



October 6, 2005

Highlights of the Conference Report to Accompany H.R. 2360, the Department of Homeland Security Appropriations Bill for FY 2006

On September 29, 2005, the Conference Report, H. Rept. 109-241, was filed.

Noteworthy

- The Conference Report provides \$31.86 billion in new obligational budget authority, which is \$1.29 billion above the Administration's request, but \$1.21 billion below the FY05 enacted level.
- The Conference Report provides \$5.95 billion for Customs and Border Protection, which includes funding for 1,000 additional Border Patrol Agents and \$3.18 billion for Immigration and Customs Enforcement.
- The Conference Report provides nearly \$7.8 billion for the Coast Guard, which is \$164.8 million below the Administration's request, but \$228.7 million above the FY05 enacted level.
- The Conference Report provides \$3.93 billion for the Transportation Security Administration. Included in this funding is \$3.61 billion for screening operations.
- The Conference Report provides \$40.0 million for grants to States to implement REAL ID.
- The Conference Report reflects the July 13, 2005 reorganization proposed by the Secretary of Homeland Security.

Highlights

<u>Title</u>	<u>FY06 Bush Request</u>	<u>FY06 Conference Report</u>
Title I: Departmental Management and Operations	\$1.058 billion	\$907.390 million
Title II: Security, Enforcement, and Investigations	\$20.555 billion	\$22.401 billion
Title III: Preparedness and Recovery	\$7.283 billion	\$6.666 billion
Title IV: Research, Development, Training, and Services	\$1.672 billion	\$1.899 billion
Title V: General Provisions	\$0	-\$14.869 million
Total	\$30.569 billion	\$31.860 billion

Bill Provisions

Title I – Departmental Management and Operations

Title I provides \$907.39 million for the Department’s Management and Operations, which is \$150.5 million below the Administration’s request, but \$285.6 million above the FY05 enacted level. Significant spending accounts and language requests include:

Office of the Secretary:

Conference Report: Provides \$79.4 million for the Office of the Secretary and Executive Management.

Senate-Passed Bill: Provided \$124.6 million.

Chief Information Officer:

Conference Report: Provides \$297.2 million for the Office of the Chief Information Officer.

Senate-Passed Bill: Provided \$286.5 million.

Analysis and Operations:

Conference Report: Provides \$255.4 million for the new Analysis and Operations.

Senate-Passed Bill: Did not reflect this organization; it was created as a part of the July 13, 2005 DHS reorganization.

Title II – Security, Enforcement, and Investigations: Border and Transportation Security

Title II provides \$22.40 billion for the Department’s Security, Enforcement, and Investigations, which is \$1.85 billion above the Administration’s request and \$980.5 million above the FY05 enacted level. Significant spending accounts include:

US VISIT Technology:

Conference Report: Provides \$340.0 million for the United States Visitor and Immigrant Status Indicator Technology (US VISIT). Of these funds, \$86.0 million is available for program management and operations and \$159.7 million is subject to the requirements of a detailed expenditure plan.

Senate-Passed Bill: Provided \$340.0 million.

Customs and Border Protection (CBP):

Conference Report: Provides \$5.95 billion for Customs and Border Protection. Included within these funds is nearly \$1.8 billion for border security between ports of entry, including 1,000 additional Border Patrol Agents (BPAs) and \$79.5 million to annualize the cost of 500 BPAs (funded in P.L. 109-13); \$18.8 million for the fourth Northern Border Airwing; \$16.0 million for P-3 service life extension; \$35.0 million for construction of the San Diego Fence; \$35.0 million for Tucson tactical infrastructure; and \$10.2 million for **Unmanned Aerial Vehicles**, which may be deployed between ports of entry on the Southwest Border.

Senate-Passed Bill: Provided \$6.01 billion, which is \$437.8 million above the Administration’s request and \$603.9 million above the FY05 enacted level.

