shelter and other assistance is available.

The Committee directs CBP and ICE to review their existing repatriation arrangements with the Government of Mexico and brief the Committee not later than 120 days after the date of enactment of this act on the results of the review.

BORDER PATROL STAFFING MODEL

The Committee understands that CBP is developing a staffing allocation model for Border Patrol that would provide insight into the amount of time it takes for an agent to perform tasks and support more informed decisionmaking regarding deployment and use of resources. The Committee supports this effort and directs CBP to brief the Committee not later than 180 days after the date of enactment of this act on its progress in developing and using the model.

USE OF FORCE POLICY REVIEW

The Committee strongly supports the actions taken by the Commissioner in reviewing, revising, and making public CBP's "Use of Force Policy, Guidelines and Procedures Handbook". After years of allegations expressed by certain communities about excessive use of force, primarily by Border Patrol agents, the Commissioner responded transparently with a thorough review of CBP's training policies and procedures and released the results of the review on May 30, 2014. As he states in his opening to the Handbook, "A respect for human life and the communities we serve shall guide all employees in the performance of their duties . . . The use of excessive force by CBP law enforcement personnel is strictly prohibited." The Committee stresses that these policies must be adhered to so as to ensure the confidence of the American people in these law enforcement officers is retained.

TRADE ENFORCEMENT

The Committee directs CBP to dedicate \$3,000,000 to further consolidate single transaction bonds [STBs] in order to improve duty collection, as recommended by GAO. These funds would improve the collection of revenue owed to the Federal Government by enabling CBP to develop an automated system for STBs. Currently, STBs are submitted and maintained on paper at all of the CBP port locations. Automation would allow a centralized office to oversee and administer the STB program and to develop the necessary expertise to verify the adequacy of the STBs.

CBP analysis has found strong evidence to conclude that trade fraud and evasion is widespread in many commodity sectors—particularly for goods from China, which account for 46 percent of the anti-dumping and countervailing duties collected. The Committee remains focused on the need for all Federal Government agencies involved in international trade to aggressively enforce existing trade laws. It has become clear that there are specific actions that CBP and ICE, together with the Departments of Commerce, Justice, and State and the United States Trade Representative, can take without the need for additional legislation. According to CBP's own statistics, more than \$1,600,000,000 of the \$1,790,000,000 in unpaid antidumping and countervailing duties involve imports from China. To help combat this problem, CBP has created a multidisciplinary Reengineering Dumping Team to review the anti-dumping and countervailing duty [AD/CVD] process and to develop enforcement solutions. To the extent these duties are unable to be collected, CBP shall issue a statement as to the reasons why.

Additionally, for CBP's AD/CVD enforcement, the Centers of Excellence and Expertise [CEEs] also centralize AD/CVD functions for the industries and importers covered by the respective CEE. The CEEs help increase uniformity and expertise across CBP for administration of AD/CVD entries and AD/CVD enforcement. The Committee commends CBP for taking these actions and directs it to brief the Committee annually on its efforts to improve the enforcement and collection process.

CBP can benefit from hearing a variety of voices when it comes to AD/CVD enforcement. CBP is directed to review the Advisory Committee on Commercial Operations membership and consider adding domestic industries that are affected to sit on the Trade Enforcement subcommittee to provide advice through the anti-dumping working group. CBP shall keep the Committee updated on its review.

ANTIDUMPING AND COUNTERVAILING DUTY ENFORCEMENT REPORTS

The Committee has ensured that, within the amounts provided 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 Justice and the Treasury (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 same level of detail as required under this section in Senate Report 112-169.

The Committee further directs the Secretary and the Commissioner to work with the Secretary of Commerce to identify opportunities for the Department of Commerce 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 Commissioner is directed to report within 180 days after the date of enactment of this act on the steps that have been taken in conjunction with the Department of Commerce to address these issues. Consistent with section 691a of Public Law 103-182, the North American Free Trade Agreement Implementation Act of 1993, the Committee directs the Commissioner to submit to Congress before the 60th day of each fiscal year a report regarding the collection of duties imposed under the AD/CVD laws during the preceding fiscal year.

Separately, CBP is directed to report to the Committee on collection of the outstanding \$1,079,000,000 in AD/CVD duties, including the number of claims, the value of each claim, the stage of collection for each claim and the date on which the claim was referred for further action to either the CBP Chief Counsel or Department of Justice. This report shall be submitted to the Committee not later than 180 days after the date of enactment of this act. This report will include the steps that have been taken to recover funds

and will also include the challenges that prevent collection. CBP shall publish on its Web site a version of this report that provides appropriate privacy and trade sensitivity protections.

The Committee further directs CBP to provide the Committee with a separate report that includes information concerning each AD/CVD order for which more than \$25,000,000 in assessed AD/CVD duties secured by single entry bonds accepted by CBP pursuant to 19 U.S.C. 1675(a)(2)(B)(iii) remains uncollected more than 2 years after the dates of liquidation of the secured entries. This report shall be submitted to the Committee not later than 180 days after the date of enactment of this act. For each relevant AD/CVD order, the report shall include the bond's identification number, the date of the entry secured by the bond, and the bond's face value. It shall also include the liquidation status of each entry, and if applicable, the date of liquidation, the amount of bond principal received by CBP, the amount of interest received by CBP, and the amount of any offer in compromise accepted by CBP. Further, the report shall include information about whether CBP has demanded performance on the bond or has withdrawn or abandoned its demand due to one or more defects in the bond, CBP's inability to locate the bond, or expiration of the applicable statute of limitations. For each relevant AD/CVD order for which CBP has demanded performance on the bond, the report shall detail whether CBP's demand for bond performance was protested, and if applicable, the date on which the protest was filed, whether CBP has issued a decision on the protest, whether a subsequent appeal has been filed by the protesting party, and if applicable, the status of the appeal including whether a court summons has been issued, the date on which the summons was issued, and the amount of funds being held by CBP pursuant to 28 U.S.C. 2637(a). The report shall also include a detailed strategy, including a specific series of actions and corresponding deadlines for completing those actions, to collect under the bond the antidumping or countervailing duties that remain uncollected.

The Committee directs CBP, in consultation with the Department of Commerce and the Department of Treasury, to report to the Committee on how requiring cash deposits of estimated AD/CVD during new shipper reviews (in statute) would strengthen the administration of the Nation's AD/CVD laws. Under current law, the Department of Commerce is required to allow importers to bond for cash deposits of estimated AD/CVD during new shipper reviews. The Committee urges the United States Trade Representative to include in the principal negotiating objectives of the United States the objectives of preventing evasion of the trade remedy laws of the United States through information exchanges and site visits for any trade agreements under negotiation as of the date of this report or future trade agreement negotiations.

TRADE COMPLIANCE—INFORMATION SHARING

The Committee understands that current law may unintentionally prohibit the Department of Commerce from sharing proprietary information with CBP vital to determining violations or claims with respect to any provision of the Tariff Act of 1930. The Committee urges the Department to coordinate jointly with the De-

partment of Commerce on a legislative proposal to amend the appropriate section of the United States Code to remove any legal barriers to the sharing of appropriate and necessary information between these prime Federal trade compliance and enforcement agencies.

JONES ACT

CBP 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 the Outer Continental Shelf. U.S. vessels, mariners, and shipyards have been negatively impacted and underutilized as a result of lax enforcement and prior rulings inconsistent with congressional intent. The Committee urges the Department to levy penalties for previously documented violations, continue working with the Offshore Marine Service Association in order to investigate future potential violations, and dedicate adequate resources to vigorously enforce the Jones Act on the Outer Continental Shelf. While there have been only a handful of waiver requests in the past 2 years, the Committee remains focused on the issue of waivers of the Jones Act.

The Committee is also concerned about the lack of transparency in issuing these waivers. A general provision is included prohibiting funds from being used to issue future waivers related to a release from the Strategic Petroleum Reserve until the Secretary has consulted with the Departments of Energy and Transportation and representatives of the United States flag maritime industry and taken adequate steps to ensure the use of United States flag vessels. The Secretary shall notify the Congress within 2 business days of any request for a waiver, not solely waivers requested to transport oil released from the Strategic Petroleum Reserve.

The Committee directs CBP to develop a system to track the status of all Jones Act violations, from the time they are reported until assessed penalties have been collected or there is a finding of no violation and the charges are dismissed. The Committee also directs CBP to make information available to the public and the Committees, on a quarterly basis, about specific Jones Act violations, findings of fact, parties determined to be at fault, amount of penalty assessments, and status of collections.

EXIT POLICY

DHS is required by law to implement a comprehensive entry-exit system, including biometric exit, for our Nation's security as well as the integrity of our immigration system. CBP, with support from other Department components, is executing a plan toward that end which includes enhancements to biographic entry and exit data, as well as enforcement of data requirements on air carriers and other data providers. Specific to biometric exit, CBP is working with the DHS Science and Technology [S&T] directorate on the Air Entry/Exit Re-Engineering [AEER] project to analyze, develop, test, pilot, and evaluate integrated approaches to biometrically confirm the de-

parture of non-U.S. citizens at U.S. airports. The S&T investment is \$7,500,000 a year since fiscal year 2013. CBP and S&T should consider the implications of the project's results for land and sea ports in both urban and rural environments. Further, the project should examine the integration of new technologies with the Department's backend biometric system, IDENT, to produce the highest match rate possible and accelerate passenger throughput. Not later than 90 days after the date of enactment of this act, the Department shall report to the Committee on the status of the AEER project and other entry-exit system enhancements.

The Committee recognizes that CBP has made significant technology enhancements through the Land Border Integration program and its predecessor program. CBP should continue to utilize this program to improve entry-exit processes and activities.

U.S. VIRGIN ISLANDS

The Committee understands CBP and its legacy agencies have been performing both statutorily required services as well as additional services requested by the Government of the U.S. Virgin Islands [USVI] on a fully reimbursable basis, for nearly 100 years. A 1994 Memorandum of Agreement [MOA] between CBP and the USVI memorializes operational details regarding services requested by the USVI and the financing of those services. The Committee further understands that, due to fiscal constraints in recent years, CBP has been implementing cost savings measures without reducing services in the territory and is pursuing a new MOA with the Government of the USVI. The Committee directs CBP to report to the Committee on the scope of services performed, their financing, and the steps taken toward a new MOA with the USVI.

ADVANCED TRAINING CENTER

CBP has one of the Nation's largest cadres of armed Federal law enforcement personnel and having a full-scale advanced training facility focused on the agency's specialized missions is critical. Included in the amount recommended by the Committee is \$64,500,000, as proposed in the budget, for programmatic expenses (including salaries and benefits) and the National Training Plan at the Advanced Training Center [ATC]. The ATC is providing advanced firearms, tactical, and leadership training to CBP officers and agents across the country, as well as other Federal and law enforcement agencies. With the establishment of the Advanced Training Center Revolving Fund [ATCRF], pursuant to the fiscal year 2012 DHS Appropriations Act, the Committee directs CBP to continue to utilize ATCRF funds in addition to any funds appropriated annually by the Congress. The Committee notes the ATCRF is intended only to offset operating costs of the ATC and should not be considered the sole appropriations vehicle for funding of the ATC enterprise.

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.

FOREIGN MUNICIPAL SOLID WASTE

The Committee recognizes that trucks carrying foreign municipal solid waste entering the United States from Canada represent potential homeland security and environmental threats to our Nation. The Committee is also aware of successful efforts to address this threat, which have resulted in a significant reduction in municipally managed waste shipments to the United States. However, nearly 350 trash trucks still cross U.S. borders every day. The Committee urges DHS, in conjunction with CBP, to work with the Finance Committee—the appropriate authorizing committee—to consider proposing to raise the current Customs User Fee for trucks carrying foreign municipal solid waste into the United States and include any such proposal in the fiscal year 2016 budget through the appropriate authorizing mechanism.

AUTOMATION MODERNIZATION

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$816,523,000 |
| Budget estimate, 2015 | 812,410,000 |
| Committee recommendation | 806,699,000 |

The automation modernization account includes funds for major information technology systems and services for U.S. Customs and Border Protection, 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 \$806,699,000, of which \$445,575,000 is to be available until September 30, 2017, for automation modernization. This is \$5,711,000 below the amount requested and \$9,824,000 below the amount provided in fiscal year 2014. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

AUTOMATION MODERNIZATION

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Information technology | 358,655 | 365,700 | 361,124 |
| Automated Targeting Systems | 116,932 | 109,273 | 109,230 |
| Automated Commercial Environment/International Trade Data System [ITDS] | 140,762 | 141,061 | 140,970 |
| Current operations protection and processing support [COPPS] .. | 200,174 | 196,376 | 195,375 |
| Total, Automation modernization | 816,523 | 812,410 | 806,699 |

TARGETING

The Committee staunchly supports CBP's targeting capabilities and the enhancements provided over the years for the Automated Targeting System [ATS]. ATS has proven an invaluable tool in identifying and countering terrorist travel and other illicit activity in the global travel and trade systems. The Committee recommends \$109,230,000, as requested, and encourages CBP to effectively

maintain and enhance this critical capability to meet mission needs.

REPORTS AND BRIEFINGS

The Committee expects to continue receiving the ACE reports on a semi-annual basis. CBP is directed to brief the Committees 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

TECS is an information technology system in place since the 1980s that provides border security and law enforcement personnel information about people who are inadmissible or may pose a threat to the security of the United States. Over time, however, it has become increasingly difficult and expensive to maintain because of technology obsolescence and its inability to support new mission requirements. As a result, in 2008 DHS initiated TECS Modernization [TECS Mod] to upgrade the existing system functionality, address known capability gaps, and move the program’s infrastructure to DHS’s new data centers. TECS Mod is managed as two separate programs working in parallel: CBP and ICE are each modernizing existing functionality specific to their respective roles and missions. Both programs had planned to be fully operational by September 2015.

A recent GAO report (GAO–14–342T) noted that TECS Mod has continued to experience schedule and cost changes. While CBP’s \$724,000,000 modernization effort intends to upgrade functionality, data, and aging infrastructure and move it to DHS’s data centers by 2016, the agency has had to revisit the schedule twice. Regarding ICE’s \$818,000,000 TECS Mod program, it is redesigning and replanning its program, after determining that its initial solution was not viable and could not support ICE’s needs. The Department’s CIO has expressed concern about the problematic nature of this modernization effort. As a result, CBP and ICE shall continue to conduct the semiannual joint briefings on the status of this modernization effort for the Committee.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$351,454,000 |
| Budget estimate, 2015 | 362,466,000 |
| Committee recommendation | 362,466,000 |

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 border security technology.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$362,466,000 for Border Security Fencing, Infrastructure, and Technology, the same as the request, and \$11,012,000 above the amount provided in fiscal year 2014.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Development and deployment | 160,435 | 110,594 | 110,594 |
| Operations and maintenance | 191,019 | 251,872 | 251,872 |
| Total, Border security fencing, infrastructure, and technology | 351,454 | 362,466 | 362,466 |

TECHNOLOGY DEPLOYMENT DELAYS

Since fiscal year 2005, the Committee has been a strong and active supporter of the efforts to secure our Southwest border through a strategic combination of fencing, tactical infrastructure, and technology, combined with a doubling of the size of the Border Patrol. These funds have been used to construct the 651 miles of fencing and border infrastructure mandated by the Secure Fence Act, as amended, and they have been used to bring more technology and capability to Border Patrol agents than has ever been available.

On April 6, 2012, the Department issued a request for proposals to build and deploy the next set of integrated fixed towers [IFTs] for cameras and radars within Arizona. CBP initially estimated that the contract would be awarded in the first quarter of 2014, but the award was not made until February 26, 2014, and a protest against the award was filed on March 31, 2014, by one of the non-successful bidders. The protest could delay initial delivery of the first tower until the end of this fiscal year or later. While the Committee is encouraged there appears to be proper oversight of contracts and that contractors are being held to fulfilling their obligations for use of taxpayer dollars, this program has now been delayed for over 3 years. Additionally, the Committee remains concerned about concurrent deployment of these systems before it has been proven that they actually work in real-life situations and included language in the fiscal year 2014 act prohibiting concurrent deployment of IFTs. The Department has indicated that approximately \$387,000,000 remains available in unobligated prior year balances for border technology development and deployment as of April 30, 2014. Given these strong concerns, the Committee rescinds \$27,300,000 in unobligated balances from this account that are not required for fiscal year 2015.

The Committee notes that the recent Government Accountability Office [GAO] report titled "Arizona Border Surveillance Technology Plan: Additional Actions Needed to Strengthen Management and Assess Effectiveness" suggests that DHS can better manage scheduling, cost-estimating, and documentation for certain aspects of the Arizona Plan. DHS did not concur with the specifics of some GAO recommendations based on concerns those recommendations would compromise the potential benefits of the DHS approach. The Committee directs CBP and GAO to continue to work to understand

how best practices can best be applied to an innovative acquisition approach without inhibiting the innovation.

NORTHERN BORDER

Included in the Committee’s recommendation is \$12,200,000, as requested, for enhancing low-flying aircraft surveillance, maritime detection, and other technology along the Northern Border.

The Committee recognizes that incidents of drug smuggling along our Northern border remain widespread and that more steps need to be taken to address this growing problem. To better uncover and combat the smuggling of drugs by low-flying aircraft in the future, the Committee urges DHS, through partnerships with the Department of Defense [DOD] and other government and private sector stakeholders, to use military radar and/or other technologies to the fullest extent possible in its comprehensive plan to combat narcotics smuggling and detect other changes along the Northern border.

TETHERED AEROSTATS

The Committee recommends \$35,600,000, as requested, for operation and maintenance of the tethered aerostat radar systems [TARS] in CBP’s inventory. The TARS program is a multi-mission capability that supports both counter-narcotics enforcement and air domain awareness. The program has assisted CBP with interdicting suspect aircraft for over 20 years.

BORDER ROADS

The Committee urges CBP to work with counties along the United States-Mexico border to identify unimproved county roads which are predominantly used by the Border Patrol and that provide critical access to the border region for the purpose of maintaining border security. The Committee directs CBP to provide a briefing on the extent to which these roads are used, their impact on daily border security operations, and the feasibility of incorporating the maintenance and repair of any identified high-priority access roads into its Tactical Infrastructure Maintenance and Repair program not later than 90 days after the date of enactment of this act.

AIR AND MARINE OPERATIONS

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$805,068,000 |
| Budget estimate, 2015 | 708,685,000 |
| Committee recommendation | 706,569,000 |

The U.S. Customs and Border Protection Air and Marine Operations [AMO] account 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 \$706,569,000 for Air and Marine Operations, of which \$415,669,000 is to remain available until Sep-

tember 30, 2017. This is a decrease of \$2,116,000 below the request and \$98,499,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

AIR AND MARINE OPERATIONS

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Salaries and expenses | 286,818 | 293,016 | 290,900 |
| Operations and maintenance | 392,000 | 362,669 | 362,669 |
| Procurement | 126,250 | 53,000 | 53,000 |
| Total, Air and Marine Operations | 805,068 | 708,685 | 706,569 |

The Committee strongly supports CBP's continued efforts to recapitalize its air and marine assets. 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 to procure certain types of aircraft and other air systems because the bulk of the systems are being acquired by DOD and CBP is fitting into DOD's production lines. At the same time, these are mobile border security assets, able to be transferred rapidly to respond to actual and emerging threats.

EFFECTIVE USE OF AIR ASSETS

The Committee has robustly supported Air and Marine Operations as essential to border security, despite years of budget requests that would undercut these investments. This support includes funding sensors and cameras to enhance situational awareness and communications capabilities to transmit this data for strategic planning and operational response. While recognizing that additional requirements remain in this area, the Committee is concerned that CBP has not optimally integrated its air assets and capabilities into a strategy for situational awareness or its day-to-day operations. CBP should be able to effectively manage mission needs against a routine maintenance program and have a complete picture of ready air crew, available aircraft, and the right capabilities for the mission. Further, Border Patrol leaders in the field need to appreciate these broader considerations by providing requirements rather than requesting assets.

CBP is directed to brief the Committee, not later than December 1, 2014, on CBP's approach to ensuring optimal utilization of air assets. The briefing shall outline any policy, process, and structural challenges or changes involved in this effort. CBP shall also consider the extent to which the Coast Guard or other agencies can provide software applications, standard operating procedures, or other capabilities as a model or for reuse.

Additionally, the Committee directs CBP to ensure optimal utilization of unmanned aerial systems to facilitate situational awareness and border security. The Committee is concerned that CBP

has not maintained the necessary equipment, training, and other requirements to take full advantage of these highly capable assets.

STRATEGIC RECAPITALIZATION REQUIREMENTS

The budget request includes funding to purchase two additional multirole enforcement aircraft [MEAs] and additional sensor upgrades. It also reduces funding for flight hours by \$29,249,000 which will result in flying only 73,474 hours, the fiscal year 2013 level. While the Committee strongly supports increased flight hours in support of the CBP and other DHS missions, unfortunately, CBP was unable to take advantage of the additional funds provided by the fiscal year 2014 DHS Appropriation Act to achieve a level of 107,000 flight hours during this fiscal year due to a number of natural and man-made obstacles. Due to the inability to execute these additional funds, the bill rescinds \$8,000,000 from this account.

The Committee was surprised that no funds were requested to complete the service life extension program for the P-3 aircraft. The P-3 patrol aircraft have been conducting counter drug missions in the source, transit, and arrival zones of the Caribbean and Eastern Pacific for years, and in fiscal year 2013 disrupted shipments of over 119,000 pounds of bulk cocaine transiting from South America to Mexico and the United States. The Committee directs CBP to complete this program using currently available funding.

UNMANNED AIRCRAFT SYSTEMS USAGE

The Committee directs the Department to report annually, submitting the first report not later than 3 months after the date of enactment of this act, on the number of times that CBP unmanned aircraft systems are used in response to a specific request to support State, local, and/or tribal law enforcement entities in the prior fiscal year. The first report shall cover fiscal years 2010, 2011, 2012, and 2013. Such report shall identify the requesting State, local, or tribal entity; include a general description of the geographical locations of such uses; and provide the purpose and justification for such uses. Such report shall also include any crash or other significant accident involving an unmanned aircraft system operated by the Department and provide details concerning the circumstances and cause of such crash or accident.

NORTHERN BORDER

The Committee directs the Department to conduct a State-by-State assessment of the Northern Border States to determine the appropriate level of OAM personnel, airframes, and technological assets necessary to maintain situational awareness and keep the Northern Border secure and brief the Committee on the results of its review.

GENERAL AVIATION

The Committee is encouraged by the Commissioner's commitment to conduct a comprehensive review of law enforcement actions for general aviation flights that have never crossed a U.S. border or have no nexus to the border. The Committee is aware that CBP is taking action and also considering ways to curtail over-

zealous encounters with law-abiding general aviation pilots and aircraft. The Committee directs the Commissioner of CBP to provide his report to the Committee upon completion of the review. Furthermore, the Committee recommends that CBP continue to work cooperatively with the general aviation pilot community, through organizations such as the Aircraft Owners and Pilots Association and others, to ensure open communication regarding efforts involving general aviation law enforcement activities.

CONSTRUCTION AND FACILITIES MANAGEMENT

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$456,278,000 |
| Budget estimate, 2015 | 482,205,000 |
| Committee recommendation | 478,459,000 |

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 \$478,459,000, for construction and facilities management activities of U.S. Customs and Border Protection, to remain available until September 30, 2019. This is \$3,746,000 below the amount requested and \$22,181,000 above the amount provided in fiscal year 2014. The recommendation provides \$4,100,000 of the requested increase for upgrading Border Patrol facilities, as well as an increase of \$3,563,000 to re-activate the old McAllen Border Patrol Station to address the escalating need to process unaccompanied alien children.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

CONSTRUCTION AND FACILITIES MANAGEMENT

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Facility construction and sustainment | 375,398 | 385,137 | 383,900 |
| Program oversight and management | 80,880 | 97,068 | 94,559 |
| Total, Construction and facilities management | 456,278 | 482,205 | 478,459 |

ADDITIONAL LAND BORDER PORT REQUIREMENTS

Once again, the President’s budget proposes to transfer from GSA to CBP—via a delegation of authority—the operation, maintenance, and repair of LPOEs. GSA retains the authority over major construction (including funding, contracting, and oversight). The Committee supports this recommendation. Not later than 180 days after the date of enactment of this act, CBP and GSA jointly shall brief the Committee on implementation of the delegation of authority.

Additionally, the Committee notes its continued interest in CBP exploring alternate options for funding POE construction and improvements, including expanded use of public-private partnerships, and was pleased to see such a proposal included in the President’s

budget request. The Committee includes a modified version of this proposal as a general provision in title V.

5-YEAR CONSTRUCTION PLAN

The Committee reminds CBP that the fiscal year 2012 Department of Homeland Security Act made permanent the requirement that a 5-year plan for all Federal land border ports of entry shall be submitted annually with the President's budget request. 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) and 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.

The bill includes a general provision repealing section 605 of division E of Public Law 110–161 (6 U.S.C. 1404). CBP is no longer required to conduct these land border port of entry technology demonstration projects. However, CBP is encouraged to conduct technology demonstration projects as it sees fit in order to meet the CBP mission.

DETENTION STANDARDS

The Committee recognizes that CBP is responding to a humanitarian crisis on our Southwest border given the dramatic influx in encounters of unaccompanied alien children. It is working with a number of U.S. Government agencies and other entities to locate appropriate facilities for the processing and sheltering of these children. In this process, CBP must remain cognizant that these temporary facilities must meet all appropriate standards of care for this special population.

Additionally, the Committee understands that CBP is currently revising its current short-term detention and hold room policy and expects CBP to be compliant with the Prison Rape Elimination Act, which became effective on May 6, 2014. No later than 90 days after enactment, the Committee directs CBP and ICE ERO to brief on its short-term detention and hold room policies and implementation with specific attention given to the amount of time detainees spend in CBP custody.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SUMMARY

U.S. Immigration and Customs Enforcement [ICE] is responsible for enforcing immigration and customs laws and detaining and removing deportable or inadmissible aliens.

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of \$5,507,957,000, including direct appropriations of \$5,162,957,000, and estimated fee collections of \$345,000,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—FUNDING SUMMARY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Appropriations: | | | |
| Salaries and expenses | 5,229,461 | 4,988,065 | 5,136,957 |
| Automation modernization | 34,900 | 26,000 | 26,000 |
| Construction | 5,000 | ..... | ..... |
| Total, Appropriations | 5,269,361 | 5,014,065 | 5,162,957 |
| Estimated Fee Collections: | | | |
| Immigration inspection user fee | 135,000 | 135,000 | 135,000 |
| Breached bond/detention fund | 65,000 | 65,000 | 65,000 |
| Student exchange and visitor fee | 145,000 | 145,000 | 145,000 |
| Total, Estimated fee collections | 345,000 | 345,000 | 345,000 |
| Total, U.S. Immigration and Customs Enforcement | 5,614,361 | 5,359,065 | 5,507,957 |

SALARIES AND EXPENSES

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$5,229,461,000 |
| Budget estimate, 2015 | 4,988,065,000 |
| Committee recommendation | 5,136,957,000 |

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 \$5,136,957,000, for Salaries and Expenses of ICE for fiscal year 2015. This is \$148,892,000 above the request and \$92,504,000 below the amount provided in fiscal year 2014. 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 activities to counter child exploitation; 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; making up to \$11,475 available for official reception and representation expenses; and making a total of \$30,535,000 available until September 30, 2016 for the Visa Security Program [VSP] and international operations postings. Of this amount, \$15,734,000 is for VSP and \$14,801,000 is for international postings.

The Committee recognizes that ICE has had to make difficult budget savings and downward adjustments to its base funding. However, included in the amount recommended by the Committee is \$5,700,000 to annualize the special agent and support positions funded in the fiscal year 2014 act.

As discussed in greater detail below, the Committee recommends increases for domestic investigations, detention beds, and transportation and removal for unaccompanied alien children.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

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

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Headquarters, management, and administration: | | | |
| Personnel compensation and benefits, services, and other costs | 191,909 | 198,602 | 197,002 |
| Headquarters-managed IT investment | 143,808 | 150,927 | 150,419 |
| Subtotal, Headquarters, management, and administration | 335,717 | 349,529 | 347,421 |
| Legal proceedings | 205,584 | 214,731 | 212,893 |
| Investigations: | | | |
| Domestic investigations | 1,672,220 | 1,644,552 | 1,642,811 |
| International operations | 99,741 | 101,228 | 100,730 |
| Visa Security Program | 31,541 | 31,854 | 31,728 |
| Subtotal, Investigations | 1,803,502 | 1,777,634 | 1,775,269 |
| Intelligence | 74,298 | 77,045 | 76,479 |
| Detention and removal operations: | | | |
| Custody operations | 1,993,770 | 1,791,913 | 1,870,444 |
| Fugitive operations | 128,802 | 131,591 | 130,515 |
| Criminal Alien Program | 294,155 | 322,407 | 327,040 |
| Alternatives to detention | 91,444 | 94,106 | 94,106 |
| Transportation and Removal Program | 276,925 | 229,109 | 302,790 |
| Subtotal, Detention and removal operations | 2,785,096 | 2,569,126 | 2,724,895 |
| Secure Communities | 25,264 | | |
| Total, Salaries and expenses | 5,229,461 | 4,988,065 | 5,136,957 |

UNACCOMPANIED ALIEN CHILDREN

As discussed earlier in this report, both CBP and ICE have become overwhelmed by the vastly increasing numbers of unaccompanied alien children being encountered along our southwest border. While CBP processes, temporarily holds, and cares for these children, ICE often transports them to an Office of Refugee Resettlement location. Frequently this requires commercial or chartered air transport. Transporting a child by air requires two ICE law enforcement personnel to accompany the child. This is an increasing expense which also results in the officers being pulled from their frontline positions for days at a time. ICE spent approximately \$1,800,000 in fiscal year 2013 on commercial or charter repatriations. However, the budget request proposes to severely cut transportation and removal funding by 17.3 percent from the fiscal year 2014 level. Recognizing the principal role ICE plays in transporting UACs, the Committee recommends a total of \$87,605,000 above the request, of which \$66,831,000 is for the transportation and removal program, \$12,317,000 is for the criminal alien program, and \$8,457,000 is for custody operations. Bill language is also included providing additional flexibility to move available resources for the transportation of UACs.

INVESTIGATIONS

The Committee recommends a total of \$1,642,811,000 for Homeland Security domestic investigations. Within the total is \$5,700,000 above the request to sustain positions funded in 2014, and \$5,000,000 above the request for additional investigations. The Committee directs that these additional funds, when combined with base investigative resources, should focus on antidumping and countervailing duty investigations, especially into illegally dumped seafood; human smuggling and trafficking investigations; counterproliferation; anti-gang; and drug smuggling investigations. ICE shall submit an expenditure plan breaking out how it proposes to allocate all resources provided in this act for domestic investigations not later than 90 days after the date of enactment of this act. This plan shall detail both financial resources as well as the personnel dedicated to each mission area and shall be at the same level of detail as the quarterly investigations activities report.

HUMAN TRAFFICKING

ICE plays a critical role in combating severe forms of human trafficking in the United States and is therefore one of the first lines of defense in stopping this heinous crime. In 2013, ICE Homeland Security Investigations [HSI] reported investigating 1,720 cases possibly involving human trafficking, an increase from 1,382 cases investigated in fiscal year 2012. This was a 24 percent increase in investigations in just 1 year. Additional resources are needed to continue to expand investigations against suspected human traffickers and help reduce the incidents of trafficking and forced labor in the United States.

Within funds made available within the domestic investigations account, the Committee recommends not less than \$10,000,000 for investigations into severe forms of human trafficking and to ex-

pand investigations against suspected human traffickers. Congress called on ICE to take a more active role in pursuing investigations of human trafficking under section 113(i) of the Trafficking Victims Protection Act [TVPA] of 2000, as amended by the TVPRA of 2005, the TVPRA of 2008, and the TVPRA of 2013. ICE is one of the first lines of defense in combating this crime.

TRAINING REGARDING HUMAN TRAFFICKING

ICE plays a critical role in investigating criminal organizations which traffic 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, especially children, and provide appropriate referrals to victim service organizations. The Committee also encourages ICE to examine its policies regarding granting Continued Presence to eligible human trafficking victims identified by law enforcement.

Relatedly, the Committee is concerned that online classifieds Web sites like Backpage.com can be used to facilitate human trafficking, and in particular the sexual exploitation and sex trafficking of minors. Criminal gangs are increasingly finding human trafficking to be more lucrative than other traditional forms of revenue generation. The Committee directs ICE, as part of its briefings on investigations, to provide information on instances where an online classifieds site is determined to be the conduit for exploiting trafficked persons, especially minors, and the actions ICE is taking to shut down these sites.

HERO CHILD RESCUE CORPS

In April 2013, ICE, entered into a partnership with U.S. Special Operations Command and the National Association to Protect Children [PROTECT] to launch the “Human Exploitation Rescue Operative [HERO] Child Rescue Corps” program. The 12-month internship program is a highly competitive, highly selective, non-paid internship, designed for wounded, injured, and ill Special Operations Forces to receive training in high-tech computer forensics and law enforcement skills to assist HSI and law enforcement in their efforts to combat child sexual exploitation. Upon successful completion of the training, HERO participants are embedded into computer forensic analyst positions within HSI offices to receive on-the-job training experience. The Committee commends ICE for its participation in this innovative program. The Committee expects the Department to allocate \$1,000,000 in available funds to hire, train, and equip wounded, ill, or injured veterans as digital forensic analysts or investigators to support child exploitation investigations. The Committee directs a briefing on ICE’s efforts in this regard be provided not later than 180 days after the date of enactment of this act.

CHILD EXPLOITATION

ICE is directed to maintain its relationship with the National Center for Missing and Exploited Children in regards to its ongoing support for investigations and other child exploitation activities.

GANGS

Additionally, the Committee supports the work of the National Gang Unit and encourages the Department and ICE to continue these aggressive investigations, specifically of gangs of national significance which are perpetuating much of the violence in our major urban areas while also engaging in a variety of illicit activity including international drug, gun, and human trafficking.

TRADE COMPLIANCE AND ENFORCEMENT

The Committee notes that Intellectual Property Rights [IPR] violations are a significant revenue source for transnational criminal organizations including Mexican drug cartels. According to officials at the IPR Coordination Center, these violations are a low-risk/high-profit type of crime. The Center sees more organized crime groups engaging in these types of illegal activities because of the high-dollar value to them.

The Committee fully funds the request for trade enforcement activities and directs that not less than \$15,000,000 support intellectual property rights and commercial trade fraud investigations, including undercover equipment, translation and transcription of court-ordered wiretaps, commercial fraud training, and outreach at the IPR Center. The Committee urges ICE to prioritize investigations involving illicit trade of dangerous goods that could be harmful to the public, including counterfeit pharmaceuticals, synthetic drugs, and tainted food.

LAW ENFORCEMENT SUPPORT CENTER

The Committee provides funding of \$34,500,000 for resources and full-time law enforcement personnel at the Law Enforcement Support Center [LESC] which serves a critical function in the Federal Government's immigration enforcement efforts. Further, in order to promote efficiency, the Committee recommends that ICE take steps to ensure that current operations being carried out at the LESC remain centralized at the LESC facility and are not unnecessarily duplicated in other parts of the country.

INTERNATIONAL INVESTIGATIONS

The Committee recommends \$100,730,000 for international operations and \$31,728,000 for the Visa Security Program [VSP]. Of the total amount provided for VSP, \$15,734,000 is available for obligation through September 30, 2016. Additionally, due the lengthy period of time it takes to negotiate with the Department of State on placing ICE personnel abroad, \$14,801,000 of the total for international investigations is available until September 30, 2016, for international postings.

IMMIGRATION ENFORCEMENT

The role of the Appropriations Committee is to provide the resources necessary to enforce enacted laws and administration policy. The Committee takes seriously its role with regard to providing sufficient resources within constrained budgets to effectively and efficiently enforce immigration laws.

Maintaining an adequate number of detention beds is critical to ensuring the integrity of our entire immigration enforcement system, including border enforcement. In fiscal year 2013, ICE removed a total of 368,644 aliens, including 216,810 convicted criminal aliens, compared with 175,106 removed in fiscal year 2004. During the first half of the current fiscal year, ICE had removed 155,199 aliens, including 91,721 convicted criminals. It is imperative that sufficient detention bed space be maintained so that aliens who pose the greatest threat to the community or who are required to be detained by current law can be detained. As of mid-fiscal year 2014, ICE's detention population consisted of over 90 percent mandatory and criminal aliens. The number of aliens in detention spike at certain periods during the fiscal year. For instance, on May 2, 2014, there were 34,233 aliens in detention beds nationwide, but this figure has increased to 38,096 as of June 2, 2014. However, the yearly average still remains well below the fiscal year 2014 statutory bed requirement of 34,000. It is incumbent on ICE to manage its detention bed resources to ensure there are sufficient detention beds as these fluctuations occur during the year.

The Committee directs ICE to take appropriate measures to reduce the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent applicable detention standards, including health standards, are met. The Committee notes that detention beds are generally cheaper to obtain in remote and/or rural areas; however the trade-off to this reduced cost is that detainees may benefit from improved legal access and family visitation when housed near an urban center. In reviewing its bed space contracting process, ICE should also provide consideration to the needs of family units. The Committee is aware that currently ICE does not have enough bed space to shelter family units based on the current influx of families trying to cross our border.

