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DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS BILL, 2012

SEPTEMBER 7, 2011.—Ordered to be printed

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

REPORT

[To accompany H.R. 2017]

The Committee on Appropriations, to which was referred the bill (H.R. 2017) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes, reports the same to the Senate with an amendment and recommends that the bill as amended do pass.

68–133 PDF

Total obligational authority, fiscal year 2012

Total of bill as reported to the Senate [1 2 3 6]	$46,898,157,000
Amount of 2011 appropriations [4]	43,321,245,000
Amount of 2012 budget estimate [1 2 5]	45,015,556,000
Amount of House allowance	41,789,835,000
Bill as recommended to Senate compared to—	
2011 appropriations	+3,576,912,000
2012 budget estimate	+1,882,601,000
House allowance	+5,108,322,000

[1] Includes $103,387,000 in rescissions, compared to $41,942,000 of proposed cancellations.

[2] Includes a permanent indefinite appropriation of $261,871,000 for the Coast Guard healthcare fund contribution.

[3] Includes $258,000,000 for the Coast Guard for the costs of overseas contingency operations.

[4] Includes rescissions totaling $556,907,000 pursuant to Public Law 112–10. Includes permanent indefinite appropriation of $265,321,000 for the Coast Guard healthcare fund contribution. Includes $254,000,000 for the Coast Guard for the costs of overseas deployments and other activities.

[5] Excludes up to $258,278,000 for Coast Guard overseas contingency operations requested in Department of Defense "Operation and Maintenance, Navy".

[6] Includes $4,200,000,000 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 2012 [1 2 4] request	Fiscal year 2012 [1 2 3 5] Committee recommendation
Title I—Departmental Management and Operations	$1,231,644,000	$1,155,904,000
Title II—Security, Enforcement, and Investigations	33,196,186,000	33,108,434,000
Title III—Protection, Preparedness, Response, and Recovery	8,218,392,000	11,193,890,000
Title IV—Research and Development, Training, and Services	2,154,061,000	1,461,337,000
Title V—General Provisions	215,273,000	−21,408,000
Total, new budget (obligational authority)	45,015,556,000	46,898,157,000

[1] Includes $103,387,000 in rescissions, compared to $41,942,000 of proposed cancellations.
[2] Includes permanent indefinite appropriation of $261,871,000 for the Coast Guard healthcare fund contribution.
[3] Includes $258,000,000 for the Coast Guard for the costs of overseas contingency operations.
[4] Excludes up to $258,278,000 for Coast Guard overseas contingency operations requested in Department of Defense ''Operation and Maintenance, Navy''.
[5] Includes $4,200,000,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112–25.

The Committee recommends total appropriations of $46,898,157,000 for the Department of Homeland Security for fiscal year 2012, $1,882,601,000 more than the budget request. Of this amount, $45,458,000,000, including $258,000,000 for Coast Guard overseas contingency operations and $4,200,000,000 for the FEMA Disaster Relief Fund designated by Congress as disaster relief pursuant to Public Law 112–25, is for discretionary programs.

The Committee recommends discretionary appropriations, excluding Coast Guard overseas contingency operations and the FEMA Disaster Relief Fund adjustment, of $41,000,000,000, $666,545,000 below fiscal year 2011 and $2,533,457,000 below the President's request.

OVERVIEW

Recent events have served to highlight the significant and evolving threats to America's homeland. The death of Osama bin Laden, a historic accomplishment, could inspire new attacks, including acts by homegrown terrorists. The Fort Hood shooting was committed by a United States citizen. The New York City subway bomb plot was organized by a legal resident alien. The Times Square bombing attempt was precipitated by a naturalized citizen.

In the 2011 State of the Union Address, the President stated that al Qaeda and its affiliates continue to plan attacks against us. He stressed that extremists are trying to inspire acts of violence by those within our borders. According to the Attorney General, in the last 2 years, 126 individuals have been indicted for terrorist-related activities, including 50 United States citizens.

In addition, threats from abroad continue to be a serious concern, as evidenced by the 2009 Christmas Day bomb plot and the October 2010 air cargo bombing attempt. The Homeland Security Secretary has testified that the threat of a terrorist attack is as high as it has been since September 11, 2001.

We face persistent cybersecurity threats from individuals, sophisticated criminal organizations, and nation states, that desire to do us harm. Violence in Mexico is at unprecedented levels and many are concerned that the violence will cross the border. In addition to these threats, natural disasters continue to have a significant impact on cities and rural communities. The Department of Homeland Security must prepare for and respond to such natural disasters. Since January 1, 2011, the President has issued disaster declarations in 47 States.

The Department of Homeland Security seeks to mature and strengthen homeland security at all levels of government, the private sector, and our citizenry. As we approach the 10th anniversary of the attacks of 9/11, the 9th anniversary of the establishment of the Department of Homeland Security, and the recent 6th anniversary of Hurricanes Katrina and Rita, it is critical that the Nation develop and maintain a constant, capable, and vigilant posture to protect ourselves against existing and evolving threats. The Department must also ensure that all levels of government and the private sector effectively prepare for and respond to natural disasters.

In addition, the Department must effectively carry out its many statutory responsibilities, including securing our borders, enforcing our immigration laws, facilitating trade, protecting our currency, securing cyber systems, combating drug trafficking, securing the aviation sector and other modes of transportation, and promoting the safety of life and property at sea. In carrying out such missions in fiscal year 2010, the Department of Homeland Security:

COAST GUARD

—Responded to 22,220 search and rescue incidents, saving 4,329 lives and protecting $87,000,000 in property;
—Interdicted 2,088 undocumented migrants attempting to illegally enter the United States;
—Removed 202,439 pounds of cocaine and 36,739 pounds of marijuana bound for the United States; seized 56 vessels, and detained 229 suspected drug smugglers;
—Conducted 1,300 escorts of naval vessels to ensure their safe transit through U.S. waterways;
—Conducted 52,018 waterborne patrols to protect Critical Infrastructure and Key Resources; and
—Performed over 14,800 inspections at facilities to ensure compliance, identifying over 5,400 deficiencies of safety, security, and environmental protection regulations.

U.S. CUSTOMS AND BORDER PROTECTION [CBP]

—CBP officers at more than 330 ports of entry inspected 352 million travelers and more than 105.8 million cars, trucks, buses, trains, vessels and aircraft;
—Nationwide, Border Patrol apprehensions of illegal aliens decreased from nearly 724,000 in fiscal year 2008 to approximately 463,382 in fiscal year 2010, a 36 percent reduction, indicating that, as a result of increased enforcement and restrained economic conditions, fewer people are attempting to illegally cross the border;

—CBP Agriculture Specialists seized more than 1.7 million prohibited plant materials, meat, and animal byproducts in fiscal year 2010, a 9.5 percent increase in seizures compared to fiscal year 2009; and
—CBP seized $147,000,000 in currency (inbound and outbound) at and between U.S. ports of entry—a more than 30 percent increase from last fiscal year;
—CBP seized a total of 4,147,008 pounds of narcotics;
—CBP deployed 17 new Mobile Non-Intrusive Inspection Systems and 22 additional large-scale Non-Intrusive Inspection [NII] technology imaging systems. The large-scale systems were used to conduct over 7.3 million examinations at ports of entry that resulted in over 1,300 seizures, including 288,000 pounds of narcotics.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT [ICE]:

—Initiated 126,425 new investigations;
—Made over 25,141 criminal arrests;
—Removed approximately 400,000 illegal aliens;
—Seized $422,600,000 in currency and monetary instruments;
—Seized nearly 1.9 million pounds of narcotics and other dangerous drugs;
—Seized $126,100,000 of contraband and other illegal merchandise; and
—Responded to 1,133,130 inquiries and calls for assistance from other Federal, State and local law enforcement agencies through ICE's Law Enforcement Support Center.

UNITED STATES SECRET SERVICE

—Secret Service protective details and field agents ensured 100 percent incident-free protection for 5,906 domestic travel stops and 515 international travel stops.
—Foreign dignitary protection reached a record 2,495 travel stops, including visits by 236 heads of state and government, and 107 spouses from over 147 countries.
—Dignitary protection also included security operations for the Nuclear Security Summit in April 2010 and the 65th anniversary of the United Nations General Assembly in September 2010.
—Additionally, the protective mission was supported through the completion of 7,726 protective surveys.
—In the area of criminal investigations, Secret Service field offices closed a total of 9,137 cases in fiscal year 2010, an increase of 7.8 percent over fiscal year 2009. These cases led to a reported 8,930 arrests.
—Additionally, the Secret Service continued to strengthen its partnerships with U.S. Attorney offices, sustaining a high conviction rate of 94.7 percent for all referred cases.
—The Secret Service's longstanding investigative priority of combating financial crime led to an estimated $13,500,000,000 in potential losses prevented, of which $6,950,000,000 involved cyber crimes.
—Building on these successes, the number of financial crime cases closed increased 7.1 percent from fiscal year 2009 levels,

and resulted in 5,589 arrests, reflecting of the Secret Service's ability to adapt to emerging financial and cyber crime threats.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES [USCIS]:

—Completed more than 677,000 naturalization applications;
—Processed more than 16.4 million employment verification queries through E-Verify;
—Naturalized more than 11,000 military service members and qualified family members;
—Interviewed more than 95,000 refugee applicants;
—Processed more than 28,000 asylum applications; and
—Maintained an average processing time for naturalization applications of approximately 4.5 months.

TRANSPORTATION SECURITY ADMINISTRATION [TSA]

—Screened more than 628 million people and more than 425 million checked bags;
—Prevented passengers from bringing more than 863 firearms onto planes;
—Conducted 7,679 Visible Intermodal Prevention and Response [VIPR] operations at increased-risk locations nationwide: 3,895 in surface modes and 3,784 in aviation modes; and
—Deployed 617 canine teams to 78 airports to screen air cargo.

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE [NPPD]

—Handled more than 107,000 cyber security incidents through the U.S.-Computer Emergency Readiness Team and 4 million cybersecurity incidents in the Federal Government. This generated 5,000 security products for the general public and 500 for Federal departments and agencies. The US-CERT provides in-depth detection, tracking, and mitigation of cybersecurity threats 24 hours a day, 365 days a year;
—Responded to more than 135 requests for technical assistance which is provided to all 56 States and U.S. territories to align State and national communications systems for use during disasters;
—Conducted six region-wide assessments to identify and mitigate vulnerabilities to interdependent critical infrastructure in major metropolitan areas;
—Provided security at more than 9,000 Federal facilities, including conducting 1,000 facility security assessments.

FEDERAL EMERGENCY MANAGEMENT AGENCY [FEMA]

—Supported disaster response and recovery for major disasters, including 81 presidentially declared disasters in assisting 41 States;
—Managed deployment of the 28 National Urban Search and Rescue Teams. All 28 teams were deployed during Hurricane Katrina, and all, or portions, of the USAR teams were deployed 16 times in 2010.

OFFICE OF THE INSPECTOR GENERAL [OIG]

—The OIG issued approximately 125 management audit reports, including 50 financial assistance grant reports. The audits identified over $100,000,000 of questioned costs, of which nearly $30,000,000 was determined to be unsupported. The OIG recovered $15,000,000 as a result of identifying disallowed costs in prior audit reports and investigations. In addition, the OIG identified over $65,000,000 in funds put to better use;
—OIG investigations resulted in approximately 350 arrests, 275 indictments, 270 convictions and 125 personnel actions. In addition the Office of Investigations closed 1,150 investigations and 13,000 complaints and initiated 1,400 new investigations and 915 reports; and
—Investigative recoveries, fines, restitutions and cost savings totaled $124,300,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER [FLETC]

—FLETC facilities provided basic and some advanced training to approximately 65,000 law enforcement agents from 90 Federal agencies; and
—The Rural Policing Institute trained over 5,000 State, local, campus and tribal law enforcement officers in locations throughout the United States and Indian Country through distance learning, with plans to increase each year.

REFERENCES

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

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

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

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

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

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

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

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

Any reference to the "Office of Inspector General" of the Department of Homeland Security shall be referenced to as OIG.

DEPARTMENT OF HOMELAND SECURITY

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

Appropriations, 2011	$136,544,000
Budget estimate, 2012	142,533,000
House allowance	62,350,000
Committee recommendation	135,433,000

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

COMMITTEE RECOMMENDATION

The Committee recommends $135,433,000 for the Office of the Secretary and Executive Management, $1,111,000 below the fiscal year 2011 level and $7,100,000 below the request level. This reduction is necessary to sustain critical activities within the Department's operating components and make necessary investments to address known gaps and vulnerabilities. The recommendation includes requested reductions for efficiencies, contract support, and administrative savings. The Committee includes a program increase for the Office for Civil Rights and Civil Liberties [OCRCL] to improve oversight of immigration enforcement programs. The Committee directs that a briefing be provided not later than 30 days after the OCRCL completes the initial review of these programs, including its findings and recommendations. This briefing should be conducted jointly by OCRCL and ICE officials.

The specific levels recommended by the Committee as compared to the fiscal year 2011 and budget request levels are as follows:

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Immediate Office of the Secretary	4,641	5,164	5,000
Immediate Office of the Deputy Secretary	2,674	1,918	1,918

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Office of the Chief of Staff	2,572	2,802	2,600
Office of Counternarcotics Enforcement	2,997	3,814	2,130
Office of the Executive Secretary	8,104	8,402	8,100
Office of Policy	41,133	42,423	40,000
Office of Public Affairs	6,368	6,419	6,370
Office of Legislative Affairs	6,698	6,341	6,340
Office of Intergovernmental Affairs	2,632	2,908	2,650
Office of General Counsel	23,762	22,422	22,422
Office for Civil Rights and Civil Liberties	20,367	24,613	23,000
Citizenship and Immigration Services Ombudsman	6,188	6,336	6,300
Privacy Officer	8,408	8,971	8,603
Total, Office of the Secretary and Executive Management	136,544	142,533	135,433

COORDINATION OF FEDERAL CHEMICAL SECURITY EFFORTS

The Committee understands that the National Protection and Program's Directorate's [NPPD's] Office of Infrastructure Protection [IP] and the Coast Guard continue to work toward harmonization of chemical security responsibilities established by Chemical Facilities Anti-Terrorism Standards [CFATS] regulations and Maritime Transportation Security Act [MTSA] regulatory programs. A comprehensive regulatory review of the respective security regimes has been completed and both components are working toward a Memorandum of Understanding [MOU] to enable sharing of data and sharing of risk methodologies between NPPD's Infrastructure Security Compliance Division's Chemical Security Assessment Tool and the Coast Guard's Maritime Security Risk Analysis Model. The Committee expects the execution of this MOU will be completed in the fall of 2011. The Deputy Secretary is directed to continue quarterly reporting to the Committee on these matters. The reports shall include an update on: the development of a more comprehensive picture of security issues at the Nation's chemical facilities; whether regulatory gaps exist that may pose an unacceptable security risk; and the identification and elimination of redundancies between current regulatory regimes. In addition, the quarterly updates shall include information on the Department's continuing efforts to determine whether and how to require MTSA-covered facilities that possess CFATS chemicals of interest to complete and submit CFATS Top-Screens. Finally, the report shall provide updates regarding the efforts with other Federal entities, such as the Federal Bureau of Investigation and the Transportation Security Administration, including specific milestones and agreements that will be reached to further coordinate chemical security efforts.

REAL ID

The Committee directs the Office of Policy to report on the status of each State in implementing each REAL ID element required for material compliance, a plan to increase compliance of each element required for material compliance by January 2013, and strategies related to compliance with the requirements of REAL ID. This report shall be submitted to the Committee by April 13, 2012.

EXPENDITURE PLANS

The Committee directs the Office of Counternarcotics Enforcement, the Office of Policy, the Office of Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Office of Citizenship and Immigration Services Ombudsman, and the Privacy Officer each to submit an expenditure plan for fiscal year 2012 no later than 60 days after the date of enactment of this act. Each plan shall include details on: staffing, expenses, contracts, obligations, funds by sub-offices (if appropriate), and how resources are aligned to specific activities and initiatives in fiscal year 2012. The Office of Counternarcotics Enforcement expenditure plan shall include efforts to address the recommendations made in OIG–10–80.

USER FEES

The conference report accompanying Public Law 111–83 directed the Department to submit a contingency plan to address gaps between actual and budgeted collections. The Committee directs the Secretary to submit a revised plan no later than 90 days after the date of enactment of this act and to update that plan quarterly.

BIOMETRIC AIR EXIT IMPLEMENTATION

The Committee includes language in the bill withholding $35,000,000 from obligation until the Department of Homeland Security submits to the Committees a comprehensive plan to initiate implementation of a biometric air exit capability in fiscal year 2012, or a written certification to the Congress that it is the position of the administration that the statutory requirements for biometric air exit be repealed.

COMPACT OF FREE ASSOCIATION

In 1986, the United States entered into a Compact of Free Association [COFA] with the Federated States of Micronesia [FSM] and the Republic of the Marshall Islands [RMI]. In 1994, the United States entered into a similar relationship with the Republic of Palau. The Compacts set forth the bilateral terms for government, economic, and security relations between the United States and the Freely Associated States [FAS] and the laws approving the Compacts set forth the U.S. policy context and interpretation for Compacts. Section 141 of the Compacts provides that certain FAS citizens "may be admitted to, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories." However, the Congress also stated, in section 104(e)(1), that "it is not the intent of Congress to cause any adverse consequences for an affected jurisdiction."

At present, it is estimated that affected areas of the United States are spending upwards of $200,000,000 annually for education, healthcare, and other services for FAS migrants, including high-cost treatments such as dialysis and chemotherapy. These impact costs are increasing annually. Public health officials are particularly concerned about the rate of certain diseases such as tuberculosis and Hanson's Disease which have a high incidence in Micronesia and among recent Compact migrants. There is also concern regarding growing social tensions in affected communities as local

government agencies are forced to reduce the level of services to U.S.-citizen residents to offset the costs associated with the FAS migrants.

The Committee recognizes that the scope of these impacts will have to be addressed by multiple Federal agencies and believes that the administration must develop a comprehensive, interagency approach to reduce the financial burden placed on affected jurisdictions. Therefore, the Committee directs the President to convene, within 45 days after the date of enactment of this act, a National Security Council Interagency Policy Committee on Freely Associated State Affairs, with representation from the relevant departments and agencies including the Departments of State, the Interior, Defense, Education, Homeland Security, and Health and Human Services, and the U.S. Agency for International Development, to develop an action plan to reduce the impact of FAS migration on Federal, State, local, and territorial governments, particularly those in affected jurisdictions. The Committee directs the President to submit the action plan to the Committee not later than 180 days after enactment of this act.

The Committee notes that persons admitted to the United States as nonimmigrants pursuant to the Compact of Free Association Amendments Act of 2003 (Public Law 108–188) are subject to most, but not all, inadmissibility provisions of the Immigration and Nationality Act. The Committee is concerned regarding the lack of enforcement of certain grounds of inadmissibility under the Compact such as the health-related and public charge grounds of inadmissibility and deportability. The Committee also is concerned about the growing negative budgetary impacts that the admission as nonimmigrants of nationals of the FAS is having on State, local, and Federal governments. The Committee directs DHS to report, within 90 days after the date of enactment of this act, on the Secretary's plan to issue regulations to implement all legally allowable grounds of inadmissibility under the Compact which apply to nationals from the FAS including, but not limited to, a feasibility and cost analysis of establishing a pre-screening process and promulgating regulations pursuant to the appropriate sections of Public Law 108–188 to establish a process, based on the existing Advance Permission to Enter process (I–192), to provide advanced permission for prospective travelers from the FAS to enter the United States. As part of this report, the Committee urges DHS to consider including modifications to the Electronic System for Travel Authorization to address the unique requirements of the population of individuals covered by Public Law 108–188.

RECEPTION AND REPRESENTATION EXPENSES

Within the total amount recommended for the Office of the Secretary and Executive Management, up to $51,000 is included for reception and representation expenses. The Department is to continue to submit quarterly reports to the Committee detailing the obligation of all DHS Reception and Representation Expenses by purpose and dollar amount.

DETAILEE REPORT

The Committee requires the Department to continue to report on detailees, but changes this from a quarterly to an annual requirement to be submitted with the budget request for fiscal year 2013. The format of this submission shall be drafted in accordance with the revised guidance set forth in Senate Report 110–84.

FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

The Department is directed to report semi-annually to the Committee on the current projects tasked to Federally Funded Research and Development Centers [FFRDCs], the funding obligated by component, including the purposes for the funds, and any projects completed in the prior 6-month period, with the first report due February 15, 2012. The Committee has yet to receive a report for fiscal years 2010 or 2011 pursuant to the requirement in conference report [111–298]. These reports are to be submitted expeditiously.

SCIENCE AND TECHNOLOGY DIRECTORATE CAPABILITIES

Significant progress has been made in the last 2 years by the Science and Technology [S&T] Directorate in unifying the Department's test and evaluation [T&E] processes, particularly for large acquisition programs. The Committee encourages the Secretary to continue to improve the Department's T&E capabilities, policies, and procedures. The Department's acquisition process would also benefit from the early involvement of the S&T Directorate and the Department's FFRDCs in assisting departmental entities to better identify mission needs, conduct analysis of alternatives that could result in a material solution determination, and develop operational requirements including concepts of operations. The Under Secretary for Management and the Under Secretary for Science and Technology shall brief the Committee on efforts to leverage S&T's expertise in this area no later than 90 days after the date of enactment of this act.

U.S. VIRGIN ISLANDS RESOURCE ASSESSMENT

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

OVERTIME LIMITATION FOR LAW ENFORCEMENT PERSONNEL

The Committee encourages the Department to review the existing overtime caps in place for agency law enforcement personnel to determine if they reflect the actual requirement for overtime funding and, if necessary, propose an adjustment to the cap as part of the President's fiscal year 2013 budget.

COMBATING BORDER VIOLENCE

The Committee urges CBP and ICE to increase its ongoing cooperation with the Federal Bureau of Investigations [FBI] to combat and address any signs of increased drug trafficking organization violence which may be occurring in U.S. border and other communities. While the FBI's May 23, 2011, preliminary report on annual crime statistics for 2010 indicates that reports of violent crime and property crime appear to be down in California and Arizona border towns, reports of violent crime have ticked upwards slightly in Texas. It is important that Federal law enforcement maintain a strong presence on the border in support of State and local law enforcement to immediately respond to any changes in the levels of violence. The Committee directs CBP and ICE, jointly with the FBI, to brief the Appropriations Subcommittees on Homeland Security and Commerce, Justice, Science at least semiannually on the situation on the border and its impact on border communities.

CYBERSECURITY

In an effort to improve coordination between the Federal Government and the private sector and to exploit and enhance the capabilities of both sectors, the Committee directs the Deputy Secretary, jointly with the Deputy Secretary of Defense, to submit a report to the Appropriations Committee no later than May 1, 2012, evaluating the costs and benefits of establishing a National Guard cybersecurity team and/or an equivalent civilian team that could be deployed to help prevent or recover from a cybersecurity attack. The report should include an outline of the recommended command hierarchy, including responsibility for deploying teams; describe organizational responsibilities for providing guidance and training; and discuss how critical relationships will be established across the various agencies with cybersecurity responsibilities.

PORT SECURITY TRAINING PROGRAM

The Committee is concerned that the Department has not yet taken any steps to implement section 821 of Coast Guard Authorization Act of 2010 (Public Law 111–281) to enhance and upgrade Federal waterfront facility security officer [FSO] training, and lead to the Federal certification of FSOs. Implementation will help harmonize security training at marine terminals. The Committee encourages the Department to help develop the national training program.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

Appropriations, 2011	$239,453,000
Budget estimate, 2012	249,058,000
House allowance	106,870,000
Committee recommendation	237,131,000

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

the Chief Human Capital Officer, and the Office of the Chief Administrative Officer.