Immigration and Customs Enforcement (ICE):

Conference Report: Provides \$3.18 billion for Immigration and Customs Enforcement. Included within this is funding for: 250 additional criminal investigators; 460 additional detention and removal personnel; and a total of 20,300 detention beds to support immigration enforcement and expedited removal. The Report reflects a reorganization

that moves program responsibilities for the Federal Air Marshals to the Transportation Security Administration.

Senate-Passed Bill: Taking into account the reorganization, it provided \$3.1 billion for ICE, which is \$172.0 million above the Administration's request and \$256.0 million above the FY05 enacted level.

Transportation Security Administration (TSA):

Conference Report: Provides \$3.93 billion for the Transportation Security Administration. Included in this funding is \$3.61 billion for **screening operations** and \$30.5 million for **Flight Deck Officer and Flight Crew Training**.

Senate-Passed Bill: Provided \$3.07 billion, which is \$734.6 million above the Administration's request, but \$195.2 million below the FY05 enacted level.

○ **Air Cargo:**

Conference Report: Includes \$55.0 million for air cargo security and enforcement and research and development, which is \$15.0 million above both the Administration's request and the FY05 enacted level.

Senate-Passed Bill: Provided \$50.0 million for air cargo security.

○ **Rail Security Inspectors and Canines:**

Conference Report: Includes \$8.0 million for the nation's railway security measures. The Conference Report expresses the Committee's disappointment that the TSA does not have a full contingent of rail inspectors on board and no canine teams have been trained or deployed. As such, TSA has been ordered to provide a report to the Committee by February 10, 2006, on the deployment of the 100 rail security inspectors and canine teams funded in FY05 and any new inspectors or canine teams planned for FY06.

Senate-Passed Bill: Included \$8.0 million for the nation's railway security measures.

Federal Air Marshals (FAMs):

Conference Report: Includes \$686.2 million for the FAMs.

Senate-Passed Bill: Provided nearly \$679.0 million for the FAMs, which is \$9.9 million below the Administration's request, but \$16.1 million above the FY05 enacted level.

U.S. Coast Guard:

Conference Report: Provides nearly \$7.8 billion for the United States Coast Guard. Included in this funding is \$1.01 billion in mandatory spending for retired pay and \$933.1 million for the Integrated Deepwater System.

Senate-Passed Bill: Provided \$7.78 billion, which is \$182.0 million below the Administration's request, but \$211.5 million above the FY05 enacted level.

U.S. Secret Service:

Conference Report: Provides \$1.21 billion for the United States Secret Service, which is \$8.2 million above the Administration's request and \$37.0 million above the FY05 enacted level.

Senate-Passed Bill: Provided \$1.19 billion, which is \$11.5 million below the Administration's request, but \$17.3 million above the FY05 enacted level.

Title III – Preparedness and Recovery

Title III provides \$6.67 billion for the Department's Preparedness and Recovery, which is \$616.7 million below the Administration's request and \$302.0 million below the FY05 enacted level. Significant spending accounts and language requests include:

State and Local Programs:

Conference Report: Provides \$2.50 billion for state and local programs. Included in this funding is \$765.0 million for the **High-Threat, High Density Urban Area Grants**. **The State Homeland Security Grant Program distribution has changed: the .75 state minimum was retained; all dollars above the state minimum will be distributed by the Secretary based on risk and threat.** Bill language is included that directs the Government Accountability Office to review and report back to the Committee by May 5, 2006, on the validity of the threat and risk factors used to allocate discretionary grants, including project-by-project analysis of grants to non-profit organizations, in fiscal years 2003, 2004, and 2005.

Senate-Passed Bill: Provided \$2.71 billion for state and local programs, which is \$302.6 million below the Administration's request.

Firefighter Assistance Grants:

Conference Report: Provides \$655.0 million for firefighter assistance grants, of which \$110.0 million is to fund the **SAFER Act**.

Senate-Passed Bill: Provided \$665.0 million, which is \$155.0 million above the Administration's request.

Emergency Management Performance Grants:

Conference Report: Provides \$185.0 million for emergency management performance grants. This program is being maintained as a stand-alone.

Senate-Passed Bill: Provided \$190.0 million, which is \$10.0 million above the FY05 enacted level. The Administration requested \$170.0 million for this program within State and Local Programs.