Recognizing that the funds requested in the request are insufficient to support the requested bed level, much less the requirement for additional beds and the need for detention of family units, the Committee recommends \$1,870,444,000, for a minimum of 31,039 detention beds, 500 beds above the level requested, and \$28,000,000 above the request for a family detention facility which will have approximately 450 beds. The increased funding also reflects more than \$30,000,000 above the request due to the fact that the budget request assumed an artificially low daily cost rate per bed. Absent this additional funding, ICE would be unable to sustain the bed level throughout the fiscal year. Bill language is also included permitting the Secretary to propose to reprogram funds necessary to ensure the detention of aliens prioritized for removal, subject to the reprogramming guidelines contained in section 503.

SPECIAL NEED POPULATIONS

The increase in border apprehensions, particularly in the Rio Grande Valley, includes a growing number of UACs and family groups, both of which have special vulnerabilities and needs. This dramatic increase in border apprehensions is not currently matched by an increase in program resources, particularly staff

FTEs, to provide case management to the detention population. Additionally, more immigration judges and resources from the Executive Office of Immigration Review [EOIR] are required to reduce the length of time it takes to complete a detained proceeding, so that detention bed space is freed up for new cases. The Committee notes that the Senate Appropriations bill for Commerce, Justice and Science includes over \$5,800,000, as requested, to improve EOIR reviews related to UACs. These funds may help free up needed ICE detention bed space more rapidly.

COURTHOUSES

In testimony before the House Judiciary Committee on May 29, 2014, when asked about locations of immigration enforcement actions, the Secretary stated that “Courthouses are special. We ought to have a special policy with regard to courthouses.” As the Secretary indicated he would take a look at the issue, the Committee encourages the Secretary to develop new guidelines regarding enforcement actions at courthouses and directs a briefing be provided on this effort not later than 120 days after the date of enactment of this act.

DETENTION OF PREGNANT WOMEN

The Performance-Based National Detention Standards 2011 Section 2.15 Use of Force, issued by ICE, specifically prohibits the use of restraints on pregnant women or women in post-delivery recuperation when they do not present a flight risk or a danger to their own life or the lives of others absent “extraordinary circumstances” as specified in subsection “F”. The Committee expects ICE to make certain that all detention or other contracts and agreements ensure that the Use of Force exception for pregnant women is fully implemented for all women held under an ICE detainer.

ALTERNATIVES TO DETENTION

The Committee recommends \$94,106,000 for the Alternatives to Detention [ATD] program. This is the same level as the request and \$2,662,000 above the enacted level. While the Committee remains very supportive of the ATD program, in the past few years ICE has not effectively maximized the use of this program.

The Committee directs ICE to provide greater transparency on its use of the program—including providing quarterly briefings on the results of any evaluations of the program by field offices. ICE should post on its Web site any contractor evaluations and OIG reports related to the ATD program.

SECURE COMMUNITIES IN THE CRIMINAL ALIEN PROGRAM

The Committee continues its support of the Secure Communities program as it has been merged into the Criminal Alien Program [CAP]. The Committee recommends \$327,040,000 for the CAP program, \$4,633,000 above the amount requested and \$32,855,000 above the amount provided in 2014.

The Committee continues a provision, as requested, ensuring that all illegal aliens encountered when enforcing our immigration laws are apprehended.

IMPACTS OF IMMIGRATION ENFORCEMENT ON U.S. CITIZEN CHILDREN
OF REMOVED ALIENS

It is important for ICE to institute appropriate policies and measures to ensure that U.S. citizen children of illegal aliens receive all necessary and appropriate treatment throughout the immigration enforcement process. The Committee is aware that the Urban Institute and others are conducting a study, funded by the Department of Health and Human Services, focused on all aspects of this issue including the number of children affected by the detention and removal of a parent, the impact of family separation and loss of income on the well-being of children, and the short, intermediate, and long-term economic, health, and social service needs of these children. The final report is due to be released in early 2015. The Committee directs ICE to provide all appropriate assistance to those conducting the study and to implement any recommendations from the report. ICE shall keep the Committee regularly updated on activities affecting these U.S. citizen children.

The Committee directs ICE to continue to submit the semiannual report on "Deportation of Parents of U.S.-Born Citizens".

GANGS

The Committee remains concerned about increasing gang violence and criminal activity in many parts of our Nation. Not later than 180 days after the date of enactment of this act, the Committee directs ICE to submit a report to the Committee regarding the detention and removal of gang members. This report should include: (1) a State by State breakdown of the number of gang members detained, removed, or both detained and removed; and (2) the number of gang members detained, removed, or both detained and removed in the 10 largest metropolitan areas in the United States.

DETENTION AND REMOVAL REPORTING

ICE is directed to continue to provide quarterly detention and removal reports at the same level of detail as directed in Senate Report 112-74.

STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM

The Student and Exchange Visitor Information System [SEVIS] was launched in 2002 to mitigate critical vulnerabilities exploited by the 9/11 hijackers. While adjustments have been made to the system over the years, it has been clear that the initial system would require replacement to meet many important user needs and security interests. ICE has had a SEVIS II modernization program since 2007, though the program has moved glacially. The Committee directs ICE to assess the current vulnerabilities of SEVIS, the requirements for modernization or system upgrades, and a path forward for the program. ICE shall brief the Committee no later than October 1, 2014.

LICENSE PLATE READERS

A general provision is included directing that any solicitation or request for proposal of a National License Plate Recognition database or other similar project be postponed indefinitely.

AUTOMATION MODERNIZATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$34,900,000 |
| Budget estimate, 2015 | 26,000,000 |
| Committee recommendation | 26,000,000 |

The Automation Modernization account provides funds for major information technology [IT] projects for U.S. Immigration and Customs Enforcement, including modernization of TECS, modernization of Detention and Removal Operations' IT systems for tracking detainees (DRO Modernization), electronic health records, and other systems.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total of \$26,000,000, the same as the request and \$8,900,000 below the amount provided in fiscal year 2014. These funds are to remain available until September 30, 2017.

The Committee recommends \$5,000,000, as requested, for the Consolidated ICE Financial Solution [CIFS]. The Committee understands CIFS will allow ICE to replace the legacy core financial system that it owns and operates by acquiring financial services from a Shared Service Provider which will host and operate the core financial system for ICE and its customers. ICE shall provide a briefing on the progress with CIFS not later than 180 days after the date of enactment of this act.

AUTOMATION MODERNIZATION

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee rec- ommendations |
|---------------------------------|-----------------------------|------------------------------------|--------------------------------|
| Automation modernization: | | | |
| IT investment | 8,400 | ..... | ..... |
| TECS modernization | 23,000 | ..... | ..... |
| Electronic health records | 3,500 | ..... | ..... |
| Subtotal | 34,900 | 26,000 | 26,000 |

TECS MODERNIZATION

TECS is an information technology system in place since the 1980s that provides border security and law enforcement personnel information about people who are inadmissible or may pose a threat to the security of the United States. Over time, however, it has become increasingly difficult and expensive to maintain because of technology obsolescence and its inability to support new mission requirements.

A recent GAO report (GAO-14-342T) noted that TECS Mod has continued to experience schedule and cost changes. Regarding ICE's \$818,000,000 TECS Mod program, it is redesigning and re-planning its program, after determining that its initial solution was not viable and could not support ICE's needs. The Department's CIO has expressed concern about the problematic nature of this modernization effort. As a result, CBP and ICE shall to continue to conduct the semiannual joint briefings on the status of this modernization effort for the Committee.

CONSTRUCTION

| | |
|--------------------------------|-------------|
| Appropriations, 2014 | \$5,000,000 |
| Budget estimate, 2015 | |
| 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 recommends no funds, as requested. Any carry-over funds available within the Construction account will be used for emergency repairs and alterations, especially those focused on life and safety.

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 including Federal Air Marshals; surface transportation security; intelligence and vetting; and transportation security support.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of \$7,233,967,000 and a net of \$4,824,362,000 for the activities of TSA for fiscal year 2015.

The request includes several funding realignments within and, in some cases, between appropriations accounts. For fiscal year 2015, TSA requests over 25 different realignments between appropriation accounts and PPAs. This practice has become all too common over the last few years and, as a result, making general comparisons to prior year funding has become a budgetary Rubik's cube. In order to preserve an orderly accounting of budgetary resources from one year to the next and to maintain proper oversight of appropriations, TSA is discouraged from continuing the seemingly unending funding realignments in future fiscal years.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request ¹ | Committee recommendations ¹ |
|--|-----------------------------|---|---|
| Aviation Security | 4,982,735 | 5,683,304 | 5,634,710 |
| Aviation Security Capital Fund (mandatory) | 250,000 | 250,000 | 250,000 |
| Surface Transportation Security | 108,618 | 127,637 | 126,749 |
| Intelligence and Vetting (direct appropriations) | 176,489 | 232,526 | 219,166 |
| Intelligence and Vetting (fee-funded programs) | 66,000 | 79,605 | 79,605 |
| Transportation Security Support | 962,061 | 932,026 | 923,737 |
| Federal Air Marshals | 818,607 | ..... | ..... |

TRANSPORTATION SECURITY ADMINISTRATION—Continued

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request ¹ | Committee recommendations ¹ |
|--|-----------------------------|---|---|
| Total, Transportation Security Administration (gross) | 7,364,510 | 7,305,098 | 7,233,967 |
| Offsetting Fee Collections—current law | – 2,120,000 | – 2,080,000 | – 2,080,000 |
| Offsetting Fee Collections—proposed passenger fee increase | | – 190,000 | |
| Offsetting Fee Collections—proposed aviation security infrastructure fee reinstatement | | – 380,000 | |
| Aviation Security Capital Fund (mandatory) | – 250,000 | – 250,000 | – 250,000 |
| Fee Accounts [TTAC] | – 66,000 | – 79,605 | – 79,605 |
| Total, Transportation Security Administration (net) | 4,928,510 | 4,325,493 | 4,824,362 |

¹ Funding for Federal Air Marshals included in Aviation Security.

AVIATION SECURITY

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$4,982,735,000 |
| Budget estimate, 2015 | 5,683,304,000 |
| Committee recommendation | 5,634,710,000 |

The 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 [EDS]; checkpoint technologies and support; airport management and support; Federal air marshals and other aviation regulation and enforcement activities.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$5,634,710,000 for aviation security activities. This is \$48,594,000 below the amount requested. Of this amount, the Committee recommends not to exceed \$7,650 for official reception and representation expenses.

The Committee has streamlined the Aviation Security Appropriation budget structure by maintaining existing PPAs, but eliminating outdated sub-appropriations. The PPA descriptions provide a clear description of budgetary authority per activity. The new structure also includes the Federal Air Marshals as a PPA under Aviation Security instead of a stand-alone appropriation. As a result, all operational aviation security activities are now consolidated under the same appropriation.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

AVIATION SECURITY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Screening Partnership Program | 158,190 | 154,572 | 160,226 |
| Screening Personnel, Compensation, and Benefits | 3,033,526 | 2,952,868 | 2,947,939 |
| Screener Training and Other | 226,857 | 226,290 | 225,707 |
| Checkpoint Support | 103,309 | 103,469 | 88,469 |

AVIATION SECURITY—Continued
[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| EDS Procurement and Installation | 73,845 | 84,075 | 74,000 |
| Screening Technology Maintenance | 298,509 | 294,509 | 294,509 |
| Aviation Regulation and Other Enforcement | 354,437 | 348,653 | 338,653 |
| Airport Management and Support | 587,000 | 591,734 | 588,864 |
| FFDO and Flight Crew Training | 24,730 | 20,000 | 20,000 |
| Air Cargo | 122,332 | 106,920 | 106,343 |
| Federal Air Marshals ..... | ..... | 800,214 | 790,000 |
| Aviation Security Capital Fund (mandatory) | (250,000) | (250,000) | (250,000) |
| Total, Aviation Security | 4,982,735 | 5,683,304 | 5,634,710 |

AVIATION SECURITY FEES

The Congressional Budget Office [CBO], in its analysis of the President's budget, has re-estimated discretionary offsetting collections from aviation security fees to be \$2,080,000,000 under existing law. CBO estimates another \$250,000,000 in mandatory collections will be collected and dedicated to the Aviation Security Capital Fund and \$1,440,000,000 to deficit reduction pursuant to the Bi-Partisan Budget Agreement of 2013. CBO also estimates that an additional \$190,000,000 in discretionary offsetting receipts would be collected as a result of the administration's proposal to modify aviation passenger fees in fiscal year 2015 by increasing the current law passenger fee of \$5.60 per one-way trip to \$6 per one-way trip and \$380,000,000 through the reinstatement of the Aviation Security Infrastructure Fee. While the reasoning behind the proposed increases has merit, the Committee believes the proposals should be channeled through the appropriate legislative committees. A general provision has been added prohibiting funds for the salaries and expenses of personnel who prepare or submit legislative proposals as part of the President's budget submission that assumes revenues that have not been enacted into law.

The Administrator is directed to brief the Committee no later than 180 days from enactment on the financial impact of the Aviation Passenger Security Fee on air passengers from Alaska and Hawaii as compared to the contiguous 48 States where travel originates in comparable airports that service rural communities. The Committee encourages TSA to examine the cost difference to passengers for the July 1, 2014, fee increase and the difference in per capita enplanements for rural communities in Alaska and Hawaii.

SCREENING PARTNERSHIP PROGRAM

The Committee recommends \$160,226,000 for the Screening Partnership Program [SPP]. This is \$5,654,000 above the amount requested and \$2,036,000 above the amount provided in fiscal year 2014. The recommendation provides the necessary funds for security at airports where private screening contracts are in place, including four airports recently added to the program.

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. TSA shall also 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 to privatized screening, or where airports currently using privatized screening convert to using Federal screeners. The Committee also expects to be briefed on any proposed changes being considered for the SPP program.

In the explanatory statement accompanying division F of Public Law 113–76, the Consolidated Appropriations Act, 2014, TSA was directed to conduct an independent study of the performance of federalized screening to privatized screening, and to provide a copy of the study to GAO for its review. TSA is directed to take the necessary steps to ensure the study is completed, along with a copy presented to GAO, no later than January 15, 2015. Should the study not be completed by that date, or should TSA fail to provide a copy of the completed study to GAO for its review, TSA shall inform the Committee by the deadline to explain why it has not complied with these directives and when it expects to do so.

SCREENER PERSONNEL, COMPENSATION, AND BENEFITS

The Committee recommends \$2,947,939,000 for Screener Personnel, Compensation, and Benefits. This is \$4,929,000 below the amount requested and \$85,587,000 below the amount provided in fiscal year 2014. The recommendation includes reductions related to risk based security [RBS] efficiencies, reduced playbook operations, in-line systems savings, and a shift to the SPP PPA reflecting new privatized screening contracts. As a result of TSA's continued expansion of risk based initiatives and more travelers being eligible for expedited screening, higher savings are being realized in fiscal year 2014 and fiscal year 2015 than originally anticipated. Because of this development, the recommendation includes a rescission of funds for fiscal year 2014 and a reduction below the request for fiscal year 2015.

The Committee bill does not include a statutory cap on TSA screening personnel as FTE levels are declining by more than 3,186 in fiscal year 2015 and are well below the ceiling set in the fiscal year 2014 DHS Appropriations Act. TSA should be commended for achieving personnel savings as a result of its risk-based approach to passenger screening and the deployment of improved screening technologies.

SCREENER TRAINING AND OTHER

The Committee recommends \$225,707,000 for Screener Training and Other. This is \$583,000 below the amount requested and \$1,150,000 below the amount provided in fiscal year 2014. The recommendation includes the requested reductions associated with RBS efficiencies, reduced Playbook operations, and savings from more efficient in-line checked baggage systems. 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 recommendation reflects the requested realignment of

funding from other accounts to better align programmatic activities.

The Committee expects TSA to make the appropriate resources available from this PPA to carry out the TSO training recommendations made in TSA's after action report following the tragic shooting at the Los Angeles International Airport in November 2013.

CHECKPOINT SUPPORT

The Committee recommends \$88,469,000 for Checkpoint Support. This is \$15,000,000 below the amount requested and \$14,840,000 below the amount provided in fiscal year 2014. 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 stated in the budget request, currently deployed technologies include walk-through metal detectors, explosives trace detection, bottled liquid scanners, chemical analysis devices, advanced technology systems, and Advanced Imaging Technology [AIT]. The budget also indicates that credential authentication technology, which digitally validates the ID used by the traveling public, will begin deployment in fiscal year 2015.

The reduction below the request is to be offset by an identical amount in unobligated balances for checkpoint technologies that have remained unspent for over 7 years. The Committee cannot support appropriations for new funding when prior year balances continue to languish in TSA's coffers.

The Committee understands TSA is working to create a Technology Roadmap for all screening technologies in order to have a better understanding of technological advancements being considered, clear timelines for completion, and the level of investment necessary to reach maturity. TSA plans to complete the Roadmap first for AIT followed by other passenger screening technologies before the end of this fiscal year. TSA is to provide the Committee with the Technology Roadmap upon its completion and brief the Committee on its conclusions.

ADVANCED INTEGRATED SCREENING TECHNOLOGIES

Pursuant to a statutory requirement in the bill, TSA is to continue providing a report on advanced integrated passenger screening technologies for the most effective security of passengers and baggage not later than 90 days after the date of enactment of this act. The report provides a useful description of existing and emerging equipment capable of detecting threats concealed on passengers and in baggage as well as projected funding levels for the next five fiscal years for each technology discussed in the report.

In order to leverage and maximize the capabilities of the aviation security industrial base, TSA needs to provide ongoing guidance related to screening technology requirements. To that end, TSA recently posted its first Strategic Capabilities Investment Plan to FedBizOpps.gov in an effort to share its plans with its industry partners. The Committee is encouraged by this development and expects the plan to be followed by frequent engagement with industry to communicate evolving aviation security requirements.

ADVANCED IMAGING TECHNOLOGY

TSA is to continue its frequent briefings on AIT, which is used to screen passengers for metallic and non-metallic threats, including weapons, explosives, and other objects concealed under layers of clothing. The briefings are to include: procurement details; cost; schedule; associated staffing requirements; utilization rates; deployments; throughput rates; progress on the development of AIT-2 and software improvements to enable the machines to detect smaller threat masses; and any changes to requirements for full operating capability. Finally, as recommended by GAO, TSA is to work toward collecting real time AIT operational data on a continuing basis so TSA management can better understand how false alarm rates impact operational costs. TSA is to inform the Committee when it has met this recommendation.

RISK-BASED SECURITY INITIATIVES

TSA should be commended for streamlining screening procedures for Pre✓™ travelers, children under 12, senior citizens, flight attendants, and active duty military personnel. These expedited screening measures are beginning to yield security, budgetary, and economic benefits to both the agency and the flying public.

The Committee remains interested in having TSA expand its RBS efforts, specifically TSA Pre✓™. To help the Committee understand more specifically what populations are being processed through TSA Pre✓™ lanes, bill language is included requiring a semiannual report to the Committees on TSA's efforts to expand the number of passengers receiving expedited screening.

The Committee commends TSA for establishing a new senior level position in the agency that is focused on coordinating and driving all external marketing and communication initiatives. It is critical that TSA improve its process for communicating the benefits of Pre✓™ and other expedited screening programs to the traveling public. To that end, TSA should explore public-private partnerships to leverage private sector funding to increase enrollment in Pre✓™. TSA should brief the Committee not later than 60 days after the date of enactment of this act on its strategic communications campaign for Pre✓™.

EXIT LANE SECURITY

The recommendation includes funding as requested to continue monitoring airport exit lanes consistent with section 603 of the Bipartisan Budget Act of 2013. With regard to remodeling and modernization efforts undertaken by an airport at an existing exit lane for which TSA was responsible for monitoring on December 1, 2013, TSA shall continue to be responsible for monitoring the exit lane after the remodeling or modernization effort is completed.

The Committee is aware of the potential benefits of technological solutions that in the future will provide TSA with the flexibility to reassign exit lane staff to other priority areas of the airport and reduce overall costs at each airport. The Committee is aware that TSA has developed an exit lane security "toolbox" to support decision-making and deployment of technological solutions for exit lane monitoring. TSA, in coordination with its airport partners, shall

continue to evaluate advancements in technology to realize efficiencies in exit lane security and, as part of this effort, brief the Committee periodically on utilization of the “toolbox.” The Committee encourages TSA to evaluate the costs of exit lane monitoring by TSOs and develop a longer term strategy for managing this activity using low-cost technological solutions, working with the airports to look at law enforcement reimbursement, or other approaches.

EXPLOSIVES DETECTION SYSTEMS

The Committee recommends \$74,000,000 for Explosives Detection Systems procurement and installation. This is \$10,075,000 below the amount requested and \$155,000 above the amount provided in fiscal year 2014. An additional \$250,000,000 in mandatory spending will be available from Aviation Security Capital Fund [ASCF] fee collections. The total discretionary and mandatory funding will allow TSA to purchase and install approximately 109 EDS units and 250 Explosives Trace Detection [ETD] units in fiscal year 2015. The Committee directs TSA to include its EDS recapitalization plans within the congressional budget justification for fiscal year 2016 including detailed information on expected unit replacements.

The recommendation does not include the request to restore the reduction taken in fiscal year 2014. The requested increase can be accommodated by using unobligated balances for EDS procurement and installation that have remained unspent for over 7 years. The Committee cannot support appropriations for increased funding when prior year balances continue to languish in TSA’s coffers.

Section 44923 of title 49 requires that the \$250,000,000 in annual mandatory funding deposited into the ASCF is to be available for airport security improvement projects, such as facility modifications. However, procurement and installation of EDS equipment associated with these projects is not permitted. With a diminishing base of airport applications seeking large improvement projects and the need to replace aging EDS machines currently deployed at airports, the recommendation continues bill language, as requested, to permit ASCF funding to be used to procure and install EDS equipment during fiscal year 2015. This will allow TSA to more effectively, economically, and expeditiously plan and implement the acquisition and replacement of existing EDS units.

TESTING EVALUATION AND INSTALLATION PLANNING

The Committee continues to be concerned by the length of time it takes for EDS and other security technology to proceed through the TSA Test & Evaluation [T&E] process before being deployed. The Committee is aware of TSA efforts to collaborate with industry to shorten the T&E process, while ensuring the technology meets the stringent security requirements necessary to secure the Nation’s transportation systems. The Committee directs TSA to continue this collaboration with industry to reduce the amount of iterations and retesting conducted, explore trade-off analyses, establish permanent operational test beds, and evaluate third party testing opportunities that accelerate the deployment of state-of-the-art technology to the field. Additionally, the Committee encourages

TSA to include cost, length of time, and benefits when making decisions on additional testing of equipment. TSA is to brief the Committee not later than 30 days after the date of enactment of this act on improvements adopted to accelerate the deployment of these critical technologies.

HIGH SPEED EDS TESTING AND INSTALLATION PLANNING

With regard to high speed EDS, the Committee is aware that larger airports may want to avail themselves of high speed explosive detection systems for checked baggage to enhance security, improve efficiency and ultimately lower operational costs. Therefore, the Committee urges TSA to complete and issue reports on candidate systems concurrently with the completion of each phase of testing rather than waiting until a test phase is done, as the latter can cause considerable delays in a high speed system moving into the next phase of testing for ultimate listing on the federally qualified products list. In addition, the Committee expects TSA to make clear to airport managers that there is no restriction on them undertaking discussions with entities whose high speed systems are compliant with TSA's planning guidelines and design standards and are awaiting the completion of tests to be placed on the qualified products list. The Committee directs TSA to outline how it intends to overcome these obstacles when it briefs the Committee on its EDS expenditure plan.

EDS/CHECKPOINT TECHNOLOGY INVESTMENTS

Not later than 60 days after the date of enactment of this act, TSA is to brief the Committee on its fiscal year 2015 investment plans for checkpoint security and EDS refurbishment, procurement, and installations on an airport-by-airport basis. The briefing shall include specific technologies for purchase, program schedules and major milestones, a schedule for obligation of the funds, recapitalization priorities, status of operational testing for each passenger screening technology under development, and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. The briefing shall also include details on passenger screening pilot programs that are in progress or being considered for implementation in fiscal year 2015. Information in this section is to include a summary of the pilot program describing what the program is attempting to achieve; potential capabilities and benefits of the program; the airports where the pilots will be operating; funding commitments; and plans for future expansion. The Committee expects the briefing to include detailed program schedules for passenger screening technologies. Schedules should include all milestones from the issuance of a request for proposal to deployment.

INSTALLATION OF OPTIMAL BAGGAGE SCREENING SYSTEMS AND FTE SAVINGS

The Committee no longer requires a separate report on the savings achieved and anticipated by fiscal year from the installation of new in-line systems. This information is now contained as part of the Advanced Integrated Screening Technologies Report.

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 2015 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.

SCREENING TECHNOLOGY MAINTENANCE AND UTILITIES

The Committee recommends \$294,509,000 for Screening Technology Maintenance and Utilities. This is the same amount as requested and \$4,000,000 below the amount provided in fiscal year 2014. The reduction below fiscal year 2014 reflects contract efficiencies and reduced equipment levels.

AVIATION REGULATION AND OTHER ENFORCEMENT

The Committee recommends \$338,653,000 for Aviation Regulation and Other Enforcement. This is \$10,000,000 below the amount requested and \$15,784,000 below the amount provided in fiscal year 2014. 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. A reduction below the request is made due to a large gap between funded FTE and on-board personnel.

The recommendation consolidates all funding for the National Canine Program within this PPA, as requested, which helps support 985 teams in fiscal year 2015. TSA funded canine teams have proven to be a reliable, effective, and efficient way to screen for explosive devices. Since the beginning of fiscal year 2007, Congress has provided funding to double the total number of canine teams for multi-modal explosives detection purposes.

The recommendation also reflects the consolidation of all funding for the Visible Intermodal Prevention and Response [VIPR] program in the Surface Transportation Appropriation.

The after action report following the tragic shooting at the Los Angeles International Airport recommended increased law enforcement presence at high traffic locations within the airport such as peak travel times at checkpoints and ticket counters. TSA is to brief the Committees not later than 30 days after the date of enactment of this act on the implementation of this recommendation and if the intended benefit of a visible deterrence and quicker incident response time has been achieved.

AIRPORT MANAGEMENT AND SUPPORT

The Committee recommends \$588,864,000 for Airport Management and Support. This is \$2,870,000 below the amount requested and \$1,864,000 above the amount provided in fiscal year 2014. Funds are provided for: the workforce to support TSA Federal security directors; Bomb Appraisal Officers; Explosives Security Specialists; the Transportation Security Operations Center; airport

rent and furniture; a vehicle fleet; airport parking; and employee transit benefits.

The recommendation includes the requested realignments and reductions associated with RBS efficiencies, reduced Playbook operations, and savings from more efficient in-line checked baggage systems.

FEDERAL FLIGHT DECK OFFICER AND FLIGHT CREW TRAINING PROGRAMS

The Committee recommends \$20,000,000 for the Federal Flight Deck Officer [FFDO] and Flight Crew Training programs. This is the same amount as requested and \$4,730,000 below the amount provided in fiscal year 2014. Funds are provided to deputize qualified airline pilots who volunteer to be Federal law enforcement officers and to provide 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.

The recommended level is sufficient to meet the operational needs of the program and will not result in a degradation of the training curriculum or decrease the number of FFDO's trained per year. The reduction from fiscal year 2014 reflects realization of program efficiencies and the creation of an inactive reserve force. The inactive reserve force represents a percentage of the deputized FFDOs that are unable to fly under "FFDO status" as their flight schedule is solely international.

AIR CARGO

The Committee recommends \$106,343,000 for Air Cargo security. This is \$577,000 below the amount requested and \$15,989,000 below the amount provided in fiscal year 2014. Funds are provided to secure the air cargo supply chain, conveyances, and people. The reduction below the request reflects the consolidation of the National Canine Program in the Aviation Regulation and Other Enforcement PPA.

Not later than 60 days after the date of enactment of this act, TSA is to brief the Committee on its fiscal year 2015 investment plans for air cargo security, including carryover balances. The briefing documents shall be in the same format as expenditure plans submitted in prior years and include detailed information related to 100 percent screening of domestic and international inbound air cargo.

PERIMETER SECURITY

The recent breach of a perimeter fence at the San Jose International Airport underscores the importance of strong airport perimeter security plans. The Committee is aware that some airports are employing technological solutions to detect security breaches of perimeter fences and access points, and therefore strongly encourages TSA to work with airport authorities to explore technology options to improve perimeter security; validate promising technology solutions; and update airport security plans, as appropriate, to improve the perimeter security posture of airports.

FEDERAL AIR MARSHALS

The Committee recommends \$790,000,000 for Federal Air Marshals. This is \$10,214,000 below the amount requested and \$28,607,000 below the amount provided in fiscal year 2014. Funding is provided for the Federal Air Marshals [FAMs] to protect the air transportation system against terrorist threats, sabotage, and other acts of violence.

This funding decrease reflects the consolidation of all funding for the Visible Intermodal Prevention and Response [VIPR] program in the Surface Transportation Appropriation and other administrative cost adjustments.

A recent study of FAMs operations and staffing by the Homeland Security Studies and Analysis Institute included several recommendations related to CONOPS, training, and risk analysis. Not later than 60 days after the date of enactment of the act, FAMs is to brief the Committee on its efforts to implement these recommendations.

The Committee directs TSA to continue to submit quarterly reports on mission coverage, staffing levels, and hiring rates as in prior years.

SURFACE TRANSPORTATION SECURITY

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$108,618,000 |
| Budget estimate, 2015 | 127,637,000 |
| Committee recommendation | 126,749,000 |

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

COMMITTEE RECOMMENDATIONS

The Committee recommends \$126,749,000 for Surface Transportation Security. This is \$888,000 below the amount requested and \$18,131,000 above the amount provided in fiscal year 2014. Funds are available to assess the risk of terrorist attacks for all non-aviation transportation modes, issue regulations to improve the security of those modes, and enforce regulations to ensure the protection of the transportation system. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

SURFACE TRANSPORTATION SECURITY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Staffing and operations | 35,262 | 29,375 | 29,230 |
| Surface transportation security inspectors and VIPR | 73,356 | 98,262 | 97,519 |
| Total, Surface Transportation Security | 108,618 | 127,637 | 126,749 |

SURFACE TRANSPORTATION SECURITY STAFFING AND OPERATIONS

The Committee recommends \$29,230,000 for Surface Transportation Security Staffing and Operations. This is \$145,000 below the amount requested and \$6,032,000 below the amount provided in fiscal year 2014.

SURFACE TRANSPORTATION SECURITY INSPECTORS AND VIPR

The Committee recommends \$97,519,000 for Surface Transportation Security Inspectors and VIPR. This is \$743,000 below the amount requested and \$24,163,000 above the amount provided in fiscal year 2014. As requested, the recommendation includes the consolidation of all VIPR teams within this PPA and the consolidation of all canine assets under the Aviation Regulation and Other Enforcement PPA in Aviation Security.

TSA is to brief the Committee no later than 90 days after the date of enactment of this act on its surface transportation technology pilot programs and initiatives. The briefing shall include a summary of all technology pilot programs and initiatives TSA will have operating or has planned for fiscal year 2015; what each program/initiative is attempting to achieve; potential capabilities and benefits of the program/initiative; locations of each program/initiative; and plans for future expansion.

INTELLIGENCE AND VETTING

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$176,489,000 |
| Budget estimate, 2015 | 232,526,000 |
| Committee recommendation | 219,166,000 |

Intelligence and Vetting (formerly known as Transportation Threat Assessment and Credentialing) includes several programs that are intended to identify known or suspected terrorists threats working in or seeking access to the Nation's transportation system.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$219,166,000 for Intelligence and Vetting. This is \$13,360,000 below the amount requested and \$42,677,000 above the amount provided in fiscal year 2014. In addition, an estimated \$79,605,000 in fee collections is available for these activities in fiscal year 2015, as proposed in the budget.

As requested, the Intelligence PPA is transferred to this appropriation from Transportation Security Support in order to combine intelligence and vetting functions to better inform daily operations.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

INTELLIGENCE AND VETTING

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee rec- ommendations |
|------------------------------|-----------------------------|------------------------------------|--------------------------------|
| Direct Appropriations: | | | |
| Intelligence | | 51,801 | 51,545 |
| Secure Flight | 93,202 | 112,543 | 99,569 |
| Other Vetting Programs | 83,287 | 68,182 | 68,052 |

INTELLIGENCE AND VETTING—Continued

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee rec- ommendations |
|---|-----------------------------|------------------------------------|--------------------------------|
| Subtotal, direct appropriations | 176,489 | 232,526 | 219,166 |
| Fee Collections: | | | |
| Transportation worker identification credential | 36,700 | 34,832 | 34,832 |
| Hazardous materials | 12,000 | 12,000 | 12,000 |
| General aviation at DCA | 350 | 350 | 350 |
| Commercial aviation and airports | 6,500 | 6,500 | 6,500 |
| Other security threat assessments | 50 | 50 | 50 |
| Air cargo/certified cargo screening program | 5,400 | 7,173 | 7,173 |
| Pre✓™ | | 13,700 | 13,700 |
| Alien flight school | 5,000 | 5,000 | 5,000 |
| Subtotal, fee collections | 66,000 | 79,605 | 79,605 |

INTELLIGENCE

The Committee recommends \$51,545,000 for Intelligence. This is \$256,000 below the amount requested and \$6,984,000 above the amount provided in fiscal year 2014.

SECURE FLIGHT

The Committee recommends \$99,569,000 for Secure Flight. This is \$12,974,000 below the amount requested and \$6,367,000 above the amount provided in fiscal year 2014. As recommended by the 9/11 Commission and mandated by the Intelligence Reform Act, this program transferred the responsibility of airline passenger watch list matching from the air carriers to the Federal Government.

The Committee recommendation includes \$6,300,000 realigned from the Other Vetting Programs PPA to continue the implementation of RBS initiatives. Due to delays in implementing the Large Aircraft and Charter Screening Program, the request for increased funding is not provided.

OTHER VETTING PROGRAMS

The Committee recommends \$68,052,000 for Crew and Other Vetting Programs. This is \$130,000 below the amount requested and \$15,235,000 below the amount provided in fiscal year 2014.

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 has begun to modernize its system with initial operational capability being achieved for the maritime vetting population, which is to be followed by full nationwide rollout in the late summer timeframe. In fiscal year 2015, TSA will complete development for other surface populations and begin preparations for the aviation community. The Committee includes \$38,300,000 in discretionary funds, as requested, for this effort in fiscal year 2015 and directs TSA to brief the Committee on its efforts not later than 30 days after the date of enactment of this act.

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL [TWIC]

The Committee has noted a weakness in the TWIC Program where TSA does not conduct any additional criminal background checks on applicants who are eligible and receive a TWIC with an expiration date of 5 years. Not later than 90 days after the date of the enactment of this act, the Secretary of Homeland Security, in coordination with the Administrator of the Transportation Security Administration and the Director of the Federal Bureau of Investigation, shall develop a plan to strengthen the background check system used by the TWIC Program by improving access to meaningful databases for recurring criminal history records checks. Such plan will include cost estimates for providing additional or recurring criminal history records checks over the 5-year validity period of a TWIC card to ensure that disqualifying criminal activity that occurs after the initial award of a TWIC card is taken under review over the 5-year duration of the TWIC card's validity.

TRANSPORTATION SECURITY SUPPORT

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$962,061,000 |
| Budget estimate, 2015 | 932,026,000 |
| Committee recommendation | 923,737,000 |

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; mission support centers; human capital services; and information technology support.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$923,737,000 for Transportation Security Support. This is \$8,289,000 below the amount requested and \$38,324,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee's recommendations compared to the fiscal year 2014 and budget request levels:

TRANSPORTATION SECURITY SUPPORT

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Headquarters administration | 272,250 | 275,891 | 274,619 |
| Information technology | 441,000 | 451,920 | 446,498 |
| Human capital services | 204,250 | 204,215 | 202,620 |
| Intelligence | 44,561 | ..... | ..... |
| Total, Transportation Security Support | 962,061 | 932,026 | 923,737 |

HEADQUARTERS ADMINISTRATION

The Committee recommends \$274,619,000 for Headquarters Administration. This is \$1,272,000 below the amount requested and \$2,369,000 above the amount provided in fiscal year 2014.

TSA shall continue semiannual briefings on covert testing activities, to include the latest metrics gathered from recent tests and resulting mitigating factors.

In September 2013, the Department of Homeland Security's Office of Inspector General released a report entitled: "Transportation Security Administration Office of Inspection's Efforts To Enhance Transportation Security" (OIG-13-123). The report, which primarily concerned the effectiveness and efficiency of TSA's Office of Inspection [OOI], provided a number of recommendations to TSA including to "conduct an objective workforce analysis of the office." The Committee understands that OOI is in the process of executing this workforce analysis and that the office can expect the results of this study in early fiscal year 2015. The Committee requests the findings of this study be made available to the OIG as soon as practicable, but no later than 30 days from completion by the vendor. The Department is to brief the Committee as soon as practicable, but no later than 30 days from completion by the vendor, on any actions TSA plans as a result of this analysis.