COMMITTEE RECOMMENDATION

The Committee recommends $237,131,000 for the Office of the Under Secretary for Management, $11,927,000 below the amount requested and $2,322,000 below the amount enacted in fiscal year 2011. The Committee's recommendation includes funding for robust 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 and effective government is not accomplished by excessive funding cuts for these essential capabilities. Unless specifically addressed in this report, reductions taken to individual offices below the request are due to a constrained budget environment and to focus limited resources on the Department's critical operational missions.

The specific levels recommended by the Committee, as compared to the fiscal year 2011 and budget request levels, are as follows:

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Immediate Office of the Under Secretary for Management	2,733	7,558	2,558
Office of the Chief Security Officer	71,760	71,236	71,236
Office of the Chief Procurement Officer	74,597	78,771	78,000
Office of the Chief Human Capital Officer:			
Salaries and Expenses	24,477	28,161	25,165
Human Resources Information Technology Program	17,097	16,686	14,172
Office of the Chief Administrative Officer:			
Salaries and expenses	43,300	41,248	41,000
Nebraska Avenue Complex	5,489	5,398	5,000
Total, Office of the Under Secretary for Management	239,453	249,058	237,131

IMMEDIATE OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

The Committee recommends $2,558,000 for the Immediate Office of the Under Secretary, $175,000 less than the fiscal year 2011 level and $5,000,000 below the budget request. The recommendation includes a reduction of $175,000 below fiscal year 2011 for administrative savings, professional services, and operational support, as requested.

The Committee denies the request for $5,000,000 for another study of the need for Coast Guard icebreakers in the Arctic region. As the ice recedes in the Arctic region, commerce and natural resource exploration is expected to increase significantly. It is critical that the Coast Guard be given the tools to operate effectively in this remote area of the world, a region that is rich with potential natural resources. Yet, the Coast Guard has no operating polar class heavy icebreakers and virtually no infrastructure in the region. The *Polar Star*, first deployed in 1976, is being repaired, but only because Congress took the initiative to fund the repair. When the repair is complete in 2013, the *Polar Star* is expected to have

a useful life of only 7–10 years. It takes approximately 8–10 years to build a polar class icebreaker, yet the administration has no plans for new assets. Russia, on the other hand, currently has six operational icebreakers, including nuclear-powered vessels and is preparing to aggressively pursue the estimated 22 percent of the world's undiscovered natural resources in the Arctic.

Since fiscal year 2005, the Committee has urged the Office of Management and Budget and the Department of Homeland Security to address this issue. In fiscal year 2005, the Committee required the National Academy of Sciences [NAS] to conduct a comprehensive study of the role of Coast Guard icebreakers in supporting United States operations in the Antarctic and the Arctic. The NAS report concluded that the Nation "should immediately begin to program, design, and construct two new polar icebreakers to replace the *Polar Star* and *Polar Sea*."

The Committee funded a Presidentially requested study of Coast Guard requirements for assets in the Arctic region in fiscal year 2009. The report, completed in July 2010, wasn't submitted to the Committee until July 2011. The report concluded that the Coast Guard requires "three heavy and three medium icebreakers to fulfill its statutory missions" and "six heavy and four medium icebreakers to fulfill its statutory missions and maintain the continuous presence requirements of the Naval Operations Concept."

Current and past Coast Guard Commandants have testified to this need and the United States Transportation Command concluded that the United States has national, strategic, and economic interests in the Arctic which requires construction of new polar icebreakers. Yet two successive administrations have failed to seek funding for these assets.

Given the extensive consensus that has been built over the past 5 years, the Committee does not believe yet another icebreaker study is necessary and instead urges the Department to move forward on fulfilling the Nation's icebreaking requirements for the polar regions by developing a concept of operations and a resource plan. This process can be achieved by leveraging existing resources and expertise from the Coast Guard and the Science and Technology Directorate. As a result of the current fiscal climate and need to provide the best value to the taxpayer, the development of a concept of operations shall include consideration of using Government-owned vessels as well as non Government-owned vessels to achieve the Nation's icebreaking needs. The Committee is to be briefed on the development of this plan no later than 90 days after the date of enactment of this act.

OFFICE OF SECURITY

The Committee recommends $71,236,000 for the Office of Security, a decrease of $524,000 from the fiscal year 2011 level and the same as the budget request. This amount includes decreases for administrative savings, professional services, and operational support, and the transfer of $1,050,000 and six positions to the Office of Intelligence and Analysis for counterintelligence activities. The recommendation includes a program increase, as requested, of $2,000,000 for the Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities. In ac-

cordance with Executive Order 12549, this program will ensure that classified information shared with these entities meets Federal security standards for sharing classified information.

OFFICE OF THE CHIEF PROCUREMENT OFFICER

The Committee recommends $78,000,000 for the Office of the Chief Procurement Officer [OCPO], an increase of $3,403,000 above the fiscal year 2011 level and $771,000 below the budget request. This recommendation includes requested decreases for adjustments-to-base that include reductions for administrative savings, professional services, and operational support. The increase of $3,403,000 above fiscal year 2011 is provided to enhance the Department's acquisition workforce capabilities and to strengthen cost estimating by adding cost analysts to each of the eight major components for oversight of large-scale procurements. The total amount for these initiatives is below the request due to a constrained budget environment.

FEDERAL ACQUISITION WORKFORCE INITIATIVE

Within the budgets of selected components, the Committee provides funding to increase the Department's acquisition workforce capacity and capabilities. The Department, like many other Federal agencies, is plagued by a lack of qualified acquisition professionals to develop, manage, and oversee acquisition programs appropriately. The Committee has been highly critical of the performance of many DHS acquisition programs and has aggressively funded additional FTE to bolster procurement oversight within the OCPO and in the components. In cases where the component requests were not funded at the requested amount, the Committee expects those components to use existing appropriations and fee authority [where appropriate] to hire and train highly qualified acquisition personnel.

The Committee is disappointed in the initial assessment of Department-wide gaps in key acquisition disciplines. What the Committee received was simply a table with core acquisition needs by component. The Committee is looking for the analysis behind the numbers, the risks of not filling the positions, and the long-term strategy to fill competency gaps. The OCPO is to brief the Committee on these matters no later than 60 days after the date of enactment of this act.

ACQUISITION PROFESSIONAL CAREER INTERNSHIP PROGRAM

The Committee directs the OCPO to submit to the Committee, in conjunction with the President's fiscal year 2013 budget request, a report on the Acquisition Professional Internship Program as detailed in House Report 111–157.

ACQUISITION REVIEW PROCESS

The Committee directs the OCPO to continue reporting quarterly on major acquisitions as outlined in Senate Report 111–31. The Committee expects these reports to cover all major acquisition programs as required in Senate Report 111–31. The Department is to ensure that each acquisition covered in the report includes:

—A discussion of current gaps and shortfalls, the capabilities to be fielded, and the number of planned increments;
—Acquisition review board status of each acquisition, including the current acquisition phase and date of the last Acquisition Decision Event approval;
—Whether or not an Independent Verification and Validation has been implemented, with an explanation for the decision;
—A rating of the cost risk, schedule risk, and technical risk associated with each acquisition project;
—A table detailing unobligated balances to date and anticipated unobligated balances at the close of the fiscal year for each acquisition addressed in the report; and
—The date and cause of program breaches.

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

The Committee recommends $39,337,000 for the Office of the Chief Human Capital Officer [OCHCO], $2,237,000 below the fiscal year 2011 level and $5,510,000 below the request. This recommendation includes requested reductions for administrative savings, professional services, and operational support. The increase of $688,000 in salaries and expenses is to enhance the Balanced Workforce Program Office, workforce training programs, and leadership development programs. The OCHCO shall brief the Committee no later than 90 days after the enactment of this act on its progress in implementing these programs in addition to its ongoing hiring reform initiatives, efforts to close mission-critical competency gaps, performance metrics, and an acquisition plan for an automated employee performance management and appraisal tool.

The recommendation provides a total of $14,172,000 for Human Resources Information Technology, $2,514,000 below the request. The reduction is due to carryover balances available for this program.

OVER-RELIANCE ON CONTRACTORS

The estimated number of contractors providing services in support of various DHS programs is 110,000 compared to approximately 221,000 Federal employees. According to the Department's congressional justification, "The Quadrennial Homeland Security Review and the Bottom-Up Review have both confirmed a critical need to balance the DHS workforce by ensuring strong Federal control of all DHS work and reducing reliance on contractors." Initially, the Department identified 3,500 contractor positions that should be eliminated or converted to Federal employee positions. As of April 2011, the Department has eliminated nearly 3,200 positions, of which 2,400 were converted into new Federal jobs. The estimated savings associated with this effort is $28,000,000. The Department's fiscal year 2012 budget proposes to convert another 1,881 additional contract positions to Federal positions, anticipated as a result of the Balanced Workforce Strategy analysis. The Committee supports the Department's continued efforts to convert contractor positions to Federal jobs through its Balanced Workforce Initiative and the OCHCO-managed program office leading the Department's efforts to examine the appropriate workforce best suited to meet mission needs. The Committee directs the Undersecretary

for Management and Chief Human Capital Officer to brief the Committee no later than November 30, 2011, on its ongoing review, implementation plans, and the estimated savings associated with this effort and how those savings were calculated.

HUMAN RESOURCES SERVICING

The Department has informed the Committee that beginning in fiscal year 2012, it plans to obtain human resources services from the Federal Law Enforcement Training Center [FLETC] instead of OCHCO's Human Resources Management Services [HRMS] division. There are multiple reasons for this functional transfer; however the primary factor is due to HRMS's difficulty complying with regulatory requirements in its recruitment and staffing missions. According to the Department, based on concerns raised by the Office of Personnel Management, the HRMS Delegated Examining Authority has been withdrawn from the Department's HRMS division, effective October 1, 2011. As a result, DHS has decided to partner with FLETC through an Interagency Agreement to fulfill its human resource service requirements, with FLETC being fully reimbursed through the Working Capital Fund for its services. The Department has assured the Committee this partnership will result in reduced costs for human resources service needs for headquarters components and will deliver these services in a more efficient manner. The Committee does not object to this arrangement as long as it does not adversely impact FLETC's mission requirements. The OCHCO and FLETC are to brief the Committee no later than 6 months after the date of enactment of this act on the execution of this plan.

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

The Committee recommends $41,000,000 for Salaries and Expenses, a decrease of $2,300,000 below the fiscal year 2011 level and $248,000 below the level requested in the budget.

The Committee recommends $5,000,000 for continued facilities maintenance and upgrades at the Nebraska Avenue Complex [NAC], $489,000 below the fiscal year 2011 level and $398,000 below the request. This funding allows for the completion of the perimeter fence improvement project, the site utility upgrade project, and for other mechanical, electrical and building upgrades.

The Chief Administrative Officer is to brief the Committee no later than 90 days after the date of enactment of this act on recommendations for savings from the identification of excess surplus property as described in the June 10, 2010, Presidential memorandum entitled "Disposing of Unneeded Federal Real Estate."

OFFICE OF THE CHIEF FINANCIAL OFFICER

Appropriations, 2011	$53,323,000
Budget estimate, 2012	62,395,000
House allowance	50,860,000
Committee recommendation	51,000,000

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 pro-

vides guidance and oversight of the Department's budget execution while ensuring that funds are allocated and expended in accordance with relevant laws and policies. This account funds the Budget Division, Office of Financial Operations, Office of Performance Analysis and Evaluation, Office of Financial Management, Resource Management Transition Office, and the Office of the Government Accountability Office/Office of Inspector General Audit Liaison.

COMMITTEE RECOMMENDATION

The Committee recommends $51,000,000 for the Office of the Chief Financial Officer [OCFO], a decrease of $2,323,000 below the fiscal year 2011 level and $11,395,000 less than the budget request. As a result of the Department's decision to cancel acquisition plans for the Transformation and Systems Consolidation [TASC] project and subsequent re-evaluation of its approach to improve DHS financial management systems, the recommendation does not include the $11,000,000 program request for TASC. The Committee recognizes the Department's need to improve the reliability and transparency of its financial data, and directs DHS to maintain frequent communications with the Committee on financial management improvement plans necessary to support the Department's missions. The Committee notes that balances remain available for TASC from prior year appropriations and this amount can be obligated in fiscal year 2012 if a new strategy is approved by the DHS Acquisition Review Board; however, the Department must complete an independent evaluation to validate the strategy prior to obligating any of these funds.

ANNUAL APPROPRIATIONS JUSTIFICATIONS

The Committee directs the CFO to ensure annual appropriations justifications are prepared for each component within the Department in support of the President's budget, as required under section 1105(a) of title 31, United States Code and submitted on the day the President's budget is delivered to Congress. The CFO shall submit as part of the fiscal year 2013 budget justification the following: detailed information by appropriations account and PPA on all reimbursable agreements and significant uses of the Economy Act for each fiscal year; a detailed table identifying the last year that authorizing legislation was provided by Congress for each PPA; the amount of the authorization and the appropriation in the last year of authorization; and a report on the status of overdue Committee reports, plans, and briefings for fiscal years 2011 and 2012. In addition, with the Department's Explanation of Changes to General Provisions, to be included in the Department's annual congressional budget justification to the Committee, the CFO shall provide the text and citation of all Department appropriations provisions enacted to date that are permanent law.

The CFO shall ensure that adequate justification is given to each increase, decrease, transfer, and staffing change proposed in the fiscal year 2013 budget justification, and that each item directed by the Committees to be provided as part of the fiscal year 2013 budget justification is delivered as mandated.

Consistent with section 874 of Public Law 107–296, the Department shall submit a Future Years Homeland Security Program [FYSP] budget as part of the fiscal year 2013 budget justification. 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. The submission for fiscal years 2012–2016 was designated as "For Official Use Only". The Committee sees no reason why this designation is necessary and expects the submission for fiscal years 2013–2017 to be accessible to the public.

BUDGET EXECUTION AND STAFFING REPORT

The Committee includes bill language 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. This report shall be submitted no later than 45 days after the close of each month.

EXPENDITURE PLANS

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

OVERDUE QUARTERLY SBI REPORTS

In addition to delayed expenditure plans, there are a number of regular reports that the Committees have required be submitted, in some cases for many years. For instance, the Committees have required quarterly submission of a report which in essence is a compilation of border security-related facts—such as apprehensions at the border, number of illegal aliens removed, and miles of the border under effective control. The report is a snapshot of what the

Department and its component agencies have accomplished during the previous quarter and the past years. The report is not supposed to be a press document requiring extensive narrative and/or "spin". Yet the reports continue to be delayed—in one case almost 6 months after the end of the fiscal year. This is unacceptable. The Committee directs the Department to submit these reports no later than 30 days after the end of each quarter.

Currently, the SBI quarterly reports are limited to statistics covering actions taken but lack any measurement of effectiveness or consequences. All future SBI quarterly reports, beginning with the first quarter of fiscal year 2012, shall include: (a) estimates of the impact of consequence programs (such as Operation Streamline) on the rate of recidivism of illegal border crossers; and, (b) for ports of entry, the maritime domain, and between the ports of entry, (1) estimates of total attempted border crossings, (2) the rate of apprehension of attempted border crossings, and (3) the inflow into the United States of illegal entrants that evade apprehension.

OFFICE OF THE CHIEF INFORMATION OFFICER

Appropriations, 2011	$332,726,000
Budget estimate, 2012	277,972,000
House allowance	122,120,000
Committee recommendation	267,972,000

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 $267,972,000, of which $105,578,000 is for salaries and expenses, and $162,394,000 is to be available until fiscal year 2014 for Department-wide technology investments overseen by the Office of the Chief Information Officer [OCIO]. The recommendation is a decrease of $64,754,000 from the fiscal year 2011 level and $10,000,000 below the level proposed in the budget request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

OFFICE OF THE CHIEF INFORMATION OFFICER

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Salaries and expenses	86,738	105,578	105,578
Information technology services	51,314	38,800	38,800
Infrastructure and security activities	147,108	89,525	79,525
Homeland security data network	47,566	44,069	44,069
Total, Office of the Chief Information Officer	332,726	277,972	267,972

SALARIES AND EXPENSES

The Committee recommendation includes $105,578,000, as requested, to provide oversight of technology management, shared services, and acquisition strategy for the Department. Funding is included, as requested, to support the Office of Accessible Systems and Technology.

The Committee supports the realignment of $20,713,000 and 147 FTE from the CIO's Department-wide IT projects to the Salaries and Expenses PPA. The Committee also supports the no-cost annualization of 70 FTE that were formerly contract positions. Finally, the Committee includes $253,000, as requested, to strengthen acquisition workforce capabilities.

MULTI-YEAR INVESTMENT PLAN

The Committee includes bill language requiring a multi-year investment plan be submitted to the Committees on Appropriations with the fiscal year 2013 budget submission to Congress.

INFORMATION TECHNOLOGY SERVICES

The Committee recommendation includes $38,800,000 for Information Technology Services, as requested in the budget. Consistent with the request, the recommended amount includes: a $2,700,000 increase for the implementation of DHS-wide standards for the sharing of common services, establishment of interoperable systems, and other systems integration priorities; and a $7,600,000 increase for enterprise data management to establish procedures and practices across the components to lower development costs and decrease operations and maintenance costs.

INFRASTRUCTURE AND SECURITY ACTIVITIES

The Committee recommendation includes $79,525,000 for Infrastructure and Security Activities, $10,000,000 below the amount requested in the budget. The recommended amount includes: a $12,268,000 increase, as requested, to continue development of a single sign-on capability; and a $10,000,000 increase, $10,000,000 below the request, to consolidate component messaging systems into the two DHS data centers and transition to an "everything as a service" model. The Committee believes these are vital investments necessary to ensure that a mature infrastructure is in place that meets the Department's needs. The Department is directed to continue to provide quarterly briefings to the Committee on the progress on implementing OneNet and migration to Networx. The reduction below the request reflects amounts to consolidate component messaging systems that will not be obligated in fiscal year 2012. The reduction below fiscal year 2011 reflects requested savings in administrative services, realignment of personnel to the salaries and expenses PPA, and nonrecurring funds for Data Center migration for DHS headquarters offices.

DATA CENTER MIGRATION

The Committee provides $76,390,000 specifically to various Departmental components for data center migration. The CIO shall continue to provide quarterly briefings to the Committees on the

progress of data center development and migration. The Committee is aware that component data center migration schedules may shift during the course of the fiscal year based on changing circumstances and priorities. As a result, the bill includes a general provision allowing the Secretary to transfer funds made available for data center migration, as necessary, among components based on revised schedules and priorities with 15 days prior notice to the Committees. The OCIO is also directed to include information on revised schedules in the quarterly briefings.

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

ANALYSIS AND OPERATIONS

Appropriations, 2011	$334,360,000
Budget estimate, 2012	355,368,000
House allowance	344,368,000
Committee recommendation	339,368,000

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 $339,368,000 for Analysis and Operations. This is an increase of $5,008,000 above the fiscal year 2011 level and a decrease of $16,000,000 from the budget request. The details of these recommendations are included in a classified annex accompanying this report.

DHS INTELLIGENCE EXPENDITURE PLAN

The Committee requires the Department's Chief Intelligence Officer to submit an expenditure plan for fiscal year 2012 no later than 60 days after the date of enactment of this act.

The plan shall include the following:

—fiscal year 2012 expenditures and staffing allotted for each program as compared to fiscal years 2011 and 2010;

—all funded versus on-board positions, including Federal FTE, contractors, and reimbursable and nonreimbursable detailees;

—an explanation for maintaining contract staff in lieu of Federal FTE;

—a plan, including dates or timeframes for achieving key milestones, to reduce the office's reliance on contract staff in lieu of Federal FTE;

—funding, by object classification, including a comparison to fiscal years 2011 and 2010; and

—the number of I&A-funded employees supporting organizations outside I&A and within DHS.

The expenditure plan shall focus the activities of the Office on areas where the Department can provide unique expertise or serve

intelligence customers who are not supported by other components of the Intelligence Community, consistent with current statute and Executive orders, and in a way that does not impair intelligence support to the senior leadership of the Department of Homeland Security.

FEDERAL WORKFORCE

The Committee supports the Department's plans to more appropriately balance the I&A workforce with Federal employees as compared to a reliance on contract employees. To help meet this objective, the Committee encourages the Department to seek hiring authority on par with other Intelligence Community agencies.

C2 GAP FILLER

The Committee denies funding for the C2 Gap Filler project due to an insufficient justification, the need to support core DHS operations, and the lack of clarity surrounding future costs and requirements.

STATE AND LOCAL FUSION CENTERS

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

OFFICE OF INSPECTOR GENERAL

Appropriations, 2011 [1]	$113,646,000
Budget estimate, 2012	144,318,000
House allowance [1]	124,000,000
Committee recommendation [1]	125,000,000

[1] Excludes $16,000,000 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 $125,000,000 for the Office of Inspector General [OIG] for fiscal year 2012, $11,354,000 above the fiscal year 2011 level and $3,318,000 below the comparable budget request. In addition, the Committee includes bill language transferring $16,000,000 needed by the OIG for audits and investigations related to natural disasters from the Disaster Relief Fund [DRF]. The OIG is required to notify the Committee no less than 15 days prior to all transfers from the DRF. Included in the recommendation are increased resources for integrity oversight and investigations. The Committee directs the Inspector General to submit a plan for expenditure of all funds no later than 90 days after the date of enactment of this act.

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

INTEGRITY OVERSIGHT

Since fiscal year 2006, U.S. Customs and Border Protection has hired more than 19,176 new employees, a 46 percent increase, and U.S. Immigration and Customs Enforcement has hired over 4,747 new personnel, a 31 percent increase. The Committee is concerned due to the rapid hiring in CBP and ICE, that there is the potential for increased corruption. To avoid corruption and misconduct, it is imperative that all agents, especially new hires, receive comprehensive training in ethics and public integrity. The OIG provides ethics training to all agencies and is in charge of investigating all allegations of criminal misconduct throughout the Department. It is essential that the OIG, CBP, and ICE work jointly and cooperatively to combat corruption. Within the total funding recommended, the Committee provides the OIG an increase of no less than $4,000,000 for integrity investigations. The Inspector General shall submit a plan to the Committee on Appropriations no later than 45 days after the date of enactment of this act for the expenditure of integrity oversight funds in coordination with CBP and ICE.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. Customs and Border Protection

SUMMARY

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

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $11,655,225,000, including direct appropriations of $10,242,040,000 and estimated fee collections of $1,413,185,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

U.S. CUSTOMS AND BORDER PROTECTION—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Appropriations:			
Salaries and expenses	8,196,198	8,725,555	8,762,103
Automation modernization	335,902	364,030	334,275
Border Security Fencing, Infrastructure, and Technology [BSFIT]	573,024	527,623	400,000
Air and Marine interdiction, operations, maintenance, and procurement	515,294	470,566	506,566
Construction and facilities management	259,480	283,822	239,096
Total, Appropriations	9,879,898	10,371,596	10,242,040
Estimated fee collections:			
Immigration inspection user fee	525,443	527,629	527,629
Immigration enforcement fines	1,037	1,041	1,041
ESTA		44,524	44,524
Land border inspection fee	28,598	28,909	28,909
COBRA fee	390,974	440,521	385,521
APHIS inspection fee	318,472	323,000	323,000
Global entry user fee	2,500	2,615	2,615
Puerto Rico Trust Fund	89,980	91,779	91,779
Small airport user fee	8,164	8,167	8,167
Total, Estimated fee collections	1,365,168	1,468,185	1,413,185
Total, U.S. Customs and Border Protection, available funding	11,245,066	11,839,781	11,655,225

SALARIES AND EXPENSES

Appropriations, 2011	$8,196,198,000
Budget estimate, 2012	8,725,555,000
House allowance	8,769,518,000
Committee recommendation	8,762,103,000

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).