Counterterrorism Fund:

Conference Report: Provides \$2.0 million for the counterterrorism fund.

Senate-Passed Bill: Provided \$3.0 million, which is \$7.0 million below the Administration's request and \$5.0 million below the FY05 enacted level.

Infrastructure Protection and Information Security:

Conference Report: Provides \$625.4 million for the new Infrastructure Protection and Information Security. Included in this funding is \$14.1 million for biosurveillance and \$93.3 million for cyber security.

Senate-Passed Bill: Did not reflect this organization; it was created as a part of the July 13, 2005 DHS reorganization.

Federal Emergency Management Agency (FEMA):

Conference Report: Provides \$2.63 billion for FEMA. Included in this funding is \$204.1 million for Preparedness, Mitigation, Response, and Recovery, including \$20.0 million for the 28 Urban Search and Rescue teams.

Senate-Passed Bill: Provided \$2.76 billion, which is \$323.4 million below the Administration's request and \$208.1 million below the FY05 enacted level.

o **Disaster Relief Fund:**

Conference Report: Includes \$1.77 billion for the Disaster Relief Fund.¹

Senate-Passed Bill: Provided \$1.92 billion, which is \$220.0 million below the Administration's request and \$122.4 million below the FY05 enacted level.

¹ These funds are in addition to any FY05 supplemental dollars requested by the Administration and approved by the Congress.

Title IV – Research, Development, Training, and Services

Title IV provides nearly \$1.9 billion for the Department's Research, Development, Training, and Services, which is \$227.0 million above the Administration's request. Significant spending accounts include:

U.S. Citizenship and Immigration Services (CIS):

Conference Report: Provides \$115.0 million for CIS. In addition to direct appropriations, CIS will receive roughly \$1.73 billion through collected fees.

Senate-Passed Bill: Provided \$80.0 million, which fully funds the Administration's request, but is \$80.0 million below the FY05 enacted level.

Federal Law Enforcement Training Center (FLETC):

Conference Report: Provides \$282.4 million for the FLETC. Included in this funding is \$44.3 million to expand training capacity in Artesia, NM.

Senate-Passed Bill: Provided \$282.4 million, which is \$58.4 million above the President's request and \$55.6 million above the FY05 enacted level.

Science and Technology:

Conference Report: Provides \$1.50 billion for research, development, acquisition, and operations of the Science and Technology (S&T) Directorate.

Senate-Passed Bill: Provided \$1.45 billion, which is \$85.1 million above the Administration's request and nearly \$338 million above the FY05 enacted level.

- **Biological Countermeasures:**

Conference Report: Includes \$380.0 million to deter, detect, and mitigate acts of biological terrorism against the United States, and to develop technologies to assess the performance of prototypes and test systems for continued improvements as larger-scale systems are deployed.

Senate-Passed Bill: Included \$384.3 million.

- **Chemical Countermeasures:**

Conference Report: Includes \$95.0 million for chemical countermeasures.

Senate-Passed Bill: Included \$100.0 million.

- **Rapid Prototyping:**

Conference Report: Includes \$35.0 million for the technical support working group responsible for the rapid development and prototyping of new technologies in support of homeland security.

Senate-Passed Bill: Included \$20.9 million.

- **University Programs:**

Conference Report: Includes \$63.0 million of continued funding for the establishment of a university-based system to enhance and strengthen the efforts of homeland security on our nation's campuses.

Senate-Passed Bill: Included \$63.6 million.

Counter Man-Portable Air Defense Systems:

Conference Report: Provides \$110.0 million for systems development to protect the nation's commercial aircraft against the threat of man-portable air defense systems (MANPADS).

Senate-Passed Bill: Included \$110.0 million.

Title V – General Provisions

Title V is composed of General Provisions concerning reprogramming, the Working Capital Fund, Federal Law Enforcement Training standards and capacity levels, the Buy America Act, competitive sourcing, \$40.0 million for grants to States to implement the REAL ID Act of 2005, and other issues.