INFORMATION TECHNOLOGY

The Committee recommends \$446,498,000 for Information Technology. This is \$5,422,000 below the amount requested and \$5,498,000 above the amount provided in fiscal year 2014. The increase above fiscal year 2014 is related to HSPD-12 implementation and enterprise license agreement costs.

HUMAN CAPITAL SERVICES

The Committee recommends \$202,620,000 for Human Capital Services. This is \$1,595,000 below the amount requested and \$1,630,000 below the amount provided in fiscal year 2014.

UNITED STATES 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 President's fiscal year 2015 discretionary budget request proposes to reduce funding for the Coast Guard by 4.3 percent, including the reduction of 700 military billets, the movement of 600 reservists to inactive status, the decommissioning of critical operational assets, and a 21 percent reduction in capital expenditures. If enacted, the proposed reductions would permanently reduce cutter, boat, and aircraft hours right at the time the Coast Guard is recovering from harmful operational cutbacks experienced under sequester, when cocaine seizures dropped by 18 percent, marijuana seizures dropped by 35 percent, and migrant interdictions dropped by 28 percent.

Despite warnings from the outgoing Commandant of a coming “death spiral” for legacy assets, the request also continues to propose harmful reductions to the Coast Guard’s capital budget. The Coast Guard operates one of the oldest naval fleets in the world, yet the request cuts cutter and aircraft acquisitions in fiscal year 2015 that are critical to the agency’s future. The request also has the impact of cutting over 1,000 jobs from important shipbuilding and aviation acquisition programs. The country is not best served by having the Coast Guard operate assets that are nearing 50 years of age and reaching obsolescence.

The recommended level provided for in this bill includes targeted increases above the President’s request to ensure that Coast Guard personnel serving on the front lines have the resources and assets to fulfill their many missions in fiscal year 2015 and in the future.

The Committee recommends a total program level of \$10,213,625,000 for the activities of the Coast Guard for fiscal year 2015. When costs for overseas contingency operations are excluded, the recommendation for the Coast Guard is \$272,963,000 and 231 positions above the request. The recommendation also restores 300 reservist positions to active status. The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

COAST GUARD—FUNDING SUMMARY

[In thousands of dollars]

| | Fiscal year 2014 enacted ¹ | Fiscal year 2015 budget request ² | Committee recommendations ³ |
|---|--|---|---|
| Operating Expenses | 7,011,807 | 6,749,733 | 6,984,618 |
| Environmental Compliance and Restoration | 13,164 | 13,214 | 13,197 |
| Reserve Training | 120,000 | 109,605 | 114,572 |
| Acquisition, Construction, and Improvements | 1,375,635 | 1,084,193 | 1,330,376 |
| Research, Development, Test, and Evaluation | 19,200 | 17,947 | 17,892 |
| Health Care Fund Contribution (Permanent Indefinite Appropriations) | 201,000 | 176,970 | 176,970 |
| Retired Pay | 1,460,000 | 1,576,000 | 1,576,000 |
| Total, Coast Guard | 10,200,806 | 9,727,662 | 10,213,625 |

¹ Includes \$227,000,000 for overseas contingency operations.

² Excludes a permissive transfer of \$213,000,000 from “Operations and Maintenance, Navy” for overseas contingency operations.

³ Includes \$213,000,000 for overseas contingency operations.

The Coast Guard will pay an estimated \$176,970,000 in fiscal year 2015 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, 2014 ¹ | \$7,011,807,000 |
| Budget estimate, 2015 ² | 6,749,733,000 |
| Committee recommendation ³ | 6,984,618,000 |

¹ Includes \$227,000,000 for overseas contingency operations.

² Excludes a permissive transfer of \$213,000,000 from “Operations and Maintenance, Navy” for overseas contingency operations.

³ Includes \$213,000,000 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 that serve the domestic and international needs of the armed services, 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 collect 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 \$6,984,618,000 for Coast Guard Operating Expenses, including \$24,500,000 from the Oil Spill Liability Trust Fund and \$553,000,000 for Coast Guard defense-related activities, of which \$213,000,000 is for Overseas Contingency Operations. Of this amount, the Committee recommends not to exceed \$15,300 for official reception and representation expenses.

The recommendation level is \$234,885,000 above the amount requested and \$27,189,000 below the amount provided in fiscal year 2014. The Committee's recommendation is \$21,885,000 above the comparable net request for Coast Guard Operating Expenses when excluding funds provided for overseas contingency operations.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

OPERATING EXPENSES

[In thousands of dollars]

| | Fiscal year 2014 enacted ¹ | Fiscal year 2015 budget request ² | Committee recommendations ³ |
|--|--|---|---|
| Military pay and allowances | 3,416,580 | 3,433,594 | 3,441,282 |
| Civilian pay and benefits | 782,874 | 787,372 | 781,517 |
| Training and recruiting | 205,928 | 197,800 | 198,279 |
| Operating funds and unit level maintenance | 1,034,650 | 991,919 | 1,004,119 |
| Centrally managed accounts | 319,135 | 335,262 | 335,556 |
| Intermediate and depot level maintenance | 1,012,840 | 1,003,786 | 1,010,865 |
| St. Elizabeths support costs | 12,800 | ..... | ..... |
| Overseas contingency operations | 227,000 | ..... | 213,000 |
| Total, Operating Expenses | 7,011,807 | 6,749,733 | 6,984,618 |

¹ Includes \$227,000,000 for overseas contingency operations.

² Excludes a permissive transfer of \$213,000,000 from "Operations and Maintenance, Navy" for overseas contingency operations.

³ Includes \$213,000,000 for overseas contingency operations.

OVERSEAS CONTINGENCY OPERATIONS

The Committee provides \$213,000,000 for Coast Guard operations in support of overseas contingency operations. While funding for these activities is 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 30 days after the date of enactment of this act on any changes expected during fiscal year 2015 or projected transition costs expected in fiscal year 2016 to support overseas contingency operations.

OPERATIONAL ENHANCEMENTS

High Endurance Cutters.—The budget request proposes to decommission two high endurance cutters [HECs] and 368 associated billets. These cutters are nearing 50 years in age on average and have become increasingly unreliable. The Committee, however, is concerned that the decommissioning of two cutters in fiscal year 2015 would result in a significant cutter hour gap before new National Security Cutters [NSCs] are delivered to replace them. Historically, HECs provide the greatest resource hour contribution to the counterdrug mission, both in the Eastern Pacific and Western Hemisphere. Over the last 5 years, the Coast Guard has seized over a million pounds of cocaine with a street value of over \$17,000,000. The proposed reduction of two HECs with only one operational NSC delivered in fiscal year 2015 will result in a diminished presence and fewer opportunities for interdictions and apprehensions. In addition to the counter drug effort, living marine resource enforcement operations would be reduced in the Bering Sea, Gulf of Alaska, and Pacific Ocean. Therefore, the recommendation includes an additional \$7,800,000 and 184 positions to maintain one of the two HECs proposed to be decommissioned in the re-

quest, saving 1,665 major cutter hours (3,330 hours annualized) that otherwise would have been cut throughout the year.

Operational Hours.—The budget request proposes a reduction in cutter, boat, and aircraft hours that will reduce resources required for fuel and necessary maintenance. The Coast Guard’s recent experience with operational hour reductions during sequester had an unfortunate impact on overall mission performance. When operational hours were cut back during sequestration, cocaine seizures dropped from 27 metric tons in fiscal year 2012 to 19 metric tons in fiscal year 2013. Marijuana removals dropped 35 percent from the previous year, and migrant interdiction decreased by 28 percent. A reduction in operations also challenges crews from getting the sea and in air time experience necessary to become masters of their craft. With sequestration lifted in fiscal year 2015, the Coast Guard should not be limited by such an arbitrary cut. Therefore, the Committee includes an additional \$15,000,000 to restore operational resources for cutter, boat, and aircraft hours as well as critical depot level maintenance on Coast Guard legacy assets.

Fixed Wing Bravo-Zero Requirement.—The recommendation includes \$2,200,000 to maintain the Coast Guard’s Fixed Wing Aircraft “Bravo-0” readiness requirement, which means aircraft will be ready for launch within 30 minutes of a search and rescue [SAR] case. The Committee disagrees with the Coast Guard’s proposed reduction, which would impact rotary-wing operations further offshore by eliminating fixed wing cover and communications support. The Coast Guard has long maintained a “layered” SAR response strategy and eliminating fixed-wing Bravo-0 support would be a penny wise pound foolish endeavor.

FINANCIAL MANAGEMENT OVERSIGHT

The bill includes \$39,500,000 under the Office of the Chief Financial Officer for financial systems modernization efforts in fiscal year 2015. A portion of the funds are intended for Coast Guard migration activities to new financial system. The Coast Guard, in tandem with the Office of the Chief Financial Officer, shall continue to brief the Committee on its efforts to carry out this migration.

HOUSING

The Committee directs the Coast Guard to include with the congressional budget justification for fiscal year 2016 information detailing how deficiencies identified in the Coast Guard’s National Housing Assessment report have been resolved or plan to be resolved in the upcoming year. The information shall include progress made in: resolving housing identified as inadequate from a health and safety concern; right-sizing the housing inventory; the development of regional maintenance contracts; and addressing the need for new housing. Finally, the report shall also identify how operational maintenance funds for divested housing are being reinvested into the most critical housing needs in the remaining inventory.

POLAR ICEBREAKER

The Committee is concerned about the lack of icebreakers available for the Coast Guard's missions. No later than July 31, 2015, the Coast Guard is directed to brief the Committee on the Operational Requirements Document and Alternatives Analysis with respect to initial funding, timeline, and vessel specifications related to the construction of a new Polar-class icebreaker. The Coast Guard will further brief the Committee on the Department's plans to ensure deployment of a new heavy icebreaker prior to decommissioning of the *Polar Star* and *Polar Sea*. In assessing needs for an Arctic-capable fleet, the Secretary is encouraged to focus on the Coast Guard's statutory missions, including search and rescue, ice operations, law enforcement, aids to navigation, marine safety, marine environmental protection, living marine resources, ports, waterways and coastal security, defense readiness, migrant interdiction, and drug interdiction.

MINOR SHORE INFRASTRUCTURE

The bill includes long-standing bill language to allow funds from the "Operating Expenses" appropriation to be used for the sustainment, repair, replacement and maintenance of shore infrastructure, including projects to correct deficiencies for code compliance or that threaten life, health, or safety to an amount not exceeding 50 percent of a building's or structure's replacement value. Additionally, "Operating Expenses" funds are allowed to be used for contingent, emergent, or other unspecified minor construction projects, which includes new construction, procurement, development, conversion, rebuilding, improvement, or an extension of any facility not exceeding \$1,000,000 in total costs at any location for planned or unplanned operational needs.

Minor construction projects funded from the "Operating Expenses" appropriation can be combined with depot level maintenance projects for the sake of administrative and economic efficiency. The Coast Guard is to provide a report to the Committee not later than 45 days after the date of enactment of this act detailing such projects and any sustainment, repair, replacement, or maintenance projects over \$1,000,000 for fiscal year 2015. For fiscal year 2016, such information shall be included in the congressional budget justification.

SMALL BOATS

A total of \$2,740,000 is included above the request to address an anticipated shortfall in small boat purchases in fiscal year 2015.

The bill includes long-standing bill language to allow funds from the "Operating Expenses" appropriation to be used for the purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than \$700,000) and repairs and end-of-service-life replacements. The annual cost of these activities is capped at \$31,000,000. Unlike major procurements requested for the "Acquisition, Construction, and Improvements" appropriation, the Coast Guard's annual request for the "Operating Expenses" appropriation includes minimal information about the budget for small boat activities. In order to gain more clarity on these mat-

ters, the Coast Guard is to provide a report to the Committee no later than 30 days after the date of enactment of this act detailing planned small boat purchases, leases, repairs, and service life replacements for fiscal year 2015. For fiscal year 2016, such information shall be included in the congressional budget justification. The Committee was disappointed with the plan submitted for fiscal years 2014 and 2015, as it lacked routine information the Committee expects to receive. The expenditure plans for fiscal years 2015 and 2016 shall, at a minimum, include the following: the type and quantity of boats to be purchased and associated cost; the sectors and stations the boats planned for purchase will be deployed to; an explanation as to why the purchases are necessary; historical funding for the program; and an obligation and outlay schedule. Additionally, the Committee directs the Coast Guard to work with industry partners to outline annual small boat requirements and work with the industry to understand the cost implications of indefinite purchase requirements.

FACILITY SECURITY OFFICER TRAINING

The Committee remains concerned that the Department has taken minimal steps to establish training standards for waterfront federal security officers [FSOs] which will lead to Federal certification of FSOs. The Committee notes that the Coast Guard has started working on the establishment of requirements internally, however, the Coast Guard needs to further address the implementation by working together with FEMA to ensure the curriculum is developed and implemented under the provision of Section 821 of the Coast Guard Authorization Act of 2010 (Public Law 111-281). The Committee directs Coast Guard and FEMA to jointly brief the Committee with their plan for implementation of section 821 not later than 60 days after the date of enactment of this act.

COAST GUARD YARD

The Coast Guard Yard located at Curtis Bay, Maryland, is recognized as a critical component of the Coast Guard's core logistics capability which directly supports fleet readiness. The Committee is concerned with the service life and condition of the Yard's drydock facilities, which may impact the critical in-service vessel sustainment [ISVS] project over the next 10 years. Therefore, the Coast Guard is directed to provide the Committee with a report no later than 90 days after the date of enactment of this act on the condition of all drydock facilities, and associated cranes and industrial equipment. This report shall include an assessment of equipment service life and specify drydock requirements and resources necessary to complete all ISVS work projected in the latest Capital Investment Plan report to Congress, along with all planned repair work over the same period, including the future needs to accommodate the Offshore Patrol Cutter.

EXECUTIVE TRANSPORTATION AIRCRAFT

The Coast Guard is directed to notify the Committee prior to making any changes in the type or number of the command and control aircraft.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS PERSONNEL TO
OPERATING EXPENSES

The Coast Guard’s request includes funding for 440 military positions and 458 civilian positions in the Acquisition, Construction, and Improvements [AC&I] appropriation whereas the large majority of Coast Guard personnel are funded through the Operating Expenses [OE] appropriation. The Committee directs the Coast Guard to examine whether realigning AC&I personnel to the Operating Expenses appropriation could improve the Coast Guard’s ability to efficiently manage, oversee and administer the AC&I Personnel account without degrading the Coast Guard’s ability to provide AC&I workforce details to the Committee. If, after examining a potential realignment of funds, the Coast Guard determines that a realigned structure improves the stewardship of Federal tax dollars, the Committee encourages the Coast Guard to propose realigning AC&I personnel to the OE appropriation in the fiscal year 2016 budget request.

OIL SPILL RESPONSE ACTIVITIES

No later than 30 days after the date of enactment of this act, the Coast Guard is to provide the Committee with a summary of all oil response activities related to discharge from a production platform in the Gulf of Mexico that are ongoing or completed within the prior 3 years.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$13,164,000 |
| Budget estimate, 2015 | 13,214,000 |
| Committee recommendation | 13,197,000 |

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 \$13,197,000 for Environmental Compliance and Restoration activities. This is \$17,000 below the amount requested and \$33,000 above the amount provided in fiscal year 2014.

The Coast Guard is directed to include in its annual budget justification a listing of the activities projected to be funded by the amount requested under this heading and an updated backlog report for Environmental Compliance and Restoration projects, with an explanation of how the amount requested will impact this documented backlog.

RESERVE TRAINING

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$120,000,000 |
| Budget estimate, 2015 | 109,605,000 |
| Committee recommendation | 114,572,000 |

The Reserve Training appropriation provides for the training of qualified individuals who are available for Active Duty in time of war or national emergency or to augment regular Coast Guard forces in the performance of peacetime missions.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$114,572,000 for Reserve Training. This is \$4,967,000 above the amount requested and \$5,428,000 below the amount provided in fiscal year 2014.

The budget request includes a reduction of \$10,395,000 and the transfer of 600 drilling Selected Reservist positions to the Inactive Ready Reserve. This is the second year in a row the Coast Guard has proposed such a draconian cut. If enacted, the reduction would impact the Coast Guard's ability to respond to major events, such as a hurricane, mass migration, oil spill, or earthquake. At the requested funding levels, certain specialized reserve forces would not be able to drill as frequently, impacting proficiency. Therefore, the Committee recommendation includes \$5,000,000 above the request to restore 300 reservists to active status, which will enable the Coast Guard to retain the majority of the first responders proposed for reduction, such as boat coxswains, law enforcement personnel, and pollution response technicians.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$1,375,635,000 |
| Budget estimate, 2015 | 1,084,193,000 |
| Committee recommendation | 1,330,376,000 |

Funding in this account supports the Acquisition, Construction, and Improvement of vessels, aircraft, information management resources, shore facilities, aids to navigation, and military housing required to execute the Coast Guard's missions and achieve its performance goals.

Vessels.—The vessel program provides funding to recapitalize and/or improve the Coast Guard's fleet of aging boats and cutters.

Aircraft.—The aircraft program is the primary recapitalization and sustainment effort for the Coast Guard's aging aircraft.

Other Equipment.—The Coast Guard invests in numerous management information and decision support systems that will result in increased efficiencies.

Shore Facilities and Aids to Navigation.—The Coast Guard invests in the acquisition, construction, rebuilding, and improvement of shore facilities, aids to navigation, and related equipment.

Military Housing.—The Coast Guard invests in Military Housing facilities to ensure military members have access to housing in areas where there is a lack of affordable accommodations.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,330,376,000 for Acquisition, Construction, and Improvements, including \$20,000,000 from the Oil

Spill Liability Trust Fund. This is \$246,183,000 above the amount requested and \$45,259,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Vessels: | | | |
| Survey and Design—Vessel and Boats | 1,000 | 500 | 500 |
| Response Boat Medium | 10,000 | ..... | ..... |
| In-Service Cutter Sustainment | 21,000 | 24,500 | 49,000 |
| National Security Cutter | 629,000 | 638,000 | 638,000 |
| Offshore Patrol Cutter | 23,000 | 20,000 | 20,000 |
| Fast Response Cutter | 310,000 | 110,000 | 318,000 |
| Cutter Small Boats | 3,000 | 4,000 | 4,000 |
| Polar Icebreaking Vessel | 2,000 | 6,000 | 6,000 |
| Polar Icebreaking Preservation ..... | ..... | ..... | 8,000 |
| Subtotal, Vessels | 999,000 | 803,000 | 1,043,500 |
| Aircraft: | | | |
| HC-144 Conversion/Sustainment | 9,200 | 15,000 | 15,000 |
| HC-27J Conversion /Sustainment | 24,900 | 15,000 | 15,000 |
| HC-130J Acquisition/Conversion/Sustainment | 129,210 | 8,000 | 8,000 |
| HH-65 Conversion/Sustainment | 12,000 | 30,000 | 30,000 |
| Subtotal, Aircraft | 175,310 | 68,000 | 68,000 |
| Other Acquisition Programs: | | | |
| Program Oversight and Management | 10,000 | 18,000 | 18,000 |
| Systems Engineering and Integration | 204 | ..... | ..... |
| C4ISR | 40,226 | 36,300 | 36,300 |
| CG—Logistics Information Management System [CG—LIMS] | 1,500 | 3,000 | 3,000 |
| National Automatic Identification System | 13,000 | ..... | ..... |
| Subtotal, Other Acquisition Programs | 64,930 | 57,300 | 57,300 |
| Shore Facilities and Aids to Navigation: | | | |
| Major Construction, ATON, and Survey and Design | 2,000 | 19,580 | 19,580 |
| Major Acquisition Systems Infrastructure ..... | ..... | 16,000 | 16,000 |
| Minor Shore | 3,000 | 5,000 | 5,000 |
| Subtotal, Shore Facilities and Aids to Navigation | 5,000 | 40,580 | 40,580 |
| Military Housing | | | |
| ..... | 18,000 | ..... | 6,000 |
| Personnel and Related Support: | | | |
| Direct Personnel Costs | 112,956 | 115,313 | 114,996 |
| Core Acquisition Costs | 439 | ..... | ..... |
| Subtotal, Personnel and Related Support | 113,395 | 115,313 | 114,996 |
| Total, Acquisition, Construction, and Improvements | 1,375,635 | 1,084,193 | 1,330,376 |

CAPITAL INVESTMENT PLAN

The Capital Investment Plan [CIP] is essential for the Committee to carry out its oversight function of the Coast Guard, especially at a time when recapitalization of aging assets has become so critical for the service. All of the information required by the Committee is in accordance with the Coast Guard's Major Systems Acquisition Manual and applicable DHS management directives. The fiscal year 2016–2019 plan is to be submitted with the fiscal

year 2016 congressional budget justification. The Committee is extremely displeased that it received the 2015–2019 CIP on June 13, 2014, over 3 months after it was due. This tardiness renders the plan unusable by the Committee when formulating its fiscal year 2015 recommendations. As a result, \$125,000,000 is withheld from the Headquarters Directorate of the Coast Guard until the fiscal year 2016–2020 plan is submitted. The Committee again directs the Coast Guard to ensure that the CIP clearly explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program to the current plan. The Coast Guard needs to make every effort to clearly identify which procurements will be delayed or scaled back, which ones will be canceled, which ones will remain on track, and the impact these decisions have on extending the service life of the Coast Guard’s already aging and unreliable fleet and shore facilities. The Committee expects this level of transparency in the CIP accompanying the fiscal year 2016 budget request.

ANALYSIS OF MISSION REQUIREMENTS

To ensure the out-year CIP adequately meets Coast Guard operational needs, the Coast Guard shall conduct an analysis of mission requirements. This analysis should assume that the Coast Guard needs the capability to continue to carry out all of its 11 statutory missions. In this analysis, the Coast Guard should also outline options for acquisition plans that consider reasonable combinations of alternative capabilities of surface assets (including an icebreaker) and air assets to determine the most cost effective method of executing mission needs as determined in the analysis described above.

QUARTERLY ACQUISITION BRIEFINGS

The Coast Guard is to continue quarterly briefings on all major acquisitions. In addition to the information normally provided for each asset, these briefings shall include: the top five risks for each acquisition, if applicable, consistent with those on the risk watch list in quarterly program manager reports, and if the risks have future budget implications; the objective for operational hours the Coast Guard expects to achieve; the gap between that objective, current capabilities, and stated mission requirements; and how the acquisition of the specific asset closes the gap. The information presented at these briefings shall also 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. Finally, the briefings are to include a status chart on all shore construction projects that have not been completed. For each construction project, the chart is to include the funding status, design status, and procurement and construction status.

IN-SERVICE CUTTER SUSTAINMENT

The bill includes \$49,000,000, to continue in-service sustainment efforts for the 140-foot icebreaking tugs, mid-life service sustainment of the 225-foot ocean-going buoy tender, and fund the

second of four phases of the CGC EAGLE service life extension. Given the success of the Mission Effectiveness Projects for the medium endurance cutters and the 110-foot patrol boats at the Coast Guard Yard, the Committee expects the Coast Guard to direct sustainment work on all aging vessels there when geographically feasible.

NATIONAL SECURITY CUTTER

The Committee recommendation includes \$638,000,000, as requested, for NSC-8. The Coast Guard operates a fleet of 378-foot high endurance cutters [HECs] that are over 46 years old on average, and are increasingly unreliable and expensive to maintain. By comparison, the average Navy ship is 20 years old. The Coast Guard's program of record is to acquire 8 national security cutters [NSCs] to replace 12 HECs (of which 5 have been decommissioned with the arrival of the first 3 NSCs). To date, approximately \$4,365,744,000 has been appropriated for seven NSCs and long lead time materials [LLTM] for NSC-8. Three NSCs have been delivered to the Coast Guard, the fourth is expected to be delivered in late fiscal year 2014, the fifth in late fiscal year 2015, the sixth in fiscal year 2017, the seventh in fiscal year 2018, and the eighth in fiscal year 2019.

FULL FUNDING POLICY

The Committee is concerned that the Administration's current acquisition policy requires the Coast Guard to attain total acquisition cost for a vessel, including long lead time materials, production costs, and post-production costs, before a production contract can be awarded. This has the potential to create shipbuilding inefficiencies, force delayed obligation of production funds, and require post-production funds far in advance of when they will be used. As an example of such inefficiency, the fiscal year 2013 budget request proposed a rescission and reappropriation of \$25,000,000 in funds previously appropriated for NSC-4 post-production that would have expired before they could be spent. The Department should be in a position to acquire vessels in the most efficient manner within the guidelines of strict governance measures. Therefore, the Committee includes language in the bill specifying that funds made available by this act shall be immediately available and allotted to contract for production of the eighth and final NSC notwithstanding the availability of funds for post-production costs. The Committee expects the Administration to adopt a similar policy for the acquisition of the Offshore Patrol Cutter [OPC].

FAST RESPONSE CUTTER

The Committee recommends \$318,000,000 for the Coast Guard's Fast Response Cutter [FRC]. This funding will allow the Coast Guard to acquire six FRC hulls (31-36). Procuring six FRCs in fiscal year 2015 will maximize the production line and generate cost savings of at least \$5,000,000 per hull for a total savings to the taxpayers of \$30,000,000. Funding six boats instead of two will also allow the Coast Guard to advance the replacement of the aging 110-foot Island Class Patrol Boats, which are already beyond the

end of their projected service lives and very expensive to maintain. Each FRC will provide 2,500 annual operating hours and improved sea keeping ability, resulting in better habitability and full mission capability in higher sea states.

OFFSHORE PATROL CUTTER

The recommendation includes \$20,000,000 for the OPC, as requested. Funding is provided to support technical reviews of preliminary and contract designs for the OPC class, which is intended to replace the Coast Guard's aging fleet of medium endurance cutters.

The Committee approves of the steps taken by the Coast Guard to implement Phase I of the OPC procurement. Going forward, the Committee encourages the Coast Guard to continue aggressively pursuing the timeline necessary to field the required fleet of OPCs by moving to Phase II of the OPC acquisition in the previously outlined twenty four month timeframe. The Committee supports the Coast Guard's efforts in this procurement.

POLAR ICEBREAKER

The recommendation includes \$6,000,000, as requested, to continue survey and design activities for a new Coast Guard polar icebreaker.

The Coast Guard's High Latitude Study calls for a minimum of three new heavy icebreakers to address increased activity in the Arctic region, protect our national interests, and provide search and rescue in emergency maritime situations. Currently, the Coast Guard operates one medium service icebreaker, the *Healy*, which is used primarily for scientific missions in the Arctic and one heavy polar icebreaker, the *Polar Star*, which was recently reactivated in 2013 and is estimated to remain operational for a total of 7–10 years. The service's other heavy polar icebreaker, the *Polar Sea*, is out of service based on its mechanical state. Based on the Coast Guard's projected acquisition timeline for a new heavy polar icebreaker, the earliest date in which a fully operational vessel can be deployed is 2026–2028, which leaves a potential gap of time where no heavy polar icebreaker will be available. Therefore, the Committee recommendation includes \$8,000,000 to preserve the material condition of the *Polar Sea* in anticipation of future reactivation. Not later than 30 days after the date of enactment of this act, the Coast Guard is to brief the Committee on all expenditures and associated timelines to perform the work associated with vessel preservation.

UNMANNED AIRCRAFT SYSTEMS

The Committee expects the Coast Guard to continue its long-standing plan to conduct vertical take-off and landing unmanned aircraft systems [UAS] flight demonstrations. The Coast Guard has reported to the Committee that this system would enhance the service's surveillance capabilities of the NSC and estimates a significant increase in the number of prosecutions achieved by the cutter. The Committee continues to be very supportive of the use of vertical take-off UAS aboard Coast Guard cutters and strongly en-

courages the Coast Guard to ensure that the acquisition schedule is not delayed for this enhanced surveillance capability. The Committee is pleased with the Coast Guard’s plans for cutter based testing and evaluation scheduled for late fall or early winter.

The Coast Guard continues to also pursue a small UAS [sUAS] capability for the NSC. Demonstrations in 2014 have proven successful and the Coast Guard has entered into initial stages of acquisition planning. The Coast Guard is to keep the Committee apprised of its efforts for vertical take-off UAS, sUAS, and land-based UAS development.

TRANSITION OF C-27J AIRCRAFT

The Committee is pleased that DHS, the Department of Defense and the Forest Service were able to agree upon an excess aircraft divestiture plan that will ultimately save the Coast Guard \$500,000,000 in acquisition costs and equip the Forest Service with heavy air-tankers to combat wildfires. The Committee looks forward to being supportive during the transition and implementation of aircraft to each agency’s inventory.

SHORE FACILITIES AND AIDS TO NAVIGATION

The Committee recommends \$40,580,000 for shore facilities and aids to navigation, as requested. The Coast Guard’s CIP for fiscal year 2016–2019 shall include a better explanation of the construction projects identified for funding, including: identification of each project to be funded in each fiscal year; an estimate for construction, design, planning, and project management for each project; and a schedule to complete the project.

COAST GUARD MILITARY HOUSING

The Committee provides \$6,000,000 above the request for the recapitalization, improvement, and acquisition of housing to support military families. The Coast Guard shall provide an expenditure plan to the Committee for these funds in the shore facilities report required 45 days after the date of enactment of this act.

AC&I PERSONNEL

The Committee provides \$114,996,000 for personnel and related support, as requested.

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.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$19,200,000 |
| Budget estimate, 2015 | 17,947,000 |
| Committee recommendation | 17,892,000 |

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 \$17,892,000 for the Coast Guard’s Research, Development, Test, and Evaluation activities. This is \$55,000 below the amount requested and \$1,308,000 below the amount provided in fiscal year 2014.

RETIRED PAY

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$1,460,000,000 |
| Budget estimate, 2015 | 1,576,000,000 |
| Committee recommendation | 1,576,000,000 |

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 \$1,576,000,000 for Retired Pay. This is the same amount as requested and \$116,000,000 above the amount provided in fiscal year 2014.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$1,533,497,000 |
| Budget estimate, 2015 | 1,585,970,000 |
| Committee recommendation | 1,585,360,000 |

The United States Secret Service’s [USSS’s] 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, that include, but are not limited to, access device fraud, financial institution fraud, identity theft, and computer fraud; and computer-based attacks on financial, banking, and telecommunications infrastructure; and for protection of the White House and other buildings within the Washington, DC, metropolitan area. The agency also provides support for investigations related to missing and exploited children.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,585,360,000 for Salaries and Expenses. This is \$610,000 below the amount requested and \$51,863,000 above the amount provided in fiscal year 2014.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Protection: | | | |
| Protection of persons and facilities | 848,263 | 874,885 | 867,685 |
| Protective intelligence activities | 67,165 | 68,234 | 67,536 |
| National Special Security Event Fund | 4,500 | 4,500 | 4,500 |
| Presidential candidate nominee protection | | 25,500 | 25,500 |
| Subtotal, Protection | 919,928 | 973,119 | 965,221 |
| Investigations: | | | |
| Domestic field operations | 329,291 | 332,395 | 332,795 |
| International field office administration, operations, and training | 30,811 | 34,361 | 34,195 |
| Support for missing and exploited children | 8,366 | | 8,366 |
| Subtotal, Investigations | 368,468 | 366,756 | 375,356 |
| Headquarters, management, and administration | 188,964 | 189,191 | 188,380 |
| Rowley Training Center | 55,118 | 55,868 | 55,378 |
| Information Integration and Technology Transformation | 1,019 | 1,036 | 1,025 |
| Total, Salaries and expenses | 1,533,497 | 1,585,970 | 1,585,360 |

SECRET SERVICE ACTIVITIES

The Committee fully funds the request for protection of persons and facilities, protective intelligence, and investigations. The \$21,500,000 request to begin preparation and training for the 2016 presidential campaign, including the campaign protective vehicles and communications technology, as well as the \$4,000,000 request to establish the protective detail for the next former President, are also fully funded.

The request reduces funding for the operational mission support program by \$16,594,000 from the fiscal year 2014 level. The program is responsible for protective activities related to further securing the White House complex and other facilities. Regrettably, the Committee is unable to provide additional funding for this multi-year enhancement program. The Committee urges that robust funding for this critical, multi-faceted program be included in the President's fiscal year 2016 budget request.

STATE AND LOCAL CYBERCRIME TRAINING

Last year, the Committee provided resources in continued support of the National Computer Forensics Institute [NCFI] which trains State and local law enforcement, legal, and judicial professionals in computer forensics and cyber investigations. This training is critical to bolster State and local cyber resources while similarly acting to support the Secret Service's Electronic Crimes Task Forces. Since opening in 2008, more than 3,300 State and local officials, including more than 2,300 police investigators, 840 prosecutors, and 234 judges from all 50 States and three U.S. territories have been trained through NCFI. The Committee recommends a total of \$7,500,000 to continue this activity, within the Secret Service, which will ensure training requests continue to be met. Further, the Committee directs the Secret Service to continue coordi-

nating with the National Protection and Programs Directorate as the subject matter experts to ensure the curriculum is sound and consistent with current risk and threat, and to avoid duplication and ensure efficiency.

CYBER INVESTIGATIONS

The Committee is encouraged by consistent progress made by the Secret Service in the realm of cyber investigations. In the last 4 years, the Secret Service has affected over 4,900 arrests associated with approximately \$1,370,000,000 in fraud losses. The Secret Service is working to train its entire workforce through its Critical Systems Protection program while similarly building a force multiplier in State and local law enforcement through the NCFI. The Committee funds a total of \$103,937,000 for the Secret Service's various cyber activities.

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

The National Center for Missing and Exploited Children, [NCMEC] was created in 1984 to serve as the Nation's resource on missing and sexually exploited children. For more than two decades, the Secret Service has provided funding for grants as well as computer forensic support to NCMEC. In fiscal year 2013, the \$6,000,000 in grant funds provided to NCMEC constituted 11 percent of the Center's budget. Since 1997, the Secret Service has assisted NCMEC by opening 3,656 investigative cases throughout the Secret Services field offices. These cases resulted in 1,384 arrests of child predators and others, helped parents fingerprint and/or photograph more than 114,500 children through its Operation Safe Kids program, and completed 2,835 forensic/computer examinations for investigations involving missing and exploited children.

For fiscal year 2015, the Committee recommends \$6,000,000 for grants in support of missing and exploited children and expects the USSS to sustain forensic support at the fiscal year 2014 level of \$2,366,000.

NATIONAL SPECIAL SECURITY EVENTS

The Committee recommends \$4,500,000, as requested, for support to currently planned and unanticipated National Special Security Events [NSSEs] for fiscal year 2015. The Committee directs the USSS to provide semiannual briefings on the use of these funds, with the first briefing to occur not later than March 31, 2015. Also included in the bill is a general provision that states that none of the funds in this act may be used to reimburse any Federal department or agency for its participation in an NSSE.

REPROGRAMMING THRESHOLDS

Statutory language is included in the bill setting a higher threshold for the reprogramming of funds in section 503 of this act to accommodate unanticipated shifts in funding requirements for protection and investigation activities.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$51,775,000 |
| Budget estimate, 2015 | 49,935,000 |
| Committee recommendation | 49,935,000 |

This appropriation provides funding for security upgrades of existing facilities; for information integration and technology transformation [IITT]; 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 \$49,935,000, as requested, for infrastructure improvements, IITT, and other activities. This is \$1,840,000 below the amount provided in fiscal year 2014. Of this amount, \$5,380,000 is for facilities and \$44,555,000 is for information integration and technology transformation.

The Secret Service is directed to submit a multiyear investment and management plan for its IITT program for fiscal years 2015 through 2018.

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, and ensure the protection of Federal buildings and facilities.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
 [In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Management and administration | 56,499 | 65,910 | 64,565 |
| Infrastructure protection and information security: | | | |
| Infrastructure protection | 263,246 | 271,145 | 274,947 |
| Cybersecurity | 792,291 | 746,444 | 757,340 |
| Communications | 131,463 | 179,977 | 180,713 |
| Subtotal, Infrastructure protection and information security | 1,187,000 | 1,197,566 | 1,213,000 |
| Federal Protective Service | 1,301,824 | 1,342,606 | 1,342,606 |
| Office of Biometric Identity Management | 227,108 | 251,584 | 249,142 |
| Total, National Protection and Programs Directorate (gross) | 2,772,431 | 2,857,666 | 2,869,313 |
| Offsetting fee collections | -1,301,824 | -1,342,606 | -1,342,606 |
| Total, National Protection and Programs Directorate (net) | 1,470,607 | 1,515,060 | 1,526,707 |

MANAGEMENT AND ADMINISTRATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$56,499,000 |
| Budget estimate, 2015 | 65,910,000 |
| Committee recommendation | 64,565,000 |

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 and information technology support services.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$64,565,000 for Management and Administration, \$1,345,000 below the amount requested and \$8,066,000 above the amount provided in fiscal year 2014. This amount supports the full annualization of positions in management

functions that were provided in fiscal year 2014. Further, the Committee notes the request includes a transfer of \$2,914,000 and 18 FTE from the Office of Biometric Identity Management [OBIM] Director in an effort to align all NPPD leadership offices in NPPD Management and Administration. The recommendation includes the \$2,914,000 transfer from OBIM for 18 FTE but instead of realigning the Director's office, NPPD is directed to realign business support FTE. Transferring the business support FTE will allow better utilization of staff in OBIM to support NPPD-wide activities creating efficiency instead of simply realigning leadership offices. NPPD is directed to continue implementation of recent clearer management direction on the appropriate use of administratively uncontrollable overtime.