Puerto Rico Trust Fund.—Customs duties, taxes, and fees collected in Puerto Rico by CBP are deposited in the Puerto Rico Trust Fund. After providing for the expenses of administering CBP activities in Puerto Rico, the remaining amounts are transferred to

the Treasurer of Puerto Rico pursuant to 48 U.S.C. sections 740 and 795.

Small Airport User Fee.—The User Fee Airports Program authorized under 19 U.S.C. 58b and administered under 19 U.S.C. 58c(b)(9)(A)(i), authorizes inspection services to be provided to participating small airports on a fully reimbursable basis. The fees charged under this program are set forth in a memorandum of agreement between the small airport facility and the agency, and may be adjusted annually as costs and requirements change.

COMMITTEE RECOMMENDATIONS

The Committee recommends $8,762,103,000 for salaries and expenses of U.S. Customs and Border Protection [CBP] for fiscal year 2012, including $3,274,000 from the Harbor Maintenance Trust Fund. The Committee includes bill language making available up to $150,000 for payment for rental space for preclearance operations and $1,000,000 for payments to informants. The Committee also includes bill language placing a $35,000 annual limit on overtime paid to any employee.

Included in the Committee's recommendation is full funding requested in the budget for the law enforcement journeyman pay adjustment for CBP officers and Border Patrol agents and full annualization of officers and agents initially funded in prior year appropriations acts (including the 1,000 new Border Patrol agents funded in the Emergency Supplemental Border Security Appropriations Act, 2010). The Committee notes that the journeyman pay grade increase will affect 24,371 CBP employees in fiscal year 2012.

The Committee recommends $20,692,000 for an additional 300 CBP officers at new and expanded ports of entry; $2,212,000 for additional canine units; $7,499,000 to expand the Immigration Advisory Program to four additional overseas locations; and $7,500,000 for cargo container scanning pilot projects, all as requested in the budget. The Committee does not approve funds requested specifically for the acquisition workforce initiative but encourages CBP to use existing appropriations and fees to hire and train highly qualified procurement personnel.

The Committee does not approve the Presidents' budget proposal to adjust the fees collected pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 [COBRA], and instead recommends an additional $55,000,000 to support the funding requirements for CBP staffing of 21,186 officers.

Increases above the request for officer integrity, screening and targeting, and antidumping and trade enforcement are discussed later in this report.

REVISED BUDGET PRESENTATION

The Committee has been concerned about the lack of detail provided in the CBP "Salaries and Expenses" budget for two large categories—the Inspections, Trade, and Travel Facilitation at Ports of Entry PPA and the Border Security and Control PPA. The President's fiscal year 2012 requests of $2,507,235,000 and $3,530,994,000, respectively, for these PPAs provide insufficient detail for the Committee to make fiscally responsible budget rec-

ommendations. The Committee directs the CBP Chief Financial Officer to work with the Committee on a revised budget presentation for the fiscal year 2013 request.

FINANCIAL PLAN BY OFFICE REQUIREMENTS

To help facilitate oversight by the Committee, CBP is directed to submit to the Committee within 90 days of the date of enactment of this act, a financial plan reflecting a detailed breakout of funding by office for each of the major PPAs in the Salaries and Expenses appropriation. This financial plan shall include the prior year's plan, actual expenditures for the prior year, as well as the planned expenditures for fiscal year 2012.

PORT OF ENTRY STAFFING AND RELIANCE ON FEES

The Committee notes that more than one-third of CBP officers are funded by inspection and immigration-related fees collected on passengers and goods entering the United States. Due to the global recession and decrease in travelers to the United States in the past few years, anticipated fee revenue has fallen short of its estimates. This has resulted in reallocations of increasingly scarce appropriated funds to meet the shortfalls and maintain adequate staffing at the ports of entry [POEs]. As discussed above, the Committee was required to find $55,000,000 in appropriations in this bill to meet the funding shortfall necessitated by the budget's reliance on a proposed increase in fees. If the intention is to continue to rely on fee revenue to pay for a significant portion of CBP personnel, the Department must work with CBP, the Office of Management and Budget, and the appropriate congressional authorizing committees to adjust fee levels to meet the growing staffing requirements.

At the same time, the Committee urges CBP to provide transparency on its staffing requirements at the POEs with local officials, including owners and operators of the port authorities. While mindful of law enforcement and security sensitivities, the Committee believes it is important that the Federal Government be a good partner with local officials who need to make their own decisions regarding port expansion and investment of local resources. The Committee directs CBP to update the POE staffing model, with a particular emphasis on staffing requirements reflecting both the new and renovated POEs which have been brought online as well as the increase in cross-border commercial and passenger traffic as the economy improves, and submit it to the Committee not later than 180 days after the date of enactment of this act.

IMPROVING THE ENTRY PROCESS FOR VISITORS TO THE UNITED STATES

In prepared testimony for the March 2, 2011, hearing before the Committee, the Secretary stated the second Homeland Security mission is to secure the Nation's borders "to prevent illegal activity while facilitating lawful travel and trade." The Committee welcomes visitors to the United States, but remains concerned about frequent comments from constituents who travel internationally that the entry process coming into this country is lengthy and daunting. It often takes hours for passengers to be processed once arriving at an airport. There are long lines, not all arrival lanes are

open and staffed, and the information provided to arriving passengers is often confusing. Additionally, travelers have expressed concerns, especially in the air environment, about the way they are treated by CBP officers upon their arrival at the airport. The visitors are often tired and there may be language barriers, but unfortunately what makes the media reports is that CBP officers are brusque and treat the visitor as if he or she is guilty while performing required entry inspections. The Committee understands the CBP officers' primary duty is security and ensuring that the individual before them is eligible for entry into the country, however, the officer is also the first impression the traveler has of America and Americans.

The Committee is aware that the Department has initiated programs to try and address some of these issues, such as the Model Ports of Entry program and the Global Entry Program. The Committee directs the Commissioner to submit a report to the Committee not later than December 1, 2011, on the actions it has taken and programs it has implemented to improve the entry process experience for travelers, including customer service. The report should include how CBP and the Department have implemented the recommendations proposed by the Secure Borders and Open Doors Advisory Committee such as the International Registered Traveler program and those programs listed above. The report should also describe the training CBP officers are provided regarding "welcoming" visitors as they are being processed, including aspects of courtesy and customer service, as well as any reasons why officers should not be provided such instruction. Finally, the report should explain in detail how these existing programs, and others, have reduced wait times, how much money has been directed to these improved entry programs for each of fiscal years 2008–2011, and how funds provided in the fiscal year 2012 act will be used to continue and expand these and other programs. The Committee urges the report to discuss and explore how CBP can expand its work with private entities, including the tourist industry, to assist in this effort.

The Committee notes that the Department operates a disparate number of trusted traveler programs including, but not limited to, Global Entry, FAST, Nexus, and SENTRI. The Committee directs DHS to provide a briefing to the Committee not later than November 1, 2011, on the scope of all DHS trusted traveler programs, their commonalities and differences, their financing mechanisms, and possibilities for consolidation. This review should be led by the Office of Policy.

SOUTHWEST BORDER SECURITY

The Committee continues its multi-faceted initiative, begun in 2005, to improve security on the border by increasing personnel, technology, training, and infrastructure. Over the 6-year period ending in fiscal year 2010, Border Patrol apprehensions along the Southwest Border decreased by 61 percent, from 1,189,075 to 463,382. This reduction is an indication that the combined effect of the recession and our bipartisan efforts to secure the border are resulting in fewer people attempting to illegally cross the border. Similarly, between fiscal years 2008–2010, illegal bulk cash sei-

zures rose 36 percent; illegal weapons seizures rose 7 percent; and illegal drug seizures rose 40 percent.

The Committee notes there has been an increased level of violence being directed at our Border Patrol agents and CBP officers stationed at and between our ports of entry. Between fiscal years 2008–2010, there has been an average of 1,077 assaults on agents and officers. These assaults range from "rockings"—in which large rocks or hunks of concrete are thrown down on agents from on top of border fences—to physical and vehicle assaults, shootings, and other attempts to impede law enforcement operations. Additionally, in the past 3 years we have experienced the tragic killings of a Border Patrol Agent deliberately run down in January 2008, in the Yuma Sector by drug traffickers attempting to flee south into Mexico, an Agent shot multiple times in July 2009, while on night patrol near Campo Station as he followed a suspicious group of individuals, and an Agent shot in the mountains of the Tucson Sector in December, 2010, during a night patrol when he and fellow agents responded to reports of individuals preying on a group of illegal aliens. As of April 30, 2011, there have been 413 assaults on agents and officers this fiscal year. As we have moved to further secure the Southwest Border, we have increased the cost of doing business for the smugglers while also increasing their levels of frustration. The Committee supports CBP's efforts to protect the women and men working on our frontlines and requests semiannual briefings on assaults on its personnel, as part of the briefings discussed below, with the first briefing no later than November 1, 2011.

In March 2009, the Secretary of Homeland Security announced a major initiative to assist the Mexican Government in combating drug cartel violence by deploying additional CBP and U.S. Immigration and Customs Enforcement [ICE] personnel and resources to the Southwest Border. With funds provided to CBP and ICE in the Supplemental Appropriations Act, 2009 (Public Law 111–32), the Emergency Supplemental Border Security Appropriations Act, 2010, the Department of Homeland Security Appropriations Act, 2010, and the Department of Defense and Full-Year Continuing Appropriations Act, 2011, more than $500,000,000 has been added above the President's requests for Southwest Border security, including outbound inspections to combat smuggling of guns and bulk cash which support the drug cartels. With the funds provided in fiscal years 2010 and 2011 for CBP's air and marine operations account, 3 additional unmanned aircraft systems [UAS] have been funded and, once brought online, will bring CBP's inventory of UASs to 10 patrolling our borders.

MONITORING PROGRESS ON THE SOUTHWEST BORDER

As noted above, the Congress has provided significant resources to address border security and respond to the violence in Mexico. It is important, however, to know how these resources have been deployed and the impact they are having on addressing current and potential threats. The Committee directs the Department to provide to the Committees semiannual briefings on the status of threats to the border and the progress being made on addressing this threat. The Department is directed to coordinate these brief-

ings and include representatives of CBP and ICE and other DHS agencies and entities as appropriate.

The Committee directs CBP to submit a report not later than December 1, 2011, on the costs associated with the establishment and operation of the Joint Field Command in the Tucson Sector. The report should include the purpose for its establishment, the analysis associated with creating this specific function for this Sector, the annual costs to operate since its creation, the level of staffing—both permanent and temporary duty—by quarter (including the sectors from which the staff have been detailed), and the length of the temporary duty.

CROSS-BORDER TUNNELS

According to recent DHS reports, tunnels along the United States-Mexico border will remain an attractive alternative to overland drug smuggling because of increased security measures and aggressive enforcement activity on traditional cross-border routes. More than 13 cross-border tunnels have been found along the United States-Mexico border in fiscal year 2011, surpassing the 12 discovered in all of fiscal year 2010. Of these tunnels, more than nine have been found in Nogales. The Committee supports the ongoing efforts of the DHS Tunnel Task Force to detect and respond to new tunnels and directs continued submission of the required tunnel report and directs CBP to dedicate sufficient resources to continue detecting, responding to, and remediating tunnels as they are encountered. The report shall detail the level of support provided to this activity by other Federal Government agencies, including equipment used.

DRUG TRAFFICKING ORGANIZATION "SPOTTERS"

The Committee is concerned that reports of activities by drug cartel "spotters"—individuals stationed in key locations in the United States along drug and alien smuggling routes on the Southwest Border—are increasing. The Committee directs the Secretary to submit a report detailing the extent and scope of this activity, its impact on Federal border law enforcement activities, methods it uses—or is considering using—to stop or limit this activity, and specific Federal, State, or local laws violated by these individuals and their activities. The report should also note, if applicable, whether this activity is illegal and/or preventable. A classified version of the report should be submitted if necessary.

BORDER COMMUNITY LIAISON OFFICERS

The Committee is aware that where they have been used, border community relations nonuniformed officers have improved collaboration with local border communities and helped the Border Patrol and Office of Field Operations more effectively carry out their missions. The Committee, therefore, encourages CBP to deploy more such officers to areas that could benefit from their presence, and directs CBP to brief the Committees not later than 90 days after enactment of this act on the role such officers play, and the status of service-oriented training for CBP Officers and Border Patrol agents.

CONDUCT AND INTEGRITY OVERSIGHT

Since Congress initiated the significant increase in CBP staffing in 2005, the Committee has been concerned about the potential for increased corruption by CBP personnel. Since 2007, the Congress has provided over $11,000,000 more than the Presidents have requested for program integrity efforts. Since fiscal year 2005, the number of CBP personnel arrested or indicted for acts of corruption has grown from 27 to 128. The Committee remains committed to addressing this problem. The Committee expects the administration to join in the effort to get ahead of this problem in the fiscal year 2013 budget.

The Committee recommends a total of $170,681,000, $5,000,000 above the request for CBP 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). CBP has hired more than 19,176 new personnel, a 46 percent increase since fiscal year 2006.

BORDER PATROL AGENTS

Since Congress began increasing the size of the Border Patrol by funding the hiring of 500 new agents in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13), a total of 10,106 new Border Patrol agents, and attendant support positions, will have been funded and hired through the end of fiscal year 2011. The Congress strongly supports the Border Patrol mission of securing our borders and fully funds the fiscal year 2012 request.

Included in the amount recommended by the Committee for "Border Security and Control" is a total of $3,619,604,000, as requested. With the 1,000 new Border Patrol agents funded as part of the Emergency Supplemental Border Security Act, 2010, combined with the funds in this act, there will be 21,370 Border Patrol agents on duty, more than double the 9,951 agents on board at the end of fiscal year 2002.

Bill language is included mandating a floor of not less than 21,370 Border Patrol agents on-board throughout fiscal year 2012.

The Committee is impressed by the work performed by the National Guard on the Southwest Border assisting the Border Patrol in monitoring the border and reporting any incursions. The Committee notes that while the President announced on June 17, 2011, an extension of the Guard on the border through the end of fiscal year 2011, no decision has yet been made to further extend its deployment into fiscal year 2012 and no funds have been requested in the budget for this purpose. The Committee urges the administration to make a determination on the presence of the Guard into the next fiscal year at the earliest practicable point and to request the appropriate level of funding for the National Guard to support this important mission.

OPERATION STREAMLINE

The Committee supports Operation Streamline, a program in which individuals apprehended crossing the Southwest border are sentenced by a judge to serve a period of time in jail. In Border Pa-

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

NORTHERN BORDER PORT STAFFING

The Committee commends CBP for achieving its goal of stationing 2,212 Border Patrol agents on the Northern Border by the end of calendar year 2010. The Committee remains concerned, however, about CBP officer staffing levels for Northern Border ports of entry. The Committee believes that many of the concerns about Northern Border staffing could be allayed by more complete reporting to Congress about CBP's Northern Border staffing plans. The Committee directs CBP to submit a plan with the fiscal year 2013 budget detailing specific staffing and funding for, and implementation of, planned Northern Border enforcement initiatives. The Committee also directs CBP to provide a briefing to the Committee not later than December 1, 2011, on the CBP officer staffing requirements on the Northern Border based on increased trade flows and the current threat environment.

TRADE ENFORCEMENT AND COMPLIANCE

The Committee is concerned that CBP may not be providing sufficient resources and personnel to the Office of Trade. The volume of trade continues to expand and as the economy improves the country will experience an even greater volume of trade. The Committee recommends $151,298,000, $5,000,000 above the request, for trade enforcement and compliance activities in the Office of Trade. The funds above the request are directed for the hiring of additional trade enforcement and compliance personnel to enhance targeted abilities to collect duties and develop the enforcement and compliance strategy discussed below. Additional funds are provided for the Automated Targeting System and the National Targeting Center to enhance trade targeting systems.

The Committee remains focused on the need for all Federal Government agencies involved in international trade to aggressively enforce existing trade laws. During a hearing before the subcommittee on May 25, 2011, it became clear that there are specific actions that CBP and ICE, together with the Departments of Commerce and State and the United States Trade Representative, can take without the need for additional legislation. According to CBP's own statistics, more than $1,000,000,000 in duties related to antidumping from 2001 to 2010 have yet to be collected.

The Committee directs the Department to submit a 3-year strategy to develop a robust and forward-leaning trade compliance enforcement framework. The strategy shall include a detailed hiring and staffing plan for the Office of Trade to fill critical trade enforcement and administrative positions, including those dedicated to trade targeting and analysis of trade trends, such as CBP officers; trade specialists; Fines, Penalties, and Forfeitures officers; and auditors. The plan shall also address issues related to training requirements and the development of an antidumping/countervailing duty [AD/CVD] risk model.

As part of the plan, the Committee encourages CBP to look at focused use of single transaction bonds to target higher-risk importers as well as "new shipper" rules. Use of such bonds should be strategically based on risk-adjusted modeling. This strategy is to be submitted to the Committee not later than 180 days after the date of enactment of this act.

Additionally, the Committee directs CBP to submit the updated resource optimization model required to be prepared under section 403 of the SAFE Port Act.

TRADE COMPLIANCE—PRODUCT VERIFICATION TEAMS

Due to their success in the area of textiles, the Committee directs CBP and ICE to work with the U.S. Trade Representative and the State Department to review the possible uses of product verification teams to combat transshipment violations for products subject to antidumping/countervailing duties. Further, the report should make recommendations to the Committee on how to make better use of and expand product verification teams not later than 180 days after the date of enactment of this act.

TRADE COMPLIANCE—BROKER COMMUNITY

The Committee urges CBP to investigate ways to work with the broker community to encourage or require brokers to develop "know your customer" programs to promote integrity within the importer community. It is important that customs brokers know the foreign entity with which they have agreed to do business. The Committee directs CBP to work with the Department of Commerce on the feasibility and impacts of requiring foreign importers of record to have a U.S. agent that is financially liable, and report the results to the Committee by April 13, 2012.

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

ANTIDUMPING AND COUNTERVAILING DUTY ENFORCEMENT REPORTS

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

The Committee directs CBP to continue to work with the Departments of Commerce and the Treasury, and the Office of the United States Trade Representative (and all other relevant agencies) to increase collections, and provide a public report on an annual basis,

within 30 days of each year's distributions under the law. The report should summarize CBP's efforts to collect past due amounts and increase current collections, particularly with respect to cases involving unfairly traded United States imports from China. The report shall provide the amount of uncollected duties for each antidumping and countervailing duty order, and indicate the amount of open, unpaid bills for each such order. In that report, the Secretary, in consultation with other relevant agencies, including the Secretaries of the Treasury and Commerce, should also advise as to whether CBP can adjust its bonding requirements to further protect revenue without violating U.S. law or international obligations, and without imposing unreasonable costs upon importers.

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

Consistent with section 691a of Public Law 103–182, the North American Free Trade Agreement Implementing Act of 1993, the Committee directs the Commissioner of Customs to submit to Congress before the 60th day of each fiscal year a report regarding the collection during the preceding fiscal year of duties imposed under the antidumping and countervailing duty laws. The Committee directs CBP to work with the Departments of Commerce and the Treasury, and the Office of the United States Trade Representative (and all other relevant agencies) to increase collections, and provide a public report on an annual basis.

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

Separately, CBP is directed to report to the Committee on collection of the outstanding $1,000,000,000 in antidumping/countervailing 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 U.S. Department of Justice. This report shall be submitted to the Committee not later than 180 days after the date of enactment of this act.

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 of 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.

The Committee is very concerned that more than 45 waivers of the Jones Act have been issued enabling foreign-flagged vessels to transport oil released from the Strategic Petroleum Reserve in response to extreme fluctuations in the price of gas. The Committee is also concerned about the lack of transparency in conducting these waivers. A general provision is included prohibiting funds from being used to issue future waivers 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 48 hours of any request for a waiver.

IMPROVING TRADE PROCESSING AND COORDINATION

The Committee has strongly supported efforts to enhance the processing of safe and legitimate trade while ensuring that all proper duties and tariffs are collected and unsafe or contraband products do not enter the national stream of commerce. The Committee provided funds for innovative programs such as the Container Security Initiative and the Customs-Trade Partnership Against Terrorism [C–TPAT] prior to their authorization because these programs were intended to meet both trade and security requirements. However, recent activities, including the Importer Self Assessment, may not be implemented as effectively as they could be. It is important that CBP work with the importing community, as well as coordinate with other government agencies such as the U.S. Food and Drug Administration and the Consumer Product Safety Commission to communicate guidelines defining what constitutes low-risk cargo and what additional steps importers can take to meet them and be considered a certified importer. The Committee recognizes the potential impediments to separating and clearing low risk cargo from cargo requiring greater inspection at individual ports given their different configurations and inspection processes. However, industry can provide valuable information and fresh ideas on this process and the Committee urges CBP to engage more regularly with industry on these issues. The Committee directs CBP to brief the Committee on its efforts not later than December 1, 2011.

INTELLECTUAL PROPERTY RIGHTS

CBP is directed to brief the Committee by April 13, 2012, on progress in implementing the 5-year Intellectual Property Rights Enforcement Strategy submitted on July 14, 2010, to include

progress made in implementing the items to improve enforcement at pre-entry, entry, and post-entry.

TECHNOLOGY TO IMPROVE OUTBOUND LAND INSPECTIONS

CBP is directed to submit to the Committee within 90 days of the date of enactment of this act, a 3-year strategy to improve the technology available to conduct outbound inspections along the land border and deploy such technology. Significant improvements could be seen in the ability of CBPOs to conduct outbound inspections by careful deployment of technology, like those technologies being tested and developed at the Stafford test bed by CBP.

FORENSIC EVIDENCE PROTOCOLS

The Committee directs CBP and ICE to jointly brief the Committee not later than April 13, 2012, on what standardized policies for treatment of forensic evidence from crime scenes against Federal officials or others when local agencies are involved are currently in use, whether or not separate memoranda of understanding are necessary with local jurisdictions, and if all guns, bullet casings, shells, etc. are put through Federal systems such as E-trace and the National Integrated Ballistics Imaging Network.

CARGO INSPECTION AND PASSENGER AND TRADE FACILITATION

The Committee recommends $36,400,000, $5,000,000 above the request, for Automated Targeting Systems [ATS] and $51,950,000, $5,000,000 above the request, for the National Targeting Center [NTC]. Due to the changing threat, the Committee notes that CBP targeting priorities and methodologies have been re-engineered to address interdiction of possible terrorists before they board a flight destined for the United States. While these new targeting programs are effective, the restructuring has caused a dramatic increase in the NTC-Passenger [NTC–P] workload leading to significantly increased costs in both overtime and temporary duty augmentation of staff. The budget request funds permanent staffing relocations. Both the NTC–P and NTC-Cargo programs are being enhanced to provide around-the-clock tactical targeting support for CBP antiterrorism efforts. The funds above the request are intended to ensure that both of these targeting activities are appropriately staffed around-the-clock, as well as to enhance the targeting systems to provide better discrimination of potential threats entering the country while furthering the ability to accelerate the processing of passengers and cargo which pose little or no threat.

The Committee also recommends the $7,500,000, as requested, for pilots designed to improve cargo inspections. The Committee directs CBP to provide a detailed briefing to the Committee on the plans for use of the additional NTC and ATS funds as well as the proposed pilots by November 1, 2011.