The Committee supported the necessary growth of NPPD Management and Administration by 11 percent in fiscal year 2014, and another 12 percent increase with this recommendation. These actions are taken to prevent the Directorate from being at severe risk for failing to complete effective acquisition, efficient information technology procurement, timely hiring, and proper oversight of privacy, civil rights, and civil liberties for serious missions such as cybersecurity, law enforcement, and infrastructure protection. The Committee directs NPPD to take stock of its current resource alignment to properly complete management functions and to clearly identify in the fiscal year 2016 congressional budget justification the success in addressing these issues. The budget justification shall also clearly describe how the FTE transferred from OBIM support NPPD-wide activity and explain any additional requested resources or adjustments.

Finally, the Committee notes that since its creation in 2007, NPPD has experienced significant change in its responsibilities combined with addressing dynamic threats, creating a chaotic budgeting environment. Nonetheless, it is imperative that budget requests and appropriations provided for all NPPD accounts and PPAs can be compared year to year to effectively evaluate if resources are aligned with outcomes. For example, proposed this year were 20 balance workforce initiatives, 4 technical adjustments, 7 acquisition adjustments, 18 transfers, and 5 salary realignments. Since 2010, the Committee has expressed concern that NPPD is at risk of falling subject to a culture of chasing the latest whim which does not allow for the maturity needed in proper budgeting. Making a sport of rearranging resources hints at more of a shell game than a serious attempt to align funding. The Committee's attempt with NPPD leadership to cajole stabilization has not produced results. In a new attempt to impose budget discipline, a provision is included requiring NPPD to submit its fiscal year 2016 budget request by office and by PPA. Each office shall provide (1) budget detail by object classification; (2) the number of full-time equivalents on board; (3) the number of full-time equivalent vacancies; and (4) the appropriations account(s) used to support the office and the programs used by the office. This information shall be provided for the previously enacted year and the requested year on the day the budget justification is received. NPPD and Office of Management and Budget [OMB] staff are encouraged to work with the Committee on the format of the presentation.

The Committee recognizes that NPPD has proposed a PPA restructuring in an addendum to the budget for the last 3 years, only to later reconsider the proposal causing it not to be acted on. Should NPPD settle on a new mission based PPA restructuring that will also resolve the issues discussed above, it is encouraged to submit a report to the Committee realigning resources in the new structure using the funding levels provided by the Appropriations Committees to date for potential use for congressional action. The report shall also include a 5-year history reflecting the realignment which will further assist the Committee in transparently demonstrating resources provided.

The Committee included several requirements in Senate report 113–77 aimed at closer collaboration between NPPD and FEMA on preparedness activities, mitigation efforts, and response and recovery from disasters and attacks. The Department’s responses to these requirements further solidified the Committee’s position that this collaboration is essential to resilience and efficient, effective use of resources. The Committee directs NPPD and FEMA to jointly brief on continued coordination no later than 90 days after the date of enactment of this act.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$1,187,000,000 |
| Budget estimate, 2015 | 1,197,566,000 |
| Committee recommendation | 1,213,000,000 |

Infrastructure Protection and Information Security [IPIS] programs assist the entities and people responsible for securing the Nation’s critical infrastructure assets. In addition, IPIS supports collaborative efforts with State, local, 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 \$1,213,000,000 for Infrastructure Protection and Information Security programs, \$15,434,000 above the amount requested and \$26,000,000 above the amount provided in fiscal year 2014. The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Infrastructure protection and information security: | | | |
| Infrastructure Protection: | | | |
| Infrastructure Analysis and Planning | 63,134 | 63,999 | 68,373 |
| Sector Management and Governance | 62,562 | 63,136 | 62,961 |
| Regional Field Operations | 56,550 | 57,034 | 56,886 |
| Infrastructure Security Compliance | 81,000 | 86,976 | 86,727 |
| Subtotal, Infrastructure Protection | 263,246 | 271,145 | 274,947 |

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY—Continued

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Cybersecurity and Communications: | | | |
| Cybersecurity: | | | |
| Cybersecurity Coordination | 4,320 | 4,330 | 4,311 |
| US-Computer Incident Response Team [US-CERT] Operations | 102,000 | 98,794 | 98,573 |
| Federal Network Security | 199,725 | 171,500 | 171,418 |
| Network Security Deployment | 382,252 | 377,690 | 377,567 |
| Global Cybersecurity Management | 25,892 | 17,613 | 25,893 |
| Critical Infrastructure Cyber Protection and Aware- ness | 73,013 | 70,963 | 74,054 |
| Business Operations | 5,089 | 5,554 | 5,524 |
| Subtotal, Cybersecurity | 792,291 | 746,444 | 757,340 |
| Communications: | | | |
| Office of Emergency Communications | 37,450 | 36,480 | 37,335 |
| Priority Telecommunications Services | 53,372 | 53,381 | 53,324 |
| Next Generation Networks | 21,158 | 69,571 | 69,559 |
| Programs to Study and Enhance Telecommunications | 10,074 | 10,106 | 10,092 |
| Critical Infrastructure Protection Programs | 9,409 | 10,439 | 10,403 |
| Subtotal, Communications | 131,463 | 179,977 | 180,713 |
| Subtotal, Cybersecurity and Communications | 923,754 | 926,421 | 938,053 |
| Total, Infrastructure Protection and Information Secur- ity | 1,187,000 | 1,197,566 | 1,213,000 |

INFRASTRUCTURE PROTECTION

The Committee recommends \$274,947,000 for Infrastructure Protection, \$3,802,000 above the amount requested and \$11,701,000 above the amount provided in fiscal year 2014.

National Infrastructure Simulation and Analysis Center.—Of the total amount provided for Infrastructure Protection, \$18,650,000, the same amount as fiscal year 2014, is for the National Infrastructure Simulation and Analysis Center.

Bombing Prevention.—The Office of Bombing Prevention [OBP] shall be funded at \$9,961,000, which is \$1,546,000 above the request and \$543,000 below the fiscal year 2014 level. The funds will sustain needed training, information sharing, and awareness for State, local, and private sector entities regarding how terrorists use explosives, in addition to needed analysis of counter-explosives requirements, capabilities, and gaps. The Committee is aware of OBP's efforts to work with the National Guard on training and encourages the Office to analyze efficiencies that could be gained through coordination with the National Guard mission. The Committee further encourages OBP to continue to work with the Department of Defense on capabilities related to counter explosives, including the possible transfer, equipping, and storage of electronic countermeasures. The Office should continue to explore applicable capabilities from defense programs that comply with domestic policies and protections, such as privacy.

The Committee supports the efforts of the OBP to counter the threat and mitigate the impact of an incident using an improvised explosive device by building capabilities among State, local, tribal

and territorial partners, the private sector, and the public. The Committee encourages further cooperation through the interagency Joint Program Office for Countering Improvised Explosive Devices to ensure that capabilities from the Departments of Defense and Justice, such as the Joint Improvised Explosive Device Defeat Organization, Terrorist Explosive Device Analytical Center, and National Center for Explosives Training and Research are leveraged in support of DHS efforts. The Committee also encourages further work among OBP, the Federal Emergency Management Agency, and Federal Law Enforcement Training Center to meet preparedness goals in a systematic manner.

Vulnerability Assessments.—Of the total amount provided, \$17,006,000 is for vulnerability assessments, as requested. The Committee notes that in conducting assessments on risks to critical infrastructure and key resources, interdependencies on associated infrastructure—including cyber—are often discovered. The Committee encourages NPPD to ensure this information is shared regionally to maximize the benefits of the assessments and facilitate planning for restoration of services post-disaster.

Large Venue Safety.—The Committee directs NPPD to fully fund training of safety and security professionals charged with public protection at large venues with large crowds. The Committee encourages the Department to continue strengthening existing partnerships with institutions and centers that have well-developed training programs for security personnel to meet safety and security requirements at large venues, including those that host professional, collegiate, and amateur sporting events. Such entities should possess unique resources, research, and programs that can be combined to enhance dissemination of effective security techniques to sports safety venue professionals.

Fuel Hubs.—The Committee notes NPPD's efforts to review petroleum transportation and distribution systems in the aftermath of Hurricane Sandy and directs the Directorate to make information on the analysis available to affected States.

Sensing Technologies.—NPPD is directed to provide a briefing on the development and use of sensing technologies to enhance building security and resilience no later than 60 days after the date of enactment of this act.

Sector Management and Governance.—In a recent report entitled, "Critical Infrastructure Protection: Observations on Key Factors in DHS's Implementation of Its Partnership Approach" (GAO-14-464T), GAO found that DHS still has work to do regarding several key factors that are important to implement its partnership approach with industry to protect critical infrastructure. For example, a systematic approach to gathering feedback from industry owners and operators and measuring the results of these efforts is still lacking. The Committee is perplexed that, given the need to update processes, the budget request includes an 11 percent increase in salaries and expenses and a 5 percent decrease for programmatic funding. NPPD shall reassess its budget priorities to ensure the most critical issues are addresses first.

Chemical Security.—The Committee recommends \$86,727,000 for Infrastructure Security Compliance, \$249,000 below the request and \$5,727,000 above the amount provided in fiscal year 2014. The

Under Secretary of NPPD is directed to provide a report on the implementation of the Chemical Facility Anti-Terrorism Standards [CFATS] program to the Committee on a semiannual basis that includes the number of: facilities covered, inspectors, completed inspections, inspections completed by region, pending inspections, days inspections are overdue, enforcements resulting from inspections, and enforcements overdue for resolution. This data should be delineated by tier. The first report shall be submitted no later than 90 days after the date of enactment of this act.

On June 6, 2014, the White House released a report required in Executive Order 13650 entitled Improving Chemical Facility Safety and Security with specific recommendations to enhance the safety and security of chemical facilities and reduce risks associated with hazardous chemicals to facility workers, communities, and first responders. NPPD is directed to brief the Committee on the progress of fulfilling the recommendations and the progress being made to improve coordination among Federal agencies on chemical security and safety no later than 90 days after the date of enactment of this act. The requirement included in previous fiscal years for a semiannual report from the Deputy Secretary on coordination efforts within the Department is discontinued in light of the new Federal effort, including the convened working group.

The Committee recognizes NPPD's continued and needed focus on evolving CFATS into a program that balances the need for security with the need of efficient chemical management by companies. As its approach to chemical security develops and matures, the Committee urges NPPD to find the best possible path to ensure safety while not overburdening the industry with excessive regulatory requirements. In particular it is imperative that NPPD work with industry on a viable solution to personnel surety.

The Committee remains concerned about the capabilities available to first responders, chemical facility workers, and the general population to protect themselves in the event of exposure to hazardous chemicals. NPPD is encouraged to consider chemical neutralization technologies when creating comprehensive and integrated standard operating procedures for a unified Federal approach for identifying and responding to risks in chemical facilities as detailed in Executive Order 13650.

The Committee finds the use of administratively uncontrollable overtime [AUO] by NPPD personnel has been excessive, particularly by chemical security inspectors. Since fiscal year 2010, nearly all of the chemical security inspectors have reached the maximum cap on AUO pay at 25 percent each year—in two of those years, every inspector was paid the maximum. As outlined in the Deputy Secretary's May 23, 2014, memorandum entitled "Improving AUO Administration within the Department of Homeland Security," positions eligible for AUO are positions "in which the hours of duty cannot be controlled administratively, and which require substantial amounts of irregular, unscheduled overtime duty." The Committee acknowledges that inspectors, in the course of business, may need to extend their generally scheduled inspections due to concerning and irregular circumstances. However, the Committee directs NPPD to consider the eligibility of these employees for AUO consistent with the Deputy Secretary's memorandum and future

policies and procedures. NPPD shall keep the Committee apprised of developments in this area.

CYBERSECURITY

The Committee recommends \$757,340,000 for Cybersecurity programs, \$10,896,000 above the budget request and \$34,951,000 below the fiscal year 2014 level.

Federal Network Security.—Of the total amount for cybersecurity, the Committee recommends \$171,418,000 for Federal Network Security, of which \$140,525,000 is to provide continuous monitoring and diagnostics for the civilian Federal computer network to detect malicious activity on Government networks. DHS has made great strides in implementing the continuous monitoring and diagnostics program by putting contract vehicles in place and signing agreements with 108 departments and agencies; however, the actual purchase and deployment of capabilities has been slow. The Committee expects DHS and all departments and agencies to move forward with deliberate haste, given the cyber threat. The Committee notes the promise of continuous monitoring and diagnostics in revamping Federal Information Security Management Act requirements to get timely, accurate, and actionable results.

While NPPD is leading the effort for continuous monitoring and diagnostics and funds are provided for standardizing and improving this capability across the Federal enterprise, the responsibility for information technology management, including security, remains with each Federal agency. As such, each agency must continue to plan and budget for security needs consistent with current law and policies as well as emerging threats and needs. NPPD shall provide its expertise and capabilities to supplement, but not supplant, the budget and responsibilities of other agencies. A general provision, first enacted in fiscal year 2013, requiring reports on the progress of the implementation of this effort is included but modified to reduce the frequency of the reports to semiannual.

Network Security Deployment.—The National Cybersecurity Protection System [NCPS], known as Einstein, was deployed in 2004, and has been upgraded in stages to address the evolving threat through technological advances. As required in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2014, GAO is currently conducting a comprehensive review of the Einstein program's effectiveness. The Committee expects NPPD will act upon reasonable recommendations without delay.

Cybersecurity Personnel Nationwide.—NPPD is directed to conduct a review of the availability and benefit (including cost savings and security) of using cybersecurity personnel and facilities outside of the National Capital Region [NCR] to serve the Federal and national need. Findings of this review shall be reported to Congress no later than 120 days after the date of enactment of this act. Further, should DHS gain special hiring authority for cybersecurity personnel, the authority shall not be used in any case unless consideration has first been given to using personnel and facilities outside the NCR.

Enhanced Cybersecurity Services.—The Committee supports NPPD’s efforts to make available Enhanced Cybersecurity Services [ECS] and urges NPPD to begin working with State and local governments on risks to government systems and to critical infrastructure in their communities. Since these governments oversee the safety of, and in some cases directly operate, elements of the electrical grid, water utilities, public transportation, communications systems, and other key assets it is critical that they have access to the latest tools in this fiscal year. Further, NPPD shall report to the Committee, no later than 60 days after the date of enactment of this act, on the current size and expected growth of the State and local government need for ECS protection services. The report shall include the number of entities utilizing ECS today, the anticipated need for ECS use in the next 2 years, and NPPD’s plan for expanding use of ECS, including an articulation of any barriers to ECS use by particular types of users and how NPPD will assist in overcoming those barriers.

Cybersecurity Education.—The Committee recommends \$25,893,000 for Global Cybersecurity Management, of which no less than \$15,810,000 is for cybersecurity education. The Committee rejects the administration’s proposal to reduce funding for cybersecurity education. A reduction will delay the stated goal of educating 1.7 million students by 2021 which is the determined need to keep pace with the cyber threat. This is unacceptable. If the Department chooses to reassess the overall need for cybersecurity education, NPPD shall provide a report to the Committee on the methodology and metrics the administration uses to determine the new need and demonstrate how it is consistent with the goals established in the National Initiative for Cybersecurity Education. Further, to have an effective workforce development program it is imperative that DHS establish clear and specific requirements which define types of cybersecurity personnel. For example, the Department of Defense has specific guidance and procedures for the training, certification, and management of all government employees who conduct information assurance functions in assigned duty positions (referred to as DoDD 8570). This discipline will establish a measurable goal for a properly skilled workforce. NPPD is directed to brief the Committee no later than 60 days after the date of enactment of this act on a specific timeline by which workforce development requirements will be precisely defined.

National Cybersecurity Review.—The Committee looks forward to receiving the biannual National Cybersecurity Review in a timely fashion and notes that it provides critical information regarding the Nation’s resilience against and readiness for a cyber incident used by Federal agencies and the private sector.

COMMUNICATIONS

The Committee recommends \$180,713,000 for communications programs, \$736,000 above the amount requested and \$49,250,000 above the amount provided in fiscal year 2014.

Emergency Communications.—Of the total amount recommended, \$37,335,000 is for the Office of Emergency Communications [OEC], \$855,000 above the amount requested, and \$115,000 below the fis-

cal year 2014 level. The Committee provides additional funding to ensure OEC can maintain the same level of training and exercise support to State, tribal, and local governments as in fiscal year 2014.

The Committee remains committed to ensuring Federal funding for interoperability is used to enhance communications among local, State, and Federal first responders, consistent with each community’s needs. The Committee directs OEC to work with FEMA to ensure that applicable Department fiscal year 2015 guidance for first responder communications grant programs includes appropriate guidance based on factors including effectiveness, risk, and affordability for newer capabilities as they come online, such as multi-band land mobile radios and terminals.

Next Generation Networks.—Of the total amount recommended, \$69,559,000 is for the Next Generation Networks Program, \$12,000 below the request and \$48,401,000 above fiscal year 2014. This funding provides the next significant increment to ensure priority calls can be placed on the most current technology during disasters and emergencies.

FEDERAL PROTECTIVE SERVICE

| | |
|---|-----------------|
| Appropriations, 2014 ¹ | \$1,301,824,000 |
| Budget estimate, 2015 ¹ | 1,342,606,000 |
| Committee recommendation ¹ | 1,342,606,000 |

¹Fully 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 \$1,342,606,000, as requested, for salaries and expenses of the Federal Protective Service for fiscal year 2015. This amount is fully offset by collections of security fees.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Basic security | 271,540 | 275,763 | 275,763 |
| Building-specific Security | 509,056 | 600,615 | 600,615 |
| Reimbursable Security Fees (Contract Guard Services) | 521,228 | 466,228 | 466,228 |
| Total, Federal Protective Service | 1,301,824 | 1,342,606 | 1,342,606 |

FEDERAL PROTECTIVE SERVICE—Continued

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|----------------------------------|-----------------------------|------------------------------------|------------------------------|
| Offsetting Fee Collections | -1,301,824 | -1,342,606 | -1,342,606 |

The Federal Protective Service is funded through fees assessed to participating agencies by the OMB. The Secretary of Homeland Security is directed to certify that FPS is sufficiently funded to support the requested 1,371 FTE, including no less than 1,007 police officers, inspectors, area commanders, and special agents by December 31, 2014.

A provision was included in the Department of Homeland Security Appropriations Acts of 2012, 2013, and 2014 requiring FPS to submit a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment. FPS submitted its first full Strategic Human Capital Plan on March 12, 2014. Based on direction in the Explanatory Statement accompanying the fiscal year 2014 Act, GAO is now required to evaluate the plan and provide a report on its effectiveness. FPS shall brief the Committee on its implementation of GAO recommendations upon receiving them. The provision to submit a strategic plan is retained for one additional year pending GAO's findings.

For over 2 years FPS has been providing quarterly briefings on its efforts to link operations, performance, and cost data. The Committee expects the FPS proposed resource allocation, including the fee design, for fiscal year 2016 to be based on these efforts and to demonstrate a clear metric based on risk. The quarterly briefings are no longer required.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$227,108,000 |
| Budget estimate, 2015 | 251,584,000 |
| Committee recommendation | 249,142,000 |

MISSION

The mission of the Office of Biometric Identity Management [OBIM] is to collect, maintain, and share biometric data with authorized DHS, Federal, State, tribal, local law enforcement agencies, and strategic foreign partners. As the agency responsible for maintaining the Automated Biometric Identification System [IDENT] and a biometric center of expertise, OBIM provides an invaluable capability to ensure national security, public safety and the integrity of the Nation's immigration system. OBIM is charged with fostering full interoperability and real-time data sharing among the Homeland Security, Justice, and Defense Departments' biometric identity management systems. OBIM also must ensure that biometrics can be used as the means to link associated biographic information such that individuals can be uniquely identified, serving its customers' security, facilitation, and customer service needs.

RECOMMENDATION

The Committee recommends \$249,142,000 for OBIM, including \$25,382,000 for system improvements to the Automated Biometric Identification System [IDENT]. This is \$2,442,000 below the request and \$22,034,000 above the amount provided in fiscal year 2014. The Committee strongly supports IDENT modernization; though given budget constraints, the recommended level will support only half the proposed purchase of 10-print biometric matching devices. OBIM is encouraged to apply any cost savings during the fiscal year to modernization efforts.

In addition, as specified under “National Protection and Programs Directorate, Management and Administration” 18 FTE are transferred from OBIM to NPPD as requested and modified. NPPD shall brief the Committee on the specific business support FTE. This recommendation does not alter the funding level proposed for these FTE in the M&A PPA or the OBIM account.

Language is included in the bill requiring a multi-year investment and management plan be submitted with the President’s budget request that justifies current and future requirements for OBIM. The Committee directs OBIM to continue efforts to identify efficiencies under this new structure through reassessing its staffing, travel, and contractor support requirements.

SEMIANNUAL BRIEFINGS

OBIM is directed to continue briefing the Committee on a semi-annual basis on its workload and service levels, staffing, modernization efforts, and other operations.

FOCUSED CUSTOMER SERVICE

OBIM is expected to continue its strong coordination with DHS and interagency partners to ensure appropriate focus on customer needs and service through regular, informal means of communication as well as through the official mechanism of the OBIM Executive Stakeholder Board.

OBIM shall continue efforts to enroll into IDENT TSA’s special vetted populations as well as departmental employees and contractors, which has been a priority for a number of years. These populations and other potential future populations would enable better security and improve customer service. Consequently, OBIM is directed to include the status of these projects in its semiannual briefings.

IDENTITY SERVICES

DHS is encouraged to work cooperatively with the Departments of Justice, Defense, and State to standardize and share biometric information. The Committee directs OBIM to continue semi-annual briefings on progress toward integrating the various systems, including Unique Identity, to describe existing capability gaps and a methodology by which to close them. Further, the Committee encourages OBIM to continue its data sharing and connectivity improvement efforts with the Intelligence Community.

OFFICE OF HEALTH AFFAIRS

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$126,763,000 |
| Budget estimate, 2015 | 125,767,000 |
| Committee recommendation | 124,618,000 |

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.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$124,618,000, \$1,149,000 below the request and \$2,145,000 below the fiscal year 2014 level, for Office of Health Affairs programs. The Committee denies the requests to consolidate the BioWatch Program and the National Biosurveillance Integration Center into one PPA, and create a second PPA by combining Planning and Coordination and the Chemical Defense Program. In order to maintain proper oversight of expenditures, the fiscal year 2014 PPA structure for OHA is retained. This will allow the Committee to compare year to year appropriations uniformly. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

OFFICE OF HEALTH AFFAIRS
[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|--------------------------|---------------------------------|---------------------------|
| BioWatch | 85,277 | 84,651 | 84,651 |
| National Biosurveillance Integration Center | 10,000 | 8,000 | 8,000 |
| Chemical Defense Program | 824 | 824 | 824 |
| Planning and Coordination | 4,995 | 4,995 | 4,995 |
| Salaries and Expenses | 25,667 | 27,297 | 26,148 |
| Total, Office of Health Affairs | 126,763 | 125,767 | 124,618 |

BIOWATCH

The Committee recommends \$84,651,000 for the BioWatch Program, the same amount as requested and \$626,000 below the amount provided in fiscal year 2014. This funding sustains current operations.

OHA has recently announced the cancellation of the autonomous detection technology acquisition, also known as the BioWatch Generation 3 Program. While the request has been granted for a \$626,000 reduction from the BioWatch Program by extending the timeline for full replacement and capitalization of laboratory equipment in the currently used Generation 1 and 2 models, the Committee remains supportive of the pursuance of next generation bio-detection technology. OHA is directed to brief the Committee no later than 60 days after the date of enactment of this act to ad-

dress the impact of the delayed replacement of laboratory equipment on the BioWatch Program, along with the next steps forward on further technological advancement within this program.

NATIONAL BIOSURVEILLANCE INTEGRATION CENTER

The Committee recommends \$8,000,000 for the National Biosurveillance Integration Center [NBIC], the same amount as requested and \$2,000,000 below the amount provided in fiscal year 2014.

The Committee notes a strategic plan for NBIC to promote early warning and share situational awareness of biological events was published in November 2012. The plan establishes initiatives that may be measured and validated to ensure specific goals are accomplished, including dissemination of timely, useful, integrated Federal information related to incidents and threats. In addition, as part of the NBIC strategy, pilot projects are completed to demonstrate new capabilities for operational implementation. OHA is directed to brief the Committee on the progress of the implementation of the strategic plan and the specific outcomes of the pilot projects no later than 60 days after the date of enactment of this act. The briefing shall include identification of obstacles to the implementation of the strategic plan and the timeframe for completion of the pilot programs. The ongoing costs and new needs for pilot projects should be identified in the brief. Pilot projects shall be competitively awarded in fiscal year 2015.

CHEMICAL DEFENSE PROGRAM

The Committee recommends \$824,000 for the Chemical Defense Program, the same as requested and the amount provided in fiscal year 2014.

OHA has selected four cities across the United States in which to perform demonstration projects aimed at developing a comprehensive chemical defense framework. OHA is directed to brief the Committee no later than 60 days after the date of enactment of this act to provide an update on the demonstration projects underway in the selected cities.

PLANNING AND COORDINATION

The Committee recommends \$4,995,000 for Planning and Coordination, the same as requested and the amount provided in fiscal year 2014. OHA is directed to brief the Committee regarding how mission capability has been maintained, within the resources requested and provided, no later than 60 days after the date of enactment of this act.

SALARIES AND EXPENSES

The Committee recommends \$26,148,000 for Salaries and Expenses, \$1,149,000 below the amount requested and \$481,000 above the amount provided in fiscal year 2014. The reduction from the request is justified due to vacancies.

UNACCOMPANIED ALIEN CHILDREN HEALTH SCREENING

The medical triage of aliens apprehended on the Southwest border and being taken into CBP and ICE custody has been an ongoing challenge, though the crisis of unaccompanied alien children has made this issue even more acute. Breakouts of chicken pox, scabies, and other communicable diseases among the detained population and those who come in contact with them, such as Border Patrol agents, are becoming more common. OHA has been assisting CBP and ICE in developing better policies and procedures for medical triage and, given the current crisis, has deployed medical professionals to assist by giving vaccinations and performing examinations. The Committee notes that direct care is not the intended use of OHA personnel, as such, OHA shall support CBP and ICE in developing a better medium- and long-term solution for engaging these critical services.

FEDERAL EMERGENCY MANAGEMENT AGENCY

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. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|--------------------------|---------------------------------|---------------------------|
| Salaries and Expenses | 946,982 | 924,664 | 935,720 |
| State and Local Programs | 1,500,000 | ¹ 2,225,469 | 1,500,000 |
| Firefighter Assistance Grants | 680,000 | (²) | 680,000 |
| Emergency Management Performance Grants | 350,000 | (²) | 350,000 |
| Radiological Emergency Preparedness Program | -1,272 | -1,815 | -1,815 |
| United States Fire Administration | 44,000 | 41,407 | 44,000 |
| Disaster Relief Fund: | | | |
| Base | 594,522 | 595,672 | 595,672 |
| Disaster Relief Category | 5,626,386 | 6,437,793 | 6,437,793 |
| Subtotal, Disaster Relief Fund | 6,220,908 | 7,033,465 | 7,033,465 |
| Flood Hazard Mapping and Risk Analysis | 95,202 | 84,403 | 100,000 |
| National Flood Insurance Fund ³ | (176,300) | (179,294) | (179,294) |
| National Predisaster Mitigation Fund | 25,000 | | 25,000 |
| Emergency food and shelter | 120,000 | 100,000 | 100,000 |
| Total, Federal Emergency Management Agency | 9,980,820 | 10,407,593 | 10,766,370 |

¹ Includes \$670,000,000 proposed for Firefighter Assistance Grants and \$350,000,000 proposed for Emergency Management Performance Grants, which continue to be funded in separate appropriations.

² Funding proposed under State and Local Programs.

³ Fully offset by fee collection.

SALARIES AND EXPENSES

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$946,982,000 |
| Budget estimate, 2015 | 924,664,000 |
| Committee recommendation | 935,720,000 |

Funding for FEMA Salaries and Expenses 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. The Salaries and Expenses account supports FEMA's programs by coordinating between headquarters and regional offices the policy, managerial, resource, and administrative actions.

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of \$935,720,000 for FEMA Salaries and Expenses, which is \$11,056,000 above the request and \$11,262,000 below fiscal year 2014. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

SALARIES AND EXPENSES

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|--------------------------|---------------------------------|---------------------------|
| Administrative and Regional Offices | 249,855 | 245,218 | 244,183 |
| Office of National Capital Region Coordination | (3,400) | ..... | (3,400) |
| Preparedness and Protection | 173,406 | 185,000 | 184,659 |
| Response | 178,692 | 167,376 | 174,586 |
| Urban Search and Rescue Response Systems | (35,180) | (27,513) | (35,180) |
| Recovery | 55,121 | 56,030 | 55,789 |
| Mitigation | 27,858 | 25,782 | 27,738 |
| Mission Support | 151,744 | 141,809 | 145,316 |
| Centrally Managed Accounts | 110,306 | 103,449 | 103,449 |
| Total, Salaries and Expenses | 946,982 | 924,664 | 935,720 |

PROGRAM ACTIVITIES

Since fiscal year 2012, FEMA Salaries and Expenses have been reduced by 9.3 percent. Much of the reduction is attributed to prudent decision-making about out-of-date contract services, strategic workforce management, and streamlining functions by transferring them to the regional offices from headquarters. Other less desirable reductions have been proposed in deferral of maintenance to training facilities, reduction to long view programs such as mitigation programs, and under investment in technology improvements. The Committee expects that FEMA will strive to strike a reasonable balance between needed reductions in the short term and investing in long view programs to reduce future risk which saves money and lives. The fiscal year 2016 budget justification should clearly identify FEMA's strategy in developing budget trade-offs.

Of the total amount made available, \$33,862,000 is included for Mount Weather capital improvements and operations, as requested.

Of the total amounts provided, not less than: \$2,000,000 is for the Emergency Management Assistance Compact under the Preparedness and Protection PPA; \$4,199,515 is for the National Hurricane Program under the Response PPA; \$8,500,000 is for the National Earthquake Hazards Reduction Program and \$9,100,000 is

for the National Dam Safety Program under the Mitigation PPA. Funding levels for each of these programs are maintained at fiscal year 2014 levels. The Committee is perplexed by the proposed reduction to EMAC since funds facilitate mutual aid among States and local governments, thereby reducing the burden to the Federal Government. The proposed 43 percent cut which would reduce training, upgrades to the Mutual Aid Support System, and readiness activities is rejected.

The Committee provides \$8,516,000 for evaluations and assessments, as requested, in the Preparedness and Protection PPA. In previous years the Committee included funding for evaluations and assessments in the Administrative and Regional Offices PPA in hopes that FEMA leadership would take a FEMA-wide approach to evaluating programs for State, tribal, local governments. Given the need to maintain focus on preparedness programs, the proposed reduction in funds, and the direction throughout this report to do evaluations in other programs, the Committee includes the funds as requested in the Preparedness and Protection PPA. FEMA is encouraged to, nonetheless, take a comprehensive approach to program evaluation including preparedness, response, and recovery creating more useful evaluations and reducing the burden on partners.

The Committee is disappointed in the delayed release of the third annual National Preparedness Report [NPR]. The report is an important opportunity to continue to hone the alignment of preparedness needs with investments through the resources of Federal, State, tribal, and local governments. Additionally, the NPR should begin to include information this year garnered from the Threat and Hazard Identification and Risk Assessments [THIRA] being completed at all levels of government. The Committee is concerned that momentum to continue improving efforts like THIRA and then align them with reporting mechanisms is waning. This will lead to yet another attempted but not completed approach to put performance metrics in place. A continued discombobulated approach to assess readiness puts limited resources at risk from being invested in the most worthy projects. The Committee expects the NPR to be delivered without delay. Further, FEMA is directed to brief the Committee no later than 30 days after the NPR is published on the development of a measurement system that will assess the Nation's risk, readiness, and the specific gaps in capabilities, including the incorporation of any THIRA information.

The Committee urges FEMA to continue efforts through demonstration projects to ensure the latest technologies are available for use by people who are deaf, blind, or non-English speaking so they may receive emergency alert notifications.

AUTOMATION MODERNIZATION

The Committee provides \$4,000,000 above the total amount requested to continue FEMA's automation modernization program, the same level as fiscal year 2014. The funding and the report required in this and previous Appropriations Acts provide the means and structure for FEMA to modernize its systems for better performance and future costs savings. FEMA shall continue to include the DHS CIO in planning efforts to ensure compatibility with other

departmental systems where practicable. The Committee commends the FEMA Chief Information Officer for embarking on a capital planning and investment review of the over 600 systems FEMA operates and expects the results of the review to be helpful in evaluating the current modernization strategy.

OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends \$3,400,000 for the Office of National Capital Region Coordination [ONCRC], the same level as the request and the amount provided in fiscal year 2014. The Committee recognizes the unique responsibilities of the Office in coordinating emergency preparedness and response activity in a high-population area, where the workforce is made up of many independently operating Federal agencies and the District of Columbia, and where National leaders and foreign dignitaries are ever present.

The Committee notes that FEMA has reconsidered its realignment of the ONCRC which was proposed on July 2, 2013. After consultation with stakeholders and a refocusing on the legislated mission, it appears FEMA has charted a new way forward for the ONCRC to best serve the needs of this unique area. FEMA is directed to conduct an exercise, in cooperation with State and local governments, to demonstrate how the updated proposal for execution of the ONCRC mission will function and how authorities will be used during an incident. The exercise will ensure the concept is tested and the roles and responsibilities are clearly understood and agreed upon at all levels of government. If during the exercise, high priority activities for the ONCRC are reevaluated, FEMA shall brief the Committee on the new priorities including the timeframe for execution. Previously prioritized activities include aligning Federal building emergency plans and evacuation procedures to facilitate an orderly evacuation for no-notice events and facilitating daily data sharing across local, State, and the plethora of Federal sources for situational awareness.

A permanent provision included in the Department of Homeland Security Appropriations Act, 2013, requires inclusion of the Governors of the State of West Virginia and the Commonwealth of Pennsylvania in the National Capital Region decision-making process for mass evacuations. FEMA is directed 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 \$35,180,000 for the Urban Search and Rescue Response System, \$7,667,000 above the request and the same amount as provided in fiscal year 2014. Funding will sustain the existing system and additional chemical, biological, nuclear, radiological, and explosives capabilities gained in fiscal year 2012.

BUDGET PRESENTATION

The Committee directs FEMA to submit its fiscal year 2016 budget request, including justification materials, by office. Each office and FEMA region shall include (1) budget detail by object clas-

sification; (2) the number of FTE on-board; (3) the number of FTE vacancies; and (4) the appropriations account(s) used to support the office and the programs managed by the office. The level of detail provides improved transparency and refined tracking of actual spending.

The Committee commends FEMA for making the budget request in the same PPA structure, with minor exceptions under the State and Local Programs appropriation, in which funds are appropriated instead of continuing the previous practice of presenting the budget solely in a new format, making program and activity comparison over fiscal years an exercise in frustration.

The Committee also notes that FEMA included an addendum proposing to combine the Response and Recovery PPAs into a single PPA. This request is denied. The Committee feels strongly that maintaining a known level of funding in both response and recovery will ensure that spending is not subject to the response issue of the day and thereby putting at risk funding recovery activities that have a longer term need. The separate PPAs were established to ensure transparency in level of effort between the two functions due to the concern over complaints of FEMA's ability to assist in an efficient and effective recovery. For example, FEMA's ability to support recovery after Hurricane Katrina suffered severely in no small part due to antiquated and convoluted recovery policies. Further, the Committee has not been provided with specific examples of how separate PPAs are inhibiting FEMA's ability to perform. Should FEMA supply further convincing evidence of the need for unification of the PPAs and demonstrate a way to ensure long view issues will not suffer from the demands of urgent matters of the day, the unification could be reconsidered.

OFFICE OF EXTERNAL AFFAIRS

Pursuant to the Explanatory Statement accompanying the Department of Homeland Security Appropriations Act, 2014, the Committee has been briefed on the implementation of plans to improve accuracy and timeliness of FEMA's communications with Congress and the public. The Committee expects communications going forward will be greatly improved.

SANDY RECOVERY IMPROVEMENT ACT

The Committee commends FEMA for developing a task force and schedule of work to implement all provisions of the Sandy Recovery Improvement Act, which was enacted on January 29, 2013 (Public Law 113-2, division B). In order to hasten recovery and augment mitigation efforts in areas affected by Hurricane Sandy and other disasters throughout the country, FEMA is directed to remain focused on this effort and provide the necessary resources to continue it in earnest. Further, FEMA is directed to continue documenting the savings in time and costs, and the expedited recovery opportunities afforded communities due to the change in authorities. This information should be made available to Congress periodically.

CHILDREN AND DISASTERS

The National Commission on Children and Disasters highlighted the unique disaster-related needs of America's 73 million children. The Committee notes the progress that focusing on these unique needs has caused in recent disaster response and recovery. The Committee directs FEMA to sustain its ongoing efforts to address children's disaster-related needs both in headquarters and regional offices. Further, FEMA is directed to provide an updated report, not later than 120 days after the date of enactment of this act, on grant expenditures related to ensuring the needs of children are met, including all sources of FEMA grants, such as preparedness and mitigation. The Committee also encourages FEMA to coordinate with the Department of Health and Human Services to better collect information as it pertains to child care services provided by the Child Care Development Block Grant and provide a briefing to the Committee on the results of the coordination within 120 days after the date of enactment of this act.

WILDFIRE MITIGATION

Since 1980, wildfires have caused over \$28,000,000,000 in economic losses across the United States and fire suppression costs have risen sharply over that time as wildfire seasons have gradually worsened. Wildfire mitigation efforts not only reduce the costs of wildfires to the economy and Federal Government, but also save lives. As required in Senate Report 113-77, FEMA provided the "Fire Mitigation: Fiscal Year 2014 Report to Congress." The report reveals that the majority of FEMA funds are directed toward wildfire suppression through the Fire Management Assistance Grant [FMAG] program, which does not allocate funding for wildfire prevention. FEMA does make mitigation funds available through the Hazard Mitigation Grant Program [HMGP] in response to a major disaster declaration; however, since very few wildfires achieve this categorization wildfire prevention is not a focus of this program. The Predisaster Mitigation [PDM] Program is the only significant FEMA program devoted entirely to the mitigation and prevention of natural disasters, and based on the report, over the past 5 years, 15 PDM wildfire-related projects for under \$11,000,000 have been awarded. By contrast, FEMA spent over \$290,000,000 during that time period through FMAG for wildfire suppression and response, and other Federal agencies spent well in excess of \$10,000,000,000 suppressing and responding to wildfires. In light of these figures, FEMA's efforts regarding mitigation and repeated attempts to eliminate funding for PDM by the administration are puzzling. The Committee directs FEMA, in conjunction with the Forest Service and the Department of Interior, to provide a strategy to better mitigate wildfire impacts on urban and residential areas no later than 120 days after the date of enactment of this act. The strategy should include ways for FEMA to partner with the Forest Service and Department of Interior in their wildfire prevention and mitigation efforts, and also ways for FEMA to partner with State and local governments at risk for wildfires on cooperative efforts in the coming years.

DISASTER DECLARATIONS FOR TRIBAL GOVERNMENTS

The Committee urges FEMA to continue implementing Section 1110 of the Sandy Recovery Improvement Act (Public Law 113–2, division B) which provides authority to make disaster declarations directly to Tribal governments. FEMA is directed to provide semi-annual briefings to the Committee, and the authorizing committees of jurisdiction, regarding the progress made in implementing this provision, including FEMA resources and personnel dedicated to the program.

RESILIENCE

The Committee notes that many policy documents, such as the National Mitigation Framework, have been produced in recent years but FEMA’s budget proposals have yet to demonstrate a change in the commitment to supporting mitigation projects and in leading an effort to promote resilient communities. FEMA is directed to clearly articulate a funding strategy that supports and promotes mitigation and resilience in the fiscal year 2016 congressional budget justification. The description shall articulate how each of the hazards have been prioritized and what, if any, risk weights have been assigned to particular types of disasters. Further, FEMA shall brief the Committee on the method by which not only current hazards but future threats, such as evolving terrorist methods, technological incidents, and extreme weather events, are incorporated into the cost benefit calculation for mitigation projects, including for projects in rural communities, no later than 60 days after the date of enactment of this act.

COMPONENT COLLABORATION

The Committee included several requirements in Senate report 113–77 aimed at closer collaboration between FEMA and the National Protection and Programs Directorate [NPPD] on preparedness activities, mitigation efforts, and response and recovery from disasters and attacks. The Department’s responses to these requirements further solidified the Committee’s position that this collaboration is essential to resilience and efficient, effective use of resources. The Committee expects FEMA and NPPD to jointly brief on continued coordination no later than 90 days after the date of enactment of this act.

STATE AND LOCAL PROGRAMS

| | |
|--|-----------------|
| Appropriations, 2014 | \$1,500,000,000 |
| Budget estimate, 2015 ¹ | 2,225,469,000 |
| Committee recommendation | 1,500,000,000 |

¹ Includes \$670,000,000 proposed for Firefighter Assistance Grants and \$350,000,000 proposed for Emergency Management Performance Grants, which continue to be funded in separate appropriations.

Funding for State and Local Programs provides grants for training, equipment, planning, and exercises to improve readiness for potential disasters.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$1,500,000,000 for State and Local Programs, \$294,531,000 above the amount requested in comparable programs and the same level as fiscal year 2014. The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

STATE AND LOCAL PROGRAMS

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|--------------------------|---------------------------------|---------------------------|
| Grants: | | | |
| National Preparedness Grant Program | | 1,043,200 | ..... |
| State Homeland Security Grant Program | 466,346 | ..... | 467,000 |
| Operation Stonegarden | (55,000) | ..... | (55,000) |
| Urban Area Security Initiative | 600,000 | ..... | 600,000 |
| Nonprofit Security Grants | (13,000) | ..... | (13,000) |
| Public Transportation Security/Railroad Security/Bus Assistance | 100,000 | ..... | 100,000 |
| Amtrak | (10,000) | ..... | (10,000) |
| Port Security Grants | 100,000 | ..... | 100,000 |
| First Responder Assistance Programs: | | | |
| Emergency Management Performance Grants | (¹) | 350,000 | (¹) |
| Firefighter Assistance Grants | (¹) | 670,000 | (¹) |
| Training Partnership Grants | | 60,000 | ..... |
| Subtotal, First Responder Assistance Programs | | 1,080,000 | ..... |
| Subtotal, Grants | 1,266,346 | 2,225,469 | 1,267,000 |
| Education, Training, and Exercises: | | | |
| Emergency Management Institute | 20,569 | 19,438 | 20,569 |
| Center for Domestic Preparedness | 64,991 | 62,912 | 64,991 |
| National Domestic Preparedness Consortium | 98,000 | ..... | 98,000 |
| National Exercise Program | 21,094 | 19,919 | 19,919 |
| Continuing training | 29,000 | ..... | 29,521 |
| Subtotal, Education, Training, and Exercises | 233,654 | 102,269 | 233,000 |
| Total, State and Local Programs | 1,500,000 | 2,225,469 | 1,500,000 |

¹ Funds appropriated under a separate account.

GRANT REFORM

The Committee notes that the budget request includes a conceptual proposal for grant reform, similar to the fiscal year 2013 and 2014 requests. This year, in addition to the concept presented in the request, a legislative proposal was submitted to the authorizing committees of jurisdiction on March 4, 2014, that would enact the necessary authorities to carry out the reform. The proposal needs to be fully vetted before it can be acted on by Congress. The Committee therefore includes funds in accordance with current law and provides funding in the same manner as fiscal year 2014. Should authorizing legislation be completed before enactment of fiscal year 2015 appropriations, adjustments could be considered. FEMA is directed to evaluate the effects of the grant reform on small and rural communities and make information available to Congress as the legislation is debated. A general provision is continued prohibiting the implementation of grant reform until congressional action on the matter has occurred.

GRANTS MANAGEMENT

The Committee includes specific timeframes for grant dollar distribution. For each of the grant programs, funding opportunity announcements shall be issued in 60 days, applicants shall apply within 80 days after announcements are made, and FEMA shall act on the application within 65 days after applications are due.

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 cybersecurity issues are not receiving the needed resources and attention, and the Department is encouraged to require State and local governments to include their Chief Information Officers in planning efforts. Further, serious consideration shall be given to eligible applications to protect networks against cyber attacks. The Committee is concerned that drinking water and sanitation security needs, especially related to emergency response initiatives, are not adequately addressed. FEMA is also encouraged to require State and local governments to include rural water associations in planning efforts. FEMA is encouraged to consider the need for technologies to improve communication and speed transmission of images and real-time video to underserved trauma centers when evaluating grant applications. FEMA is urged to prioritize eligible grant applications that use existing broadcast infrastructure systems for emergency alerts. FEMA is urged to prioritize eligible projects for early warning systems, such as for earthquakes, and sirens when considering grant applications.

FEMA is directed to work with grantees, particularly Urban Area Security Initiative recipients, on planning and sustainment of resources needed for preparedness to ensure that if Federal funding fluctuates, gains in preparedness can be sustained.

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends \$467,000,000 for the State Homeland Security Grant Program [SHSGP], of which \$55,000,000 shall be for Operation Stonegarden. Activities previously funded under Metropolitan Medical Response System, Citizens Corps, Regional Catastrophic Preparedness, Emergency Operations Centers, Driver's Licenses Security Program, Buffer Zone Protection Program, and the Interoperable Emergency Communication Grant Programs in fiscal year 2011 are eligible for funding under SHSGP.

Operation Stonegarden grants shall continue to be competitively awarded and shall not be restricted to any particular border. As in previous years, FEMA is directed to ensure all border States shall be eligible to apply in fiscal year 2015.

URBAN AREA SECURITY INITIATIVE

The Committee recommends \$600,000,000 for the Urban Areas Security Initiative [UASI], of which \$13,000,000 shall be for non-profit entities determined to be at high risk by the Secretary. Eligibility for nonprofit entities shall not be limited to UASI communities. Activities previously funded under Metropolitan Medical Response System, Citizens Corps, Regional Catastrophic Prepared-

ness, Buffer Zone Protection Program, Emergency Operations Centers, and the Interoperable Emergency Communication Grant Programs in fiscal year 2011 are eligible for funding under UASI.

The Committee notes that the 9/11 Act requires FEMA to conduct a risk assessment for the 100 most populous metropolitan areas annually. All such areas are eligible for UASI funding based on threat, vulnerability, and consequence.

LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

In accordance with section 2006 of the Homeland Security Act of 2002, the Law Enforcement Terrorism Prevention Program [LETTP] 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 LETTP is fully realized. FEMA is directed to provide an update of the report on expenditures for prevention activities, as required in Senate Report 113-77, no later than 120 days after the date of enactment of this act.

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

The Committee recommends \$100,000,000 for Public Transportation Security Assistance, Railroad Security Assistance and Over-the-Road Bus Security Assistance. Of the recommended amount, no less than \$10,000,000 is for Amtrak security needs.

PORT SECURITY GRANTS

The Committee recommends \$100,000,000 for the Port Security Grant Program.

EDUCATION, TRAINING, AND EXERCISES

The Committee recommends \$233,000,000 for Education, Training, and Exercises.

Of this amount, the Committee recommends \$64,991,000 for the Center for Domestic Preparedness [CDP] and notes a permanent provision in the Department of Homeland Security Appropriations Act, 2013, regarding training conducted at the CDP. The Center for Domestic Preparedness provides specialized all-hazards preparedness training to State, local, and tribal emergency responders on skills tied to national priorities, particularly those related to terrorist attacks using weapons of mass destruction [WMD] and mass casualty events. It is the Nation's only live-agent training facility for civilian responders, and it offers a unique environment that enables them to train using toxic nerve agents and live biological agents in safety. The funding provided will allow CDP to maximize its capacity to train the Nation's first responders including: prepare mobile training teams, enhance training realism by incorporating lifelike training scenarios into courses, establish and support training partnerships with other Government agencies and academic institutions, develop and deliver new WMD and other mass casualty courses, and increase responder outreach through facilitation of State emergency preparedness training curricula. A provision is included permitting the Administrator to use the funds provided

under paragraph (5) under this heading to acquire real property for the purpose of establishing or appropriately extending the security buffer zones for FEMA-owned training facilities. Funding used for such purpose shall only come from funds specifically appropriated to the facility for which the property is acquired.

Within the total, the Committee includes \$98,000,000 for the National Domestic Preparedness Consortium, instead of the \$60,000,000 for Training Partnership Grants, as proposed in the budget which combines and reduces current first responder training. The Consortium, authorized by the 9/11 Act, has conducted training in all 50 States and each U.S. territory. Over 2,100,000 first responders have been trained to date. The existing Consortium members have proven to be an effective delivery system for this important training. Dismantling the current program and replacing proven instructional bodies with an undefined system of providers would diminish the quality and consistency of training available to first responders. Funding shall be distributed in accordance with the 9/11 Act and as in previous years.

The Committee includes \$29,521,000 for Continuing Training Grants, instead of \$60,000,000 for Training Partnership Grants, as proposed in the budget which combines and reduces current first responder training. 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 notes that hazardous materials training is as critical as ever for response to events such as chemical incidents and rail incidents. To prevent unnecessary loss of life, of the total amount provided for continuing training grants, no less than \$2,000,000 shall be for hazardous materials training for first responders. Also, FEMA shall consider the training needs of State, tribal, and local first responders in preparedness and response to cybersecurity attacks and incidents. The Committee recognizes that detecting and mitigating major cyber attacks that create man-made disasters will require a speedy and coordinated response across all levels of government. FEMA is urged to continue use of existing training partners for the delivery of preparedness training to ensure first responder readiness for cybersecurity attacks and incidents, exercise tool development, and exercises emphasizing cooperation between Federal response capabilities and State and local response capabilities, including rural communities.

The Committee notes officials from the National Transportation Safety Board have recognized that rail cars shipping crude oil and ethanol function like a moving pipeline across the Nation, and the Committee expects FEMA will adjust training needs for first responders accordingly.

The Committee includes \$20,569,000 for the Emergency Management Institute [EMI], \$1,131,000 above the request and the same amount as the fiscal year 2014 level. The Committee notes EMI's requirement to deliver training for a wide number of homeland security response scenarios. The Committee understands that technical assistance partners have been used where particular expertise is needed to meet this requirement. The Committee therefore encourages EMI to continue these partnerships, particularly with academic institutions that have proven track records of providing

FEMA, EMI, and other comparable entities with technical expertise.

The Committee notes FEMA is undergoing a review of all of its training programs to assess if the programs are best meeting the needs of emergency managers and first responders. FEMA is directed to brief the Committee on the results of the review when it is completed. The briefing shall include information regarding how effective the courses are in addressing the needs documented in State emergency plans and Threat and Hazard Identification and Risk Assessments.

The Committee includes \$19,919,000 for the National Exercise Program.

FIREFIGHTER ASSISTANCE GRANTS

| | |
|--|---------------|
| Appropriations, 2014 | \$680,000,000 |
| Budget estimate, 2015 ¹ | |
| Committee recommendation | 680,000,000 |

¹ Budget request proposes \$670,000,000 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 firefighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$680,000,000 for firefighter assistance grants, including \$340,000,000 for firefighter assistance grants, and \$340,000,000 for firefighter staffing grants, to remain available until September 30, 2016. This is \$10,000,000 above the amount requested under the State and Local Programs appropriation and the same amount as provided in fiscal year 2014.

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. The Committee expects that the rural fire department funding level will be consistent with the previous 5-year history, and FEMA shall brief the Committee no later than 30 days after the date of enactment of this act if there is an anticipated fluctuation.

The Committee notes recent efforts to ensure lessons learned through grant programs in one community support better decision making in another. Recent examples of such efforts include successes in volunteer recruitment and avoiding injury or death by documenting department's "near misses" and sharing the information so other departments can practice better safety.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

| | |
|--|---------------|
| Appropriations, 2014 | \$350,000,000 |
| Budget estimate, 2015 ¹ | |
| Committee recommendation | 350,000,000 |

¹ Budget requests proposes \$350,000,000 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 \$350,000,000 for Emergency Management Performance Grants [EMPG], which is the same amount as requested under the State and Local Programs appropriation and as provided in fiscal year 2014. 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.

The Committee notes the purpose of EMPG is to sustain an all-hazards emergency capability at the State and local level. It should be noted, FEMA capabilities are only used when a State is overwhelmed in its ability to support a disaster and the President declares Federal assistance is needed. While there were 65 presidentially declared disasters in fiscal year 2013, there were also thousands of disasters that did not need Federal support but which were supported using EMPG funded staff or assets: 205 gubernatorial emergencies; 18,673 events that required State assistance; and 30,902 local and tribal events, according to the National Emergency Management Association and the U.S. Council of the International Association of Emergency Managers. This level of activity and the requirement for all levels of government to work together for unexpected disasters demonstrates the criticality of sustaining a nationwide capability. The Federal contribution through EMPG, which is a little over \$1 per citizen, is matched by over 50 percent from State and local governments. This system enables an efficient response and assists in reducing costs to the Disaster Relief Fund. FEMA is directed to take into account the unique purpose of EMPG, as defined in the Stafford Act, when developing grant guidance.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | -\$1,272,000 |
| Budget estimate, 2015 | -1,815,000 |
| Committee recommendation | -1,815,000 |

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 \$1,815,000 in fiscal year 2015.

Through implementation of the REP program, FEMA has developed not only specialists in the field, but also a capacity for a wide

range of radiation responses. A successful execution of the 2015 planned exercises is expected and a more coordinated Federal message of response and recovery to a radiological event shall be completed.

UNITED STATES FIRE ADMINISTRATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$44,000,000 |
| Budget estimate, 2015 | 41,407,000 |
| Committee recommendation | 44,000,000 |

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 \$44,000,000 for the USFA, which is \$2,593,000 above the amount requested and the same amount provided in fiscal year 2014. The amount included above the request will allow for the continued development of the National Fire Incident Reporting System [NFIRS], programs that promote fire safety and fire prevention in the wildland urban interface, and support for the National Fallen Firefighters Memorial.

The Committee is concerned that NFIRS has failed to reach full usefulness due to its slow progress in development, lack of ease of use, and inadequate data sets. USFA is directed to brief the Committee no later than 60 days after the date of enactment of this act on specific steps that can be taken to address issues with NFIRS and ensure it fulfills its critical role of providing actionable information for fire departments. USFA shall work with stakeholders to develop the recommendations and identify clearly who is responsible for implementation.

USFA, in cooperation with FEMA, is directed to continue its traditional funding for the congressionally mandated National Fallen Firefighters Memorial and related activities, which support the needs of survivors after the loss of a firefighter in the line of duty. Full USFA funding, combined with a grant from the Department of Justice and private sector support, is critical to sustain these services.

A concept proposed in the budget request permitting State fire academies to compete for Firefighter Assistance Grants is denied. Instead the recommendation retains resources and authority to fully fund the State Fire Training Grant program within USFA, as in previous years, to ensure consistency and continuity of the program.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|-----------------|
| Appropriations, 2014 ¹ | \$6,220,908,000 |
| Budget estimate, 2015 ² | 7,033,464,494 |
| Committee recommendation ² | 7,033,464,494 |

¹ Includes disaster relief category funding of \$5,626,386,000.² Includes disaster relief category funding of \$6,437,792,622.

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 capacity 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

As requested, the Committee recommends \$7,033,464,494 for the Disaster Relief Fund, of which \$6,437,792,622 is provided under the disaster relief adjustment pursuant to Public Law 112-25. The Committee is pleased the Department has requested amounts for the Disaster Relief Fund that more accurately reflect, based on documented claims and historic evidence, the disaster needs that are likely to arise during this fiscal year, including the costs of previously designated disasters.

The Committee includes bill language requiring an expenditure plan and semiannual reports (reduced from the previous quarterly requirement) for disaster readiness and support costs; and a monthly report on disaster relief expenditures. The Committee recommends bill language transferring \$24,000,000 to the Department of Homeland Security Office of Inspector General for audits and investigations.

The Committee understands the importance of quickly processing claims filed by disaster survivors. FEMA is directed to provide a report to the Committee, and other relevant committees of jurisdiction, on the impact of the length of the claims adjustment process on the administrative costs of disasters no later than 120 days after the date of enactment of this act. The report shall also identify any issues associated with the availability of claims adjusters.

In a September 2012 report entitled "Improved Criteria Needed to Assess a Jurisdiction's Capability to Respond and Recover on Its Own" (GAO-12-838), GAO found that FEMA relies primarily on a single criterion, the per capita damage indicator, when recommending to the President whether public assistance funding should be provided after a disaster. Further, GAO found that the indicator is artificially low since it has not been fully adjusted for the rise in per capita income or for inflation. In response to the report, FEMA concurred with the GAO recommendation to develop and implement a methodology that provides a more comprehensive as-

assessment of a jurisdiction’s need for Federal assistance. However, evidence that the criteria has been reviewed and updated is not apparent and the Committee is concerned about the lack of transparency regarding disaster declaration criteria. FEMA is directed to conduct a comprehensive review of its methodology to determine if Federal assistance is warranted and brief the Committee, and the authorizing committees of jurisdiction, on its findings no later than 120 days after the date of enactment of this act. The review shall include an evaluation of how to assess a community’s preparedness level and fiscal capacity (including alternatives for how to assess such capacity) as well as an examination of how to account for severity of the disaster, per the GAO findings. Further, FEMA is directed to initiate rulemaking to update disaster declaration criteria, including adjustments for inflation while also considering the need for affected communities to adjust to the change. The Committee expects rulemaking will be completed in a timely fashion and shall report to Congress if rulemaking cannot be completed by January 1, 2016.

Further, given the rise in the frequency and severity of all hazards, the Committee is adamant that States, as well as tribal and local governments, must plan ahead for unexpected costs. Not only will these governments need to have funds to respond to the increasing number of disasters and incidents that do not meet the criteria for Federal assistance, but they also must meet cost share requirements for Presidentially declared disasters. FEMA is directed to make recommendations regarding steps State, local, and tribal governments can take to better prepare for disasters financially. The recommendations shall include methodologies for calculating the amount that should be set aside and best practices related to how governments can accomplish establishing disaster relief funds.

The Committee notes the continuing process for FEMA and the OIG to identify preventative measures to eliminate waste, fraud, and abuse; and expects specific solutions and measurable results within fiscal year 2015.

The Committee notes safe room construction is an eligible expense under HMGP and under PDM and early warning systems are an eligible expense under HMGP. FEMA is expected to give serious consideration to eligible applications.

FLOOD HAZARD MAPPING AND RISK ANALYSIS

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$95,202,000 |
| Budget estimate, 2015 | 84,403,000 |
| Committee recommendation | 100,000,000 |

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 \$100,000,000 for Flood Hazard Mapping and Risk Analysis, \$15,597,000 above the amount requested and \$4,798,000 above the amount provided in fiscal year 2014. In total, the bill provides \$221,271,000 for flood mapping when combined with \$121,271,000 in fee funded mapping activity and the amounts provided under this heading that reject the administration's proposed reduction.

According to the Association of State Floodplain Managers, in order to maintain proper maps, including refreshing data in dynamic areas every 5 years, \$275,000,000 is needed annually. While flood maps do not prevent floods, they are an essential tool in educating communities about flood risk and minimizing the loss of life and property at the local level. Yet, the Committee notes that many flood risk maps have not yet been updated with new engineering and hydrologic data and some lower risk areas have never been mapped. FEMA is directed to brief the Committee on the strategic plan to maintain the Nation's flood maps no later than 90 days after the date of enactment of this act. The briefing shall include information regarding the scientific process and timeline for updating flood maps, annual costs (including an analysis of the Association of State Floodplain Managers estimate), and estimated savings in costs and in loss of life that can be gained through better mapping.

In order to better understand the progress in producing accurate, up-to-date flood maps, the Committee directs FEMA to report within 90 days of the date of enactment of this act on the status of valid map data as reflected in the Coordinated Needs Management Strategy [CNMS] data base. FEMA should include in this report information on metrics used to define progress in updating engineering data as recorded in the CNMS data base.

The Committee understands that FEMA aims to have the Technical Mapping Advisory Committee [TMAC] commenced this summer as soon as members have completed the vetting process. FEMA is directed to provide a report to the Committee no later than 120 days after the commencement of the TMAC outlining the scope of its activities, timeframe for implementation of such activities, and any costs associated.

FEMA is directed to expedite accreditation of re-certified Army Corps of Engineers flood control projects as much as practicable.

NATIONAL FLOOD INSURANCE FUND

| | |
|---|---------------|
| Appropriations, 2014 ¹ | \$176,300,000 |
| Budget estimate, 2015 ¹ | 179,294,000 |
| Committee recommendation ¹ | 179,294,000 |

¹ Fully offset by fee collection.

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.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$179,294,000, as proposed in the budget, for National Flood Insurance Fund [NFIP] activities related to floodplain management, flood mapping and mitigation, and flood insurance operations. A provision is included providing \$5,000,000 to establish the Flood Insurance Advocate.

The Committee notes that the Community Assistance Program provides resources to States to assist and monitor NFIP participating communities which is essential to effective implementation of the NFIP. This program provides funding to States who then provide technical assistance to communities in the NFIP and evaluate community performance in implementing NFIP floodplain management activities. Unlike competitive grant programs for projects, its purpose is to build capacity through providing knowledge and expertise and ensure compliance with a Federal program.

The Committee is pleased that the Cooperating Technical Partners effort within the mapping budget contributes to supporting the mapping activities and fosters local confidence in map products. Community buy-in on flood maps often leads to local public and private risk reduction actions. This cooperative fiscal approach benefits all levels of government.

NATIONAL PREDISASTER MITIGATION FUND

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$25,000,000 |
| Budget estimate, 2015 | |
| Committee recommendation | 25,000,000 |

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, but in concert with, 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 \$25,000,000 for PDM, \$25,000,000 above the amount requested and the same amount as provided in fiscal year 2014. The Committee continues to support predisaster mitigation, and recognizes the importance of coordinating predisaster mitigation projects with projects being completed through the post-disaster Hazard Mitigation Grant Program. The Committee is concerned that eliminating funding for PDM, as the Administration requested, will leave some States with no mitigation planning or project funding. The Committee finds it ironic that the Administration proposed to eliminate \$25,000,000 in PDM funding in the DHS budget request and yet proposed \$400,000,000 in the Opportunity, Growth, and Security Initiative which is proposed to be funded through means outside of the Committee's jurisdiction. Either mitigation is a valued investment, or it is not. The

Committee expects that future requests for DHS will recognize that for every \$1 invested in mitigation, \$4 are saved.

FEMA is urged to give serious consideration to eligible mitigation projects especially related to drought, flooding, wildfires, and earthquakes.

The Committee encourages FEMA to continue supporting State-based approaches to damage prevention including cost-effective measures of securing homes to their foundations through all mitigation programs.

EMERGENCY FOOD AND SHELTER

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$120,000,000 |
| Budget estimate, 2015 | 100,000,000 |
| Committee recommendation | 100,000,000 |

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 \$100,000,000 for Emergency Food and Shelter, which is the same amount as requested and \$20,000,000 below the amount provided in fiscal year 2014. The Committee recognizes the Emergency Food and Shelter Program is one program, in conjunction with other Federal programs, that serves those in immediate need of food and shelter assistance.

A provision is included permitting the transfer of this program to the Department of Housing and Urban Development. According to the administration, the transfer would facilitate coordination among all programs that support the needs of those at risk of homelessness which will maximize the benefit of each program. While the Committee includes the permissive transfer language, it also notes that this program is not duplicative of other HUD programs and therefore it shall retain its original purpose and shall not be combined with other HUD programs.

TITLE IV
RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$113,889,000 |
| Budget estimate, 2015 | 134,755,000 |
| Committee recommendation | 124,435,000 |

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 \$3,381,810,000 including direct appropriations of \$124,435,000 and estimated fee collections of \$3,257,375,000. This is \$121,925,000 above the amount requested reflecting revised fee collections and \$165,168,000 above the amount provided in fiscal year 2014.

The following table, which includes appropriations and estimated fee collections, summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--------------------------------------|-----------------------------|------------------------------------|------------------------------|
| Appropriations: | | | |
| E-Verify | 113,889 | 124,755 | 124,435 |
| Immigrant integration programs ..... | ..... | 10,000 | ..... |
| Total, Appropriations | 113,889 | 134,775 | 124,435 |
| Fee collections: | | | |
| Adjudication services (fee account): | | | |
| District operations | 1,544,380 | 1,539,859 | 1,594,400 |

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY—Continued
[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Service Center operations | 578,393 | 542,449 | 614,851 |
| Asylum, Refugee and international operations | 236,710 | 238,755 | 232,374 |
| Records operations | 94,039 | 93,209 | 110,035 |
| Business transformation | 183,464 | 184,923 | 194,923 |
| Subtotal, Adjudication services | 2,636,986 | 2,599,195 | 2,746,583 |
| Information and customer services (fee account): Information and customer services | 96,409 | 98,868 | 109,416 |
| Administration (fee account): Operation expenses | 339,421 | 342,308 | 376,553 |
| SAVE (fee account) | 29,937 | 30,259 | 24,823 |
| HI-B Visa Fee Account: | | | |
| Adjudication Services: | | | |
| Service Center operations | | 13,500 | |
| HI-B and L Fraud Prevention Fee Account: | | | |
| Adjudication Services: | | | |
| District Operations | | 26,044 | |
| Asylum and Refugee Operating Expenses | | 310 | |
| Service Center operations | | 14,646 | |
| Total, fee collections | 3,102,753 | 3,125,130 | 3,257,375 |

E-VERIFY

The Committee recommends \$124,435,000 for the E-Verify program. This is \$320,000 below the amount requested and \$10,546,000 above the amount provided in fiscal year 2014. The Committee is supportive of the Department's efforts 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 growth in E-Verify use by employers has significantly increased from fewer than 25,000 employers in fiscal year 2007 to more than 526,600 as of April 2014, with an average of more than 1,600 new employers enrolling per week. E-Verify processed 25 million cases in fiscal year 2013, a more than six-fold increase from the 4 million cases processed in fiscal year 2007. So far in fiscal year 2014, E-Verify processed more than 15 million cases.

USCIS shall update the Committee on its efforts to create a mobile application and other available smart-phone technologies for employers using E-Verify so as to encourage small employers to use the system.

IMMIGRANT INTEGRATION GRANTS

The Committee recommends \$10,000,000 be made available via fees for Immigrant Integration Grants. The grants shall be available to assist individuals who are legally authorized to be present in the United States. The Committee believes it is important to assist individuals following the law and working to become citizens.

In that vein, the Committee believes it is in our country's best interest to encourage and assist individuals who are eligible and

eager to become citizens to apply for citizenship and to understand the rights and responsibilities of American citizenship. As USCIS undertakes the review of its fee structure, the Committee urges the agency to recognize the important benefit that naturalization confers on our nation, and maintain naturalization fees at an appropriate level.

E–B5 VISA PROGRAM

In fiscal year 2014, USCIS was directed to provide a report to the Committee on the E–B5 visa program within 90 days of the date of enactment of Public Law 113–76, and every 180 days thereafter. This report was to include the number of applications pending, the period of time each application has been under review, benchmark review periods for the economic evaluation of projects and suitability of petitioners, a description of any additional resources necessary to efficiently administer the program, and the number of applications that are approved or denied each period with an accompanying explanation of their disposition. This first report is overdue. The Committee expects prompt receipt of this report and for USCIS to meet the twice yearly reporting requirement in the future.

FIELD OFFICE FACILITY MODELS

The Committee appreciates the report provided to Congress on the Field Office Facility Model and encourages the Department to proceed with planning and dedication of resources towards the collocation of Service Centers into their original locations.

GAO ASYLUM REPORTS

In 2008, the GAO issued two reports related to the asylum process: “Agencies Have Taken Actions to Help Ensure Quality in the Asylum Adjudication Process but Challenges Remain” (GAO–08–935) and “The U.S. Asylum System: Significant Variation Existed in Asylum Outcomes across Immigration Courts and Judges” (GAO–08–940). The Committee directs GAO to update these reports to reflect the implementation status of their original recommendations, to include any new recommendations for improving the asylum process, and to incorporate relevant information from any investigative findings or after actions reports concerning the Boston Marathon bombing. The GAO will brief the Committee on its initial findings within 180 days.

TEMPORARY PROTECTED STATUS FOR THE PHILIPPINES

In the wake of Typhoon Haiyan which struck the Philippines on November 8, 2013, 20 Senators sent a letter to DHS asking the Secretary to consider granting Temporary Protected Status [TPS] to eligible Filipinos. On December 13, 2013, the Philippine Embassy in Washington, DC, formally requested a TPS designation. On June 17, 2014, 7 months after the initial request from interested Senators, the Deputy Secretary sent a letter to inquiring Senators stating that the Department continues to assess whether the Philippines meets the statutory requirements for TPS designation. While DHS has taken other steps to assist Filipinos affected by the

disaster, officials have failed to explain the lengthy delay in determining whether to extend TPS. The Committee directs DHS to brief the Committee no later than August 1, 2014, on its assessment of the request for TPS designation and whether its delay in designating the Philippines for TPS has adversely affected Filipino nationals in the United States who may have been affected by the typhoon.

FEDERAL LAW ENFORCEMENT TRAINING CENTER
SALARIES AND EXPENSES

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$227,845,000 |
| Budget estimate, 2015 | 231,754,000 |
| Committee recommendation | 230,797,000 |

The Federal Law Enforcement Training Center [FLETC] Salaries and Expenses appropriation provides funds for basic and some advanced training to Federal law enforcement personnel from more than 90 agencies. This account also allows for research of new training methodologies; provides for training delivered 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 \$230,797,000 for Salaries and Expenses, \$957,000 below the amount requested and \$2,952,000 above the amount provided in fiscal year 2014. Within the funds provided is \$1,289,000 for the Federal Law Enforcement Training Accreditation Board. The amount includes a one-time increase of \$16,214,000 to train the remaining 1,200 new CBP officers added in 2014. The Committee expects the Director to maintain training at or near capacity before entering into new leases with private contractors or establishing new partnerships with training organizations.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED
EXPENSES

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$30,885,000 |
| Budget estimate, 2015 | 27,841,000 |
| Committee recommendation | 27,841,000 |

This account provides for the acquisition and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center. 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 \$27,841,000 for Acquisition, Construction, Improvements, and Related Expenses, the same level as requested, and \$3,044,000 below the amount provided in fiscal year 2014.

SCIENCE AND TECHNOLOGY

SUMMARY

The mission of Science and Technology [S&T] is to conduct, stimulate, and enable homeland security research, development, and testing, and to facilitate the timely transition of capabilities to Federal, State, local, and tribal end-users.

MANAGEMENT AND ADMINISTRATION

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$129,000,000 |
| Budget estimate, 2015 | 130,147,000 |
| Committee recommendation | 129,555,000 |

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 \$129,555,000 for Management and Administration of programs and activities carried out by S&T. This is \$592,000 below the amount requested and \$555,000 above the amount provided in fiscal year 2014. Of this amount, the Committee recommends not to exceed \$7,650 for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

| | |
|--------------------------------|-----------------|
| Appropriations, 2014 | \$1,091,212,000 |
| Budget estimate, 2015 | 941,671,000 |
| Committee recommendation | 941,935,000 |

Science and Technology supports the mission of DHS through basic and applied research, fabrication of prototypes, and research and development to mitigate the effects of weapons of mass destruction, as well as acquiring and field testing equipment.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$941,935,000 for Research, Development, Acquisition, and Operations of S&T. This is \$264,000 above the amount requested and \$149,277,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

SCIENCE AND TECHNOLOGY—RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Research, Development, and Innovation | 462,000 | 433,788 | 425,552 |
| Laboratory Facilities (operations and construction) | 547,785 | 435,180 | 435,180 |
| Acquisition and Operations Support | 41,703 | 41,703 | 41,703 |
| University Programs | 39,724 | 31,000 | 39,500 |
| Total, Research, Development, Acquisition and Operations | 1,091,212 | 941,671 | 941,935 |

DISCONTINUED REPORTING REQUIREMENT

S&T is no longer required to submit a report on amounts de-obligated from projects during the prior fiscal year and to what projects these funds were subsequently obligated.

RESEARCH AND DEVELOPMENT FLEXIBILITY

The threats facing Homeland Security are constantly evolving. The new Secretary and new Under Secretary for Science and Technology must have flexibility to shift resources, if necessary, between research activities. In some instances, research activity may straddle several different missions and thrust areas such as in the successful APEX programs. In today's constrained fiscal environment, S&T and the Department must prioritize the research budget to focus on areas with the greatest promise for delivering material improvements in capability and/or efficiency and making tangible contributions to homeland security missions. Therefore, in order to provide additional flexibility to facilitate this effort, the Committee does not break out the RD&I budget in thrust areas that would become unnecessarily restrictive PPAs.

However, it remains important for accountability and visibility into the S&T research program that a more detailed tracking of research activity be available. Therefore, S&T is directed to brief the Committee 30 days after the date of enactment of this act on the allocation of funds by project and thrust area. Quarterly status briefings are to be provided on the plan, including any changes from the original allocation.

In conjunction with the President's fiscal year 2016 budget request, S&T is to report on results of its research and development for the prior fiscal year to include all technologies, technology improvements, or capabilities delivered to front line users.

APEX R&D

The recommendation continues to fund S&T's Apex Research and Development program, which is focused on high-priority and high-value projects needed in a short turn-around for DHS components. Unlike other S&T research initiatives, Apex projects are collaborative efforts between DHS component heads and the Under Secretary for S&T. The Committee is supportive of the Apex concept, especially since it is focused on expediting technology solutions to the field. The Committee encourages S&T to invest a greater percentage of its resources in this effort so that more of the R&D portfolio is funded to achieve high impact success in priority areas. The APEX program should: maintain the multi-disciplinary team approach that focuses on complex operational issues of strategic importance to leadership; increase emphasis on cross-cutting, multi-Component efforts that advance the state-of-the-art for the Department; and focus on final product delivery in less than 5 years with scheduled interim deliverables. S&T is directed to brief the Committee no later than 30 days after the date of enactment of this act on: the funding allocation by project; and progress made to field improved technologies in an APEX environment.