The Committee is concerned that DHS does not have the capacity to fully screen rail cars entering the United States for radiation. The Committee directs CBP, in conjunction with the Domestic Nuclear Detection Office, to brief the Committee on the status of existing technologies and on how it intends to develop a strategy to work with the private sector on ways to perform such scanning.

TRACKING STOLEN AND LOST TRAVEL DOCUMENTS

The Committee is pleased that CBP has been working aggressively with INTERPOL to link TECS with INTERPOL's Stolen and Lost Travel Document [SLTD] database. Given the ability of terrorists and others attempting to enter this country to do us harm using these stolen and lost documents, it is critical that all DHS officials, and especially those at our ports of entry and at the overseas immigration advisory program [IAP] airports, have timely access to this information. The Committee directs DHS and CBP to brief the Committee on the progress made to enhance the linkage between the SLTD database and TECS, how this is used at our domestic and IAP ports, the extent to which information on revoked or suspended visas and other travel documents is included in these databases, and other steps that have been taken or are planned to be taken to enhance this capability, the resources expended to date on these efforts, and the requirement for additional resources to ensure the most robust and timely system. The Committee directs the briefing to occur not later than December 1, 2011.

DATA CENTER MIGRATION

The Committee recommends a total of $28,385,000 for activities related to data center migration, $10,000,000 below the amount requested in the budget.

INVASIVE SPECIES

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

ADVANCED TRAINING CENTER

Included in the amount recommended by the Committee is $39,083,836, as proposed in the budget, for programmatic expenses (including salaries and benefits) and the National Training Plan, at the Advanced Training Center. For fiscal year 2012, the ATC staffing target is 235 employees.

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.

TRAINING REGARDING HUMAN TRAFFICKING

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

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 37 percent 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 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 2013 budget through the appropriate authorizing mechanism.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

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

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Salaries and expenses:			
Headquarters, management, and administration:			
Management and administration, border security inspections and trade facilitation	516,102	688,878	672,152
Management and administration, border security and control between ports of entry	495,862	738,462	721,736
Rent	450,812	483,749	483,749
Subtotal, Headquarters, management, and administration	1,462,776	1,911,089	1,877,637
Border security inspections and trade facilitation:			
Inspections, trade, and travel facilitation at ports of entry	2,474,344	2,507,235	2,567,235
Harbor maintenance fee collection (Trust Fund)	3,274	3,274	3,274
International cargo screening	103,945	68,757	68,757
Other international programs	11,119	10,684	10,684
Customs-Trade Partnership Against Terrorism [C–TPAT]	45,454	44,979	44,979
Trusted Traveler Programs	10,751	6,311	6,311
Inspection and detection technology investments	144,162	149,537	149,537
Automated targeting systems	32,389	31,400	36,400
National Targeting Center	47,347	46,950	51,950
Training	20,778	37,834	37,834
Subtotal, Border security inspections and trade facilitation	2,893,563	2,906,961	2,976,961
Border security and control between ports of entry:			
Border security and control	3,508,244	3,530,994	3,530,994
Training	36,094	88,610	88,610
Subtotal, Border security and control between ports of entry	3,544,338	3,619,604	3,619,604
Air and Marine operations	295,521	287,901	287,901
Subtotal, Salaries and expenses	8,196,198	8,725,555	8,762,103

AUTOMATION MODERNIZATION

Appropriations, 2011	$335,902,000
Budget estimate, 2012	364,030,000
House allowance	334,275,000
Committee recommendation	334,275,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $334,275,000, to be available until September 30, 2014, for automation modernization.

INTERNATIONAL TRADE DATA SYSTEM

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

EXPENDITURE PLAN

The Committee includes bill language limiting the availability of $50,000,000 for development of ACE upon the submission of a comprehensive expenditure plan for the program. The Committee also expects to continue receiving the ACE quarterly reports. CBP is directed to brief the Committees on Appropriations immediately on the plan to decommission the Automated Commercial System [ACS], the updated program plan for ACE, how the ACS decommission plan is integrated into the program plan, and the updated master schedule for ACE development.

TECS MODERNIZATION

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

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

AUTOMATION MODERNIZATION

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Automated Commercial Environment/International Trade Data System [ITDS]	147,794	169,755	140,000
Current operations protection and processing support	188,108	194,275	194,275
Subtotal, Automation modernization	335,902	364,030	334,275

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

Appropriations, 2011	$573,024,000
Budget estimate, 2012	527,623,000
House allowance	510,000,000
Committee recommendation	400,000,000

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

BORDER TECHNOLOGY DEPLOYMENT DELAYS

The Committee recommends $400,000,000 for Border Security Fencing, Infrastructure, and Technology, $127,623,000 below the request.

Since fiscal year 2006, 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. In fact, at the initiation of this Committee, the Congress has appropriated $1,909,500,000 in regular, supplemental, and emergency funding above the amounts requested by this and the previous President for this account. These funds have been used to construct the 650 miles of fencing and border infrastructure mandated by the Secure Fence Act, as amended, and they have been used to bring more technology and security to Border Patrol agents than has ever been available.

The Committee is extremely disappointed that the administration has on two occasions delayed deployment and expansion of security technology along the Southwest Border. As a result of these reviews, more than a year of technology deployment activity has been lost to numerous reconsiderations and reviews. This has resulted in the funds provided by Congress for deployment of border security technologies—including existing systems which have been proven to work along portions of the border for years—sitting in accounts in Washington until a grand solution was determined. These delays and reviews have resulted in the Arizona Border Surveillance Technology Plan announced by the Secretary in January, 2011. Deploying, in many cases, the types of existing and basic technologies called for by the Congress over the past 3 years, this solution will cover the Arizona border—by 2015. This is 4 years later than the estimated deployment of technology along the entire Southwest Border as originally envisioned by the now cancelled SBInet. The reduction is based on high levels of unobligated balances. As of July 31, 2011, the program had more than $440,000,000 available in unobligated balances.

NORTHERN BORDER SECURITY

The Committee has strongly supported an enhanced focus on securing the Northern Border in addition to the Southwest and coastal borders. In fact, it was at the direction of this Committee that $20,000,000 in funding provided in this account in fiscal year 2007 were re-directed to begin addressing Northern Border requirements. Included in the amount recommended for this account for fiscal year 2012 is $45,000,000, as requested, for ongoing Northern Border security activities.

The Committee is concerned about reports of increased drug smuggling across the Northern Border via small aircraft. This is a

known vulnerability which began to be addressed by the creation and staffing of the Northern Border airwings. However, incidences of low-flying, radar evading aircraft across this border have increased. In testimony during a Senate subcommittee hearing in May, the Commissioner indicated that "22 Canadian (military) radar feeds will be sent to the Air and Marine Operations Center by the third quarter, November 2011." The Committee appreciates this response and directs CBP to brief the Committees on its progress in this effort not later than December 1, 2011.

The Committee also encourages Northern Border sector chiefs to work with State and local officials, including Canadian officials, on identifying any locations which might be conducive for limited construction of tactical infrastructure to address issues, such as vehicle drive-thrus, in remote or residential areas where towns and houses meet along the border. The Committee requests a briefing on these discussions, by Border Patrol sector, during the second quarter of fiscal year 2012.

INVASIVE SPECIES

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

EXPENDITURE PLAN

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

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Development and deployment	324,620	337,000	212,377
Operations and maintenance	172,019	133,248	133,248
Program management	76,385	57,375	54,375
Subtotal, Border security fencing, infrastructure, and technology	573,024	527,623	400,000

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

Appropriations, 2011	$515,294,000
Budget estimate, 2012	470,566,000
House allowance	499,966,000
Committee recommendation	506,566,000

The U.S. Customs and Border Protection [CBP] Air and Marine Interdiction, Operations, Maintenance, and Procurement [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 $506,566,000, an increase of $36,000,000 above the request, to remain available until September 30, 2014, for air and marine interdiction, operations, maintenance, and procurement.

The Committee strongly supports CBP's continued efforts to recapitalize its air and marine assets. Since fiscal year 2005, the Congress has appropriated more than $3,340,000,000 to this account, of which $654,985,000 has been above the amounts requested by the President. Working with the Office of Air and Marine, the Committee has provided resources to meet the Department's border security requirements in the air, coastal, and riverine environments as delineated by the CBP Air and Marine Recapitalization Plan. Resources to address some of these requirements are provided in this bill. The Committee notes the lengthy period of time it takes in procuring certain types of aircraft and other air systems because of the need to compete with the Department of Defense for these systems in a time of war, but AMO is to be commended for the creative use of multi-purchase awards.

AGING AVIATION ASSETS AND STRATEGIC RECAPITALIZATION REQUIREMENTS

The Committee continues its strong support of CBP's multi-year effort to upgrade its fleet of aircraft. The Committee is troubled that approximately 45 percent of CBP's aircraft are on average 34 years old. The P–3 and Huey helicopters are an average of 42 years old and the medium-lift Black Hawk helicopters—used extensively on the borders—are on average 32 years old.

During fiscal years 2011 and 2012, CBP will retire up to 12 twin engine patrol aircraft employed over both land and maritime borders, while gaining delivery of only 5 replacement aircraft with no additional aircraft funded. Without sufficient funding to maintain production, up to 6 more aircraft could be retired without replacements, resulting in a reduction of 13 aircraft over the next 2 years.

Without sustained and robust funding for a recapitalization effort at fiscal year 2009 levels, CBPs Office of Air and Marine could be required to ground 15 percent of its existing fleet over the next 3 years. Understandably, unsafe or unsupportable aircraft that cannot meet current or future CBP and DHS mission needs should be retired. However, the loss of critical aviation assets, such as Black Hawk and Huey helicopters, and multi-mission patrol aircraft, would be devastating. CBP would not be able to meet shifts in land border threats from the low desert to the higher terrain, or support the planned rapid reaction ground force without Black Hawks to transport, protect, and recover special tactical teams, and Hueys to provide rapid air mobility for large numbers of Border Patrol agents. Without replacement multi-mission patrol aircraft, CBP would be limited in its ability to provide essential ground and coastal surveillance, air interdiction, and direct support for ground interdiction operations. The P–3 long range patrol aircraft is undergoing the last phase of its service life extension program, and 12 aircraft temporarily returned to flight have scored considerable successes disrupting bulk drug shipments to Mexico and the United

States, including up to 250,000 pounds of hard drugs and the capture of several self-propelled semi-submersible vessels, in a single year. The program must be completed as planned to ensure that this vital capability can serve the Nation for the next 18–20 years. And the Committee notes the progress made on increasing Unmanned Aircraft Systems [UAS] operations along the land and maritime borders, including joint operations with the Coast Guard, with CBP accumulating 10,000 operational hours for homeland security.

For these reasons, the Committee recommends:

—$42,000,000 for two additional P–3 wing sets to continue the service life extension program [SLEP] of the P–3 fleet, as requested. This workhorse of the fleet is critical in detecting and tracking the movement of contraband in the transit zone headed toward the United States. It plays a key role in detecting new threats such as submersible and semi-submersible platforms in the eastern Pacific and Caribbean;

—$36,800,000 for new AS–350 light enforcement helicopters, as requested;

—$22,000,000 for conversion of two UH–60 helicopters from the A to L configuration, as requested;

—$4,000,000 for hardware to support previously funded unmanned aircraft systems, as requested; and

—$4,700,000 for marine vessels, as requested.

In recognition of the inadequate resources in this request for recapitalization, the Committee includes $36,000,000, above the request for the following:

—$21,000,000 for procurement of one additional multi-role enforcement aircraft under the competitively awarded, multi-year contract;

—$9,000,000 for conversion of one additional UH–60 helicopter from the A to L configuration;

—$2,000,000 for procurement of additional radar and sensors; and

—$4,000,000 for operations and maintenance directed toward increased operations of CBP's unmanned aircraft systems.

The Committee directs CBP to submit not later than December 1, 2011, an updated recapitalization plan to include details on efforts to address and/or replace aging, unsupportable aircraft, projections of aircraft retirements by type, along with impacts on border and maritime operations if they are retired without replacement. The updated plan shall also include requirements to complete the P–3 SLEP as originally scheduled, along with an estimate of the effort and resources needed to ensure all 16 existing aircraft are included in the SLEP rather than retiring the last 2 at the end of their original service lives. The update shall include details on any changes to the UAS Program since the submission of the last strategic plan update to the Committee, as well as a report of progress on the acquisition of needed marine vessels.

ULTRA LIGHT AIRCRAFT ON THE SOUTHWEST BORDER

The Committee is concerned about increased reports of low-flying, ultra light aircraft being used to smuggle illegal drugs across the Southwest Border. It appears these aircraft are used to fly

across the border, drop the drug loads by air at pre-set locations, and return across the border into Mexico. There were 228 reports of these incursions in fiscal year 2010, nearly double the previous year's total. While use of this inefficient method by drug trafficking organizations is yet another indicator of the success that has resulted from increased border security efforts since fiscal year 2005, these aircraft pose a risk to other aircraft as they are flying without filing a flight plan nor with required lights and beacons. The Committee directs CBP to provide a briefing not later than December 1, 2011, on the scope of this problem and the specific steps it is taking to counter this threat.

The Committee notes that the lack of operation of the air traffic control tower in Sierra Vista, Arizona, at certain periods may result in the UASs stationed there not being used to their utmost potential. The Committee directs the Department to work with the Department of Defense and the Federal Aviation Authority to explore ways to increase effective use of CBP air assets.

NORTHERN BORDER

The Committee discusses Northern Border security issues, including airspace security, in greater detail in the "Border Security Fencing, Infrastructure, and Technology" section above. The Committee also directs CBP to maintain the current number of unmanned aircraft systems on the Northern Border.

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Operations and maintenance	370,899	361,087	365,087
Procurement	144,395	109,479	141,479
Subtotal, Air and Marine interdiction, operations, maintenance, and procurement	515,294	470,566	506,566

CONSTRUCTION AND FACILITIES MANAGEMENT

Appropriations, 2011	$259,480,000
Budget estimate, 2012	283,822,000
House allowance	234,096,000
Committee recommendation	239,096,000

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 $239,096,000, $44,726,000 below the requested amount and $20,384,000 below the fiscal year 2011 level, for construction and facilities management activities of U.S. Cus-

toms and Border Protection [CBP], to be available until September 30, 2016.

ADDITIONAL LAND BORDER PORT REQUIREMENTS

The Committee notes that the American Recovery and Reinvestment Act of 2009, (Public Law 111–5) provided $420,000,000 for construction, repairs, maintenance, and security upgrades to CBP-owned ports of entry [POEs]. Of the 167 land border ports of entry, CBP owns 41. The rest are owned and administered by the General Services Administration [GSA] or are privately owned and leased, and one is owned by the National Park Service. The Committee is pleased that through good stewardship and creative contract management, CBP was able to reconstruct or renovate 31 CBP-owned ports of entry, 28 of which were on the Northern Border.

The Committee notes, however, that the largest land ports of entry, by both trade volume and staffing, are GSA-owned. It is important that the administration request sufficient resources for the GSA to rebuild and expand these large POEs to meet growing cargo and passenger traffic, as well as significant security requirements. While this administration, as well as last one, significantly enhanced physical security and staffing between the ports of the entry—especially on the Southwest Border—similar construction and staffing increases for the POEs proportional to the requirements have not been requested or funded. As security between the ports has increased, attempts by organizations to smuggle aliens and contraband through the ports have increased substantially. This growing threat needs to be addressed via a comprehensive, multi-Departmental strategy—with significant involvement by State, tribal, and local officials.

For instance, there have been major efforts to increase outbound inspections for bulk cash, guns, and other contraband which supports the drug trafficking organizations' violence in Mexico. However, the existing outbound physical infrastructure at the POEs can in no way accommodate the ability to replicate the inbound inspection process. At a minimum, an additional $2,600,000,000 would be required on an annual basis to procure the equipment and hire the necessary staff to perform the same level of outbound inspection activity as currently is provided for inbound inspections. And this funding requirement does not account for land purchases and construction of additional port capacity, traffic lanes, and security. The Committee directs DHS, GSA, and the Office of Management and Budget to develop a multi-year strategy to address this growing trade and security problem. This effort should include recommending alternative options for funding POE construction and improvements, such as expanded use of public-private partnerships, as well as any necessary legislative solutions. The Committee encourages this group to explore creative solutions currently under evaluation for existing projects, as well as successful, alternatively-funded public works projects in other countries. The Committee directs DHS to convene the first strategy session to begin to address this issue during the first quarter of fiscal year 2012 and to brief the Committee on the initial results of that session not later than January 20, 2012.

The Committee notes CBP and GSA have entered into a memorandum of understanding [MOU] defining and establishing a joint management framework for the planning, management, and execution of land border port of entry projects [POEs]. The MOU outlines the fundamental tenets that will govern the management of these projects. Given the importance of international trade to the Nation's economic vitality, it is critical that sufficient funding be provided to ensure our land ports of entry are designed and modernized to best accommodate the flow of commercial and passenger traffic. The Committee directs CBP and GSA to jointly brief the Committee on Appropriations semiannually on the implementation of the MOU and the status of POE construction.

The Committee notes that secondary inspection operations at certain POEs on the Southwest border are vulnerable to observation by smuggling organizations south of the border. The Committee encourages CBP to maximize the use of existing resources to provide cover from exposure at these POEs and, if necessary, request appropriate resources to do so as part of the fiscal year 2013 budget request.

FIVE-YEAR CONSTRUCTION PLAN

The Committee again has included bill language requiring CBP, in consultation with GSA, to include the 5-year construction plan with the fiscal year 2013 request. The plan shall include a yearly update of total projected future funding needs.

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

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

CONSTRUCTION AND FACILITIES MANAGEMENT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Facility construction and sustainment	223,170	226,726	185,000
Program oversight and management	36,310	57,096	54,096
Subtotal, Construction and facilities management	259,480	283,822	239,096

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 $5,846,435,000, including direct appropriations of $5,534,566,000, and estimated fee collections of $311,869,000.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Appropriations:			
Salaries and expenses	5,426,768	5,496,847	5,512,856
Automation modernization	73,852	13,860	21,710
Construction	.....	.....	.....
Total, Appropriations	5,500,620	5,494,407	5,534,566
Estimated Fee Collections:			
Immigration inspection user fee	116,387	116,869	116,869
Student exchange and visitor fee	120,000	120,000	120,000
Breached bond/detention fund	75,000	75,000	75,000
Total, Estimated fee collections	311,387	311,869	311,869
Total, Available funding	5,812,007	5,806,276	5,846,435

SALARIES AND EXPENSES

Appropriations, 2011	$5,426,768,000
Budget estimate, 2012	5,496,847,000
House allowance	5,523,474,000
Committee recommendation	5,512,856,000

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 $5,512,856,000, for salaries and expenses of ICE for fiscal year 2012. The Committee includes bill lan-

guage placing a $35,000 limit on overtime paid to any employee; making up to $10,000,000 available for special operations; making up to $2,000,000 available for the payment of informants; making up to $11,216,000 available to reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; making not less than $305,000 available for promotion of public awareness of the child pornography tipline and anti-child exploitation activities; making not less than $5,400,000 available to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act; limiting the use of funds for facilitating agreements consistent with section 287(g) of the Immigration and Nationality Act to the same activities funded in fiscal year 2005; making $15,770,000 available for activities to enforce laws against forced child labor, of which $6,000,000 shall remain available until expended; making up to $12,750 available for official reception and representation expenses; making $7,300,000 available until September 30, 2013, for the Visa Security Program, and adding bill language allowing support for overseas vetted units.

SOUTHWEST BORDER ENFORCEMENT INITIATIVE

In March 2009, the Secretary of Homeland Security announced a major initiative to assist the Mexican Government in combating drug cartel violence by deploying additional ICE and U.S. Customs and Border Protection [CBP] personnel and resources to the Southwest Border. With funds provided in the Supplemental Appropriations Act, 2009 (Public Law 111–32), the Department of Homeland Security Appropriations Act, 2010, the fiscal year 2010 Emergency Border Security Supplemental Appropriations Act, and the Department of Defense and Full-Year Continuing Appropriations Act, 2011, more than $135,000,000 has been added above the President's requests for ICE for Southwest Border security, including investigations into outbound smuggling activities of guns and bulk cash which support the drug cartels, expanding the number of Border Enforcement Security Task Forces [BESTs], as well as increasing the number of agents, intelligence analysts, and support personnel along the Southwest Border.

Since the Mexican Government began its offensive on drug trafficking organizations in 2007, more than 34,000 people have been killed; over 15,000 in 2010 alone. While the violence has not spilled over the border into the United States, the level of violence has increased the fears of many living in the Southwest. As the drug cartels become more violent and fight each other for access to smuggling routes, often robbing each other of humans, drugs, or other contraband they are attempting to smuggle into the United States, the costs of these efforts escalate in both financial and human terms. These cartels are increasing their presence in the United States.

ICE is uniquely situated to address this threat. It is the only agency whose criminal mission revolves entirely around cross-border crime, namely the smuggling of aliens, narcotics, firearms, and bulk cash. ICE has a role in every form of smuggling and is not limited to one type of contraband (such as firearms or drugs). ICE also is unique in terms of the breadth of its statutory authority

under titles 8, 18, 19, 21, 22, 31, and 50 of the United States Code. ICE also has unmatched immigration authority among criminal investigative agencies. Rather than addressing domestic drug dealing or firearms violations, ICE is focused on cross-border narcotics and firearms trafficking—offenses that are driving crime on the Southwest Border. Thus, additional resources to ICE will bolster the attack on every form of border crime.

The Committee encourages ICE to expand the use of ballistics imaging technology and other methods, including the capture and transfer of all ballistics images from guns seized through southbound inspections or by Mexican authorities, to trace weapons used in criminal acts in Mexico.

DOMESTIC INVESTIGATIONS

The Committee recommends $1,739,234,000, $25,000,000 above the request, for domestic investigations. The Committee also recommends $82,503,000, $1,000,000 above the request, for intelligence.

TRADE COMPLIANCE AND ENFORCEMENT AND TRAFFICKING INVESTIGATIONS

Of the funds above the request, $5,000,000 is for enhancing investigations of antidumping/countervailing duty [AD/CVD] violations, intellectual property rights [IPR] investigations, and severe forms of human trafficking and smuggling activities. Additionally, $1,000,000 is to enhance and expand intelligence activities to support these investigations. The Committee encourages ICE to consider whether additional commercial fraud investigators in the field offices would be a helpful resource addition to address the AD/CVD problem. The Committee directs ICE to submit to the Committee a plan for expenditure of these additional, targeted resources within 90 days after the date of enactment of this act. The Committee also directs ICE to submit by February 13, 2012, a 3-year strategy to improve AD/CVD enforcement.

The Committee notes that IPR violations, including seemingly innocuous (to the average person, but extremely detrimental to the industry) piracy of not-yet-released movies, is 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 move into it because of the high-dollar value to it. One of the Mexican gangs actually puts a stamp on the counterfeit pirated DVDs that it sells, indicating the disc is distributed by the cartel.

IMPROVING IMMIGRATION ENFORCEMENT ACTIVITIES

The Pew Hispanic Center estimates approximately 4 million to 5.5 million of the estimated 11 million illegal aliens (approximately 45 percent) in the United States are here as a result of overstaying their legal visas (as opposed to crossing our borders). This represents a growing illegal immigration problem and security threat. While all of the 9/11 hijackers entered the United States on legally valid visas, at least three of them had overstayed or were otherwise

in violation of their status. An April 2011, Government Accountability Office report, GAO–11–441, concludes that of the roughly 400 people who have been convicted of any terrorism-related crimes since September 11, 2001, 36 had overstayed their visas. In other words, almost 10 percent of the people who have been convicted of terrorism-related activities in the decade since 9/11 were legal visitors who overstayed their visas and became illegal.