COMPONENT LIAISONS

S&T is encouraged to increase opportunities for its staff to gain first-hand understanding of DHS operations through the establishment of a liaison program that embeds technical subject matter experts in the field with the operational elements of Components. S&T should also explore the utility of having detailees from the field-elements of the Components come into S&T to enrich the requirements generation process. Within 60 days after the date of enactment of this act, S&T shall submit a plan to this Committee that outlines how the liaison program will be structured.

HOMELAND SECURITY INDUSTRIAL BASE

S&T's mission is to develop innovative technologies and capabilities to improve the Department's mission effectiveness. The private sector, particularly small business, is the life blood of innovation. S&T must have a method and process to inform the private sector on S&T's R&D plans and encourage the private sector to provide solutions. This can only be done if industry has a clear path for input to S&T. This could include proven methods such as technology demonstration days, industry days, an easy to use web-based tool, and technology roadmaps. S&T is directed to brief the Committee no later than 90 days after the date of enactment of this act on the plan to improve input from the private sector and help build the homeland security industrial base.

INNOVATIVE FUNDING PARTNERSHIPS

The mission of S&T is to develop and deploy technologies and capabilities to secure the U.S. homeland. It is imperative that S&T use all means available to find innovative, high payoff, revolutionary, unique ideas for technology solutions and to reach all types of performers. S&T retains authority for other transactional authority [OTA] for innovative or unusual procurement and is encouraged to expand the use of OTA to gain access to unique technology providers that are not available through traditional avenues. The Committee is pleased prize authority has been delegated to S&T. Competitions have proven to generate unique solutions for other agencies. It is essential that S&T realize the potential for acquiring novel technologies through this mechanism. DHS should fully support the use of innovative ways to bring new technology into the Department as a means to improve capability and efficiency. S&T is encouraged to hold at least one competition using its prize authority delegation during fiscal year 2015.

SITUATIONAL AWARENESS OF ILLEGAL BORDER ACTIVITY

Situational awareness of illegal activity between ports of entry along the Southwest border is required to accurately determine the effectiveness of border security operations and enable operational control. Today, illegal activity continues along the Southwest border to an unknown extent. Technology is a critical force multiplier and enabler in determining the most effective and cost efficient means of gaining necessary situational awareness. S&T shall consult with CBP, ICE, and the United States Coast Guard [USCG] to fully develop a strategy and plan for situational awareness of il-

legal border activity between ports of entry along the Southwest border. The Committee recommends a review be jointly conducted by CBP, ICE, USCG, and S&T on current situational awareness gaps, what technical capabilities are being planned for acquisition by CBP, ICE, and USCG, and future technologies and resources that will be needed for achieving situational awareness to enable operational control. CBP, ICE, USCG, and S&T are directed to submit to the Committee within 180 days after the date of enactment of this act, the results of the technical review and a draft plan for improved situational awareness to enable operational control of the Southwest Border between Ports of Entry.

SCREENING INNOVATION

The Committee is aware of the initiative undertaken by S&T to expedite the development of new flat panel screening technologies. This effort holds significant promise for multiple applications in screening environments offering substantial cost and operational efficiencies coupled with enhanced detection capabilities. Current projections from the Department indicate the technology will be available for pilot testing in fiscal year 2015 and is expected to be a meaningful option for current acquisition plans. The Committee encourages the Department and S&T to continue to manage this initiative in a manner that expedites the realization of near-term detection improvements and efficiencies.

CYBERSECURITY

The Committee believes that sophisticated cyber attacks, such as those launched against major retailers, energy cyber-physical systems, and other critical infrastructures both in the United States and around the world have devastating consequences. Critical infrastructures depend on the digital transmission of data for ongoing operation, and disrupting the confidentiality, integrity, or availability of market transactions or other information can have catastrophic and cascading economic effects. Such a disruption of, or intrusion into United States critical infrastructure could result in a renewed global economic downturn. The Committee encourages S&T to expand the simulation based cyber war gaming tool for the financial sector into additional critical infrastructure sectors.

The Committee recognizes the cyber threats to the Nation's electric grid and the other control systems vital to our security and economy. In order to address this challenge, the Committee encourages S&T, in collaboration with NPPD, to establish operational cybersecurity research initiatives. These initiatives should involve collaboration among academic institutions, existing Federal research and development organizations, and the private sector. Therefore, the Committee encourages S&T to pursue competitive awards for these initiatives.

The Committee understands that strategic investments in cybersecurity research and development through information assurance programs are necessary to develop the next generation of cybersecurity experts and strengthen information protection for mobile devices. A DHS Capacity Building Program is a vital component in preparing the workforce to combat cybercrimes, protect the Nation's critical infrastructure, and ensure the integrity of informa-

tion contained on mobile devices. The Committee recommends that DHS provide funding for capacity building to Centers of Excellence that deliver, and additional funding to students that take information assurance and cybersecurity for critical infrastructure protection undergraduate education tracks focused on mobile devices, cyber engineering, and data management.

The Committee is also aware that collaboration with cyber accelerators has the potential to help transition innovative cybersecurity technologies into commercial use. S&T may consider the use of cyber accelerators as is practicable.

TESTING OF UNMANNED AIRCRAFT SYSTEMS

The Committee notes that the Federal Aviation Administration recently designated six national test sites to conduct research aimed at integrating unmanned aircraft systems [UAS] into the national airspace system [NAS]. The Committee encourages the Department to use the FAA's six test sites to meet its goal of enabling and enhancing small UAS access to the NAS and to ensure that new technologies developed through the Department's air based technology research meet the operational and safety standards the FAA will develop at the test sites.

SUPPLY CHAIN SECURITY

The Committee recognizes the importance of enhancing cargo supply chain security through emerging technologies. Such efforts are critical to securing the global maritime supply chain. The Committee, therefore, encourages S&T to continue examination of next-generation cargo container technology. S&T is also encouraged to work with the Department of Defense in this area, including through the use of its Defense Production Act authorities.

INTERNATIONAL COLLABORATION ON RESEARCH AND DEVELOPMENT

The Committee supports S&T's efforts to work cooperatively with international governments on a variety of R&D activities in the homeland security mission space. For example, the Committee is aware of the agreement with the State of Israel and encourages S&T to consider additional collaboration on aviation security, explosive detection, border security, emergency responder and emergency services projects that would benefit both nations.

TEST AND EVALUATION [T&E]

Within the amount provided for the Acquisition and Operations Support PPA, sufficient funding shall be allotted for S&T to establish policies and procedures for and to coordinate and monitor the T&E activities across the DHS acquisition framework. Testing and evaluation of new technologies prior to their acquisition and deployment will, in the long-run, save money through the prevention of wasteful spending.

S&T is directed to continue to provide quarterly briefings to the Committee on the test and evaluation status of all level 1 acquisitions.

The Secretary, working through the Under Secretary for Science and Technology should establish policies and procedures to coordi-

nate and monitor the T&E activities across the DHS acquisition framework including Developmental Test and Evaluation [DT&E]. The Committee remains concerned that acquisition programs continue to falter across the Department and that S&T is not as engaged as it should be across the spectrum of T&E activities. It is the Committee's expectation that S&T be involved in all aspects of T&E including setting policy and guidance for and overseeing DT&E, approving the DT&E plan supporting the decision to begin initial productions, and the integration of DT&E with operational T&E.

The Committee is supportive of the Department's efforts to strengthen the capabilities and requirements process to ensure that strategic guidance related to Departmental investments is turned into results. S&T, along with the Office of Policy and the Office of the Chief Financial Officer are to keep the Committee apprised of these efforts.

LABORATORY FACILITIES

The Committee recommendation includes \$435,180,000 for Laboratory Facilities, the same level as requested. A total of \$300,000,000 is provided for the National Bio-Agro Defense Facility [NBAF] as requested for construction of the facility and to fully leverage the funding contributions by the State of Kansas. NBAF will support the complimentary missions of DHS and the United States Department of Agriculture and serve as the Nation's primary research facility to counter foreign animal diseases. The Committee directs S&T to submit a detailed update of its NBAF construction plan and schedule, to include an updated plan for the expenditure of funds, not later than 30 days after the date of enactment of this act.

A total of \$15,000,000 is provided for infrastructure upgrades to the Plum Island Animal Disease Center [PIADC]. While NBAF will replace PIADC, it will not become operational for several years. As a result, it is imperative to make critical upgrades at PIADC in order for scientists to continue research on contagious animal diseases that have the potential to impact America's food and livestock industries.

UNIVERSITY PROGRAMS

The Committee recommendation includes \$39,500,000 for University Programs, \$8,500,000 above the amount requested and \$224,000 below fiscal year 2014. The Office of University Programs supports critical homeland security-related research and education at U.S. colleges and universities to address high-priority DHS-related issues and to enhance homeland security capabilities over the long term. The increase above the request is for the University Centers of Excellence program, including support for existing centers and the new center funded in fiscal year 2014 and expected to be awarded in fiscal year 2015.

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 \$306,342,000 for activities of DNDO for fiscal year 2015. This is \$1,919,000 above the amount requested and \$21,087,000 above the amount provided in fiscal year 2014.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

DOMESTIC NUCLEAR DETECTION OFFICE

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|--------------------------|---------------------------------|---------------------------|
| Management and Administration | 37,353 | 37,494 | 37,339 |
| Research, Development, and Operations | 205,302 | 199,068 | 196,400 |
| Systems Acquisition | 42,600 | 67,861 | 72,603 |
| Total, Domestic Nuclear Detection Office | 285,255 | 304,423 | 306,342 |

MANAGEMENT AND ADMINISTRATION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$37,353,000 |
| Budget estimate, 2015 | 37,494,000 |
| Committee recommendation | 37,339,000 |

The Management and Administration account funds salaries, benefits, and expenses for DNDO.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$37,339,000 for Management and Administration of programs and activities carried out by DNDO. This is \$155,000 below the amount requested and \$14,000 below the amount provided in fiscal year 2014. Of this amount, the Committee recommends not to exceed \$2,250 for official reception and representation expenses.

STRATEGIC PLAN OF INVESTMENTS

In lieu of providing a report updating the Department’s strategic plan of investments, the Director shall brief the Committee annually on DNDO’s efforts to implement the Department’s responsibilities under the domestic component of the Global Nuclear Detection Architecture. The briefing shall identify:

- the various elements of the domestic architecture and the roles and responsibilities of each Departmental entity;
- investments being made in fiscal year 2015 and planned for 2016 to secure pathways (sea, land, and air) into the United States;

- investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and
- how R&D funding is furthering the implementation of the domestic architecture.

The briefing shall also include a discussion on DNDO’s ability to surge capabilities in concert with Federal, State, and local level assets to respond to suspected radiological threats.

RESEARCH, DEVELOPMENT, AND OPERATIONS

| | |
|--------------------------------|---------------|
| Appropriations, 2014 | \$205,302,000 |
| Budget estimate, 2015 | 199,068,000 |
| Committee recommendation | 196,400,000 |

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 recommends \$196,400,000 for Research, Development and Operations. This is \$2,668,000 less than the amount requested and \$8,902,000 below the amount provided in fiscal year 2014.

The following table summarizes the Committee’s recommendations as compared to the fiscal year 2014 and budget request levels:

RESEARCH, DEVELOPMENT, AND OPERATIONS

[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|---|-----------------------------|------------------------------------|------------------------------|
| Systems Engineering and Architecture | 21,000 | 17,924 | 17,000 |
| Systems Development | 21,000 | 22,000 | 21,400 |
| Transformational Research and Development | 71,102 | 69,500 | 69,000 |
| Assessments | 39,300 | 38,079 | 38,000 |
| Operations Support | 30,200 | 31,565 | 31,000 |
| National Technical Nuclear Forensics Center | 22,700 | 20,000 | 20,000 |
| Total, Research, Development, and Operations | 205,302 | 199,068 | 196,400 |

SEMIANNUAL BRIEFINGS

DNDO shall continue semiannual program update briefings and provide periodic updates on any new threats, research, studies and assessments related to the Global Nuclear Detection Architecture. Semiannual program briefings shall also cover emergent technology solutions being explored by DNDO. One of these semiannual briefings may be combined with the more comprehensive annual brief on the strategic plan of investments.

RADIATION PORTAL MONITORS IMPROVEMENTS

Radiation Portal Monitors [RPMs] that were deployed in the field over the past decade will start reaching the end of their useful life in the coming years, and DNDO anticipates an increase in obsolescence. In addition to exploring system renewal and service life extension options, the Committee encourages DNDO, in conjunction with CBP, to test new radiation detection technologies that would

address the need to replace RPMs nearing the end of their service life, and significantly improve screening efficiency at our Nation's ports. DNDO is to brief the Committee on its acquisition strategy for replacing or extending the service life of RPMs no later than 120 days after the date of enactment of this act. This briefing shall include relevant service life extension program activities such as software upgrades, hardware replacement, and obsolescence solutions, as well as any CONOPS changes.

TEST AND EVALUATION

Within the funding provided, the Department is expected to continue a testing program to validate the potential benefits of commercial systems that can detect shielded nuclear material and have the potential to reduce the overall cost and time it takes to scan incoming cargo for hazardous materials. Such systems may be beneficial in addressing the 100 percent cargo scanning requirement.

SYSTEMS ACQUISITION

| | |
|--------------------------------|--------------|
| Appropriations, 2014 | \$42,600,000 |
| Budget estimate, 2015 | 67,861,000 |
| Committee recommendation | 72,603,000 |

The Systems Acquisition account funds the acquisition of equipment for front line users across the Department.

COMMITTEE RECOMMENDATIONS

The Committee recommends \$72,603,000 for Systems Acquisition. This is \$4,742,000 above the amount requested and \$30,003,000 above the amount provided in fiscal year 2014.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2014 and budget request levels:

SYSTEMS ACQUISITION
[In thousands of dollars]

| | Fiscal year 2014 enacted | Fiscal year 2015 budget request | Committee recommendations |
|--|-----------------------------|------------------------------------|------------------------------|
| Radiation Portal Monitor Program | 7,000 | 5,000 | 5,000 |
| Securing the Cities | 22,000 | 12,000 | 19,000 |
| Human Portable Radiation Detection Systems | 13,600 | 50,861 | 48,603 |
| Total, Systems Acquisition | 42,600 | 67,861 | 72,603 |

RADIATION PORTAL MONITORS

The Committee recommendation includes \$5,000,000 for the Radiation Portal Monitor program, as requested. Funds are provided to acquire and deploy radiation portal monitors to ports of entry as prioritized by CBP and DNDO.

SECURING THE CITIES

The Committee recommendation includes \$19,000,000 for Securing the Cities, \$7,000,000 above the amount requested.

HUMAN PORTABLE RADIATION DETECTION SYSTEMS

The Committee recommendation includes \$48,603,000 for the Human Portable Radiation Detection Systems program to support the purchase of basic handhelds, backpacks, and personal radiation detectors for CBP, TSA, and the Coast Guard. DNDO is to provide the Committee with a multiyear procurement forecast and deployment schedule for these funds with the budget submission.

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 has been 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 June 30 unless there are extraordinary circumstances, which place human lives or property in imminent dan-

ger. To the extent any reprogramming proposals are required; the Department is strongly encouraged to submit them well in advance of the June 30 deadline.

The Committee did not include a provision requested in the budget related to the use of unobligated funds for disaster response since the authority already rests with the President.

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 2015; 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 2015 budget; makes WCF funds available until expended; ensures departmental components are only charged for direct usage of each WCF service; makes funds provided to the WCF available only for purposes consistent with the contributing component; 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 2015 budget shall serve as the control level for quarterly execution reports submitted to the Committee not later than 30 days after the end of each quarter. These reports shall identify any activity added or removed from the fund.

Section 505. The bill includes a provision that not to exceed 50 percent of unobligated balances recorded not later than June 30 from appropriations made for salaries and expenses in fiscal year 2015 shall remain available through fiscal year 2016, subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2015 until the enactment of an act authorizing intelligence activities for fiscal year 2015.

Section 507. The bill includes a provision requiring notification to 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. The 3-day notification also pertains to task or delivery order awards greater than \$10,000,000 from multiyear DHS funds as well as for any sole-source grant awards.

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 and Federal building energy performance. The provision strikes a permanent requirement for a report related to Sensitive Security Information.

Section 511. The bill includes a provision that none of the funds may be used in contravention of the Buy American Act.

Section 512. 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 513. The bill includes a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 30 days after the close of each month.

Section 514. The bill includes a provision that directs that any funds appropriated or transferred to TSA "Aviation Security", "Administration", and "Transportation Security Support" in fiscal years 2004 and 2005, which are recovered or deobligated shall be available only for procurement or installation of explosive detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Semiannual reporting on these funds is required.

Section 515. The bill includes a provision regarding competitive sourcing for United States Citizenship and Immigration Services.

Section 516. 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 517. 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 518. The bill includes a provision requiring the Secretary to submit a report to the OIG listing all grants or contracts awarded by any means other than full and open competition. The OIG is required to review the report to assess Departmental compliance with applicable laws and regulations and report the results to the Committees on Appropriations no later than February 15, 2016.

Section 519. 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. A requested provision exempting certain activities from reorganization is not included. If DHS could better execute its mission through a reorganization, it should be proposed and justified to Congress.

Section 520. The bill includes a provision prohibiting the Secretary of Homeland Security 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 521. 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 a benefit have been received by DHS.

Section 522. The bill includes a provision extending other trans-
actional authority for DHS through fiscal year 2015.

Section 523. The bill includes a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 524. The bill includes a provision regarding waivers of the Jones Act.

Section 525. The bill includes a provision contained in Public Laws 109-295, 110-161, 110-329, 111-83, 112-10, 112-74, 113-6, and 113-76 related to prescription drugs.

Section 526. 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 527. 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 528. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 529. 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 530. The bill includes a provision requiring the posting of damage assessment information used to determine whether to declare a major disaster on the FEMA Web site.

Section 531. 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 532. The bill includes a provision extending the risk-based security standards for chemical facilities cited in section 550 of Public Law 109-295, as amended, for 1 year.

Section 533. The bill includes a provision extending current law concerning individuals detained at the Naval Station, Guantanamo Bay, Cuba.

Section 534. The bill includes a provision prohibiting funds in this act to be used for first-class travel.

Section 535. 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 536. The bill includes a provision on the proper disposal of personal information collected through the Registered Traveler program.

Section 537. 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 538. The bill includes language that requires the Secretary to ensure screening of passengers and crews for transportation and national security purposes are consistent with applicable laws, regulations, and guidance on privacy and civil liberties.

Section 539. The bill includes a provision allocating \$10,000,000 in Immigration Examination Fees for the purpose of providing immigrant integration grants in fiscal year 2015.

Section 540. The bill provides a total of \$48,600,000 for consolidation of a new DHS headquarters at St. Elizabeths and consolidation of mission support.

Section 541. 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 542. The bill provides \$39,500,000 for financial system modernization and includes a provision allowing the Secretary to transfer funds made available by this act between appropriations for the same purpose after notifying the Committees 15 days in advance.

Section 543. The bill includes a provision providing some flexibility to the Department for financing a response to an immigration emergency.

Section 544. 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. ICE is required to notify the Committees on Appropriations 15 days prior to announcing any sale.

Section 545. The bill includes language directing DHS CIO, CBP, ICE, United States Secret Service, and the Office of Biometric Identity Management to submit multiyear investment and management plans for all information technology programs and procurements at the time the President's budget proposal is submitted.

Section 546. The bill includes language stating that the Secretary shall ensure enforcement of all immigration laws.

Section 547. The bill includes a provision regarding Federal network security.

Section 548. The bill includes a provision regarding restrictions on electronic access to pornography, except for law enforcement purposes.

Section 549. The bill includes a provision regarding the transfer of an operable firearm by a Federal law enforcement officer to an agent of a drug cartel.

Section 550. The bill includes a provision prohibiting any funds from this or any other Act to be used for creation of the National Preparedness Grant Program or any successor grant program unless explicitly authorized by Congress.

Section 551. The bill modifies a general provision in Public Law 113-76 permitting CBP to enter into up to seven reimbursable agreements with airports and clarifies the gift donation authority between the Commissioner of CBP and the Administrator of General Services.

Section 552. The bill includes language regarding the number of employees permitted to attend international conferences.

Section 553. The bill includes a provision prohibiting funds made available by this act to reimburse any Federal department or agency for its participation in a NSSE.

Section 554. The bill includes a provision relating to air preclearance operations.

Section 555. The bill provides the Secretary with discretion to waive certain requirements of the Federal Fire Prevention and Control Act of 1974, including a provision which allows grants to be used to retain firefighters, instead of only for increasing the number of firefighters. The Committee expects that the Secretary will take into consideration economic hardship when exercising the waiver authority.

Section 556. The bill includes a provision that prohibits the collection of new land border fees or the study of the imposition of such border fee.

Section 557. The bill includes a provision pertaining to the temporary re-employment of administrative law judges for arbitration dispute resolution.

Section 558. The bill includes a provision clarifying that fees collected pursuant to the Colombia Free Trade Agreement are available until expended.

Section 559. The bill includes a provision related to the immigration user fee.

Section 560. The bill includes a provision related to user fee proposals that have not been enacted into law prior to submission of the budget.

Section 561. The bill includes a provision on structural pay reform that affects more than 100 full-time positions or costs more than \$5,000,000 in a single year.

Section 562. The bill includes a provision directing the Department to post on a public Web site reports required by the Committees on Appropriations unless public posting compromises homeland or national security or contains proprietary information.

Section 563. The bill includes a prohibition on establishment of a national license plate recognition database or other similar project.

Section 564. The bill repeals section 605 of Public Law 110-161 related to land border port of entry technology demonstration projects.

Section 565. The bill includes a provision regarding a transfer to the Disaster Relief Fund from the Disaster Assistance Direct Loan Program. The transfer has no impact on ongoing loan determinations.

Section 566. The bill includes reporting requirements pertaining to unaccompanied alien children.

Section 567. The bill includes a provision deeming a Transportation Security Officer, who was killed in the line of duty on November 13, 2013, as having been a public safety officer for the purposes of the Omnibus Crime Control and Safe Streets Act of 1968.

Section 568. The bill includes a provision modifying the Visa Waiver Program to permit the entry of additional member countries based on adjusting the criteria for visa refusal rates if a country has a low visa overstay rate while maintaining the security requirements of the Visa Waiver Program.

Section 569. The bill rescinds unobligated balances from prior year appropriations from Customs and Border Protection, Transportation Security Administration, Coast Guard, and Science and Technology.

Section 570. The bill rescinds \$200,000,000 from the unobligated balances in the Department of the Treasury Forfeiture Fund.

Section 571. The bill includes a rescission of legacy funding still unobligated from when the Department was formed.

Section 572. The bill rescinds unobligated balances of prior year appropriations in the Disaster Relief Fund for non-major disaster programs due to the significant balances carried over from fiscal years 2013 and 2014, and amounts recovered from previous disasters during project closeouts. The rescission of funds will have no impact on FEMA's ability to aid in recovery from past disasters or respond to future disasters.

Section 573. The bill includes a provision related the Federal Management Assistance Grant Program.

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2015, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, the following information provides the definition of the term "program, project, and activity" for the components of the Department of Homeland Security under the jurisdiction of the Homeland Security Subcommittee of the Committee on Appropriations. The term "program, project, and activity" shall include the most specific level of budget items identified in the Department of Homeland Security Appropriations Act, 2015, the House and Senate Committee reports, and the conference report and the accompany 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 2015 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 2015 budget estimates, as amended, for such components, as modified by congressional action.

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

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

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2015:

Analysis and Operations.

U.S. Customs and Border Protection: Salaries and Expenses; Automation Modernization; and Air and Marine Operations.

U.S. Immigration and Customs Enforcement: Salaries and Expenses.

Transportation Security Administration: Aviation Security; Surface Transportation Security; Transportation Threat Assessment and Credentialing; and Federal Air Marshals.

Coast Guard: Operating Expenses; Environmental Compliance and Restoration; Reserve Training; Acquisition, Construction, and Improvements; Research, Development, Test, and Evaluation; and Retired Pay.

National Protection and Programs Directorate: Infrastructure Protection and Information Security.

Federal Emergency Management Agency: Salaries and Expenses; State and Local Programs; Emergency Management Performance Grants; National Predisaster Mitigation Fund, and Emergency Food and Shelter.

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

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

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

TITLE 6—DOMESTIC SECURITY

CHAPTER 1—HOMELAND SECURITY ORGANIZATION

**SUBCHAPTER II—INFORMATION ANALYSIS AND
INFRASTRUCTURE PROTECTION**

§ 121. Information and Analysis and Infrastructure Protection

REGULATIONS

Pub. L. 109–295, title V, § 550, Oct. 4, 2006, 120 Stat. 1388, as amended by Pub. L. 110–161, div. E, title V, § 534, Dec. 26, 2007, 121 Stat. 2075; Pub. L. 111–83, title V, § 550, Oct. 28, 2009, 123 Stat. 2177; Pub. L. 112–10, div. B, title VI, § 1650, Apr. 15, 2011, 125 Stat. 146; Pub. L. 112–74, div. D, title V, § 540, Dec. 23, 2011, 125 Stat. 976; Pub. L. 113–6, div. D, title V, § 537, Mar. 26, 2013, 127 Stat. 373, provided that:

“(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, 2013] *on October 4, 2015*.

* * * * *

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

§ 391. Research and development projects

(a) Authority

[Until September 30, 2014,] *Until September 30, 2015*, and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

* * * * *

(c) Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate [September 30, 2014,] *September 30, 2015*, unless before that date the Secretary—

TITLE 8—ALIENS AND NATIONALITY
CHAPTER 12—IMMIGRATION AND NATIONALITY
 SUBCHAPTER II—IMMIGRATION
 PART II—ADMISSION QUALIFICATIONS FOR ALIENS; TRAVEL
 CONTROL OF CITIZENS AND ALIENS

§ 1187. Visa waiver program for certain visitors

(a) Establishment of program

The [Attorney General] *Secretary of Homeland Security* and the Secretary of State are authorized to establish a program (hereinafter in this section referred to as the “program”) under which the requirement of paragraph (7)(B)(i)(II) of section 1182(a) of this title may be waived by the [Attorney General] *Secretary of Homeland Security*, in consultation with the Secretary of State and in accordance with this section, in the case of an alien who meets the following requirements:

* * * * *

(1) Seeking entry as tourist for 90 days or less

* * * * *

(4) Executes immigration forms

The alien before the time of such admission completes such immigration form as the [Attorney General] *Secretary of Homeland Security* shall establish.

(5) Entry into the United States

If arriving by sea or air, the alien arrives at the port of entry into the United States on a carrier, including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations, or a noncommercial aircraft that is owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations¹ which has entered into an agreement with the [Attorney General] *Secretary of Homeland Security* pursuant to subsection (e) of this section. The [Attorney General] *Secretary of Homeland Security* is authorized to require a carrier conducting operations under part 135 of title 14, Code of Federal Regulations, or a domestic corporation conducting operations under part 91 of that title, to give suitable and proper bond, in such reasonable amount and containing such conditions as the [Attorney General] *Secretary of Homeland Security* may deem sufficient to ensure compliance with the indemnification requirements of this section, as a term of such an agreement.

* * * * *

(8) Round-trip ticket

The alien is in possession of a round-trip transportation ticket (unless this requirement is waived by the [Attorney General] *Secretary of Homeland Security* under regulations or

¹ So in original. Probably should be followed by a comma.

the alien is arriving at the port of entry on an aircraft operated under part 135 of title 14, Code of Federal Regulations, or a noncommercial aircraft that is owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations).

* * * * *

(10) Electronic transmission of identification information

Operators of aircraft under part 135 of title 14, Code of Federal Regulations, or operators of noncommercial aircraft that are owned or operated by a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations, carrying any alien passenger who will apply for admission under this section shall furnish such information as the [Attorney General] *Secretary of Homeland Security* by regulation shall prescribe as necessary for the identification of any alien passenger being transported and for the enforcement of the immigration laws. Such information shall be electronically transmitted not less than one hour prior to arrival at the port of entry for purposes of checking for inadmissibility using the automated electronic database.

(c) Designation of program countries

[(1) In general

[The [Attorney General] *Secretary of Homeland Security*, in consultation with the Secretary of State, may designate any country as a program country if it meets the requirements of paragraph (2).]

(1) *AUTHORITY TO DESIGNATE; DEFINITIONS.—*

(A) *AUTHORITY TO DESIGNATE.—The Secretary of Homeland Security, in consultation with the Secretary of State, may designate any country as a program country if that country meets the requirements under paragraph (2).*

(B) *DEFINITIONS.—In this subsection:*

(i) *APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—*

(I) the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(II) the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

(ii) *OVERSTAY RATE.—*

(I) INITIAL DESIGNATION.—The term “overstay rate” means, with respect to a country being considered for designation in the program, the ratio of—

(aa) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under sec-

tion 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

(bb) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

(II) CONTINUING DESIGNATION.—*The term “overstay rate” means, for each fiscal year after initial designation under this section with respect to a country, the ratio of—*

(aa) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

(bb) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

(III) COMPUTATION OF OVERSTAY RATE.—*In determining the overstay rate for a country, the Secretary of Homeland Security may utilize information from any available databases to ensure the accuracy of such rate.*

(iii) PROGRAM COUNTRY.—*The term “program country” means a country designated as a program country under subparagraph (A).*

(2) Qualifications

Except as provided in subsection (f) of this section, a country may not be designated as a program country unless the following requirements are met:

[(A) Low nonimmigrant visa refusal rate

[Either—

[(i) the average number of refusals of nonimmigrant visitor visas for nationals of that country during—

[(I) the two previous full fiscal years was less than 2.0 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during those years; and

[(II) either of such two previous full fiscal years was less than 2.5 percent of the total number of nonimmigrant visitor visas for nationals of

that country which were granted or refused during that year;

[(ii) such refusal rate for nationals of that country during the previous full fiscal year was less than 3.0 percent.]

(A) *GENERAL NUMERICAL LIMITATIONS.*—

(i) *LOW NONIMMIGRANT VISA REFUSAL RATE.*—*The percentage of nationals of that country refused nonimmigrant visas under section 101(a)(15)(B) during the previous full fiscal year was not more than 3 percent of the total number of nationals of that country who were granted or refused nonimmigrant visas under such section during such year.*

(ii) *LOW NONIMMIGRANT OVERSTAY RATE.*—*The overstay rate for that country was not more than 3 percent during the previous fiscal year.*

* * * * *

(C) Law enforcement and security interests

The [Attorney General] *Secretary of Homeland Security*, in consultation with the Secretary of State—

(i) * * *

* * * * *

(iii) submits a written report to the [Committee on the Judiciary and the Committee on International Relations of the House of Representatives and the Committee on the Judiciary and the Committee on Foreign Relations of the Senate] *appropriate congressional committees* regarding the country's qualification for designation that includes an explanation of such determination.

* * * * *

[(3) Continuing and subsequent qualifications

[For each fiscal year after the initial period—

[(A) Continuing qualification

[In the case of a country which was a program country in the previous fiscal year, a country may not be designated as a programcountry unless the sum of—

[(i) the total of the number of nationals of that country who were denied admission at the time of arrival or withdrew their application for admission during such previous fiscal year as a nonimmigrant visitor, and

[(ii) the total number of nationals of that country who were admitted as nonimmigrant visitors during such previous fiscal year and who violated the terms of such admission, was less than 2 percent of the total number of nationals of that country who applied for admission as nonimmigrant visitors during such previous fiscal year.

[(B) New countries

【In the case of another country, the country may not be designated as a program country unless the following requirements are met:

【(i) Low nonimmigrant visa refusal rate in previous 2-year period

【The average number of refusals of nonimmigrant visitor visas for nationals of that country during the two previous full fiscal years was less than 2 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during those years.

【(ii) Low nonimmigrant visa refusal rate in each of the 2 previous years The average number of refusals of nonimmigrant visitor visas for nationals of that country during either of such two previous full fiscal years was less than 2.5 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during that year.】

(3) *QUALIFICATION CRITERIA.—After designation as a program country under section 217(c)(2), a country may not continue to be designated as a program country unless the Secretary of Homeland Security, in consultation with the Secretary of State, determines, pursuant to the requirements under paragraph (5), that the designation will be continued.*

【(4) INITIAL PERIOD.—For purposes of paragraphs (2) and (3), the term “initial period” means the period beginning at the end of the 30-day period described in subsection (b)(1) of this section and ending on the last day of the first fiscal year which begins after such 30-day period.】

* * * * *

(5) Written reports on continuing qualification; designation terminations

(A) Periodic evaluations

(i) In general

* * * * *

(I) * * *

【(II) shall determine, based upon the evaluation in subclause (I), whether any such designation ought to be continued or terminated under subsection (d) of this section;】

(II) shall determine, based upon the evaluation in subclause (I), whether any such designation under subsection (d) or (f), or probation under subsection (f), ought to be continued or terminated;

(III) shall submit a written report to the 【Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security, of the House of Representatives and the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the

Senate] *appropriate congressional committees* regarding the continuation or termination of the country's designation that includes an explanation of such determination and the effects described in subclause (I); and

* * * * *

[(6) Computation of visa refusal rates

[For purposes of determining the eligibility of a country to be designated as a program country, the calculation of visa refusal rates shall not include any visa refusals which incorporate any procedures based on, or are otherwise based on, race, sex, or disability, unless otherwise specifically authorized by law or regulation. No court shall have jurisdiction under this paragraph to review any visa refusal, the denial of admission to the United States of any alien by the [Attorney General] *Secretary of Homeland Security*, the Secretary's computation of the visa refusal rate, or the designation or nondesignation of any country.]

(6) *COMPUTATION OF VISA REFUSAL RATES AND JUDICIAL REVIEW.*—

(A) *COMPUTATION OF VISA REFUSAL RATES.*—*For purposes of determining the eligibility of a country to be designated as a program country, the calculation of visa refusal rates shall not include any visa refusals which incorporate any procedures based on, or are otherwise based on, race, sex, or disability, unless otherwise specifically authorized by law or regulation.*

(B) *JUDICIAL REVIEW.*—*No court shall have jurisdiction under this section to review any visa refusal, the Secretary of State's computation of a visa refusal rate, the Secretary of Homeland Security's computation of an overstay rate, or the designation or nondesignation of a country as a program country.*

(7) **Visa [waiver information.—] *waiver information.***—*In refusing*

(A) * * *

* * * * *

[(B) Reporting requirement

[On May 1 of each year, for each country under consideration for inclusion in the visa waiver program, the Secretary of State shall provide to the appropriate congressional committees—

[(i) the total number of nationals of that country that applied for United States visas in that country during the previous calendar year;

[(ii) the total number of such nationals who received United States visas during the previous calendar year;

[(iii) the total number of such nationals who were refused United States visas during the previous calendar year;

[(iv) the total number of such nationals who were refused United States visas during the previous calendar year under each provision of this chapter under which the visas were refused; and

[(v) the number of such nationals that were refused under section 1184(b) of this title as a percentage of the visas that were issued to such nationals.

[(C) Certification

[Not later than May 1 of each year, the United States chief of mission, acting or permanent, to each country under consideration for inclusion in the visa waiver program shall certify to the appropriate congressional committees that the information described in subparagraph (B) is accurate and provide a copy of that certification to those committees.

[(D) Consideration of countries in the visa waiver program

[Upon notification to the [Attorney General] *Secretary of Homeland Security* that a country is under consideration for inclusion in the visa waiver program, the Secretary of State shall provide all of the information described in subparagraph (B) to the [Attorney General] *Secretary of Homeland Security*.

[(E) Definition

[In this paragraph, the term “appropriate congressional committees” means the Committee on the Judiciary and the Committee on Foreign Relations of the Senate and the Committee on the Judiciary and the Committee on International Relations of the House of Representatives.]

[(8) Nonimmigrant visa refusal rate flexibility

[(A) Certification

[(i) In general

[On the date on which an air exit system is in place that can verify the departure of not less than 97 percent of foreign nationals who exit through airports of the United States and the electronic travel authorization system required under subsection (h)(3) is fully operational, the Secretary of Homeland Security shall certify to Congress that such air exit system and electronic travel authorization system are in place.

[(ii) Notification to Congress

[The Secretary shall notify Congress in writing of the date on which the air exit system under clause (i) fully satisfies the biometric requirements specified in subsection (i).

[(iii) Temporary suspension of waiver authority

[Notwithstanding any certification made under clause (i), if the Secretary has not notified Congress in

accordance with clause (ii) by June 30, 2009, the Secretary's waiver authority under subparagraph (B) shall be suspended beginning on July 1, 2009, until such time as the Secretary makes such notification.

[(iv) Rule of construction

【Nothing in this paragraph shall be construed as in any way abrogating the reporting requirements under subsection (i)(3).

[(B) Waiver

【After certification by the Secretary under subparagraph (A), the Secretary, in consultation with the Secretary of State, may waive the application of paragraph (2)(A) for a country if—

【(i) the country meets all security requirements of this section; (ii) the Secretary of Homeland Security determines that the totality of the country's security risk mitigation measures provide assurance that the country's participation in the program would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States;

【(ii) the Secretary of Homeland Security determines that the totality of the country's security risk mitigation measures provide assurance that the country's participation in the program would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States;

【(iii) there has been a sustained reduction in the rate of refusals for nonimmigrant visas for nationals of the country and conditions exist to continue such reduction;

【(iv) the country cooperated with the Government of the United States on counterterrorism initiatives, information sharing, and preventing terrorist travel before the date of its designation as a program country, and the Secretary of Homeland Security and the Secretary of State determine that such cooperation will continue; and

【(v)(I) the rate of refusals for nonimmigrant visitor visas for nationals of the country during the previous full fiscal year was not more than ten percent; or

【(II) the visa overstay rate for the country for the previous full fiscal year does not exceed the maximum visa overstay rate, once such rate is established under subparagraph (C).

[(C) Maximum visa overstay rate

[(i) Requirement to establish

【After certification by the Secretary under subparagraph (A), the Secretary and the Secretary of

State jointly shall use information from the air exit system referred to in such subparagraph to establish a maximum visa overstay rate for countries participating in the program pursuant to a waiver under subparagraph (B). The Secretary of Homeland Security shall certify to Congress that such rate would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States.

[(ii) Visa overstay rate defined In this paragraph the term “visa overstay rate” means, with respect to a country, the ratio of—

[(I) the total number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa whose periods of authorized stays ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

[(II) the total number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa during that fiscal year.

[(iii) Report and publication

[(The Secretary of Homeland Security shall on the same date submit to Congress and publish in the Federal Register information relating to the maximum visa overstay rate established under clause (i). Not later than 60 days after such date, the Secretary shall issue a final maximum visa overstay rate above which a country may not participate in the program.)]

(8) *WAIVER AUTHORITY.—The Secretary of Homeland Security, in consultation with the Secretary of State, may waive the application of paragraph (2)(A)(i) for a country if—*

(A) the country meets all other requirements of paragraph (2);

(B) the Secretary of Homeland Security determines that the totality of the country’s security risk mitigation measures provide assurance that the country’s participation in the program would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States;

(C) there has been a general downward trend in the percentage of nationals of the country refused non-immigrant visas under section 101(a)(15)(B);

(D) the country consistently cooperated with the Government of the United States on counterterrorism initiatives, information sharing, preventing terrorist travel, and extradition to the United States of individuals (including the country’s own nationals) who commit crimes that violate United States law before the date of its designation as a program country, and the Secretary of Homeland Security and the Secretary of State assess that such cooperation is likely to continue;

(E) the percentage of nationals of the country refused a nonimmigrant visa under section 101(a)(15)(B) during the previous full fiscal year was not more than 10 percent of the total number of nationals of that country who were granted or refused such nonimmigrant visas; and

(F) *EFFECTIVE PERIOD.*—The amendments made by this subsection shall be in effect during the period beginning on the date of enactment of this Act and ending on December 31, 2017.

* * * * *

(e) Carrier agreements

(1) In general

The agreement referred to in subsection (a)(4) of this section is an agreement between a carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title and the [Attorney General] *Secretary of Homeland Security* under which the carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title agrees, in consideration of the waiver of the visa requirement with respect to a nonimmigrant visitor under the program—

(A) * * *

* * * * *

(C) to be subject to the imposition of fines resulting from the transporting into the United States of a national of a designated country without a passport pursuant to regulations promulgated by the [Attorney General] *Secretary of Homeland Security*, and

* * * * *

(2) Termination of agreements

The [Attorney General] *Secretary of Homeland Security* may terminate an agreement under paragraph (1) with five days' notice to the carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title for the failure by a carrier (including any carrier conducting operations under part 135 of title 14, Code of Federal Regulations) or a domestic corporation conducting operations under part 91 of that title to meet the terms of such agreement.

(3) Business aircraft requirements

(A) In general

For purposes of this section, a domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations² that owns or operates a noncommercial aircraft is a corporation that is organized under the

²So in original. Probably should be followed by a comma.

laws of any of the States of the United States or the District of Columbia and is accredited by or a member of a national organization that sets business aviation standards. The Attorney General shall prescribe by regulation the provision of such information as the [Attorney General] *Secretary of Homeland Security* deems necessary to identify the domestic corporation, its officers, employees, shareholders, its place of business, and its business activities.

(B) Collections

In addition to any other fee authorized by law, the [Attorney General] *Secretary of Homeland Security* is authorized to charge and collect, on a periodic basis, an amount from each domestic corporation conducting operations under part 91 of title 14, Code of Federal Regulations, for nonimmigrant visa waiver admissions on non-commercial aircraft owned or operated by such domestic corporation equal to the total amount of fees assessed for issuance of nonimmigrant visa waiver arrival/departure forms at land border ports of entry. All fees collected under this paragraph shall be deposited into the Immigration User Fee Account established under section 1356(h) of this title.

[(f) Duration and termination of designation

[(1) In general

[(A) Determination and notification of disqualification rate

[Upon determination by the [Attorney General] *Secretary of Homeland Security* that a program country's disqualification rate is 2 percent or more, the Attorney General shall notify the Secretary of State.

[(B) Probationary status

[If the program country's disqualification rate is greater than 2 percent but less than 3.5 percent, the [Attorney General] *Secretary of Homeland Security* shall place the program country in probationary status for a period not to exceed 2 full fiscal years following the year in which the determination under subparagraph (A) is made.

[(C) Termination of designation

[Subject to paragraph (3), if the program country's disqualification rate is 3.5 percent or more, the [Attorney General] *Secretary of Homeland Security* shall terminate the country's designation as a program country effective at the beginning of the second fiscal year following the fiscal year in which the determination under subparagraph (A) is made.

[(2) Termination of probationary status

[(A) In general

If the [Attorney General] *Secretary of Homeland Security* determines at the end of the probationary period de-

scribed in paragraph (1)(B) that the program country placed in probationary status under such paragraph has failed to develop a machine-readable passport program as required by section³ (c)(2)(C) of this section, or has a disqualification rate of 2 percent or more, the [Attorney General] *Secretary of Homeland Security* shall terminate the designation of the country as a program country. If the [Attorney General] *Secretary of Homeland Security* determines that the program country has developed a machine-readable passport program and has a disqualification rate of less than 2 percent, the [Attorney General] *Secretary of Homeland Security* shall redesignate the country as a program country.】

(f) *TERMINATION OF DESIGNATION; PROBATION.*—

(1) *DEFINITIONS.*—*In this subsection:*

(A) *PROBATIONARY PERIOD.*—*The term “probationary period” means the fiscal year in which a probationary country is placed in probationary status under this subsection.*

(B) *PROGRAM COUNTRY.*—*The term “program country” has the meaning given that term in subsection (c)(1)(B).*

(2) *DETERMINATION, NOTICE, AND INITIAL PROBATIONARY PERIOD.*—

(A) *DETERMINATION OF PROBATIONARY STATUS AND NOTICE OF NONCOMPLIANCE.*—*As part of each program country’s periodic evaluation required by subsection (c)(5)(A), the Secretary of Homeland Security shall determine whether a program country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).*

(B) *INITIAL PROBATIONARY PERIOD.*—*If the Secretary of Homeland Security determines that a program country is not in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2), the Secretary of Homeland Security shall place the program country in probationary status for the fiscal year following the fiscal year in which the periodic evaluation is completed.*

(3) *ACTIONS AT THE END OF THE INITIAL PROBATIONARY PERIOD.*—*At the end of the initial probationary period of a country under paragraph (2)(B), the Secretary of Homeland Security shall take 1 of the following actions:*

(A) *COMPLIANCE DURING INITIAL PROBATIONARY PERIOD.*—*If the Secretary determines that all instances of noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation have been remedied by the end of the initial probationary period, the Secretary shall end the country’s probationary period.*

(B) *NONCOMPLIANCE DURING INITIAL PROBATIONARY PERIOD.*—*If the Secretary determines that any instance of noncompliance with the program requirements under sub-*

³ So in original. Probably should be “subsection”.

paragraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation has not been remedied by the end of the initial probationary period—

(i) the Secretary may terminate the country's participation in the program; or

(ii) on an annual basis, the Secretary may continue the country's probationary status if the Secretary, in consultation with the Secretary of State, determines that the country's continued participation in the program is in the national interest of the United States.

(4) ACTIONS AT THE END OF ADDITIONAL PROBATIONARY PERIODS.—At the end of all probationary periods granted to a country pursuant to paragraph (3)(B)(ii), the Secretary shall take 1 of the following actions:

(A) COMPLIANCE DURING ADDITIONAL PERIOD.—The Secretary shall end the country's probationary status if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

(B) NONCOMPLIANCE DURING ADDITIONAL PERIODS.—The Secretary shall terminate the country's participation in the program if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the program country continues to be in non-compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

(5) EFFECTIVE DATE.—The termination of a country's participation in the program under paragraph (3)(B) or (4)(B) shall take effect on the first day of the first fiscal year following the fiscal year in which the Secretary determines that such participation shall be terminated. Until such date, nationals of the country shall remain eligible for a waiver under subsection (a).

(6) TREATMENT OF NATIONALS AFTER TERMINATION.—For purposes of this subsection and subsection (d)—

(A) nationals of a country whose designation is terminated under paragraph (3) or (4) shall remain eligible for a waiver under subsection (a) until the effective date of such termination; and

(B) a waiver under this section that is provided to such a national for a period described in subsection (a)(1) shall not, by such termination, be deemed to have been rescinded or otherwise rendered invalid, if the waiver is granted prior to such termination.

(7) CONSULTATIVE ROLE OF THE SECRETARY OF STATE.—In this subsection, references to subparagraphs (A)(ii) through (F) of subsection (c)(2) and subsection (c)(5)(A) carry with them the consultative role of the Secretary of State as provided in those provisions.

* * * * *

(h) Use of information technology systems

(1) Automated entry-exit control system

(A) System

Not later than October 1, 2001, the [Attorney General] *Secretary of Homeland Security* shall develop and implement a fully automated entry and exit control system that will collect a record of arrival and departure for every alien who arrives and departs by sea or air at a port of entry into the United States and is provided a waiver under the program.

* * * * *

(i) Data collection by carriers

* * * * *

(ii) Data provision by carriers

Not later than October 1, 2002, no waiver may be provided under this section to an alien arriving by sea or air at a port of entry into the United States on a carrier unless the carrier is electronically transmitting to the automated entry and exit control system passenger data determined by the [Attorney General] *Secretary of Homeland Security* to be sufficient to permit the [Attorney General] *Secretary of Homeland Security* to carry out this paragraph.

(iii) Calculation

The system shall contain sufficient data to permit the [Attorney General] *Secretary of Homeland Security* to calculate, for each program country and each fiscal year, the portion of nationals of that country who are described in subparagraph (A) and for whom no record of departure exists, expressed as a percentage of the total number of such nationals who are so described.

(C) Reporting

(i) Percentage of nationals lacking departure record

As part of the annual report required to be submitted under section 1365a(e)(1) of this title, the [Attorney General] *Secretary of Homeland Security* shall include a section containing the calculation described in subparagraph (B)(iii) for each program country for the previous fiscal year, together with an analysis of that information.

(ii) System effectiveness

* * * * *

(I) The conclusions of the [Attorney General] *Secretary of Homeland Security* regarding the effectiveness of the automated entry and exit control system to be developed and implemented under this paragraph.

(II) The recommendations of the [Attorney General] *Secretary of Homeland Security* regarding the use of the calculation described in subparagraph (B)(iii) as a basis for evaluating wheth-

er to terminate or continue the designation of a country as a program country.

* * * * *

(2) Automated data sharing system

(A) System

The [Attorney General] *Secretary of Homeland Security* and the Secretary of State shall develop and implement an automated data sharing system that will permit them to share data in electronic form from their respective records systems regarding the admissibility of aliens who are nationals of a program country.

(B) Requirements

* * * * *

(i) * * *

* * * * *

(ii) Supplying photographs of inadmissible aliens

The system shall permit the [Attorney General] *Secretary of Homeland Security* electronically to obtain any photograph contained in the records of the Secretary of State pertaining to an alien who is a national of a program country and has been determined to be ineligible to receive a visa.

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

* * * * *

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; Pub. L. 111–83, title IV, Oct. 28, 2009, 123 Stat. 2166; Pub. L. 112–74, div. D, title IV, Dec. 23, 2011, 125 Stat. 966, provided that:

(a) The Federal Law Enforcement Training Center may, for a period ending not later than [December 31, 2016] *December 31, 2017*, appoint and maintain a cadre of up to 350 Federal annuitants: (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.

—————

**DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE,
THE JUDICIARY, AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2002, PUBLIC LAW 107-77**

TITLE I—DEPARTMENT OF JUSTICE

* * * * *

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. * * *

* * * * *

SEC. 109. Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), as amended, is further amended as follows:

(1) by striking in subsection (d) “\$6”, and inserting “[~~\$7~~ \$9”;

—————

**CONSOLIDATED APPROPRIATIONS RESOLUTION, 2003,
PUBLIC LAW 108-7**

DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES APPROPRIATIONS, 2003

TITLE I—DEPARTMENT OF JUSTICE

* * * * *

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. * * *

* * * * *

SEC. 108. Section 286(e) of the Immigration and Nationality Act is amended by striking paragraph (3) and replacing it with the following:

“(3) The Attorney General shall charge and collect [~~\$3~~] \$5 per individual for the immigration inspection or pre-inspection of each commercial vessel passenger whose journey originated in the United States or in any place set forth in paragraph (1): *Provided*, That this requirement shall not apply to immigration inspection at designated ports of entry of passengers arriving by ferry, or by Great Lakes vessels on the Great Lakes and connecting waterways when operating on a regular schedule. For the purposes of this paragraph, the term ‘ferry’ means a vessel, in other than ocean or coastwise service, having provisions only for deck passengers and/or vehicles, operating on a

short run on a frequent schedule between two points over the most direct water route, and offering a public service of a type normally attributed to a bridge or tunnel.”.

**CONSOLIDATED APPROPRIATIONS, ACT, 2008, PUBLIC
LAW 110-161**

**DIVISION E—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2008**

TITLE VI

**BORDER INFRASTRUCTURE AND TECHNOLOGY
MODERNIZATION**

【SEC. 605. PORT OF ENTRY TECHNOLOGY DEMONSTRATION PROGRAM. (a) **ESTABLISHMENT.**—The Secretary, acting through the Commissioner, shall carry out a technology demonstration program to test and evaluate new port of entry technologies, refine port of entry technologies and operational concepts, and train personnel under realistic conditions.

【(b) TECHNOLOGY TESTED.—Under the demonstration program, the Commissioner shall test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

【(c) DEMONSTRATION SITES.—

【(1) NUMBER.—The Commissioner shall carry out the demonstration program at not less than three sites and not more than five sites.

【(2) LOCATION.—Of the sites selected under subsection (c)—

【(A) at least one shall be located on the northern border of the United States; and

【(B) at least one shall be located on the southern border of the United States.

【(3) SELECTION CRITERIA.—To ensure that one of the facilities selected as a port of entry demonstration site for the demonstration program has the most up-to-date design, contains sufficient space to conduct the demonstration program, has a traffic volume low enough to easily incorporate new technologies without interrupting normal processing activity, and can efficiently carry out demonstration and port of entry operations, one port of entry selected as a demonstration site may—

【(A) have been established not more than 15 years before the date of the enactment of this Act;

【(B) consist of not less than 65 acres, with the possibility of expansion onto not less than 25 adjacent acres; and

【(C) have serviced an average of not more than 50,000 vehicles per month during the 12 months preceding the date of the enactment of this Act.

[(d) RELATIONSHIP WITH OTHER AGENCIES.—The Secretary, acting through the Commissioner, shall permit personnel from appropriate Federal agencies to utilize a demonstration site described in subsection (c) to test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

[(e) REPORT.—

v(1) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Senate Committee on Environment and Public Works, the Senate Committee on Homeland Security and Governmental Affairs, the House Committee on Transportation and Infrastructure, and the House Committee on Homeland Security a report on the activities carried out at each demonstration site under the technology demonstration program established under this section.

[(2) CONTENT.—The report shall include an assessment by the Commissioner of the feasibility of incorporating any demonstrated technology for use throughout U.S. Customs and Border Protection.]

CONSOLIDATED APPROPRIATIONS ACT, 2014, PUBLIC
LAW 113-76

DIVISION F—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2014

TITLE V

GENERAL PROVISIONS

SEC. 559. (a) * * *

* * * * *

(e) * * *

(1) * * *

* * * * *

(3) LIMITATIONS.—

(A) * * *

[(B) FOR CERTAIN COSTS.—The authority found in this subsection may not be used at U.S. Customs and Border Protection-serviced air ports of entry to enter into reimbursable fee agreements for costs other than payment of overtime.]

[(C)] (B) The authority found in this subsection may not be used to enter into new preclearance agreements or begin to provide U.S. Customs and Border Protection services outside of the United States.

[(D)] (C) The authority found in this subsection shall be limited with respect to U.S. Customs and Border Pro-

tection-serviced air ports of entry to **five** *seven* pilots per year.

* * * * *

(f) * * *

(1) * * *
[(2) ALLOWABLE USES OF DONATIONS.—The Commissioner and the Administrator, with respect to any donation provided pursuant to paragraph (1), may—

[(A) use such donation for necessary activities related to the construction, alteration, operation, or maintenance of an existing port of entry facility under the jurisdiction, custody, and control of the Commissioner, including expenses related to—

[(i) land acquisition, design, construction, repair and alteration;

[(ii) furniture, fixtures, and equipment;

[(iii) the deployment of technology and equipment; and

[(iv) operations and maintenance; or

[(B) transfer such property or services to the Administrator for necessary activities described in subparagraph (A) related to a new or existing port of entry under the jurisdiction, custody, and control of the Administrator, subject to chapter 33 of title 40, United States Code.]

(2) ALLOWABLE USES OF DONATIONS.—

(A) Donations accepted by the Commissioner may—

(i) be utilized for necessary activities related to constructing, altering, operating, maintaining, or equipping a new or existing port of entry under the jurisdiction, custody and control of the Commissioner, including but not limited to expenses related to—

(I) land acquisition, design, construction, repair and alteration;

(II) furniture, fixtures, equipment, and technology, including installation and deployment thereof; and

(III) operations and maintenance; or

(ii) be utilized for activities related to altering, operating, maintaining, or equipping a new or existing port of entry under the jurisdiction, custody, and control of the Administrator, including but not limited to expenses related to—

(I) design, repair and alteration;

(II) furniture, fixtures, equipment, and technology, including installation and deployment thereof; and

(III) operations and maintenance.

(B) Donations accepted by the Administrator may—

(i) be utilized for activities related to constructing, altering, operating, maintaining, or equipping a new or existing port of entry facility under the jurisdiction, custody and control of the Administrator, including but not limited to expenses related to—

(I) land acquisition, design, construction, repair and alteration;

(II) furniture, fixtures, equipment, and technology, including installation and deployment thereof; and

(III) operations and maintenance.

(C) For purposes of subsection (f)(2)(A)(i)(II)–(III), the term “new or existing port of entry under the jurisdiction, custody and control of the Commissioner” includes any sea or air port of entry at which U.S. Customs and Border Protection provides or will provide services.

(3) * * *

(A) * * *

(i) * * *

* * * * *

(I) * * *

* * * * *

(III) how each donation helped facilitate the construction, alternation, operation, or maintenance of a new or existing [land] port of entry.

* * * * *

(h) * * *

(1) * * *

* * * * *

(3) the term “Administrator” means the Administrator of General Services.

(4) The term “new or existing port of entry facility under the jurisdiction, custody and control of the Administrator” includes any port of entry facility or property interest leased by the Administrator.

[(i) ROLE OF GENERAL SERVICES ADMINISTRATION.—Under this section, collaboration with the Administrator of General Services is required only with respect to partnerships at land ports of entry.]

(i) ROLE OF ADMINISTRATOR.—Under this section, the role and involvement of the Administrator of General Services is required only with respect to donations made pursuant to subsection (f) at land ports of entry under the jurisdiction, custody, and control of the Administrator.

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 allocation | Amount in bill | Committee allocation | Amount in bill |
| Comparison of amounts in the bill with the subcommittee allocation for 2015: Subcommittee on Homeland Security: | | | | |
| Mandatory | 1,576 | 1,576 | 1,580 | ¹ 1,580 |
| Discretionary | 39,000 | 45,651 | 45,522 | ¹ 44,612 |
| Security | 1,629 | 1,842 | NA | NA |
| Nonsecurity | 37,371 | 43,809 | NA | NA |
| Projections of outlays associated with the recommendation: | | | | |
| 2015 ..... | ..... | ..... | ..... | ² 26,637 |
| 2016 ..... | ..... | ..... | ..... | 9,713 |
| 2017 ..... | ..... | ..... | ..... | 5,947 |
| 2018 ..... | ..... | ..... | ..... | 2,860 |
| 2019 and future years ..... | ..... | ..... | ..... | 2,046 |
| Financial assistance to State and local governments for 2015 | NA | 5,733 | NA | 332 |

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.

NOTE.—Consistent with the funding recommended in the bill for disaster funding and overseas contingency operations and in accordance with subparagraphs (A)(ii) and (D) of section 251(b)(2) of the BBEDCA of 1985, the Committee anticipates that the Budget Committee will provide a revised 302(a) allocation for the Committee on Appropriations reflecting an upward adjustment of \$6,651,000,000 in budget authority plus associated outlays.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015
[In thousands of dollars]

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|--|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 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 | 4,050 | 3,950 | 3,939 | -111 | -11 |
| Immediate Office of the Deputy Secretary | 1,750 | 1,751 | 1,740 | -10 | -11 |
| Office of the Chief of Staff | 2,050 | 2,112 | 2,062 | +12 | -50 |
| Executive Secretary | 7,400 | 7,719 | 7,477 | +77 | -242 |
| Office of Policy | 36,500 | 38,470 | 37,559 | +1,059 | -911 |
| Office of Public Affairs | 8,550 | 8,741 | 8,591 | +41 | -150 |
| Office of Legislative Affairs | 5,350 | 5,583 | 5,403 | +53 | -180 |
| Office of Intergovernmental Affairs | 2,250 | 2,429 | 2,273 | +23 | -156 |
| Office of General Counsel | 19,750 | 21,310 | 19,950 | +200 | -1,360 |
| Office for Civil Rights and Civil Liberties | 21,500 | 22,003 | 21,719 | +219 | -284 |
| Citizenship and Immigration Services Ombudsman | 5,250 | 6,428 | 5,825 | +575 | -603 |
| Privacy Officer | 7,950 | 8,273 | 8,033 | +83 | -240 |
| Subtotal | 122,350 | 128,769 | 124,571 | +2,221 | -4,198 |
| Office of the Under Secretary for Management: | | | | | |
| Immediate Office of the Under Secretary for Management | 2,700 | 2,757 | 2,740 | +40 | -17 |
| Office of the Chief Security Officer | 64,000 | 63,597 | 63,391 | -609 | -206 |
| Office of the Chief Procurement Officer | 65,000 | 64,036 | 63,726 | -1,274 | -310 |
| Subtotal | 131,700 | 130,390 | 129,857 | -1,843 | -533 |
| Office of the Chief Human Capital Officer: | | | | | |
| Salaries and Expenses | 22,000 | 21,253 | 21,156 | -844 | -97 |
| Human Resources Information Technology | 7,815 | 9,878 | 8,000 | +185 | -1,878 |

| | | | | | |
|--|-----------|-----------|-----------|---------|----------|
| Subtotal | 29,815 | 31,131 | 29,156 | -659 | -1,975 |
| Office of the Chief Readiness Support Officer: | | | | | |
| Salaries and Expenses | 30,000 | 29,272 | 29,186 | -814 | -86 |
| Nebraska Avenue Complex (NAC) | 4,500 | 4,493 | 4,493 | -7 | |
| Subtotal | 34,500 | 33,765 | 33,679 | -821 | -86 |
| Subtotal, Office of the Under Secretary for Management | 196,015 | 195,286 | 192,692 | -3,323 | -2,594 |
| DHS Headquarters Consolidation: | | | | | |
| Mission support | | 15,300 | | | -15,300 |
| St. Elizabeths | | 57,700 | | | -57,700 |
| Total, DHS Headquarters Consolidation | | 73,000 | | | -73,000 |
| Office of the Chief Financial Officer | 46,000 | 94,626 | 48,213 | +2,213 | -46,413 |
| Office of the Chief Information Officer: | | | | | |
| Salaries and Expenses | 115,000 | 95,444 | 95,078 | -19,922 | -366 |
| Information Technology Services | 34,000 | 38,627 | 38,627 | +4,627 | |
| Infrastructure and Security Activities | 45,000 | 52,140 | 52,140 | +7,140 | |
| Homeland Secure Data Network | 63,156 | 70,132 | 68,156 | +5,000 | -1,976 |
| Subtotal | 257,156 | 256,343 | 254,001 | -3,155 | -2,342 |
| Analysis and Operations | 300,490 | 302,268 | 295,269 | -5,221 | -6,999 |
| Total, Departmental Operations | 922,011 | 1,050,292 | 914,746 | -7,265 | -135,546 |
| Office of Inspector General: | | | | | |
| Operating Expenses | 115,437 | 121,457 | 118,617 | +3,180 | -2,840 |
| (By transfer from Disaster Relief) | (24,000) | (24,000) | (24,000) | | |
| Total, Office of Inspector General | 139,437 | 145,457 | 142,617 | +3,180 | -2,840 |
| Total, title I, Departmental Management and Operations | 1,037,448 | 1,171,749 | 1,033,363 | -4,085 | -138,386 |
| (By transfer) | (24,000) | (24,000) | (24,000) | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
 FOR FISCAL YEAR 2015—Continued
 (In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS | | | | | |
| U.S. Customs and Border Protection | | | | | |
| Salaries and Expenses: | | | | | |
| Headquarters, Management, and Administration: | | | | | |
| Commissioner | 23,656 | 27,245 | 27,151 | + 3,495 | - 94 |
| Chief Counsel | 42,921 | 45,663 | 45,483 | + 2,562 | - 180 |
| Congressional Affairs | 2,466 | 2,514 | 2,504 | + 38 | - 10 |
| Internal Affairs | 149,061 | 140,141 | 139,493 | - 9,568 | - 648 |
| Public Affairs | 11,934 | 13,064 | 13,009 | + 1,075 | - 55 |
| Training and Development | 76,082 | 71,926 | 71,892 | - 4,190 | - 34 |
| Tech, Innovation, Acquisition | 22,788 | 25,374 | 25,277 | + 2,489 | - 97 |
| Intelligence/Investigative Liaison | 60,747 | 61,512 | 61,235 | + 488 | - 277 |
| Administration | 403,473 | 386,793 | 382,819 | - 20,654 | - 3,974 |
| Rent | 405,802 | 409,490 | 409,490 | + 3,688 | ..... |
| Subtotal | 1,198,930 | 1,183,722 | 1,178,353 | - 20,577 | - 5,369 |
| Border Security Inspections and Trade Facilitation: | | | | | |
| Inspections, Trade, and Travel Facilitation at Ports of Entry | 2,856,573 | 2,830,872 | 2,806,224 | - 50,349 | - 24,648 |
| Harbor Maintenance Fee Collection (trust fund) | 3,274 | 3,274 | 3,274 | ..... | ..... |
| International Cargo Screening | 67,461 | 69,173 | 68,902 | + 1,441 | - 271 |
| Other International Programs | 24,000 | 25,706 | 25,548 | + 1,548 | - 158 |
| Customs-Trade Partnership Against Terrorism (C-TPAT) | 40,912 | 40,841 | 42,119 | + 1,207 | + 1,278 |
| Trusted Traveler Programs | 5,811 | 5,811 | 5,811 | ..... | ..... |
| Inspection and Detection Technology Investments | 112,004 | 123,866 | 117,811 | + 5,807 | - 6,055 |
| National Targeting Center | 65,106 | 70,592 | 70,123 | + 5,017 | - 469 |
| Training | 40,703 | 33,906 | 33,880 | - 6,823 | - 26 |
| Subtotal | 3,215,844 | 3,204,041 | 3,173,692 | - 42,152 | - 30,349 |

| | | | | | | | | |
|---|-------------|-------------|-------------|-------------|-----------|--|--|--|
| Border Security and Control Between Ports of Entry: | | | | | | | | |
| Border Security and Control | 3,675,236 | 3,882,015 | 3,911,955 | + 236,719 | + 29,940 | | | |
| Training | 55,558 | 56,608 | 56,391 | + 833 | - 217 | | | |
| Subtotal | 3,730,794 | 3,938,623 | 3,968,346 | + 237,552 | + 29,723 | | | |
| Subtotal, Salaries and Expenses | 8,145,568 | 8,326,386 | 8,320,391 | + 174,823 | - 5,995 | | | |
| Appropriations | (8,142,294) | (8,323,112) | (8,317,117) | (+ 174,823) | (- 5,995) | | | |
| Harbor Maintenance Trust Fund | (3,274) | (3,274) | (3,274) | | | | | |
| Small Airport User Fee (permanent indefinite discretionary appropriation) | 5,000 | 9,000 | 9,000 | + 4,000 | | | | |
| Automation Modernization: | | | | | | | | |
| Information Technology | 358,655 | 365,700 | 361,124 | + 2,469 | - 4,576 | | | |
| Automated Targeting Systems | 116,932 | 109,273 | 109,230 | - 7,702 | - 43 | | | |
| Automated Commercial Environment/International Trade Data System [ITDS] | 140,762 | 141,061 | 140,970 | + 208 | - 91 | | | |
| Current Operations Protection and Processing Support [COPPS] | 200,174 | 196,376 | 195,375 | - 4,799 | - 1,001 | | | |
| Subtotal | 816,523 | 812,410 | 806,699 | - 9,824 | - 5,711 | | | |
| Border Security Fencing, Infrastructure, and Technology [BSFIT]: | | | | | | | | |
| Development and Deployment | 160,435 | 110,594 | 110,594 | - 49,841 | | | | |
| Operations and Maintenance | 191,019 | 251,872 | 251,872 | + 60,853 | | | | |
| Subtotal | 351,454 | 362,466 | 362,466 | + 11,012 | | | | |
| Air and Marine Operations: | | | | | | | | |
| Salaries and Expenses 1 | 286,818 | 293,016 | 290,900 | + 4,082 | - 2,116 | | | |
| Operations and Maintenance 1 | 392,000 | 362,669 | 362,669 | - 29,331 | | | | |
| Procurement | 126,250 | 53,000 | 53,000 | - 73,250 | | | | |
| ANOC | | | | | | | | |
| Subtotal | 805,068 | 708,685 | 706,569 | - 98,499 | - 2,116 | | | |
| Construction and Facilities Management: | | | | | | | | |
| Facilities Construction and Sustainment | 375,398 | 385,137 | 383,900 | + 8,502 | - 1,237 | | | |
| Program Oversight and Management | 80,880 | 97,068 | 94,559 | + 13,679 | - 2,509 | | | |
| Subtotal | 456,278 | 482,205 | 478,459 | + 22,181 | - 3,746 | | | |
| Total, U.S. Customs and Border Protection Direct Appropriations | 10,579,891 | 10,701,152 | 10,683,584 | + 103,693 | - 17,568 | | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued
(In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Fee Accounts: | | | | | |
| Immigration Inspection User Fee | (598,552) | (630,218) | (630,218) | (+ 31,666) | ..... |
| Immigration Enforcement Fines | (773) | (752) | (752) | (- 21) | ..... |
| Electronic System for Travel Authorization Fee | (55,168) | (54,929) | (54,929) | (- 239) | ..... |
| Land Border Inspection Fee | (42,941) | (43,931) | (43,931) | (+ 990) | ..... |
| COBRA Passenger Inspection Fee | (500,134) | (482,501) | (482,501) | (- 17,633) | ..... |
| APHIS Inspection Fee | (355,216) | (464,514) | (464,514) | (+ 109,298) | ..... |
| Global Entry User Fee | (34,835) | (91,192) | (91,192) | (+ 56,357) | ..... |
| Puerto Rico Collections | (98,602) | (98,076) | (98,076) | (- 526) | ..... |
| Virgin Island Fee | (11,302) | (11,789) | (11,789) | (+ 487) | ..... |
| Customs Unclaimed Goods | (5,992) | (5,992) | (5,992) | ..... | ..... |
| Subtotal, Fee Accounts | (1,703,515) | (1,883,894) | (1,883,894) | (+ 180,379) | ..... |
| Total, U.S. Customs and Border Protection | | | | | |
| Appropriations | 12,283,406 | 12,585,046 | 12,567,478 | + 284,072 | - 17,568 |
| Fee Accounts | (10,579,891) | (10,701,152) | (10,683,584) | (+ 103,693) | (- 17,568) |
| | (1,703,515) | (1,883,894) | (1,883,894) | (+ 180,379) | ..... |
| U.S. Immigration and Customs Enforcement | | | | | |
| Salaries and Expenses: | | | | | |
| Headquarters Management and Administration: | | | | | |
| Personnel Compensation and Benefits, Services and Other Costs | 191,909 | 198,602 | 197,002 | + 5,093 | - 1,600 |
| Headquarters Managed IT Investment | 143,808 | 150,927 | 150,419 | + 6,611 | - 508 |
| Subtotal | 335,717 | 349,529 | 347,421 | + 11,704 | - 2,108 |
| Legal Proceedings | 205,584 | 214,731 | 212,893 | + 7,309 | - 1,838 |
| Investigations: | | | | | |
| Domestic Investigations | 1,672,220 | 1,644,552 | 1,642,811 | - 29,409 | - 1,741 |

| | | | | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|--|--|--|--|
| International Investigations: | | | | | | | | | |
| International Operations | 99,741 | 101,228 | 100,730 | + 989 | - 498 | | | | |
| Visa Security Program | 31,541 | 31,854 | 31,728 | + 187 | - 126 | | | | |
| Subtotal | 131,282 | 133,082 | 132,458 | + 1,176 | - 624 | | | | |
| Subtotal, Investigations | 1,803,502 | 1,777,634 | 1,775,269 | - 28,233 | - 2,365 | | | | |
| Intelligence | 74,298 | 77,045 | 76,479 | + 2,181 | - 566 | | | | |
| Enforcement and Removal Operations: | | | | | | | | | |
| Custody Operations | 1,993,770 | 1,791,913 | 1,870,444 | - 123,326 | + 78,531 | | | | |
| Fugitive Operations | 128,802 | 131,591 | 130,515 | + 1,713 | - 1,076 | | | | |
| Criminal Alien Program | 294,155 | 322,407 | 327,040 | + 32,885 | + 4,633 | | | | |
| Alternatives to Detention | 91,444 | 94,106 | 94,106 | + 2,662 | | | | | |
| Transportation and Removal Program | 276,925 | 229,109 | 302,790 | + 25,865 | + 73,681 | | | | |
| Subtotal | 2,785,096 | 2,569,126 | 2,724,895 | - 60,201 | + 155,769 | | | | |
| Secure Communities | 25,264 | | | - 25,264 | | | | | |
| Subtotal, Salaries and Expenses | 5,229,461 | 4,988,065 | 5,136,957 | - 92,504 | + 148,892 | | | | |
| Automation Modernization: | | | | | | | | | |
| IT Investment | 8,400 | 26,000 | 26,000 | + 26,000 | | | | | |
| TECS Modernization | 23,000 | | | - 8,400 | | | | | |
| Electronic Health Records | 3,500 | | | - 23,000 | | | | | |
| Subtotal | 34,900 | 26,000 | 26,000 | - 8,900 | | | | | |
| Construction | 5,000 | | | - 5,000 | | | | | |
| Total, U.S. Immigration and Customs Enforcement Direct Appropriations | 5,269,361 | 5,014,065 | 5,162,957 | - 106,404 | + 148,892 | | | | |
| Fee Accounts: | | | | | | | | | |
| Immigration Inspection User Fee | (135,000) | (135,000) | (135,000) | | | | | | |
| Breach Bond/Detention Fund | (65,000) | (65,000) | (65,000) | | | | | | |
| Student Exchange and Visitor Fee | (145,000) | (145,000) | (145,000) | | | | | | |
| Subtotal | 345,000 | 345,000 | 345,000 | | | | | | |
| Total, U.S. Immigration and Customs Enforcement | 5,614,361 | 5,359,065 | 5,507,957 | - 106,404 | + 148,892 | | | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
 FOR FISCAL YEAR 2015—Continued
 [In thousands of dollars]