Additionally, DHS officials have reported to the Congress that US-VISIT processes fewer than one-half of all potential overstays identified by automated matching of entry and exit records, and the GAO, in its report, found that the program has an overall backlog of 1.6 million potential overstay records that have not yet been processed.

The Committee notes that neither this administration nor previous administrations have requested the necessary funds or made addressing overstays a priority. Nor does ICE have the systems to better coordinate overstay information with the US-VISIT program.

The Committee provides an additional $20,000,000 above the request for an immigration enforcement initiative with a primary focus on addressing the issue of identifying and prioritizing the removal of visa overstays. The Committee directs ICE to coordinate with US-VISIT and develop a comprehensive strategy to address the visa overstay problem. The strategy should consider the suggestions offered by the GAO. Funds are provided to continue modernizing the Alien Criminal Response Information Management System [ACRIMe] to support the identification of criminal aliens and individuals attempting to overstay a visa, processing old fingerprint records, and hiring additional personnel to search old records and databases and eliminate the known, paper-based overstay records backlog. The Committee directs submission of the strategy not later than 120 days after the date of enactment of this act.

The Committee understands that US-VIST has already begun to address its overstay backlog and provides up to $5,000,000 of the funds recommended in this initiative, via transfer, to US-VISIT to continue this activity, and requests a joint briefing with US-VISIT and ICE officials on this effort not later than 60 days after the date of enactment of this act.

Additionally, $5,000,000 of the funds recommended for this initiative are provided for the hiring of authorized professional staff at the Law Enforcement Support Center in response to the increased workload for responses to immigration-related inquiries by law enforcement.

OFFICE OF STATE, LOCAL, AND TRIBAL COORDINATION

The Committee recommends $68,321,000 and 155 positions and FTE, as requested, for the Office of State, Local, and Tribal Government Coordination. Included in this amount is funding for training and information technology assistance for participants in the 287(g) program as well as for the Office of State, Local, and Tribal Coordination to support communication and outreach efforts.

IMMIGRATION ENFORCEMENT

The 287(g) program is a voluntary program that allows ICE to train local law enforcement agents to enforce Federal immigration

laws. After training, local law enforcement personnel can determine an individual's immigration status and file requests to ICE for the removal of individuals they believe are illegal immigrants. Pursuant to its internal policies, ICE is supposed to provide robust oversight of the local officers enrolled in the 287(g) program to ensure participants comply with all applicable Federal law enforcement policies and procedures. A September 2010, OIG review of the 287(g) program [OIG–10–124] noted a number of shortcomings in ICE's 287(g) training and program oversight. The OIG made 33 recommendations for ICE to improve the program. To maintain the integrity of the 287(g) program, ICE is to implement the OIG recommendations as expeditiously as possible, and is to be commended for having already started this process. This includes appropriate accountability and training standards and instruction on multicultural communication and the avoidance of racial profiling.

The Secure Communities program also requires careful oversight and monitoring, but the approach has several advantages to 287(g): it requires minimal training by ICE for local employees, it is integrated into existing booking procedures at prisons and jails, and it imposes no additional workload on local employees. Further, Secure Communities reduces the risk of potentially bias-driven status checks by local officials since the backgrounds of all individuals in local custody are checked in an identical manner. Most importantly, Secure Communities also clearly delineates the respective roles of Federal and local authorities in immigration enforcement. In light of these advantages, ICE is to be commended for its efforts in expanding the Secure Communities program.

LAW ENFORCEMENT SUPPORT CENTER

The Committee recommends a total of $39,990,000, 346 positions and FTE, $5,000,000 above the amount requested in the budget, to assist in responding to requests for assistance from State and local law enforcement officers.

FORENSICS DOCUMENT LAB

The Committee recommends $14,357,000, 74 positions and FTE, as requested, for the Forensics Document Lab [FDL]. The FDL provides forensic document analysis and operations support services to combat travel and identity document fraud.

DATA CENTER MIGRATION

As part of the Department-wide effort to assign data center migration funding to the component agencies which will be migrating, the Committee recommends $5,300,000 in new funding, $5,200,000 below the level requested in the budget, to support ICE's portion of this activity in fiscal year 2012.

INVESTIGATIONS—WORKSITE ENFORCEMENT

The Committee notes that Executive Order 12989—as amended, June 6, 2008—remains in effect. The Executive order states, in part:

"It is the policy of the executive branch to enforce fully the immigration laws of the United States, including the detection and re-

moval of illegal aliens and the imposition of legal sanctions against employers that hire illegal aliens. Because of the worksite enforcement policy of the United States and the underlying obligation of the executive branch to enforce the immigration laws, contractors that employ illegal aliens cannot rely on the continuing availability and service of those illegal workers, and such contractors inevitably will have a less stable and less dependable workforce than contractors that do not employ such persons."

The Committee recommends $134,626,000 for the overall level of effort for worksite enforcement activities, as requested. The Committee notes that the number of criminal and administrative arrests has dropped since the new worksite enforcement strategy was announced on April 30, 2009. Criminal arrests related to worksite enforcement investigations dropped from 1,103 in fiscal year 2008 to only 440 in fiscal year 2010. Similarly, administrative arrests dropped from 5,184 in fiscal year 2008 to 1,224 in fiscal year 2010.

While the Committee applauds the renewed vigor with which ICE is performing I–9 (workplace authorization) audits in an effort to target employers who knowingly hire illegal aliens, which is something the Committee called for in Senate Report 110–396, it is not a complete solution.

The Committee directs ICE to provide quarterly briefings on how it is meeting this level of effort no later than 30 days after the end of each quarter.

The Committee directs ICE to provide an annual report on the number of worksite enforcement investigations opened and closed, employee and employer arrests—both criminal and administrative, and the fines assessed and collected each fiscal year. This report shall be submitted to the Committee within 45 days after the end of each fiscal year. The Committee also directs that the report for fiscal year 2011 should include the same statistics for fiscal years 2007–2010.

IMAGE PROGRAM

ICE is directed to brief the Committees by April 13, 2012, on its progress in implementing the ICE Mutual Agreement between Government and Employers [IMAGE] program, and the strategies being used to encourage more participation in the program.

VISA SECURITY PROGRAM

The Visa Security Program, mandated in section 428 of the Homeland Security Act of 2002 (Pubic Law 107–296), extends the border overseas to prevent terrorists and other criminals from receiving U.S. visas. The Office of International Affairs has developed a multi-year expansion plan which includes a prioritized expansion to the 32 highest-risk visa issuing posts. According to the plan, the program will cover approximately 75 percent of the highest risk visa activity posts by 2013. The Committee recommends $38,289,000, $8,800,000 above the request, to fully fund planned visa security programs and expand the units to four additional consular posts.

ICE INTELLIGENCE

The Committee recommends $82,503,000, an increase of $1,000,000 above the request, for ICE intelligence activities. The $1,000,000 above the request is discussed under investigations.

DETENTION AND REMOVAL—CUSTODY OPERATIONS (BEDS)

The Committee recommends a total of $2,023,827,000, an increase of $229,421,000 above the amount provided in fiscal year 2011, as requested in the budget. The Committee notes that what appears to be a significant increase between fiscal years 2011 and 2012 actually reflects the administration's proposal to fund all detention beds within "Custody Operations" as opposed to spreading the detention bed funding between that activity, "Fugitive Operations", "Criminal Alien Program", and "Secure Communities". The Committee strongly supports this proposal to streamline the process to provide proper accounting for bed funding. After all, a bed is a bed. This framework provides better transparency into the actual costs of each of these programs while ensuring that beds are available for individuals who need to be detained.

The Committee encourages ICE to continue working to ensure that its detention bedspace funding model is accurate and reflects the actual cost of a bed as it develops the fiscal year 2013 budget request. The Committee also requests that it be briefed on the development of this bedspace cost model no later than 90 days after the date of enactment of this act.

Maintaining an adequate number of detention beds is critical to ensuring the integrity of our detention and removal system while at the same time preventing a return to the ill-advised "catch and release" policy. The Committee notes that in fiscal year 2010, ICE removed a total of 392,625 illegal aliens compared with 240,665 in fiscal year 2004. This clearly demonstrates that the additional resources the Congress has provided above the President's requests the past 6 fiscal years for securing our borders continues to have an impact.

The bill continues current law directing that a detention bed level of 33,400 beds shall be maintained throughout fiscal year 2012.

The Committee encourages ICE's efforts to streamline and make more efficient the removal process once individuals are determined to be removable and urges ICE to look at ways to increase the short-term detention capacity in certain locations such as the southeastern region of the United States while minimizing the loss of existing detention capacity, personnel, and contracts at the other facilities.

DETENTION CARE AND STANDARDS

The Committee strongly supports ICE's recent efforts to review and improve upon its detention care and standards. It is imperative that individuals detained in ICE-owned or -contracted facilities be provided the highest levels of care, including medical care, and treatment. The Committee is encouraged that ICE has begun this effort by reviewing its detention standards and placing an ICE officer in the 50 largest contract detention facilities. This was one of

the recommendations in the October 6, 2009, Immigration Detention Overview and Recommendations report. The Committee notes that no funds were requested in the budget to implement these recommendations and the Committee encourages that, to the extent ICE intends to act on these recommendations, sufficient funds be included in the fiscal year 2013 request to do so. The Committee also encourages ICE to consider creating an ombudsman to independently investigate complaints about detainee treatment in detention facilities and report not later than 180 days after the date of enactment of this act on its decision in this regard.

The Committee notes that a recent DHS Office of the Inspector General report ("Management of Mental Health Cases in Immigration Detention"—OIG–11–62), has identified significant medical staffing vacancies at ICE detention facilities. Clinical staffing levels have not been, but must be, aligned with projected healthcare needs at the various detention facilities, so that ratios of health professionals to detainees with medical and mental healthcare needs are adequate and consistent throughout the detention system. The Committee directs ICE to submit a report not later than December 1, 2011, detailing the specific steps it has taken since submission of the October 6, 2009, Immigration Detention Overview and Recommendations report to improve and reform the detention process and meet the goals outlined in that report, as well as what steps have been taken to rectify the issues identified in OIG–11–62.

In 2003, Congress passed the Prison Rape Elimination Act into law. The Committee understands that ICE has revised its Performance Based National Detention Standards, including the standard concerning the prevention of sexual assault, and urges ICE to expeditiously approve and implement the revised standards.

DETENTION AND REMOVAL—FUGITIVE OPERATIONS

Included in the amount recommended by the Committee is $154,597,000, 667 positions and FTE, as requested in the budget. The National Fugitive Operations Program is responsible for reducing the fugitive alien population in the United States. As of May 31, 2011, ICE estimates that there are approximately 489,018 immigration fugitives in the United States, a decrease of more than 143,708 since October 2006. ICE works to reduce the population of these fugitives from the law through the use of Fugitive Operations teams. All 104 Fugitive Operations teams are operational and conducting enforcement operations. Funds associated with detention beds are provided in the "Custody Operations" account.

DETENTION AND REMOVAL—ALTERNATIVES TO DETENTION

The Committee recommends a total of $72,373,000, 182 positions and FTE, as requested in the budget. The Committee encourages ICE to prioritize enrollment of families with children in this program, to continue to use intensive supervision, and directs ICE to brief the Committee semiannually on the program beginning no later than 90 days after the date of enactment of this act.

The Committee directs ICE to continue to submit the report on collection of data on deportation of parents of U.S.-born children, as mandated in the joint explanatory statement accompanying Pub-

lic Law 111–83, to the Senate Committee on Appropriations and the Committee on the Judiciary.

DETENTION AND REMOVAL—TRANSPORTATION AND REMOVAL

Included in the amount recommended by the Committee is $276,632,000, as requested in the budget, for all ICE-related transportation and removal activities.

DETENTION AND REMOVAL—CRIMINAL ALIEN PROGRAM

Included in the amount recommended by the Committee is $196,696,000, 1,211 positions and FTE, as requested in the budget. ICE is funded for 126 Criminal Alien Program teams and in fiscal year 2009 it charged over 217,000 aliens in jails. Funds associated with detention beds are provided in the "Custody Operations" account.

SECURE COMMUNITIES

The Committee recommends $184,064,000, 782 positions, and 667 FTE, as requested. Congress initiated this program in fiscal year 2008 and has provided total new funding of $749,600,000 over the past 4 years. Secure Communities focuses on interoperability, using biometrics to ensure that any individual booked into a jail or other facility is indeed who he or she claims to be and also is able to determine, by running fingerprints against the IDENT and IAFIS databases, the immigration status of the individual. It is important to remember that Secure Communities is applied to everyone booked into a jail. All individuals are treated the same and no profiling occurs. Through the use of biometrics, ICE is able to determine not only immigration status, but also if the individual has committed more serious crimes in the past (so while they are booked on what appears to be a lower level crime, Secure Communities is able to determine the entirety of an alien's criminal history).

The Committee is pleased that the administration has embraced this program as one of many tools at its disposal to identify and remove illegal aliens, particularly criminal aliens, and otherwise enforce our Nation's existing immigration laws. In fiscal year 2010, Secure Communities expanded coverage to establish biometric identification of arrested criminal aliens in more than 180 counties. Secure Communities' threat-based deployment schedule prioritizes those counties with the highest threat criminal alien populations first, consisting primarily of counties in major metropolitan areas throughout the country as well as all counties along the Southwest Border. From fiscal years 2008 through 2010, 447,115 criminal aliens were removed. Between October 2008 and October 2010, the number of convicted criminals that ICE removed from the United States increased 71 percent, while the number of non-criminals removed dropped by 23 percent. Secure Communities estimates that after deploying to the additional counties funded in this request, ICE will cover more than 84 percent of the Nation's criminal alien population. The Department anticipates that, with continued funding, including redeployment of existing resources, it will establish biometric identification of arrested criminal aliens in all counties

that are able to participate by calendar year 2013. The Committee notes that on August 5, 2011, ICE wrote the Governors of the States currently participating in Secure Communities clarifying the parameters under which the program will operate as the program moves toward national deployment by the end of 2013.

The Committee has included bill language, as requested, ensuring that all illegal aliens encountered when enforcing our immigration laws are apprehended. The Committee also directs ICE to continue to provide quarterly briefings on progress being made in implementing the Secure Communities program. The briefings shall include Secure Communities' impact on removals reporting at the level of detail of the quarterly detention and removals report. Additionally, the briefings shall include quarterly data on the number of instances in which Secure Communities identifies when someone who is arrested is in this country illegally, the number of times ICE issues a detainer on such individuals, the major categories for the reasons why a decision is made to issue or not issue a detainer, and the number deported. The first briefing should occur no later than 45 days after the date of enactment of this act.

According to an April 22, 2011, Congressional Research Service memorandum regarding quantifying the criminal alien population, in fiscal year 2008 non-U.S. citizens comprised 7.1 percent of the U.S. population while comprising 23.1 percent of the Federal prison population. Clearly there are significant numbers of criminal aliens who should be identified and removed upon the completion of the prison sentences.

In anticipation of Secure Communities' full deployment in 2013, the Committee encourages ICE to consider centralizing management of Secure Communities under the direction of the Criminal Alien Program. It is incumbent upon ICE to continue to ensure that all efforts are made to arrest and remove criminal aliens from the community by ensuring an expeditious order of removal and securing a final order of removal prior to the termination of an incarcerated alien's period of imprisonment. ICE is directed to brief the Committee no later than November 1, 2011 on any plan to realign the Secure Communities program under the Criminal Alien Program and, if appropriate, include such a centralization in the President's fiscal year 2013 budget request.

DETENTION AND REMOVAL REPORTING

The Committee continues to request ICE to submit a quarterly report to the Committee which compares the number of deportation, exclusion, and removal orders sought and obtained by ICE. Currently, the report is broken down: by district in which the removal order was issued; by type of order (deportation, exclusion, removal, expedited removal, and others); by agency issuing the order; by the number of cases in each category in which ICE has successfully removed the alien; and by the number of cases in each category in which ICE has not removed the alien. The Committee welcomes suggestions from ICE on ways to provide more appropriate data in this report and urges ICE to provide suggestions to the Committee on revisions to the details of this report by November 1, 2011. The first fiscal year 2012 quarterly report is to be submitted no later than January 15, 2013.

PERSONNEL RECOVERY UNITS

The recent death and injury of Special Agents in Mexico are reminders of the dangers law enforcement agents face in the line of duty. The Committee supports ICE's efforts to establish and maintain a personnel recovery program to ensure security of ICE agents and support staff overseas. The Committee directs ICE to establish a trained unit that will be capable of deploying and managing an abduction or evacuation of ICE personnel overseas and identifying necessary equipment and training for deployed agents and their direct family members and report back on its efforts in this regard.

OVERSEAS VETTED UNITS OPERATIONS

ICE works closely with its partners in law enforcement in many countries around the world. One tool that has proven especially important has been the use of vetted units. The Committee has included bill language clarifying that ICE may use appropriated funds to continue supporting overseas vetted units operations.

FORENSIC EVIDENCE PROTOCOLS

The Committee directs CBP and ICE to brief jointly the Committee not later than April 13, 2012, on what standardized policies for treatment of forensic evidence from crime scenes against Federal officials or others when local agencies are involved are currently in use, whether or not separate memoranda of understanding are necessary with local jurisdictions, and if all guns, bullet casings, and shells are put through Federal systems such as E-trace and the National Integrated Ballistics Imaging Network [NIBN].

SECURITY FOR THE ASSISTANT SECRETARY OF IMMIGRATION AND CUSTOMS ENFORCEMENT

Like other senior Federal law enforcement officials, the Assistant Secretary for ICE could be targeted by the criminal organizations that are under ICE investigation. Although there is no current evidence of specific threats against the Assistant Secretary for ICE, the Committee has no objection to on-going security evaluations and the provision of any protective security measures determined necessary.

TRAINING REGARDING HUMAN TRAFFICKING

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

COMMITTEE RECOMMENDATIONS

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

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

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Headquarters, management, and administration:			
Personnel compensation and benefits, services, and other costs	295,121	237,842	227,251
Headquarters-managed IT investment	219,363	194,727	186,527
Subtotal, Headquarters, management, and administration	514,484	432,569	413,778
Legal proceedings	221,666	215,935	215,935
Investigations:			
Domestic	1,702,038	1,714,234	1,739,234
International operations	112,872	114,928	114,928
Visa Security Program	35,686	29,489	38,289
Subtotal, Investigations	1,850,596	1,858,651	1,892,451
Intelligence	69,842	81,503	82,503
Detention and removal operations:			
Custody operations	1,794,406	2,023,827	2,023,827
Fugitive operations	229,682	154,597	154,597
Criminal Alien Program	192,539	196,696	196,696
Alternatives to detention	72,075	72,373	72,373
Transportation and Removal Program	281,878	276,632	276,632
Subtotal, Detention and removal operations	2,570,580	2,724,125	2,724,125
Identification and removal of criminal aliens (Secure Communities)	199,600	184,064	184,064
Subtotal, Salaries and expenses	5,426,768	5,496,847	5,512,856

AUTOMATION MODERNIZATION

Appropriations, 2011	$73,852,000
Budget estimate, 2012	13,860,000
House allowance	23,860,000
Committee recommendation	21,710,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends a total of $21,710,000, $7,850,000 above the request. These funds are to remain available until expended.

The Committee directs that, of the funds made available to this account, priority shall be given to TECS modernization.

ICE must make more progress implementing its electronic health records (eHR) program. Given that ICE detainees are often transferred between several detention facilities before their immigration

cases are decided, portable medical records are an important part of ensuring the health of all those held in the agency's custody. The ICE Chief Information Officer is directed to update the Committees on the status of the eHR initiative and the anticipated timeline for a fully implemented system.

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

CONSTRUCTION

Appropriations, 2011	
Budget estimate, 2012 [1]	
House allowance [2]	
Committee recommendation	

[1] Excludes a proposed cancellation of $16,300,000.
[2] House rescission of $11,300,000 contained in title V.

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

COMMITTEE RECOMMENDATIONS

The Committee notes that the President requests no funds for ICE Construction and proposes to cancel $16,300,000 in unobligated Construction balances. The Committee rejects this cancellation and notes that ICE is reviewing the possible privatization of the Service Processing Centers which it owns. The Department intends that carryover funds within the no-year Construction account will be used for emergency repairs and alterations, especially those focused on life and safety. The Committee also notes that not funding this account will have no impact on the ability of ICE to continue to detain illegal aliens at other locations around the country.

The Committee encourages the use of public-private partnerships wherever possible. As it considers future use and possible disposal of ICE-owned Service Processing Centers, the Committee urges ICE to develop a comprehensive plan for conversion of these facilities and provide recommended options within the framework of a public-private partnership.

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

TRANSPORTATION SECURITY ADMINISTRATION

The Transportation Security Administration [TSA] is charged with ensuring security across U.S. transportation systems, including aviation, railways, highways, pipelines, and waterways, and safeguarding the freedom of movement of people and commerce. Separate appropriations are provided for the following activities within TSA: aviation security; surface transportation security; transportation threat assessment and credentialing; transportation security support; and Federal Air Marshals.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $7,905,769,000 and a net of $5,305,449,000 for the activities of TSA for fiscal year 2012.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

TRANSPORTATION SECURITY ADMINISTRATION

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Aviation Security	5,213,307	5,401,165	5,293,566
Aviation Security Capital Fund (mandatory)	250,000	250,000	250,000
Surface Transportation Security	105,749	134,748	134,748
Transportation Threat Assessment and Credentialing (direct appropriations)	162,673	183,954	163,954
Transportation Threat Assessment and Credentialing (fee-funded programs)	41,220	40,320	40,320
Transportation Security Support	986,661	1,113,697	1,042,066
Federal Air Marshals	927,942	991,375	981,115
Total, Transportation Security Administration (gross)	7,687,552	8,115,259	7,905,769
Offsetting Fee Collections—current law	−2,100,000	−2,030,000	−2,030,000
Offsetting Fee Collections—proposed increase		−280,000	−280,000
Aviation Security Capital Fund (mandatory)	−250,000	−250,000	−250,000
Fee Accounts [TTAC]	−41,220	−40,320	−40,320
Total, Transportation Security Administration (net)	5,296,332	5,514,939	5,305,449

AVIATION SECURITY

Appropriations, 2011	$5,213,307,000
Budget estimate, 2012	5,401,165,000
House allowance	5,224,556,000
Committee recommendation	5,293,566,000

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

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $5,293,566,000 for aviation security, $107,599,000 below the amount requested and $80,259,000 above the fiscal year 2011 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

AVIATION SECURITY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Screening Operations	4,266,073	4,316,308	4,193,246
Aviation Security Direction and Enforcement	947,234	1,084,857	1,100,320
Aviation Security Capital Fund (mandatory)	[250,000]	[250,000]	[250,000]
Total, Aviation Security	5,213,307	5,401,165	5,293,566

AVIATION SECURITY FEES

The President's budget assumes fiscal year 2012 aviation security fee collections of $2,961,500,000, including a proposal to collect an additional $589,940,000 through an increase in the fee passengers pay. The Congressional Budget Office, in its analysis of the President's budget, has re-estimated collections from aviation security fees to be $2,560,000,000. According to estimates by the Congressional Budget Office, this amount is made up of $2,140,000,000 from passengers and $420,000,000 from air carriers. The amount estimated to come from passengers includes the administration's proposal to increase aviation passenger fees by $1.50 in fiscal year 2012, generating an additional $280,000,000 in offsetting collections.

The Aviation and Transportation Security Act (Public Law 107–71) mandated that TSA impose a flat fee of $2.50 per segment and no more than $5 per one-way trip on passengers to pay for the costs of providing specified civil aviation security services. Security costs covered by offsetting fee collections represented 32 percent of aviation security costs in fiscal year 2002 as compared to 26 percent in fiscal year 2011. The Committee recommendation includes bill language to increase the fee for fiscal year 2012, which will ensure that aviation customers, not general taxpayers, pay for a portion of the growth in aviation security costs. The Committee has not approved the President's proposal to provide the Secretary with permanent authority to increase aviation security fees, a proposal that should be considered by the Committee of jurisdiction.

The Committee is also concerned about the impact airline checked baggage fees are having on security at airport checkpoints. According to TSA, there has been a notable change in carry-on baggage volume that directly correlates to the imposition of these fees. This has increased checkpoint security requirements and processing times. According to DHS, in 2000, it cost less than a $1 to screen each passenger and accompanying baggage. In fiscal year 2010, the average cost for TSA to screen a passenger and accompanying baggage has increased to nearly $9, due in part to airline imposed checked baggage fees that have resulted in TSA screening 56 million additional carry-on bags at airport checkpoints annually. As a result of additional carry-on luggage at airport security checkpoints, TSA estimates it is spending an additional $260,000,000 to support passenger throughput rates, which is detracting from other security programs. The Committee encourages the Department to seek legislation authorizing TSA to recoup these costs from the airlines.

SCREENING OPERATIONS

The Committee recommends $4,193,246,000 for TSA screening operations, $123,062,000 below the amount requested and $72,827,000 below the fiscal year 2011 level. The recommendation maintains operational levels funded in fiscal year 2011, including the realignment of Bomb Appraisal Officers from the "Passenger and baggage screener personnel, compensation, and benefits" PPA to the "Airport management and support" PPA under "Aviation Security Direction and Enforcement".

The recommendation includes the annualization of screeners to staff 1,000 Advanced Imaging Technology [AIT] units funded in prior fiscal years and the requested procurement of an additional 275 AIT machines and the personnel to staff them. TSA has indicated that the last 250 AIT machines funded in fiscal year 2011 and the additional 275 machines requested for fiscal year 2012 will be fielded later than originally anticipated in the budget request. Therefore, the recommendation includes the requested number of positions for AIT staffing, but the amount funded is $25,000,000 below the request because hires will be made later in the fiscal year.

The recommendation includes an increase of $10,950,000 and 175 FTE for TSA's behavior detection officer [BDO] program. Of this amount, $8,862,000 is included in "Screening Operations". As discussed later in this report, TSA is to continue evaluating this program as recommended in a recent independent study.

The recommendation does not include $39,200,000 for portable explosives trace detection [ETD] units requested in the "Checkpoint support" PPA. All 800 ETD units TSA requires were already funded in fiscal year 2011.

A total of $222,738,000 is provided for procurement and installation of explosives detection systems [EDS], $50,000,000 below the request. Between ARRA and funding in fiscal years 2010 and 2011, over $1,810,000,000 has been appropriated for EDS airport improvement projects. The Committee recommendation includes bill language providing TSA with more flexibility in allocating EDS funding for procurement and installation in the Aviation Security Capital Fund.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

SCREENING OPERATIONS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Screener Workforce:			
Privatized Screening Airports	144,470	144,193	144,193
Passenger and baggage screener personnel, compensation and benefits	2,920,813	3,060,493	3,028,381
Subtotal, Screener Workforce	3,065,283	3,204,686	3,172,574
Screener Training and Other	243,402	252,526	250,776
Checkpoint Support	328,843	254,093	214,893

SCREENING OPERATIONS—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Explosives Detection Systems/Explosives Trace Detection [EDS/ETD]:			
EDS/ETD purchase and installation	290,843	272,738	222,738
Screening technology maintenance and utilities	316,247	332,265	332,265
Operation Integration	21,455	.....	.....
Subtotal, EDS/ETD Systems	628,545	605,003	555,003
Total, Screening Operations	4,266,073	4,316,308	4,193,246

PRIVATIZED SCREENING AIRPORTS

The Committee recommends $144,193,000 for privatized screening airports, the same amount as requested in the budget and $277,000 below the fiscal year 2011 level. The budget request supports funding requirements for the 16 airports that participate in the program.

TSA shall notify the Committee if the agency expects to spend less than the appropriated amount due to situations where no additional airports express interest in converting, either fully or partially, to privatized screening, or where airports currently using privatized screening convert to using Federal screeners. TSA shall adjust its PPA line items, and notify the Committee within 10 days, to account for any changes in private screening contracts, including new awards under the SPP, or the movement from privatized screening into Federal screening. The Committee also expects to be briefed on any proposed changes being considered for the SPP program.

PASSENGER AND BAGGAGE SCREENER PERSONNEL, COMPENSATION AND BENEFITS

The Committee recommends $3,028,381,000 for passenger and baggage screener personnel, compensation, and benefits, $32,112,000 below the amount requested and $107,568,000 above the fiscal year 2011 level. The recommendation includes the proposed realignment of $44,100,000 and 406 FTE to the airport management PPA. The recommendation also includes necessary resources for TSA to appropriately staff 1,000 Advanced Imaging Technology units funded in prior years and 275 additional units recommended for fiscal year 2012.

The Committee does not include a statutory cap on TSA screening personnel. Consistent with the 9/11 Act, the Secretary of Homeland Security shall recruit and hire screeners as may be necessary to provide appropriate levels of aviation security and to ensure that average passenger wait times do not exceed 10 minutes.

The Committee is concerned about TSA staffing levels at the Nation's largest airports, especially those with a high number of security breaches, and whether these staffing levels are sufficient to prevent security breaches and keep passengers screening wait times less than 10 minutes.

BEHAVIOR DETECTION

The Committee recommends $215,587,000 and 3,161 FTE for TSA's behavior detection program known as SPOT or "Screening Passengers by Observation Techniques", $7,112,000 and 175 FTE above the amount enacted in fiscal year 2011 and one-half of the requested increase. An additional $3,838,000 is included in other TSA appropriations to support this initiative. The SPOT program employs TSOs using behavior observation and analysis techniques to identify and screen travelers of interest. The Department recently completed a Science and Technology [S&T] sponsored study examining whether SPOT techniques result in correct screening decisions at airport checkpoints when compared to random screening. While the study found evidence positively connecting SPOT procedures over random screening to the identity of travelers purposefully trying to defeat TSA security, the study also concluded that additional research is necessary to validate the program's effectiveness. Equally important to the Committee is the report's strong recommendation for the Department to conduct "a comprehensive program evaluation that includes an examination of procedures for employee selection, training, and performance management; consideration of resource management; cost-benefit analysis; and other such tasks that might influence the outcomes that result from the use of SPOT." TSA is to brief the Committee no later than 90 days after the date of enactment of this act on the actions taken to address these and other recommendations made in the S&T sponsored report, as well as steps it has taken to address the validation, management, and information sharing issues identified in GAO's May 2010 review of SPOT (GAO–10–763).

SCREENER TRAINING AND OTHER

The Committee recommends $250,776,000 for screener training and other, $1,750,000 below the amount requested in the budget and $7,374,000 above the fiscal year 2011 level. Funds are provided to support training of Transportation Security Officers [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 includes an additional $3,861,000, as requested, for training, uniforms, and consumables needed to support the additional AIT machines and associated staffing and $1,750,000, as requested, for training and uniforms for new behavior detection officers.

SCREENING OF SPECIAL POPULATIONS

The Committee is aware that security screening in the airport environment may be particularly challenging for passengers with physical or mental disabilities, like autism. The introduction of Advanced Imaging Technology [AIT] and new pat-down procedures has magnified the challenge of airport screening for many of these individuals. TSA shall continue to refine its training programs and standardize its screening process to ensure that the TSA workforce is more attuned to assisting disabled populations move through the aviation security process. The Committee supports ongoing efforts

TSA is undertaking to revamp its training to include up-to-date disability-related information as well as planned training courses focusing on communications skills to provide better customer service to all travelers, including passengers with disabilities. TSA is to work in coordination with airlines, airports, and cross-disability/medical organizations to design education and outreach programs that will ensure access to the Nation's aviation system is available to everyone. TSA shall also work with airports to expand mock boarding events, such as those held for families with autistic children. Events like these provide TSOs with training on how to appropriately interact with and be sensitive to persons with special needs. TSA is to brief the Committee no later than 90 days after the date of enactment of this act on its efforts in this area.

TSA shall also continue to streamline and improve the screening experience for young passengers and train officers to work with parents to ensure a secure and respectful checkpoint screening process.

CHECKPOINT SUPPORT

The Committee recommends $214,893,000 for checkpoint support, $39,200,000 below the amount requested in the budget and $113,950,000 below the fiscal year 2011 level. Funds are provided to field test and deploy equipment for passenger screening, carry-on baggage screening, checkpoint reconfiguration, electronic surveillance of checkpoints, and operational integration of systems.

The recommendation includes $76,983,000, as requested, to procure an additional 275 AIT units in fiscal year 2012, bringing the total number of AIT units funded to 1,275. AIT screens passengers for concealed weapons (metal and nonmetal), explosives, and other prohibited items, and is the most effective passenger screening technology currently available. TSA estimates that approximately 80 percent of the traveling public will be screened by AIT if the request is approved compared to only 60 percent if denied. This percentage difference equates to approximately 350,000 passengers a day that would otherwise use the walk-through metal detector, which cannot detect nonmetal weapons and explosives.

The Committee is encouraged by TSA efforts to deploy automated target recognition [ATR] capability with AIT millimeter wave units. ATR displays a generic outline of a person on a monitor attached to an AIT unit, which significantly improves privacy protections through the elimination of private rooms where human operators view AIT images. Testing results have shown that an AIT with ATR technology outperforms an AIT with an image operator and has increased the speed at security lanes where it has been deployed. TSA is to brief the Committee not later than 30 days after the date of enactment of this act on AIT. The briefing is to include: procurement details; cost; schedule; associated staffing requirements; utilization rates; deployments; and progress on ATR development for AIT backscatter units and ATR deployment.

The recommendation does not include $39,200,000, as requested, to purchase 385 portable ETD units to detect residue from explosives material on passengers at lanes not covered by an AIT. All 800 ETD units necessary to reach TSA's full operating capability were already funded in fiscal year 2011.

Funds are also included, as requested, to purchase other checkpoint security systems, including: next generation explosives trace detectors; automated wait time technology; shoe scanning devices; advanced technology; and advanced surveillance camera systems for airports.

EXIT LANE SECURITY

No later than 180 days after the date of enactment of this act, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall submit a report that makes recommendations for improving the security of each location at an airport where passengers exit the sterile area. The report shall include:

—an assessment of the differences in configurations of such locations; and

—an evaluation of options for improving security at such locations, such as increasing personnel assigned to exit lanes and the use of technology to improve security.

The report shall be submitted to the Committee on Appropriations and the Committee on Commerce, Science, and Transportation.

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

EXPLOSIVES DETECTION SYSTEMS

The Committee recommends $222,738,000 in discretionary appropriations for explosives detection systems [EDS] procurement and installation, $50,000,000 below the amount requested in the budget and $68,105,000 below the fiscal year 2011 level. 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 fund recapitalization and in-line projects at over 20 airports.

Current law 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 includes bill language, as requested, to permit ASCF funding to be used to procure and install EDS equipment during fiscal year 2012. This change will allow TSA to more effectively, economically, and expeditiously plan and implement the acquisition and replacement of existing EDS units. TSA is to work with the appropriate Committees of jurisdiction if it desires a permanent solution to this problem.

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

schedule delays that have occurred in the acquisition process. The briefings shall also include updates on TSA's strategy to avoid such delays. TSA shall also update the Committee on its implementation of recommendations made by GAO to ensure that TSA's plans to enhance detection requirements are met (GAO–11–327SU).

EXPENDITURE PLANS FOR EDS/CHECKPOINT TECHNOLOGIES

The Committee includes statutory language under the "Transportation Security Support" appropriation withholding the obligation of $25,000,000 for headquarters administration until TSA submits to the Committee, no later than 60 days after the date of enactment of this act, detailed expenditure plans for fiscal year 2012 for checkpoint security and EDS refurbishment, procurement, and installations on an airport-by-airport basis. The withholding is included to encourage timely submissions of materials necessary for robust and informed oversight. The plans shall include specific technologies for purchase, program schedules and major milestones, a schedule for obligation of the funds, and a table detailing actual versus anticipated unobligated balances at the close of the fiscal year. TSA shall brief the Committee at the end of the second, third, and fourth quarters with an update on EDS and checkpoint expenditures, including an explanation of any deviation from the original plan.

FIVE-YEAR STRATEGIC PLAN OF INVESTMENTS

TSA's budget submission, as it is currently structured, provides limited understanding of TSA's total acquisition costs for passenger screening technologies and how these technologies link to TSA's near-term and long-term vision for its screening responsibilities. It is important for the Committee to have a better understanding of future acquisition needs and the resources necessary to execute them. While the budget justification includes the total number of assets necessary to meet full operating capability, it does not include a future-years financial plan to achieve the desired end state. Therefore, the Committee directs TSA to include a 5-year budget estimate within the annual congressional budget justification, beginning with fiscal year 2013, that includes projected funding levels for the next 5 fiscal years individually for all passenger screening technology acquisitions. The plan shall also indicate the total cost and estimated completion date for each technology.

INSTALLATION OF OPTIMAL BAGGAGE SCREENING SYSTEMS AND FTE SAVINGS

With the large influx of funding provided in this act and in prior appropriations acts for EDS procurement and installation, TSA is able to greatly expedite the deployment of in-line checked baggage screening systems, thereby permitting a reduction in personnel. For instance, by the end of fiscal year 2011, TSA estimates that 187 airports will have optimal checked baggage screening solutions. TSA shall report to the Committees, in tandem with the annual budget request, on the savings achieved and anticipated by fiscal year from the installation of new in-line systems.

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

As required by the 9/11 Act, TSA is to give funding consideration to airports that incurred eligible costs for EDS and that were not recipients of funding agreements. The fiscal year 2012 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 $332,265,000 for screening technology maintenance and utilities, the same level as requested in the budget and $16,018,000 above the fiscal year 2011 level.

OPERATION INTEGRATION

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

AVIATION SECURITY DIRECTION AND ENFORCEMENT

The Committee recommends $1,100,320,000 for aviation security direction and enforcement, $15,463,000 above the amount requested in the budget and $153,086,000 above the fiscal year 2011 level. The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

AVIATION SECURITY DIRECTION AND ENFORCEMENT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Aviation regulation and other enforcement	318,285	373,239	382,989
Airport management and support	489,142	571,503	571,216
Federal flight deck officer and flight crew support	25,118	25,461	25,461
Air cargo	114,689	114,654	120,654
Total, Aviation Security Direction and Enforcement	947,234	1,084,857	1,100,320

AVIATION REGULATION AND OTHER ENFORCEMENT

The Committee recommends $382,989,000 for aviation regulation and other enforcement, $9,750,000 above the amount requested in the budget and $64,704,000 above the fiscal year 2011 level. The recommended amount provides for law enforcement and regulatory activities at airports to: ensure compliance with required security measures, respond to security incidents, and provide international support for worldwide security requirements. The recommendation includes amounts requested to annualize efforts initiated in fiscal year 2011 to strengthen international programs in high-risk areas around the world and other targeted security enhancements.

The recommendation includes a program increase of $22,945,000, as requested, for 12 additional multi-modal Visible Intermodal Prevention and Response [VIPR] teams with 6 teams dedicated to aviation and 6 teams dedicated to surface transportation security. This amount brings the total number of VIPR teams to 37. VIPR teams were authorized by the 9/11 Act to augment the security of any mode of transportation at any location within the United States. These teams, made up of TSA employees, including Federal Air Marshals, Transportation Security Officers, surface transportation inspectors, and canine teams, are deployed to airports, rail stations, and other venues in response to intelligence-driven threats, or for deterrence through risk-based deployments. TSA shall provide an expenditure plan detailing how and where these new VIPR teams will be deployed no later than 60 days after the date of enactment of this act.

The recommendation also includes $6,250,000 above the request for 25 new canine teams in addition to the 100 canine teams being acquired in fiscal year 2011. The Committee continues to believe that the most effective explosives-screening process relies on multiple capabilities, including screeners, technology, and canines.

Finally, the recommendation includes an increase of $3,500,000 for international security enhancements. This initiative is further described under the "Air cargo" PPA.

AIRPORT MANAGEMENT AND SUPPORT

The Committee recommends $571,216,000 for airport management and support, $287,000 below the amount requested in the budget and $82,074,000 above the fiscal year 2011 level. 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 recommended amount includes the transfer of funding for Bomb Appraisal Officers from the "Passenger and baggage screener personnel, compensation, and benefits" PPA and Explosives Security Specialists from the Federal Air Marshals "Management and administration" PPA. This shift is appropriate as these employees report directly to Federal Security Directors.

The recommendation also includes $2,882,000 to support new personnel associated with the AIT, BDO, and VIPR initiatives.

FEDERAL FLIGHT DECK OFFICER AND FLIGHT CREW TRAINING PROGRAMS

The Committee recommends $25,461,000 for Federal flight deck officer and flight crew training programs, the same amount as requested in the budget and $343,000 above the fiscal year 2011 level. Funds are provided to deputize qualified airline pilots who volunteer to be Federal law enforcement officers. This program provides initial and recurrent law enforcement training. Funds are also provided for the Crew Member Self-Defense Training program for the purpose of teaching crew members basic self defense concepts and techniques.

AIR CARGO

The Committee recommends $120,654,000 for air cargo security activities, an increase of $6,000,000 above the amount requested in the budget and $5,965,000 above the fiscal year 2011 level. Funds are provided to secure the air cargo supply chain, conveyances, and people.

By August 2010, TSA achieved 100 percent screening of air cargo that is placed on passenger aircraft for domestic flights, but 100 percent screening of air cargo loaded onto inbound international passenger flights has yet to be achieved. Given recent aviation based terrorist plots, including the October 2010 plot to blow up air cargo aircraft destined for the United States, the Committee was encouraged when the Secretary directed TSA to expedite the achievement of 100 percent screening of inbound cargo from 2013 to the end of 2011. The Department has also placed a stronger emphasis on all-cargo flights to the United States through airport vulnerability assessments and the air cargo advance screening project, which targets high risk cargo before boarding. To strengthen efforts for air cargo screening and security on inbound passenger and all-cargo aircraft, $6,000,000 is recommended above the request under this PPA and an additional $3,500,000 is recommended under the "Aviation regulation and other enforcement" PPA. These amounts will enable TSA to hire an additional 29 international air cargo inspectors and 24 transportation security specialists to conduct assessments of all-cargo airports from which flights depart to the United States or from which U.S. all-cargo carriers fly to any location, and to increase the frequency of visits to verify protective measures at higher-risk airports. As part of the fiscal year 2012 air cargo expenditure plan, TSA shall describe its investment areas and activities associated with this initiative.

TSA is directed to brief the Committee no later than 45 days after the date of enactment of this act, in a classified session if appropriate, on its progress in implementing the recommendations contained in OIG–10–119, "Evaluation of Screening of Air Cargo Transported on Passenger Aircraft."

The Committee includes statutory language under "Transportation Security Support" restricting $25,000,000 from being obligated for headquarters administration until TSA submits to the Committee, no later than 60 days after the date of enactment of this act, an expenditure plan on the allocation of air cargo funds, including carryover balances. Due to delays in receiving the air cargo expenditure plan in prior years, the withholding is included to encourage timely submissions of materials necessary for robust and informed oversight.

SURFACE TRANSPORTATION SECURITY

Appropriations, 2011	$105,749,000
Budget estimate, 2012	134,748,000
House allowance	129,748,000
Committee recommendation	134,748,000

Surface transportation security provides funding for personnel and operational resources to assess the risk of a terrorist attack on nonaviation modes, standards and procedures to address those

risks, and to ensure compliance with established regulations and policies.

COMMITTEE RECOMMENDATIONS

The Committee recommends $134,748,000 for surface transportation security, the same amount as requested in the budget and $28,999,000 above the fiscal year 2011 level. Funds are available to assess the risk of terrorist attacks for all nonaviation transportation modes, issue regulations to improve the security of those modes, and enforce regulations to ensure the protection of the transportation system. The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

SURFACE TRANSPORTATION SECURITY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Staffing and operations	39,712	38,514	38,514
Surface transportation security inspectors and canines	66,037	96,234	96,234
Total, Surface Transportation Security	105,749	134,748	134,748

SURFACE TRANSPORTATION SECURITY STAFFING AND OPERATIONS

The Committee recommends $38,514,000 for surface transportation security staffing and operations, the same amount as requested in the budget and $1,198,000 below the fiscal year 2011 level.

SURFACE TRANSPORTATION SECURITY INSPECTORS AND CANINES

The Committee recommends $96,234,000 for surface transportation security inspectors and canines, the same amount as requested in the budget and $30,197,000 above the fiscal year 2011 level.

Since 2004, there have been 1,300 terrorist attacks worldwide against mass transit, buses and passenger rail, resulting in more than 4,000 deaths and 14,000 injuries. It is now more important than ever to increase our defenses against similar attacks here in the United States. Recent intelligence gathered from Osama bin Laden's compound revealed evidence that al Qaeda considered rail lines high value targets. The recommendation provides a 46 percent increase over fiscal year 2011, and includes the request of $24,049,000 to annualize the 15 "surface" focused Visible Intermodal Prevention and Response [VIPR] teams funded in fiscal year 2010. As discussed under "Aviation Security Direction and Enforcement", the recommendation includes funding for 12 new multimodal VIPR teams, which will expand deployments in the surface sector. In total, TSA anticipates 7,700 VIPR operations in surface modes, a 26 percent increase over fiscal year 2011.

In addition, $5,660,000 is provided, as requested, to annualize 100 additional surface transportation security inspectors funded in fiscal year 2010; and $1,280,000 is provided, as requested, for cooperative agreement stipends with State and local canine teams.

RAIL TUNNELS

Not later than 6 months after the date of the enactment of this act, TSA shall submit a report that:

—makes recommendations for improving the security of passenger and mass transit of rail tunnels;

—identifies the frequency of passenger rail and mass transit tunnel security breaches; and

—assesses differences in configurations of such locations; and options for improving security at such locations, such as increasing personnel assigned to such locations and the use of technology to improve security.

The report shall be submitted to the following Senate committees:

—the Committee on Commerce, Science, and Transportation;

—the Committee on Homeland Security and Governmental Affairs; and

—the Committee on Appropriations.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

Appropriations, 2011	$162,673,000
Budget estimate, 2012	183,954,000
House allowance	183,954,000
Committee recommendation	163,954,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends a direct appropriation of $163,954,000 for transportation threat assessment and credentialing, $20,000,000 below the amount requested in the budget and $1,281,000 above the fiscal year 2011 level. In addition, an estimated $40,320,000 in fee collections is available for these activities in fiscal year 2012, as proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Direct Appropriations:			
Secure Flight	84,194	92,414	92,414
Crew and other vetting programs	78,479	91,540	71,540
Subtotal, direct appropriations	162,673	183,954	163,954
Fee Collections:			
Transportation worker identification credential	9,200	8,300	8,300
Hazardous materials	12,000	12,000	12,000
Alien flight school (transfer from DOJ)	4,000	4,000	4,000
Certified cargo screening program	5,200	5,200	5,200

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Large aircraft security program	1,200	1,200	1,200
Secure identification display area checks	8,000	8,000	8,000
Other security threat assessments	100	100	100
General aviation at DCA	100	100	100
Indirect air cargo	1,400	1,400	1,400
Sensitive security information	20	20	20
Subtotal, fee collections	41,220	40,320	40,320

SECURE FLIGHT

The Committee recommends $92,414,000 for Secure Flight, the same amount as requested in the budget and $8,220,000 above the fiscal year 2011 level. As recommended by the 9/11 Commission and mandated by the Intelligence Reform Act, this program assumed the responsibility of airline passenger watch list matching from the air carriers to the Federal Government.