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|--|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Appropriations | (5,269,361) | (5,014,065) | (5,162,957) | (- 106,404) | (+ 148,892) |
| Fee Accounts | (345,000) | (345,000) | (345,000) | | |
| Transportation Security Administration | | | | | |
| Aviation Security: | | | | | |
| Screening Operations: | | | | | |
| Screener Workforce: | | | | | |
| Privatized Screening | 158,190 | | | - 158,190 | |
| Screener Personnel, Compensation, and Benefits | 3,033,526 | | | - 3,033,526 | |
| Subtotal | 3,191,716 | | | - 3,191,716 | |
| Screener Training and Other | 226,857 | | | - 226,857 | |
| Checkpoint Support | 103,309 | | | - 103,309 | |
| EDS/ETD Systems: | | | | | |
| EDS Procurement and Installation | 73,845 | | | - 73,845 | |
| Screening Technology Maintenance | 298,509 | | | - 298,509 | |
| Subtotal | 372,354 | | | - 372,354 | |
| Subtotal, Screening Operations | 3,894,236 | | | - 3,894,236 | |
| Aviation Security Direction and Enforcement: | | | | | |
| Aviation Regulation and Other Enforcement | 354,437 | | | - 354,437 | |
| Airport Management and Support | 587,000 | | | - 587,000 | |
| Federal Flight Deck Officer and Flight Crew Training | 24,730 | | | - 24,730 | |
| Air Cargo | 122,332 | | | - 122,332 | |
| Subtotal | 1,088,499 | | | - 1,088,499 | |

| | | | | | | |
|--|-------------|-------------|-------------|--|-------------|-----------|
| Aviation Security Capital Fund (mandatory) | (250,000) | | | | (- 250,000) | |
| Total, Aviation Security (gross) | 4,982,735 | | | | - 4,982,735 | |
| Aviation Security Fees (offsetting collections) | - 2,120,000 | | | | + 2,120,000 | |
| Total, Aviation Security (net, discretionary) | 2,862,735 | | | | - 2,862,735 | |
| Aviation Security: | | | | | | |
| Screening Partnership Program | | 154,572 | 160,226 | | + 160,226 | + 5,654 |
| Screener Personnel, Compensation, and Benefits | | 2,952,868 | 2,947,939 | | + 2,947,939 | - 4,929 |
| Screener Training and Other | | 226,290 | 225,707 | | + 225,707 | - 583 |
| Checkpoint Support | | 103,469 | 88,469 | | + 88,469 | - 15,000 |
| EDS Procurement/Installation | | 84,075 | 74,000 | | + 74,000 | - 10,075 |
| Screening Technology Maintenance | | 294,509 | 294,509 | | + 294,509 | |
| Aviation Regulation and Other Enforcement | | 348,653 | 338,653 | | + 338,653 | - 10,000 |
| Airport Management and Support | | 591,734 | 588,864 | | + 588,864 | - 2,870 |
| Federal Flight Deck Officer and Flight Crew Training | | 20,000 | 20,000 | | + 20,000 | |
| Air Cargo | | 106,920 | 106,343 | | + 106,343 | - 577 |
| Federal Air Marshals | | 800,214 | 790,000 | | + 790,000 | - 10,214 |
| Aviation Security Capital Fund (mandatory) | | (250,000) | (250,000) | | (+ 250,000) | |
| Total, Aviation Security (gross) | | 5,683,304 | 5,634,710 | | + 5,634,710 | - 48,594 |
| Aviation Security Fees (offsetting collections) | | - 2,080,000 | - 2,080,000 | | - 2,080,000 | |
| Additional Offsetting Collections (leg. proposal) | | - 570,000 | | | | + 570,000 |
| Total, Aviation Security (net, discretionary) | | 3,033,304 | 3,554,710 | | + 3,554,710 | + 521,406 |
| Surface Transportation Security: | | | | | | |
| Staffing and Operations | 35,262 | 29,375 | 29,230 | | - 6,032 | - 145 |
| Surface Transportation Security Inspectors and VIPR | 73,356 | 98,262 | 97,519 | | + 24,163 | - 743 |
| Subtotal | 108,618 | 127,637 | 126,749 | | + 18,131 | - 888 |
| Intelligence and Vetting: | | | | | | |
| Intelligence | | 51,801 | 51,545 | | + 51,545 | - 256 |
| Secure Flight | 93,202 | 112,543 | 99,569 | | + 6,367 | - 12,974 |
| Other Vetting Programs | 83,287 | 68,182 | 68,052 | | - 15,235 | - 130 |
| TWIC Fee | (36,700) | (34,832) | (34,832) | | (- 1,868) | |
| Hazardous Material Fee | (12,000) | (12,000) | (12,000) | | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued
(In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| General Aviation at DCA Fee | (350) | (350) | (350) | | |
| Commercial Aviation and Airport Fee | (6,500) | (6,500) | (6,500) | | |
| Other Security Threat Assessments Fee | (50) | (50) | (50) | | |
| Air Cargo/Certified Cargo Screening Program Fee | (5,400) | (7,173) | (7,173) | (+1,773) | |
| TSA Precheck Application Program Fee | | (13,700) | (13,700) | (+13,700) | |
| Alien Flight School Fee | (5,000) | (5,000) | (5,000) | | |
| Subtotal | 242,489 | 312,131 | 298,771 | +56,282 | -13,360 |
| Direct Appropriations | (176,489) | (232,526) | (219,166) | (+42,677) | (-13,360) |
| Fee Funded Programs | (66,000) | (79,605) | (79,605) | (+13,605) | |
| Transportation Security Support: | | | | | |
| Headquarters Administration | 272,250 | 275,891 | 274,619 | +2,369 | -1,272 |
| Information Technology | 441,000 | 451,920 | 446,498 | +5,498 | -5,422 |
| Human Capital Services | 204,250 | 204,215 | 202,620 | -1,630 | -1,595 |
| Intelligence | 44,561 | | | -44,561 | |
| Subtotal | 962,061 | 932,026 | 923,737 | -38,324 | -8,289 |
| Federal Air Marshals: | | | | | |
| Management and Administration | 708,004 | | | -708,004 | |
| Travel and Training | 110,603 | | | -110,603 | |
| Subtotal | 818,607 | | | -818,607 | |
| Total, Transportation Security Administration | 7,364,510 | 7,305,098 | 7,233,967 | -130,543 | -71,131 |
| Offsetting Collections | (-2,120,000) | (-2,650,000) | (-2,080,000) | (+40,000) | (+570,000) |
| Aviation Security Capital Fund (mandatory) | (250,000) | (250,000) | (250,000) | | |
| Fee Funded Programs | (66,000) | (79,605) | (79,605) | (+13,605) | |

| | 4,928,510 | 4,325,493 | 4,824,362 | - 104,148 | + 498,869 |
|--|-------------|-------------|-------------|------------|-------------|
| Total, Transportation Security Administration (net) | | | | | |
| Coast Guard | | | | | |
| Operating Expenses: | | | | | |
| Military Pay and Allowances | 3,416,580 | 3,433,594 | 3,441,282 | + 24,702 | + 7,688 |
| Civilian Pay and Benefits | 782,874 | 787,372 | 781,517 | - 1,357 | - 5,855 |
| Training and Recruiting | 205,928 | 197,800 | 198,279 | - 7,649 | + 479 |
| Operating Funds and Unit Level Maintenance | 1,034,650 | 991,919 | 1,004,119 | - 30,531 | + 12,200 |
| Centrally Managed Accounts | 319,135 | 335,262 | 335,556 | + 16,421 | + 294 |
| Intermediate and Depot Level Maintenance | 1,012,840 | 1,003,786 | 1,010,865 | - 1,975 | + 7,079 |
| St. Elizabeths Support | 12,800 | | | - 12,800 | |
| Overseas Contingency Operations/ Global War on Terrorism | 227,000 | | 213,000 | - 14,000 | + 213,000 |
| Subtotal | 7,011,807 | 6,749,733 | 6,984,618 | - 27,189 | + 234,885 |
| (Defense) | (567,000) | (340,000) | (553,000) | (- 14,000) | (+ 213,000) |
| (Nondense) | (6,444,807) | (6,409,733) | (6,431,618) | (- 13,189) | (+ 21,885) |
| Environmental Compliance and Restoration | 13,164 | 13,214 | 13,197 | + 33 | - 17 |
| Reserve Training | 120,000 | 109,605 | 114,572 | - 5,428 | + 4,967 |
| Acquisition, Construction, and Improvements: | | | | | |
| Vessels: | | | | | |
| Survey and Design—Vessel and Boats | 1,000 | 500 | 500 | - 500 | |
| Response Boat—Medium | 10,000 | | | - 10,000 | |
| In-Service Vessel Sustainment | 21,000 | 24,500 | 49,000 | + 28,000 | + 24,500 |
| National Security Cutter | 629,000 | 638,000 | 638,000 | + 9,000 | |
| Offshore Patrol Cutter | 23,000 | 20,000 | 20,000 | - 3,000 | |
| Fast Response Cutter | 310,000 | 110,000 | 318,000 | + 8,000 | + 208,000 |
| Cutter Small Boats | 3,000 | 4,000 | 4,000 | + 1,000 | |
| Polar Ice Breaking Vessel | 2,000 | 6,000 | 6,000 | + 4,000 | |
| Polar Icebreaker preservation | | | 8,000 | + 8,000 | + 8,000 |
| Subtotal | 999,000 | 803,000 | 1,043,500 | + 44,500 | + 240,500 |
| Aircraft: | | | | | |
| HH-60 Airframe Replacement | | | | | |
| HC-144 Conversion/Sustainment | 9,200 | 15,000 | 15,000 | + 5,800 | |
| HC-27J Conversion/Sustainment | 24,900 | 15,000 | 15,000 | - 9,900 | |
| HC-130J Acquisition/Conversion/Sustainment | 129,210 | 8,000 | 8,000 | - 121,210 | |
| HH-65 Conversion/Sustainment | 12,000 | 30,000 | 30,000 | + 18,000 | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued

(In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|--|-----------------------|-----------------|-----------------------------|---|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Subtotal | 175,310 | 68,000 | 68,000 | -107,310 | ..... |
| Other Acquisition Programs: | | | | | |
| Program Oversight and Management | 10,000 | 18,000 | 18,000 | + 8,000 | ..... |
| Systems Engineering and Integration | 204 | ..... | ..... | - 204 | ..... |
| CAISR | 40,226 | 36,300 | 36,300 | - 3,926 | ..... |
| CG--Logistics Information Management System | 1,500 | 3,000 | 3,000 | + 1,500 | ..... |
| Nationwide Automatic Identification System | 13,000 | ..... | ..... | - 13,000 | ..... |
| Subtotal | 64,930 | 57,300 | 57,300 | - 7,630 | ..... |
| Shore Facilities and Aids to Navigation: | | | | | |
| Major Construction; Housing; AIDN; and Survey and Design | 2,000 | 19,580 | 19,580 | + 17,580 | ..... |
| Major Acquisition Systems Infrastructure ..... | ..... | 16,000 | 16,000 | + 16,000 | ..... |
| Minor Shore | 3,000 | 5,000 | 5,000 | + 2,000 | ..... |
| Subtotal | 5,000 | 40,580 | 40,580 | + 35,580 | ..... |
| Military Housing | 18,000 | ..... | 6,000 | - 12,000 | + 6,000 |
| Personnel and Related Support: | | | | | |
| Direct Personnel Costs | 112,956 | 115,313 | 114,996 | + 2,040 | - 317 |
| Core Acquisition Costs | 439 | ..... | ..... | - 439 | ..... |
| Subtotal | 113,395 | 115,313 | 114,996 | + 1,601 | - 317 |
| Subtotal, Acquisition, Construction, and Improvements | 1,375,635 | 1,084,193 | 1,330,376 | - 45,259 | + 246,183 |
| Research, Development, Test, and Evaluation | 19,200 | 17,947 | 17,892 | - 1,308 | - 55 |
| Health Care Fund Contribution (permanent indefinite discretionary appropriation) | 201,000 | 176,970 | 176,970 | - 24,030 | ..... |
| Retired Pay (mandatory) | 1,460,000 | 1,576,000 | 1,576,000 | + 116,000 | ..... |
| Total, Coast Guard | 10,200,806 | 9,727,662 | 10,213,625 | + 12,819 | + 485,963 |
| Appropriations | (9,973,806) | (9,727,662) | (10,000,625) | (+ 26,819) | (+ 272,963) |

| | (227,000) | | (213,000) | (- 14,000) | (+ 213,000) |
|--|--------------|--------------|--------------|-------------|-------------|
| Overseas Contingency Operations/Global War on Terrorism | | | | | |
| United States Secret Service | | | | | |
| Salaries and Expenses: | | | | | |
| Protection: | | | | | |
| Protection of Persons and Facilities | 848,263 | 874,885 | 867,685 | + 19,422 | - 7,200 |
| Protective Intelligence Activities | 67,165 | 68,234 | 67,536 | + 371 | - 698 |
| National Special Security Event Fund | 4,500 | 4,500 | 4,500 | | |
| Presidential Candidate Nominee Protection | | 25,500 | 25,500 | + 25,500 | |
| Subtotal | 919,928 | 973,119 | 965,221 | + 45,293 | - 7,898 |
| Investigations: | | | | | |
| Domestic Field Operations | 329,291 | 332,395 | 332,795 | + 3,504 | + 400 |
| International Field Office Administration, Operations and Training | 30,811 | 34,361 | 34,195 | + 3,384 | - 166 |
| Support for Missing and Exploited Children | 8,366 | | 8,366 | | + 8,366 |
| Subtotal | 368,468 | 366,756 | 375,356 | + 6,888 | + 8,600 |
| Headquarters, Management and Administration | 188,964 | 189,191 | 188,380 | - 584 | - 811 |
| Rowley Training Center | 55,118 | 55,868 | 55,378 | + 260 | - 490 |
| Information Integration and Technology Transformation | 1,019 | 1,036 | 1,025 | + 6 | - 11 |
| Subtotal, Salaries and Expenses | 1,533,497 | 1,585,970 | 1,585,360 | + 51,863 | - 610 |
| Acquisition, Construction, Improvements, and Related Expenses: | | | | | |
| Facilities | 5,380 | 5,380 | 5,380 | | |
| Information Integration and Technology Transformation | 46,395 | 44,555 | 44,555 | - 1,840 | |
| Subtotal | 51,775 | 49,935 | 49,935 | - 1,840 | |
| Total, United States Secret Service | 1,585,272 | 1,635,905 | 1,635,295 | + 50,023 | - 610 |
| Total, title II, Security, Enforcement, and Investigations | 32,563,840 | 31,404,277 | 32,519,823 | - 44,017 | + 1,115,546 |
| Appropriations | (32,336,840) | (31,404,277) | (32,306,823) | (- 30,017) | (+ 902,546) |
| Overseas Contingency Operations/Global War on Terrorism | (227,000) | | (213,000) | (- 14,000) | (+ 213,000) |
| (Fee Accounts) | (2,114,515) | (2,308,499) | (2,308,499) | (+ 193,984) | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued

(In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY | | | | | |
| National Protection and Programs Directorate | | | | | |
| Management and Administration: | | | | | |
| Administrative Activities | 56,499 | 65,910 | 64,565 | + 8,066 | - 1,345 |
| Infrastructure Protection and Information Security: | | | | | |
| Infrastructure Protection: | | | | | |
| Infrastructure Analysis and Planning | 63,134 | 63,999 | 68,373 | + 5,239 | + 4,374 |
| Sector Management and Governance | 62,562 | 63,136 | 62,961 | + 399 | - 175 |
| Regional Field Operations | 56,550 | 57,034 | 56,886 | + 336 | - 148 |
| Infrastructure Security Compliance | 81,000 | 86,976 | 86,727 | + 5,727 | - 249 |
| Subtotal, Infrastructure Protection | 263,246 | 271,145 | 274,947 | + 11,701 | + 3,802 |
| Cybersecurity and Communications: | | | | | |
| Cybersecurity: | | | | | |
| Cybersecurity Coordination | 4,320 | 4,330 | 4,311 | - 9 | - 19 |
| US Computer Emergency Readiness Team [US-CERT] Operations | 102,000 | 98,794 | 98,573 | - 3,427 | - 221 |
| Federal Network Security | 199,725 | 171,500 | 171,418 | - 28,307 | - 82 |
| Network Security Deployment | 382,252 | 377,690 | 377,567 | - 4,685 | - 123 |
| Global Cybersecurity Management | 25,892 | 17,613 | 25,893 | + 1 | + 8,280 |
| Critical Infrastructure Cyber Protection and Awareness | 73,013 | 70,963 | 74,054 | + 1,041 | + 3,091 |
| Business Operations | 5,089 | 5,554 | 5,524 | + 435 | - 30 |
| Subtotal, Cybersecurity | 792,291 | 746,444 | 757,340 | - 34,951 | + 10,896 |
| Communications: | | | | | |
| Office of Emergency Communications | 37,450 | 36,480 | 37,335 | - 115 | + 855 |
| Priority Telecommunications Services | 53,372 | 53,381 | 53,324 | - 48 | - 57 |
| Next Generation Networks | 21,158 | 69,571 | 69,559 | + 48,401 | - 12 |
| Programs to Study and Enhance Telecommunications | 10,074 | 10,106 | 10,092 | + 18 | - 14 |

| | 9,409 | 10,439 | 10,403 | + 994 | - 36 |
|--|---------------|---------------|---------------|------------|-----------|
| Critical Infrastructure Protection Programs | | | | | |
| Subtotal, Communications | 131,463 | 179,977 | 180,713 | +49,250 | + 736 |
| Subtotal, Cybersecurity and Communications | 923,754 | 926,421 | 938,053 | + 14,299 | + 11,632 |
| Subtotal, Infrastructure Protection and Information Security | 1,187,000 | 1,197,566 | 1,213,000 | +26,000 | + 15,434 |
| Federal Protective Service: | | | | | |
| Basic Security | 271,540 | 275,763 | 275,763 | + 4,223 | |
| Building-specific Security | 509,056 | 600,615 | 600,615 | + 91,559 | |
| Reimbursable Security Fees (Contract Guard Services) | 521,228 | 466,228 | 466,228 | - 55,000 | |
| Subtotal, Federal Protective Service | 1,301,824 | 1,342,606 | 1,342,606 | + 40,782 | |
| Offsetting Collections | - 1,301,824 | - 1,342,606 | - 1,342,606 | - 40,782 | |
| Office of Biometric Identity Management | 227,108 | 251,584 | 249,142 | + 22,034 | - 2,442 |
| Total, National Protection and Programs Directorate (gross) | 2,772,431 | 2,857,666 | 2,869,313 | + 96,882 | + 11,647 |
| Offsetting Collections | (- 1,301,824) | (- 1,342,606) | (- 1,342,606) | (- 40,782) | |
| Total, National Protection and Programs Directorate (net) | 1,470,607 | 1,515,060 | 1,526,707 | + 56,100 | + 11,647 |
| Office of Health Affairs | | | | | |
| BioWatch | 85,277 | 84,651 | 84,651 | - 626 | |
| National Biosurveillance Integration Center | 10,000 | 8,000 | 8,000 | - 2,000 | |
| Chemical Defense Program | 824 | 824 | 824 | | |
| Planning and Coordination | 4,995 | 4,995 | 4,995 | | |
| Salaries and Expenses | 25,667 | 27,297 | 26,148 | + 481 | - 1,149 |
| Total, Office of Health Affairs | 126,763 | 125,767 | 124,618 | - 2,145 | - 1,149 |
| Federal Emergency Management Agency | | | | | |
| Salaries and Expenses: | | | | | |
| Administrative and Regional Offices | 249,855 | 245,218 | 244,183 | - 5,672 | - 1,035 |
| Office of National Capital Region Coordination | (3,400) | | (3,400) | | (+ 3,400) |
| Preparedness and Protection | 173,406 | 185,000 | 184,659 | + 11,253 | - 341 |
| Response | 178,692 | 167,376 | 174,586 | - 4,106 | + 7,210 |
| Urban Search and Rescue Response System | (35,180) | (27,513) | (35,180) | | (+ 7,667) |
| Recovery | 55,121 | 56,030 | 55,789 | + 668 | - 241 |
| Response and Recovery | | | | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued

[In thousands of dollars]

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|--|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Mitigation | 27,858 | 25,782 | 27,738 | - 120 | + 1,956 |
| Mission Support | 151,744 | 141,809 | 145,316 | - 6,428 | + 3,507 |
| Centrally Managed Accounts | 110,306 | 103,449 | 103,449 | - 6,857 | ..... |
| Subtotal, Salaries and Expenses | 946,982 | 924,664 | 935,720 | - 11,262 | + 11,056 |
| (Defense) | (74,000) | (76,000) | (76,000) | (+ 2,000) | ..... |
| (Nondense) | (872,982) | (848,664) | (859,720) | (- 13,262) | (+ 11,056) |
| Grants and Training: | | | | | |
| State and Local Programs: | | | | | |
| State Homeland Security Grant Program | 466,346 | ..... | 467,000 | + 654 | + 467,000 |
| Operation Stonegarden | (55,000) | ..... | (55,000) | ..... | (+ 55,000) |
| Urban Area Security Initiative | 600,000 | ..... | 600,000 | ..... | + 600,000 |
| Nonprofit Security Grants | (13,000) | ..... | (13,000) | ..... | (+ 13,000) |
| Public Transportation Security Assistance and Railroad Security Assistance | 100,000 | ..... | 100,000 | ..... | + 100,000 |
| Amtrak Security | (10,000) | ..... | (10,000) | ..... | (+ 10,000) |
| Over-Road Bus Security ..... | ..... | ..... | ..... | ..... | ..... |
| Port Security Grants | 100,000 | ..... | 100,000 | ..... | + 100,000 |
| Subtotal, Discretionary Grants | 1,266,346 | ..... | 1,267,000 | + 654 | + 1,267,000 |
| Education, Training, and Exercises: | | | | | |
| Emergency Management Institute | 20,569 | ..... | 20,569 | ..... | + 20,569 |
| Center for Domestic Preparedness | 64,991 | ..... | 64,991 | ..... | + 64,991 |
| National Domestic Preparedness Consortium | 98,000 | ..... | 98,000 | ..... | + 98,000 |
| National Exercise Program | 21,094 | ..... | 19,919 | - 1,175 | + 19,919 |
| Continuing Training | 29,000 | ..... | 29,521 | + 521 | + 29,521 |
| Subtotal | 233,654 | ..... | 233,000 | - 654 | + 233,000 |
| National Preparedness Grant Program ..... | ..... | 1,043,200 | ..... | ..... | - 1,043,200 |

| | | | | | | |
|--|-------------|-------------|-------------|--|-----------|--------------|
| First Responder Assistance Program: | | | | | | |
| Emergency Management Performance Grants | | 350,000 | | | | - 350,000 |
| Fire Grants | | 335,000 | | | | - 335,000 |
| Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants | | 335,000 | | | | - 335,000 |
| Training Partnership Grants | | 60,000 | | | | - 60,000 |
| Education, Training and Exercises | | 102,269 | | | | - 102,269 |
| Subtotal, First Responder Assistance Program | | 1,182,269 | | | | - 1,182,269 |
| Subtotal, State and Local Programs (Defense) | 1,500,000 | 2,225,469 | 1,500,000 | | | - 725,469 |
| (Nondefense) | (1,500,000) | (2,225,469) | (1,500,000) | | | (- 725,469) |
| Firefighter Assistance Grants: | | | | | | |
| Fire Grants | 340,000 | | 340,000 | | | + 340,000 |
| Staffing for Adequate Fire and Emergency Response (SAFER) Act Grants | 340,000 | | 340,000 | | | + 340,000 |
| Subtotal | 680,000 | | 680,000 | | | + 680,000 |
| Emergency Management Performance Grants | 350,000 | | 350,000 | | | + 350,000 |
| Subtotal, Grants and Training | 2,530,000 | 2,225,469 | 2,530,000 | | | + 304,531 |
| Radiological Emergency Preparedness Program | - 1,272 | - 1,815 | - 1,815 | | - 543 | |
| United States Fire Administration | 44,000 | 41,407 | 44,000 | | | + 2,593 |
| Disaster Relief Fund: | | | | | | |
| Base Disaster Relief | 594,522 | 595,672 | 595,672 | | + 1,150 | |
| Disaster Relief Category | 5,626,386 | 6,437,793 | 6,437,793 | | + 811,407 | |
| Subtotal, Disaster Relief Fund | 6,220,908 | 7,033,465 | 7,033,465 | | + 812,557 | |
| Flood Hazard Mapping and Risk Analysis Program | 95,202 | 84,403 | 100,000 | | + 4,798 | + 15,597 |
| National Flood Insurance Fund: | | | | | | |
| Salaries and Expenses | 22,000 | 23,759 | 23,759 | | + 1,759 | |
| Flood Plain Management and Mapping | 154,300 | 155,535 | 155,535 | | + 1,235 | |
| Subtotal | 176,300 | 179,294 | 179,294 | | + 2,994 | |
| Offsetting Fee Collections | - 176,300 | - 179,294 | - 179,294 | | - 2,994 | |
| National Predicaster Mitigation Fund | 25,000 | | 25,000 | | | + 25,000 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued
(In thousands of dollars)

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Emergency Food and Shelter | 120,000 | 100,000 | 100,000 | -20,000 | |
| Total, Federal Emergency Management Agency | 9,980,820 | 10,407,593 | 10,766,370 | +785,550 | +358,777 |
| (Appropriations) | (4,354,434) | (3,969,800) | (4,328,577) | (-25,857) | (+358,777) |
| (Disaster Relief Category) | (5,626,386) | (6,437,793) | (6,437,793) | (+811,407) | |
| Total, title III, Protection, Preparedness, Response and Recovery Directorate | 11,578,190 | 12,048,420 | 12,417,695 | +839,505 | +369,275 |
| Appropriations | (5,951,804) | (5,610,627) | (5,979,902) | (+28,098) | (+369,275) |
| Disaster Relief Category | (5,626,386) | (6,437,793) | (6,437,793) | (+811,407) | |
| TITLE IV—RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES | | | | | |
| United States Citizenship and Immigration Services | | | | | |
| Appropriations: | | | | | |
| E-Verify Program | 113,889 | 124,755 | 124,435 | +10,546 | -320 |
| Immigrant Integration Programs | | 10,000 | | | -10,000 |
| Subtotal | 113,889 | 134,755 | 124,435 | +10,546 | -10,320 |
| Fee Accounts: | | | | | |
| Adjudication Services: | | | | | |
| District Operations | (1,544,380) | (1,539,859) | (1,594,400) | (+50,020) | (+54,541) |
| (Immigrant Integration Grants) | (7,500) | | | (-7,500) | |
| Service Center Operations | (578,393) | (542,449) | (614,851) | (+36,458) | (+72,402) |
| Asylum, Refugee and International Operations | (236,710) | (238,755) | (232,374) | (-4,336) | (-6,381) |
| Records Operations | (94,039) | (93,209) | (110,035) | (+15,996) | (+16,826) |
| Business Transformation | (183,464) | (184,923) | (194,923) | (+11,459) | (+10,000) |
| Subtotal | 2,636,986 | 2,599,195 | 2,746,583 | +109,597 | +147,388 |

| | | | | | | | |
|--|-------------|-------------|-------------|-------------|-------------|--|--|
| Information and Customer Services: | | | | | | | |
| Operating Expenses | (96,409) | (98,868) | (109,416) | (+ 13,007) | (+ 10,548) | | |
| Administration: | | | | | | | |
| Operating Expenses | (339,421) | (342,308) | (376,553) | (+ 37,132) | (+ 34,245) | | |
| Systematic Alien Verification for Entitlements (SAVE) | (29,937) | (30,259) | (24,823) | (- 5,114) | (- 5,436) | | |
| Subtotal, Fee Accounts | 3,102,753 | 3,070,630 | 3,257,375 | + 154,622 | + 186,745 | | |
| HI-B Visa Fee Account: | | | | | | | |
| Adjudication Services: | | (13,500) | | | (- 13,500) | | |
| Service Center Operations | | | | | | | |
| HI-B and L Fraud Prevention Fee Account: | | | | | | | |
| Adjudication Services: | | | | | | | |
| District Operations | | (26,044) | | | (- 26,044) | | |
| Asylum and Refugee Operating Expenses | | (310) | | | (- 310) | | |
| Service Center Operations | | (14,646) | | | (- 14,646) | | |
| Subtotal | | 41,000 | | | - 41,000 | | |
| Total, Fee Accounts | 3,102,753 | 3,125,130 | 3,257,375 | + 154,622 | + 132,245 | | |
| Total, United States Citizenship and Immigration Services | (3,216,642) | (3,259,885) | (3,381,810) | (+ 165,168) | (+ 121,925) | | |
| Appropriations | (113,889) | (134,755) | (124,435) | (+ 10,546) | (- 10,320) | | |
| Fee Accounts | (3,102,753) | (3,125,130) | (3,257,375) | (+ 154,622) | (+ 132,245) | | |
| (Immigration Examination Fee Account) | (3,048,753) | (3,070,630) | (3,202,875) | (+ 154,122) | (+ 132,245) | | |
| (HI-B Visa Fee Account) | (13,000) | (13,500) | (13,500) | (+ 500) | | | |
| (HI-B and L Fraud Prevention Fee Account) | (41,000) | (41,000) | (41,000) | | | | |
| Federal Law Enforcement Training Center | | | | | | | |
| Salaries and Expenses: | | | | | | | |
| Law Enforcement Training | 198,317 | 202,122 | 201,364 | + 3,047 | - 758 | | |
| Management and Administration | 28,228 | 28,337 | 28,144 | - 84 | - 193 | | |
| Accreditation | 1,300 | 1,295 | 1,289 | - 11 | - 6 | | |
| Subtotal | 227,845 | 231,754 | 230,797 | + 2,952 | - 957 | | |
| Acquisitions, Construction, Improvements, and Related Expenses | 30,885 | 27,841 | 27,841 | - 3,044 | | | |
| Total, Federal Law Enforcement Training Center | 258,730 | 259,595 | 258,638 | - 92 | - 957 | | |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2015—Continued

[In thousands of dollars]

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Science and Technology | | | | | |
| Management and Administration | 129,000 | 130,147 | 129,555 | + 555 | - 592 |
| Research, Development, Acquisition, and Operations: | | | | | |
| Research, Development, and Innovation | 462,000 | 433,788 | 425,552 | - 36,448 | - 8,236 |
| Laboratory Facilities | 547,785 | 435,180 | 435,180 | - 112,605 | ..... |
| Acquisition and Operations Support | 41,703 | 41,703 | 41,703 | ..... | ..... |
| University Programs | 39,724 | 31,000 | 39,500 | - 224 | + 8,500 |
| Subtotal | 1,091,212 | 941,671 | 941,935 | - 149,277 | + 264 |
| Total, Science and Technology | 1,220,212 | 1,071,818 | 1,071,490 | - 148,722 | - 328 |
| Domestic Nuclear Detection Office | | | | | |
| Management and Administration | 37,353 | 37,494 | 37,339 | - 14 | - 155 |
| Research, Development, and Operations: | | | | | |
| Systems Engineering and Architecture | 21,000 | 17,924 | 17,000 | - 4,000 | - 924 |
| Systems Development | 21,000 | 22,000 | 21,400 | + 400 | - 600 |
| Transformational Research and Development | 71,102 | 69,500 | 69,000 | - 2,102 | - 500 |
| Assessments | 39,300 | 38,079 | 38,000 | - 1,300 | - 79 |
| Operations Support | 30,200 | 31,565 | 31,000 | + 800 | - 565 |
| National Technical Nuclear Forensics Center | 22,700 | 20,000 | 20,000 | - 2,700 | ..... |
| Subtotal | 205,302 | 199,068 | 196,400 | - 8,902 | - 2,668 |
| Systems Acquisition: | | | | | |
| Radiation Portal Monitor Program | 7,000 | 5,000 | 5,000 | - 2,000 | ..... |
| Securing the Cities | 22,000 | 12,000 | 19,000 | - 3,000 | + 7,000 |
| Human Portable Radiation Detection Systems | 13,600 | 50,861 | 48,603 | + 35,003 | - 2,258 |

| | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|------------------------|
| Subtotal | 42,600 | 67,861 | 72,603 | + 30,003 | + 4,742 |
| Total, Domestic Nuclear Detection Office | 285,255 | 304,423 | 306,342 | + 21,087 | + 1,919 |
| Total, title IV, Research and Development, Training, and Services (Fee Accounts) | 1,878,086 (3,102,753) | 1,770,591 (3,125,130) | 1,760,905 (3,257,375) | - 117,181 (+ 154,622) | - 9,686 (+ 132,245) |
| TITLE V—GENERAL PROVISIONS | | | | | |
| Financial Systems Modernization | 29,548 | ..... | 39,500 | + 9,952 | + 39,500 |
| Columbia Free Trade Act Collections | 110,000 | 138,000 | 138,000 | + 28,000 | ..... |
| U.S. Coast Guard AC&I (rescission) (Public Law 112-10) | - 35,500 | ..... | - 2,550 | + 32,950 | - 2,550 |
| U.S. Coast Guard AC&I (rescission) (Public Law 112-74) | - 79,300 | ..... | - 11,980 | + 67,320 | - 11,980 |
| U.S. Coast Guard AC&I (rescission) (Public Law 113-6) | - 19,879 | ..... | - 9,469 | + 10,410 | - 9,469 |
| CBP OAM (rescission) (Public Law 113-76) ..... | ..... | ..... | - 8,000 | - 8,000 | - 8,000 |
| TSA Aviation Security (rescission) (Public Law 113-76) ..... | ..... | ..... | - 102,000 | - 102,000 | - 102,000 |
| U.S. Coast Guard AC&I (rescission) (Public Law 113-76) ..... | ..... | ..... | - 16,500 | - 16,500 | - 16,500 |
| Science and Technology, Research, Development, Acquisition, and Operations, Account 70x0800 (rescission) ..... | ..... | ..... | - 14,000 | - 14,000 | - 14,000 |
| Treasury Asset Forfeiture Fund (rescission) | - 100,000 | ..... | - 200,000 | - 100,000 | - 200,000 |
| Rescission of Legacy Funds | - 4,657 | ..... | - 1,494 | + 3,163 | - 1,494 |
| FEMA unobligated balances (rescission) | - 300,522 | - 200,000 | - 310,000 | - 9,478 | - 110,000 |
| U-Visa immigration proposal ..... | ..... | 13,000 | ..... | ..... | - 13,000 |
| COBRA Passenger Inspection Fee (leg. proposal) ..... | ..... | (212,000) | ..... | ..... | (- 212,000) |
| IUF Fee (leg. proposal) ..... | ..... | (229,000) | (196,000) | (+ 196,000) | (- 33,000) |
| U.S. Coast Guard AC&I (rescission) (Public Law 111-83) | - 14,500 | ..... | ..... | + 14,500 | ..... |
| DHS Consolidated Headquarters Project | 35,000 | ..... | 48,600 | + 13,600 | ..... |
| Data Center Migration | 42,200 | ..... | ..... | - 42,200 | ..... |
| USCIS Immigrant Integration Grants | 2,500 | ..... | ..... | - 2,500 | ..... |
| TSA Aviation Security (rescission) (Public Law 113-6) | - 35,000 | ..... | ..... | + 35,000 | ..... |
| TSA Aviation Security (70x0550) (rescission) | - 2,000 | ..... | - 15,300 | - 13,300 | - 15,300 |
| TSA Surface Transportation Security (rescission) (Public Law 113-6) | - 20,000 | ..... | - 12,500 | + 20,000 | - 12,500 |
| CBP construction and facilities management (rescission) ..... | ..... | ..... | - 12,500 | - 12,500 | - 12,500 |
| TSA Research and Development (rescission) | - 977 | ..... | ..... | + 977 | ..... |
| CBP BSFT unobligated balance (rescission) | - 67,498 | ..... | - 27,300 | + 40,198 | - 27,300 |
| Rescission of Unobligated Balances (nondefense) | - 13,593 | ..... | ..... | + 13,593 | ..... |
| Total, title V, General Provisions | - 474,178 | - 49,000 | - 504,993 | - 30,815 | - 455,993 |
| Fee Accounts ..... | ..... | (441,000) | (196,000) | (+ 196,000) | (- 245,000) |
| Appropriations | (219,248) | (151,000) | (226,100) | (+ 6,852) | (+ 75,100) |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2014 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
 FOR FISCAL YEAR 2015—Continued
 [In thousands of dollars]

| Item | 2014 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) | |
|---|--------------------|-----------------|--------------------------|--|-----------------|
| | | | | 2014 appropriation | Budget estimate |
| Rescissions | (- 693,426) | (- 200,000) | (- 731,093) | (- 37,667) | (- 531,093) |
| Grand Total | 46,583,386 | 46,346,037 | 47,226,793 | + 643,407 | + 880,756 |
| Appropriations | (41,423,426) | (40,108,244) | (41,307,093) | (- 116,333) | (+ 1,198,849) |
| Rescissions | (- 693,426) | (- 200,000) | (- 731,093) | (- 37,667) | (- 531,093) |
| Overseas Contingency Operations/Global War on Terrorism | (227,000) | ..... | (213,000) | (- 14,000) | (+ 213,000) |
| Disaster Relief Category | (5,626,386) | (6,437,793) | (6,437,793) | (+ 811,407) | ..... |
| (Fee Funded Programs) | (5,217,268) | (5,874,629) | (5,761,874) | (+ 544,606) | (- 112,755) |
| (By transfer) | (24,000) | (24,000) | (24,000) | ..... | ..... |

¹ Includes fiscal year 2014 enacted and fiscal year 2015 request for AMOC