The Committee recommendation includes a total of $12,371,000 as requested for expanded watchlist matching, of which $8,764,000 is included under the "Secure Flight" PPA. This increase is to accommodate an expanded population of names screened from the Terrorist Screening Database following the December 25, 2009, bomb plot to blow up Northwest Airlines flight 253.

CREW AND OTHER VETTING PROGRAMS

The Committee recommends $71,540,000 for Crew and Other Vetting Programs, $20,000,000 below the amount requested in the budget and $6,939,000 below the fiscal year 2011 level.

The Committee recommendation includes funds to annualize personnel provided in fiscal year 2011 to support vetting infrastructure improvements and pay related adjustments.

The Committee supports TSA's efforts to modernize its vetting and credentialing infrastructure, which is currently made up of disconnected and duplicative systems. This has resulted in high system complexity and lengthy adjudication processes due to manual reviews. TSA intends to modernize its system to address these issues and improve vetting and credentialing services. However, due to schedule delays associated with the award of the modernization contract, significant balances of funds available in fiscal year 2011 will now carry over into fiscal year 2012. Therefore, the Committee provides $27,800,000 instead of $57,800,000 requested in the budget. With carryover funding, approximately $65,500,000 is estimated to be available for this effort in fiscal year 2012. TSA is to brief the Committee quarterly on its efforts to develop this system.

EXPEDITED PASSENGER SCREENING FOR KNOWN TRAVELERS

Since the September 11, 2001, terrorist attacks, TSA has made significant modifications to security procedures and introduced new technology with the aim of securing the flying public. However, the screening process for passengers remains a "one-size fits all" ap-

proach, resulting in the common complaint that flight crews, children, and the elderly are being screened at the same level as others with potentially higher-risk profiles. The Committee is aware that TSA is examining implementation of a risk-based security approach that would more appropriately redirect resources from those passengers comprising a lower security risk to those with unknown or higher-risk information. The Committee supports TSA's exploration of procedures aligned more closely with threat and risk, as well as its plans to conduct proof of concept (pilot) projects to test these processes.

Recognizing aviation passenger vetting infrastructure will need additional capability to assist with identifying low-risk travelers, the Committee provides $10,000,000 above the request for TSA to develop a systems architecture, procure hardware and software to handle expanded processing requirements to support proof of concepts and incremental capabilities to expand the known traveler populations. Furthermore, the Committee directs TSA to provide a briefing on risk-based security no later than 90 days after the date of enactment of this act. The briefing shall include, as appropriate, information and interim results of any pilots and associated timelines, implementation of risk-based screening procedures on a larger scale, or the conclusion that implementation of such processes is not feasible and the reasons for that conclusion.

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

The Committee is concerned that Transportation Worker Identification Credential [TWIC] applicants are required to make multiple trips to TWIC enrollment centers, which are occasionally at some distance from the applicants' homes or places of work. The Committee directs TSA to expand Universal Enrollment Centers, which will result in no less than a 50 percent expansion in the number of available TWIC enrollment sites. Furthermore, TSA is to brief the Committee no later than 180 days after the date of enactment of this act on the projected resource requirements, security impacts, and a potential timeline to effect changes in the TWIC enrollment system to permit cards to be shipped directly to the recipient.

TRANSPORTATION SECURITY SUPPORT

Appropriations, 2011	$986,661,000
Budget estimate, 2012	1,113,697,000
House allowance	1,032,790,000
Committee recommendation	1,042,066,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,042,066,000 for transportation security support activities, $71,631,000 below the amount re-

quested in the budget and $55,405,000 above the fiscal year 2011 level.

The following table summarizes the Committee's recommendations compared to the fiscal year 2011 and budget request levels:

TRANSPORTATION SECURITY SUPPORT

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Headquarters administration	254,000	320,794	293,474
Information technology	466,092	485,612	453,100
Human capital services	233,658	264,299	252,500
Intelligence	32,911	42,992	42,992
Total, Transportation Security Support	986,661	1,113,697	1,042,066

HEADQUARTERS ADMINISTRATION

The Committee recommends $293,474,000 for headquarters administration, $27,320,000 below the amount requested in the budget and $39,474,000 above the fiscal year 2011 level.

The recommended amount includes funding to support increases for AIT staffing, VIPR teams, expanded watchlist vetting, and additional BDO hires. Because the recommendation includes half of the increase requested for BDO staffing, the support amount is reduced accordingly.

The recommendation includes the requested TSA-wide reduction of $114,009,000 for management efficiencies, administrative savings, and operational support. TSA is to brief the Committee with a full accounting of how these reductions will be achieved no later than 90 days after the date of enactment of this act.

The recommended amount also includes $1,998,000, as requested, to hire 15 additional personnel to increase TSA's acquisition workforce capacity and capabilities. Recent findings by the DHS Inspector General in report OIG–10–72 found that TSA "did not have an adequate number of properly trained core acquisition staff to administer contracts and oversee support services contractors' performance." Further, the report concluded that TSA "did not have reasonable assurance that contractors were performing as required, that it contracted for the services it needed, that it received the services it paid for, or that taxpayers were receiving the best value." The Committee agrees with TSA's assessment that additional resources are necessary for disciplined oversight processes and robust acquisition program management.

The recommended amount includes $2,000,000 above the request for TSA's Office of Professional Responsibility. TSA recently established this Office to ensure that allegations of misconduct are thoroughly investigated and that discipline is appropriate and fair across the agency. This Office is currently being funded within existing resources, including detailees. The Committee believes the importance of this program warrants dedicated funding.

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

TSA shall brief the Committee no later than September 23, 2011, on a proposed budget account structure that allows for a 1-year appropriation for salaries and expenses.

The Committee includes bill language withholding the obligation of $25,000,000 for headquarters administration until: fiscal year 2012 expenditure plans for air cargo security, explosives detection systems procurement and installation, and checkpoint support are provided to the Committee. The expenditure plans are due no later than 60 days after the date of enactment of this act.

INFORMATION TECHNOLOGY

The Committee recommends $453,100,000 for information technology, $32,512,000 below the amount requested in the budget and $12,992,000 below the fiscal year 2011 level.

The recommended amount includes IT funding to support increases for AIT staffing, VIPR teams, expanded watchlist vetting, and additional BDO hires. Because the recommendation includes half of the increase requested for BDO staffing, the support amount is reduced accordingly.

The recommendation does not include $20,300,000 proposed for data center consolidation in order to fund critical operational priorities. This decrease is without prejudice to the merits of the data consolidation initiative.

HUMAN CAPITAL SERVICES

The Committee recommends $252,500,000 for human capital services, $11,799,000 below the amount requested in the budget and $18,842,000 above the fiscal year 2011 level.

The recommended amount includes human capital funding to support increases for AIT staffing, VIPR teams, expanded watchlist vetting, and additional BDO hires. Because the recommendation includes half of the increase requested for BDO staffing, the support amount is reduced accordingly. The recommendation also includes funding requested for recruitment costs and drug testing to support new screener hires.

INTELLIGENCE

The Committee recommends $42,992,000 for the Office of Intelligence, the same amount as requested in the budget and $10,081,000 above the fiscal year 2011 level. The recommendation includes $6,793,000 to annualize Field Intelligence Officers added in fiscal year 2010 and expand the number of officers by an additional 21 positions in fiscal year 2012.

PASSENGER COMPLAINTS

The Committee directs TSA to make every effort possible to ensure that the traveling public is aware of the process in which complaints about the screening experience can be made. The Committee is aware that TSA operates multiple channels by which individuals can contact the agency. The primary portal is the TSA Contact Center for passengers to transmit questions, complaints and concerns about aviation travel, the screening process, or other TSA-related issues. The Committee directs GAO to conduct a review of

TSA's policies and procedures for resolving passenger complaints, including an examination of the organizational independence of the office. GAO's review is to be completed no later than 9 months after the date of enactment of this act.

RISK-BASED DECISIONMAKING AND BUDGETING

The Committee directs TSA to submit, concurrent with the fiscal year 2013 budget request, supporting documentation that explicitly explains how TSA's comprehensive risk assessments for all transportation modes were used to allocate resources across and within each mode. This documentation should also identify the corresponding allocation of resources being proposed in the budget request (by appropriations account, program, project, and activity) that address these priorities. This annual submission shall be made in classified or unclassified formats, as appropriate.

FEDERAL AIR MARSHALS

Appropriations, 2011	$927,942,000
Budget estimate, 2012	991,375,000
House allowance	961,375,000
Committee recommendation	981,115,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $981,115,000 for the Federal Air Marshals, $10,260,000 below the amount requested in the budget and $53,173,000 above the fiscal year 2011 level. To help inform the long-term staffing needs of the Federal Air Marshals, the Committee directs FAMS to conduct an independent review of the definition of flights presenting "high-security risks". This recommendation was part of a recent TSA report on FAMS long-term staffing levels. FAMS is to brief the Committee on the results of the review no later than 120 days after the date of enactment of this act. The briefing shall include an analysis of whether the current risk assessment model was validated by the review and if changes are necessary that would warrant upward or downward adjustments to current staffing levels.

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

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

FEDERAL AIR MARSHALS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Management and administration	805,275	860,260	850,000
Travel and training	122,667	131,115	131,115
Total, Federal Air Marshals	927,942	991,375	981,115

COAST GUARD

SUMMARY

The Coast Guard's primary responsibilities are the enforcement of all applicable Federal laws on the high seas and waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a state of readiness to function as a specialized service in the Navy in time of war, as authorized by sections 1 and 2 of title 14, United States Code.

The Commandant of the Coast Guard reports directly to the Secretary of the Department of Homeland Security.

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $10,350,762,000 for the activities of the Coast Guard for fiscal year 2012. The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

COAST GUARD—FUNDING SUMMARY

[In thousands of dollars]

	Fiscal year 2011 enacted [1]	Fiscal year 2012 budget request [2]	Committee recommendations [3]
Operating Expenses	6,894,031	6,819,505	7,078,054
Environmental Compliance and Restoration	13,172	16,699	16,699
Reserve Training	133,365	136,778	134,278
Acquisition, Construction, and Improvements	1,516,744	1,421,924	1,391,924
Research, Development, Test, and Evaluation	24,696	19,779	27,779
Health Care Fund Contribution (Permanent Indefinite Appropriations)	265,321	261,871	261,871
Retired Pay	1,400,700	1,440,157	1,440,157
Total, Coast Guard	10,248,029	10,116,713	10,350,762

[1] Includes $254,000,000 for overseas contingency operations.
[2] Excludes a proposed transfer of up to $258,278,000 from Navy "Operation and Maintenance" for overseas contingency operations.
[3] Includes $258,000,000 for overseas contingency operations.

The Coast Guard will pay an estimated $261,871,000 in fiscal year 2012 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, 2011 [1]	$6,894,031,000
Budget estimate, 2012 [2]	6,819,505,000
House allowance [3]	7,071,061,000
Committee recommendation [3]	7,078,054,000

[1] Includes $254,000,000 for overseas contingency operations.
[2] Excludes a proposed transfer of up to $258,278,000 from Navy "Operation and Maintenance" for overseas contingency operations.
[3] Includes $258,000,000 (Senate) and $258,278,000 (House) for overseas contingency operations.

The Operating Expenses appropriation provides funds for the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. The program activities of this appropriation fall into the following categories:

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

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

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

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

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

Ice Operations.—In the Arctic and Antarctic, Coast Guard icebreakers escort supply ships, support research activities and Department of Defense operations, survey uncharted waters, and 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 $7,078,054,000 for Coast Guard Operating Expenses, including $24,500,000 from the Oil Spill Liability Trust Fund and $598,000,000 for Coast Guard defense-related activities. Of this amount, the Committee recommends not to exceed $17,000 for official reception and representation expenses.

The recommended funding level is $258,549,000 above the request and $184,023,000 above the fiscal year 2011 level. The Committee's recommendation is $549,000 above the net request for Coast Guard Operating Expenses when excluding funds requested for overseas contingency operations.

The recommendation includes necessary adjustments to base, such as increases in mandatory pay allowances, military personnel entitlements, asset sustainment, and operating and maintenance

funds for new assets. These increases are partially offset by one-time cost reductions, terminations, decommissioning of aging assets, efficiencies, and administrative savings, as requested. In addition, the Committee's recommendation includes the following program initiatives requested for fiscal year 2012: $10,666,000 for enhancements to marine safety; $11,485,000 for an expansion of marine environmental response capabilities; $9,300,000 for military family child care; $39,000,000 for restoration of polar operations funding; $8,600,000 for network security upgrades; and $6,300,000 for the Distress Alerting Satellite System.

The Committee recommends the following increases above the President's request to address several unfunded priorities in the fiscal year 2012 budget request: $3,700,000 to annualize positions funded in fiscal year 2011 to enhance marine environmental response capabilities such as oil spills; $20,300,000 for critical depot level maintenance for aging high-endurance and medium-endurance cutters to address a backlog of over $341,000,000; and $4,000,000 for boat pursuit and tactical training of maritime law enforcement units.

The Committee recommends the following reductions from the President's request: a reduction of $12,000,000 in technical adjustments for pay, allowances, and operating expenses due to a current trend of lower than anticipated military healthcare expenditures; a reduction of $5,571,000 for surface and air asset follow-on operational costs due to delays in the delivery of new assets to operating units; a reduction of $1,880,000 for operations and maintenance of the Manned Covert Surveillance Aircraft due to delays in the delivery of the aircraft and lack of test and evaluation results; and a reduction of $8,000,000 for data center migration. The reduction to data center migration is without prejudice, but is necessary to meet higher priority operational demands within a constrained budget environment.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Military pay and allowances	3,345,303	3,447,753	3,434,061
Civilian pay and benefits	737,702	780,556	784,256
Training and recruiting	204,087	213,282	213,321
Operating funds and unit level maintenance	1,138,474	1,109,323	1,109,623
Centrally managed accounts	345,174	351,478	342,653
Intermediate and depot level maintenance	869,291	917,113	936,140
Overseas contingency operations	254,000	([1])	258,000
Total, Operating Expenses	6,894,031	6,819,505	7,078,054

[1] Excludes a proposed transfer of up to $258,278,000 from Navy ''Operation and Maintenance'' for overseas contingency operations.

OVERSEAS CONTINGENCY OPERATIONS

The Committee provides $258,000,000 for Coast Guard operations in support of overseas contingency operations. While funding for these activities was requested in the Department of Defense budget for the Navy, the Committee adopted a practice beginning

in the fiscal year 2009 Supplemental Appropriations Act to appropriate these amounts directly to the Coast Guard. The Committee continues this practice and urges the administration to budget for Coast Guard overseas contingency operations under the Department of Homeland Security in future budget requests. The Coast Guard shall brief the Committee no later than 30 days after the date of enactment of this act on any changes expected during fiscal year 2012 or projected transition costs expected in fiscal year 2013 on its mission in Iraq.

MARINE SAFETY

The Committee provides $10,666,000, as requested, for 105 personnel the Coast Guard has identified as necessary to effectively regulate the growing maritime industry. Personnel to be hired include Marine Safety Inspectors, Investigators, and Fishing Vessel Safety Examiners at Coast Guard Sectors. As the Coast Guard updates its Marine Safety Performance Plan, it shall include recommendations made in OIG report [OIG–11–22], which are to produce a resource baseline, performance targets, performance milestones and completion dates, and total resources needed to achieve goals and objectives. The Coast Guard shall brief the Committee no later than 90 days after the date of enactment of this act on the data resulting from these efforts.

MARINE ENVIRONMENTAL RESPONSE

The Committee provides $15,185,000, $3,700,000 above the request to enhance marine environmental response activities. The amount provided above the request is to annualize additional positions funded in fiscal year 2011. This funding addresses critical resource and capability gaps by funding 87 new billets to enhance marine environmental response functions and environmental response competencies and annualizes positions added in fiscal year 2011. Within the 87 billets, 33 are for a new National Incident Management and Assist Team, which will provide dedicated, trained, and experienced personnel to directly support Coast Guard Incident Commanders and their units during response to releases of oil and hazardous materials. While the fiscal year 2012 request addresses immediate resource and capability needs, it is necessary for the Coast Guard to conduct a long-term mission requirements analysis to fully understand its future needs for this mission. Therefore, no later than 120 days after the date of enactment of this act, the Coast Guard shall submit to the Committee a plan to quantify the resource, training, and experience gaps within the marine environmental protection mission and develop a 5-year strategic plan to implement necessary capability and capacity enhancements to improve mission performance. This plan is to include funding estimates for each year of the plan.

SUPPORT OF MILITARY FAMILIES

The Committee strongly supports the requested initiatives to improve the quality of life for military members and their families. The recommendation includes a total of $9,300,000 in "Operating Expenses", as requested, to improve access to affordable, quality

childcare and put the Coast Guard closer to being on par with other military branches in this area. The recommendation also includes $20,000,000, as requested, to address critical housing shortfalls in areas where there is a lack of affordable accommodations. In some locations, existing housing does not comply with life-safety codes and funds are needed to meet current construction code and habitability standards. In other areas, the limited availability of year-round rental housing in remote locations has forced some Coast Guard members to commute long distances between their home and duty station, and many are paying out of pocket expenses well beyond their basic allowance for housing [BAH] for adequate housing closer to their duty station. A Coast Guard analysis has shown that continuing BAH for military members in these areas is more expensive than housing acquisition and maintenance costs over a 30-year period of time.

Because the amount for military housing construction in fiscal year 2011 was not determined until after the release of the President's budget, the Coast Guard may choose to re-prioritize its most pressing housing needs for fiscal year 2012 and should submit an expenditure plan to the Committee reflecting those priorities no later than 30 days after the date of enactment of this act.

CRITICAL DEPOT LEVEL MAINTENANCE

The Committee recommends $20,300,000 above the request to address the Coast Guard's critical depot level maintenance backlog for its aging assets. Increasing equipment failures and rising maintenance costs have outpaced current funding levels. Between fiscal year 2008 and fiscal year 2010, the Coast Guard deferred over $341,000,000 in maintenance requirements for aviation and cutter assets due to fiscal constraints and competing mission requirements. The age and condition of legacy assets has decreased their reliability and increased the cost to maintain them. The percent of operational time Coast Guard cutters are free of major equipment failures continues to decline. In fiscal year 2010, the 378-foot High Endurance Cutter fleet, which is over 43 years old on average, was free of major equipment failures just 41 percent of the time compared to 58 percent in fiscal year 2008. The 270-foot medium Endurance Cutter fleet, which is over 34 years old on average, was free of major equipment failures just 49 percent of the time in fiscal year 2010 compared to 81 percent in fiscal year 2008. Until legacy fleets are replaced with new assets, the Coast Guard needs to be properly resourced to operate what it has so it can perform its many missions, including drug and migrant interdiction, port security, search and rescue, and oil spill response.

POLAR OPERATIONS AND MAINTENANCE FUNDING

The Committee fully funds the request of $39,000,000 for the Coast Guard's polar icebreaking program. Reclaiming budget authority for this program will enable the Coast Guard to make critical decisions with respect to operations and maintenance of its polar icebreakers. Many unanswered questions remain relating to the Coast Guard's long-term ability to maintain a presence in the polar regions. In a report issued last September, the Government Accountability Office said the Coast Guard lacks adequate infra-

structure or equipment in the Arctic. This has been a growing concern due to the melting ice in the Arctic region. In a separate report, the DHS–OIG recommended that the Coast Guard work with the administration to clarify its Arctic and Antarctic mission requirements, something this Committee has been urging for years. The Coast Guard's high latitude study, which was completed in 2010, concluded that additional icebreaking assets are necessary in the polar regions. This followed a National Academy of Sciences study that made similar conclusions. Given the extensive consensus that has been built in recent years, the Committee denies the request for the DHS Under Secretary for Management to conduct redundant assessment of capabilities necessary to operate in the polar regions. The Committee instead urges the Department to move forward on fulfilling the Nation's icebreaking requirements for the polar regions by developing a concept of operations and a resource plan.

The Coast Guard is required to submit to the Committee the results of its business case analysis for replacing or performing service life extensions on the Coast Guard's two heavy polar icebreakers. This effort was required in Senate Report 111–31 relating to appropriations for fiscal year 2010 and the Coast Guard Authorization Act, 2010 (Public Law 111–281).

LAW ENFORCEMENT ENHANCEMENTS

The Committee recommends $4,000,000 above the request for small boat pursuit and tactical training to ensure Coast Guard boat crews are properly trained in pursuit tactics and interdiction of non-compliant vessels, like drug running go-fast boats and semi-submersibles. This initiative is consistent with the Commandant's testimony before the subcommittee where he expressed a desire for improved proficiency in such high risk operations.

GULF OF MEXICO OIL SPILL RESPONSE

In 2010, the Coast Guard led the response to the fire and subsequent sinking of the Mobile Offshore Drilling Unit Deepwater Horizon. The Coast Guard recently issued the Incident Specific Preparedness Review [ISPR], which addresses specific areas of the response to the spill. According to the report, "this incident exposed deficiencies in planning and preparedness for an uncontrolled release of oil from an offshore drilling operation." It notes that the Coast Guard's marine environmental response programs "have atrophied over the past decade." The report identifies a number of areas for improvement, including: Area Contingency Plans for Spills of National Significance; development of a national planning process that identifies environmentally sensitive areas and the means to protect them; and engagement with key stakeholders. The ISPR also noted that many lessons learned from previous spills, the *Cosco Busan* and *Cape Mohican*, "are not addressed programmatically or implemented effectively and, as such, had little role in enhancing the Coast Guard's planning, preparedness, and response programs." As such, the ISPR report recommends that the Coast Guard "draw from lessons learned in this report, and institute an autonomous program, not unlike a private sector quality control program to select, implement, and assess the outcome of

lessons learned." As a result of the ISPR's recommendations, the Coast Guard shall submit to the Committee an action plan on how the recommendations will be addressed no later than 90 days after the date of enactment of this act. The Committee expects the Coast Guard to allocate some of the $15,185,000 provided in this act for marine environmental response activities to conduct testing of Area Contingency Plans.

COAST GUARD REIMBURSEMENT FOR SPILLS OF NATIONAL SIGNIFICANCE

The catastrophic blowout, fire, and subsequent sinking of the Deepwater Horizon Offshore Drilling Unit is the Nation's first declared Spill of National Significance and is considered by the Coast Guard to be the most challenging and complex oil spill response ever conducted. The Coast Guard mobilized over 47,000 people to remove and mitigate damages attributed to the estimated 4.9 million barrels of oil discharged into the Gulf of Mexico and amassed a fleet of more than 6,400 vessels including skimmers, vessels of opportunity, research vessels, Coast Guard cutters, and other specialized vessels to handle the myriad of individual activities that supported the response. At the height of the response, the Coast Guard itself deployed over 7,000 Coast Guard personnel, 60 Coast Guard vessels, and 22 Coast Guard aircraft. Due to the magnitude of the response, the Coast Guard expended resources far in excess of funds "normally available" for its statutory marine environmental protection mission. The Coast Guard's latest estimate of the cost is over $252,000,000. The unprecedented scope and duration of the response detracted from and deferred performance in other mission activities, and accelerated the planned depreciation of capital assets.

While the Oil Pollution Act of 1990 suggests a broad reimbursement policy for Federal agencies engaged in removal activities, certain Coast Guard activities such as the salaries of active duty and civilian personnel diverted from regular operations to the oil spill response and significant costs of the operation of vessels, equipment, and aircraft diverted from other duties to respond to the oil spill are not subject to reimbursement to the Coast Guard. The Coast Guard pays these costs out of its base operating funds. As a result, the Coast Guard is unable to reclaim funds to restore operational capacity and reconstitute readiness following an unprecedented surge event even though a Spill of National Significance is of such magnitude that the Coast Guard costs for removal activities will far exceed Coast Guard resources and personnel normally available for oil spill response. For future Spills of National Significance, the Coast Guard should be fully compensated for its costs. The Committee has included a general provision permitting the Coast Guard to claim recoverable costs. This language expressly authorizes the Secretary to accept reimbursements for Coast Guard removal costs, treat such reimbursements as credits to Coast Guard accounts that bore the expense at the time of reimbursement, and make such reimbursements available, without further appropriations, for the operation, maintenance, and replacement of Coast Guard vessels, aircraft, and equipment.

MANAGEMENT EFFICIENCIES AND OFFSETS

The Committee recommendation includes $140,040,000, as proposed in the budget, for various reductions from efficiencies and offsets. No later than 120 days after the date of enactment of this act, the Coast Guard is directed to brief the Committee on how such efficiencies and other reductions will be achieved. The briefing shall include a detailed listing of the specific efficiencies and offsets taken to achieve the targeted reductions. The briefing shall also address any shortfalls related to rising energy prices and what activities are being diverted to address them.

STEM-TO-STERN REVIEW OF DEPLOYABLE FORCES

As the Commandant discussed in his 2011 State of the Coast Guard address, he has ordered a "stem-to-stern" review of Coast Guard Deployable Specialized Forces and their concept of operations. The purpose of the review is to look at required capabilities, training, tactics, equipment, procedures, and resources. The Coast Guard is to brief the Committee no later than 60 days after the date of enactment of this act on the review's outcomes, including, but not limited to, any changes to current concept of operations, training standards, and regionalization requirements.

HIGH-ENDURANCE CUTTERS

In fiscal year 2010, the Committee appropriated $4,000,000 for the Coast Guard to assess the High Endurance Cutter fleet to determine the most effective use of funds to operate the vessels until replaced by National Security Cutters [NSC]. Unfortunately, minimal work has been put into this effort with less than $500,000 of this funding being obligated since October 2009. Given the additional delays in delivering the final NSC, as noted in the fiscal year 2012 budget request (final NSC delivery in 2018 versus 2016), the Coast Guard is urged to accelerate its work in this area. As part of its periodic acquisitions briefings to the Committee, the Coast Guard is to provide an update on the progress made on this effort. The Coast Guard's update shall include a discussion of the potential need for a future sustainment project to bridge operational gaps between full operating condition of the NSC fleet and the decommissioning sequence for remaining HECs.

SMALL VESSEL SECURITY

In January 2011, the Department released its Small Vessel Security Implementation Report to the public, which focused on the mitigation of risks associated with the millions of commercial and small vessels that use our ports and waterways. The Coast Guard and its DHS partner components shall periodically brief the Committee on the short-term and long-term actions being taken to carry out the DHS National Small Vessel Security Strategy, including a discussion of resources, technology, and statutory requirements.

One of the Strategy's four primary goals is to "exploit technology to enhance our ability to detect, determine the intent of, and, where necessary, interdict small vessels." The Committee is aware of efforts by the Department's Science and Technology [S&T] Direc-

torate, in partnership with the Coast Guard and the National Oceanic and Atmospheric Administration [NOAA], to use currently deployed coastal NOAA weather radar systems to identify and track small vessels. This capability may prove to be highly beneficial to the Coast Guard's efforts to track "dark boats", such as drug runners and other craft engaged in illicit activities. In fiscal year 2012, S&T funding will be used to develop, test, evaluate and, if successful, transition this system to the Coast Guard. The Coast Guard and S&T shall keep the Committee updated on its efforts in this area.

FINANCIAL MANAGEMENT OVERSIGHT

The Coast Guard shall continue to periodically brief the Committee on its efforts to address material weaknesses in its financial management enterprise that prevent accurate, complete, and timely financial information. These weaknesses have contributed to the inability of financial auditors to provide an unqualified opinion on the Department's balance sheets. The Coast Guard is to continue working with the Department's Office of the Chief Financial Officer on these efforts.

COAST GUARD YARD

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

ANTI-FOULING SYSTEMS

The Committee understands that the Department of State has not forwarded ratification documents to the International Maritime Organization for the International Convention on the Control of Harmful Anti-Fouling Systems [AFS] on Ships. Ratification of the treaty is vital to the Coast Guard's mission of marine environmental protection. Therefore, the Committee urges the Coast Guard to provide a plan no later than 90 days after the date of enactment of this act for completing delegation of authority requirements so that the Coast Guard may initiate implementation of the AFS Convention to minimize the dangers of marine pollution and to assure the safety of ports and waterways.

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

The Coast Guard, in coordination with the Transportation Security Administration, shall brief the Committee no later than 120 days after the date of enactment of this act on the progress being made to implement the recommendations made by the Government Accountability Office [GAO] in report (GAO–11–657) relating to internal control weaknesses of the Transportation Worker Identification Credential program.

VESSEL CONVEYANCE

The Committee does not include requested bill language related to the scrapping of decommissioned vessels. The requested language, which would authorize the Secretary of Homeland Security to transfer all right, title, and interest in decommissioned vessels of the Coast Guard to the Secretary of Transportation for disposal is an authorizing matter and not under the jurisdiction of the Appropriations Committee. The Coast Guard is encouraged to work with the appropriate authorizing committees to achieve its intended goal.

REPORTING REQUIREMENTS WITHOLDING

In an effort to encourage timely submissions to the Committees of materials necessary for robust and informed oversight, the Committee withholds $75,000,000 from obligation from the Coast Guard's "Headquarters Directorates" until the Quarterly Acquisition Report for the second quarter of fiscal year 2012 and a comprehensive 5-year Capital Investment Plan for fiscal years 2013–2017 have been submitted to the Committee.

EXECUTIVE TRANSPORTATION AIRCRAFT

The Coast Guard shall include in its annual justification any plans to alter the executive transportation aircraft program.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriations, 2011	$13,172,000
Budget estimate, 2012	16,699,000
House allowance	10,198,000
Committee recommendation	16,699,000

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 $16,699,000 for environmental compliance and restoration, $3,527,000 above the fiscal year 2011 level and the same as the budget request. The Committee is concerned that since the Department made the decision to terminate LORAN on January 8, 2010, little effort has been made by the Coast Guard to begin the environmental assessment and remediation efforts to prepare for divestiture of LORAN properties and start taking advantage of the ability to recoup property sales from the more valuable sites. The Coast Guard reported in April 2010 that, depending on the results of the environmental due diligence assessments, remediation costs could range from $58,000,000, for a best-case scenario, to $242,000,000 for a worst-case scenario. Within the amount

provided for this account, $2,640,000 is provided, as requested, for the Coast Guard to begin these assessments so it can remove these assets from its inventory and eliminate environmental liability and caretaker costs. No later than 60 days after the date of enactment of this act, the Coast Guard shall brief the Committee on its plan of action to complete these assessments, including a schedule for property divestiture.

PROPERTY CONVEYANCE

The Committee is aware of Coast Guard land set to be conveyed to the City of Marquette, Michigan, as authorized in Public Law 111–281, the Coast Guard Authorization Act of 2010. Since 2005, both the Coast Guard and the City of Marquette have worked amicably to facilitate the construction of a new Coast Guard station in the region, yet the conveyance of the former Coast Guard station to the city cannot commence without the necessary environmental assessment. No later than 90 days after the date of enactment of this act, the Coast Guard is directed to provide a report describing its plans for the conveyance of the Marquette land to the local governmental authority.

RESERVE TRAINING

Appropriations, 2011	$133,365,000
Budget estimate, 2012	136,778,000
House allowance	131,778,000
Committee recommendation	134,278,000

COMMITTEE RECOMMENDATIONS

The Committee recommends $134,278,000 for Reserve Training, $913,000 above the fiscal year 2011 level and $2,500,000 below budget request. The reduction is due to a trend in lapsed balances.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriations, 2011	$1,516,744,000
Budget estimate, 2012	1,421,924,000
House allowance	1,151,673,000
Committee recommendation	1,391,924,000

Funding in this account supports the acquisition, construction, and improvement [AC&I] 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, including Rescue 21 (formerly the National Distress and Response System Modernization Project), and the Nationwide Automatic Identification System.

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 $1,391,924,000 for acquisitions, construction, and improvements, including $20,000,000 from the Oil Spill Liability Trust Fund. The recommended amount is $30,000,000 below the request and $124,820,000 below the fiscal year 2011 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Vessels:			
Survey and Design—Vessel and Boats	.....	6,000	6,000
Response Boat Medium	41,916	110,000	110,000
In-Service Cutter Sustainment	.....	14,000	14,000
National Security Cutter	690,616	77,000	77,000
Offshore Patrol Cutter	44,910	25,000	25,000
Fast Response Cutter	239,520	358,000	358,000
Cutter Boats	2,994	5,000	5,000
Medium Endurance Cutter Sustainment	29,940	47,000	47,000
Subtotal, Vessels and Critical Infrastructure	1,049,896	642,000	642,000
Aircraft:			
CGNR 6017 Airframe Replacement	.....	18,300	18,300
Maritime Patrol Aircraft	39,920	129,500	104,500
HH–60 Conversion Projects	31,936	56,100	56,100
HC–130H Conversions/Sustainment Projects	24,950	62,000	62,000
HH–65 Conversion/Sustainment Projects	.....	24,000	24,000
HC–130J Fleet Introduction	3,992	.....	.....
Subtotal, Aircraft	100,798	289,900	264,900
Other:			
Government Program Management	44,910	35,000	30,000
Systems Engineering and Management	28,942	17,140	17,140
C4ISR	30,439	34,500	34,500
Technology Obsolescence Prevention	998	.....	.....
CG–Logistics Information Management System [CG–LIMS]	.....	6,500	6,500
National Automatic Identification System	.....	5,000	5,000
Rescue 21	35,928	65,000	65,000
Interagency Operation Centers	.....	3,000	3,000
Deepwater Logistics	49,900	.....	.....
Subtotal, Other	191,117	166,400	161,140
Shore Facilities and Aids to Navigation:			
Major Shore, ATON, and Survey and Design	63,867	92,900	92,900
Major Acquisition Systems Infrastructure	.....	94,500	94,500
Minor Shore	3,199	6,292	6,292
Military Housing	1,996	.....	.....
Subtotal, Shore Facilities and Aids to Navigation	69,062	193,692	193,692
Military Housing	.....	20,000	20,000

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Personnel and Related Support:			
Core Acquisition Costs	509	600	600
Direct Personnel Costs	105,362	109,592	109,592
Subtotal, Personnel and Related Support	105,871	110,192	110,192
Total, Acquisition, Construction, and Improvements	1,516,744	1,421,924	1,391,924

RESPONSE BOAT-MEDIUM

The Committee recommends $110,000,000 for the Response Boat-Medium [RB–M] acquisition, as requested. These funds will allow the Coast Guard to purchase 40 RB–Ms in fiscal year 2012, bringing the total funded to 155 of 180 boats. The RB–M is a critical asset for the Coast Guard to replace aging 41-foot Utility Boats that are less able to handle Coast Guard mission requirements, particularly maritime security requirements that have changed significantly since September 11, 2001, and serve as a platform for boardings, search and rescues, and port security. Recent studies have identified the lack of response boats as an impediment to fully implementing the Coast Guard's mission requirements. The recommended amount optimizes production, reduces project management costs, and generates savings of approximately $362,000 per RB–M.

IN-SERVICE CUTTER SUSTAINMENT

The Committee recommends $14,000,000, as requested, to begin service life extensions for the Coast Guard's aging fleet of nine 140-foot icebreaking tugs, which are critical to operations on the Great Lakes and Northeast coast. These tugs help clear shipping channels in the winter, and support law enforcement operations and enforce environmental regulations in all seasons. However, most of these vessels have been operating year round under taxing conditions for more than 30 years and are now in need of refurbishment to be able to sustain their high-operational tempo.

While the Committee is pleased sustainment requirements for the non-Deepwater fleet are beginning to be addressed, the Coast Guard has not developed a long-term fiscal plan to deal with other assets such as the 225-foot seagoing buoy tenders, 175-foot coastal buoy tenders, 87-foot patrol boats, and 47-foot motor life boats. The Coast Guard is to develop a long-term plan of investments to address the in-service cutter sustainment requirements, which shall be submitted to the Committee no later than 180 days after the date of enactment of this act. The plan shall identify how the Coast Guard Yard, which has proven to be an ideal facility for conducting life cycle event ship repairs, will be utilized for these mid-life availabilities.

NATIONAL SECURITY CUTTER

The Coast Guard operates a fleet of 378-foot high endurance cutters [HECs] that are over 43 years old on average, and are increasingly unreliable and expensive to maintain. By comparison, the average Navy ship is 14 years old. The Coast Guard's current plan is to acquire eight National Security Cutters [NSCs] to replace 12 HECs (of which two have been decommissioned with the arrival of the first two NSCs). To date, over $3,100,000,000 has been appropriated for five NSCs, of which two have been delivered to the Coast Guard and the third will be delivered by the end of fiscal year 2011. NSC–4 is under contract and is expected to be delivered in 2014.

The request in fiscal year 2012 of $77,000,000 for NSC–5 has been superseded by the fact that full funding was appropriated for the cutter in fiscal year 2011. Therefore, the Committee redirects these funds to acquire long lead time materials necessary for production of NSC–6. According to the Department, this will accelerate the production schedule for the cutter and result in direct savings of $45,000,000 to $60,000,000 compared to delaying the request for long lead acquisition to the fiscal year 2013 budget.

As noted in prior years, the Committee strongly supports the procurement of one National Security Cutter per year until all eight planned ships are procured. The continuation of production without a break will ensure that these ships, which are vital to the Coast Guard's mission, are procured at the lowest cost, and that they enter the Coast Guard fleet as soon as possible. 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, forces delayed obligation of production funds, and requires post production funds far in advance of when they will be used. As the Secretary noted in her testimony before the Committee, "we fully expect to build out the eight cutters." The Department should therefore be in a position to acquire NSCs 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 available to contract for long lead time materials for Coast Guard vessels, notwithstanding the availability of funds for production costs or post-production costs.

FAST RESPONSE CUTTER

The Committee recommends $358,000,000 for the Coast Guard's Fast Response Cutter [FRC], as requested. This funding will allow the Coast Guard to acquire six FRC hulls (13–18). Procuring six Fast Response Cutters in fiscal year 2012 will maximize the production line and generate cost savings of $5,000,000 per hull for a total savings to the taxpayers of $30,000,000. Funding six boats instead of four will also allow the Coast Guard to decommission two additional aging 110-foot Island Class Patrol Boats already beyond the end of their projected service life and expensive to maintain. Each FRC will provide 2,500 annual operating hours and an im-

proved sea keeping ability, resulting in better habitability and full mission capability in higher sea states.

The Committee commends the Coast Guard's due diligence in working with the Naval Engineering Technical Authority to improve the structural design for the FRC hull to prevent the potential need for any structural repairs prior to the end of the cutter's 20-year service life. Based on the continued involvement of the Coast Guard's technical authorities and consultation with third party independent classification societies, the identification and improvement of the structural design prior to launching the first FRC prevented required changes that would have been far more costly and impactful to operations than if they were identified later in the lifecycle of the cutter class.

The recommendation also includes funding for Re-procurement Package and Data Rights, as requested, which is necessary to support the planned re-competition of the next Fast Response Cutter procurement. Not funding this effort in fiscal year 2012 would result in an FRC production gap, driving up procurement costs and out-year operating and maintenance costs of legacy assets well beyond their service life.

MEDIUM ENDURANCE CUTTER SUSTAINMENT

The recommendation includes $47,000,000 for the Medium Endurance Cutter Sustainment Project, as requested. Funding will complete sustainment work on five 270-foot cutters. This funding is intended to improve mission effectiveness of these vessels to allow them to meet their goals for program availability through the remainder of their service lives. This program has been successful in significantly reducing the number of major equipment failures on these vessels resulting in a much higher percentage of time they are fully mission capable.

OFFSHORE PATROL CUTTER

The recommendation includes $25,000,000 for the Offshore Patrol Cutter, as requested. Funding is provided for pre-acquisition activities. The Committee expects the Coast Guard to provide quarterly briefings to the Committee on the status of this procurement, including critical decision points and dates.

ROTARY WING REPLACEMENT AIRCRAFT

Since September 2008, the Coast Guard has lost four helicopters in accidents. To date, funding has been appropriated to replace only one of those assets. The recommendation includes $36,600,000, $18,300,000 above the request to replace two additional helicopters. Funds for the second aircraft are provided in title V of the bill. The Coast Guard is to brief the Committee no later than 60 days after the date of enactment of this act on its plans for replacing lost rotary wing operational assets.

MARITIME PATROL AIRCRAFT

The Committee recommends $104,500,00 for the Maritime Patrol Aircraft [MPA], $25,000,000 below the budget request. Funds are recommended for the acquisition of two aircraft (MPAs–16 & 17),

which will provide an additional 2,400 hours to address the Coast Guard's MPA flight-hour gap. The Committee recognizes the importance of the mission system pallet, which is the electronic equipment to collect, compile, interpret, and disseminate data from the MPA's sensors. However, the Coast Guard is no longer purchasing these pallets from the original systems integrator and has not identified a new acquisition strategy to purchase them, making it unlikely that any funding for pallets would be obligated in fiscal year 2012. Therefore, the recommendation does not include funding for this purpose.

UNMANNED AIRCRAFT SYSTEMS

The Committee is aware of efforts by the Coast Guard to evaluate both ship-based and land-based Unmanned Aircraft Systems [UAS] for mission requirements. Both platforms have the potential to enhance the Coast Guard's capability to execute statutory requirements in the maritime domain. A recent Coast Guard report concluded that upgraded sensors and greater persistence could effectively extend a cutter's immediate surveillance horizon by as much as 35 percent. This is why the Committee is concerned with the absence of funding in the budget request and the long-term Capital Investment Plan for the acquisition of UAS. Prior to the establishment of a UAS acquisition program, additional testing is necessary to determine the viability of ship-based UAS systems on major Coast Guard cutters. Therefore, the Committee includes $8,000,000 under "Research, Development, Test, and Evaluation" for the shipboard ground control equipment necessary for ship-aircraft interface activities. The Committee is also aware of $3,200,000 that remains available from Coast Guard prior year appropriations for this purpose.

RESCUE 21

The Committee provides $65,000,000 for Rescue 21, as requested. Rescue 21 is the Coast Guard's command, control, and communications system to improve the ability to assist mariners in distress and save lives and property at sea. Rescue 21 is replacing the legacy National Distress and Response System [NDRS] and is being deployed in stages. As requested, funds will complete deployment in the Great Lakes and the OCONUS Islands (San Juan, Puerto Rico; Honolulu, Hawaii; and Guam). The funding will also recapitalize the legacy NDRS in the Western Rivers (Sectors Ohio Valley, Upper Mississippi River, and Lower Mississippi River); continue deployment to Alaska; and continue installation of Rescue 21 communications equipment on vessels. The Coast Guard is directed to continue quarterly briefings to the Committee on the status of the program, including any changes to the schedule outlined in the request.

NATIONWIDE AUTOMATIC IDENTIFICATION SYSTEM

The Committee recommends $5,000,000, as requested, for the Nationwide Automatic Identification System [NAIS], which is the Coast Guard's system to identify, track, and exchange information with vessels operating in or approaching U.S. waters. The funding

is to continue the recapitalization and permanent replacement of the temporary NAIS infrastructure located in 58 ports. As requested, the fiscal year 2012 funding will be used to deploy equipment for a permanent system to Sectors New Orleans and Galveston. The Coast Guard also plans additional site surveys that are necessary prior to the deployment of the permanent NAIS solution. The Coast Guard is to brief the Committee no later than 60 days after the date of enactment of this act on its revised acquisition program baseline and plans to complete sector deployment, including resource estimates.

SHORE FACILITIES AND AIDS TO NAVIGATION

The Committee recommends $193,692,000 for shore facilities and aids to navigation, as requested. The Coast Guard has estimated its shore facilities construction backlog to be over $500,000,000. The Coast Guard shall provide the Committee with a prioritized list of projects (including the estimated cost for each) in the backlog and the Coast Guard's plans to address them by January 15, 2012.

COAST GUARD TRAINING CENTER BARRACKS

Not later than 60 days after the date of the enactment of this act, the Coast Guard is to submit to the Committee a report that outlines its plan for upgrading the barracks at the Coast Guard's Training Center, including sprinkler systems and gender equal facilities.

MAJOR ACQUISITION SYSTEMS INFRASTRUCTURE

The Committee recognizes the importance of shore facility infrastructure modifications, upgrades, and new construction associated with homeporting new or modified cutters, boats, and aircraft. Facility upgrades are necessary to maximize the operational effectiveness of new assets being delivered. Unfortunately, the Coast Guard's congressional justification for this program includes limited information associated with homeport infrastructure costs for Fast Response Cutters, National Security Cutters, and other infrastructure needs necessary to support new assets. In several cases, the request includes funding for facility construction or upgrades for homeports that have yet to be identified by the Coast Guard. The Committee is left to wonder whether the amounts requested are truly reliable. The Committee expects the Coast Guard to improve its internal planning for placement of new assets and associated facility improvements necessary to accommodate them. No later than 30 days after the date of enactment of this act, the Coast Guard is to provide the Committee a detailed expenditure plan briefing on the selected homeports requiring appropriations in fiscal year 2012.

COAST GUARD MILITARY HOUSING

The Committee provides $20,000,000, as requested, for the recapitalization, improvement, and acquisition of housing to support military families. As discussed under the "Operating Expenses" section of this report, the Coast Guard shall provide an expenditure

plan to the Committee if a reprioritization of military housing needs is required.

AC&I PERSONNEL

The Committee provides $110,192,000 for personnel and related support, as requested. The Committee is concerned with the Coast Guard's ability to track these costs. In fiscal year 2011, the Coast Guard required a reprogramming to cover an increase in personnel hired that exceeded amounts appropriated. If the Coast Guard had proper internal controls in place to verify actual costs, this issue could have been prevented. The Coast Guard is to brief the Committee no later than 90 days after the date of enactment of this act on acquisition personnel management, vacancy rates, how billets are assigned to acquisition programs, and oversight of contract support.

According to a recent report by GAO, the Coast Guard has leveraged expertise from other agencies to support various acquisition programs. However, according to GAO, Coast Guard program staff has access to just 5 of 81 agreements. GAO has recommended improvement in this area in order for Coast Guard acquisition program managers to have better insight into the work DOD and other agencies are performing. Therefore, the 90-day briefing requirement shall also include a discussion of efforts to catalogue all interagency agreements with the DOD.

QUARTERLY ACQUISITION REPORTS

The Commandant is directed to continue to submit to the Committee quarterly acquisition and mission emphasis reports consistent with deadlines articulated under section 360 of division I of Public Law 108–7. The Coast Guard shall continue submitting these reports in the same format as required in fiscal year 2010, with the following modifications:

—For small boat purchases and leases from the "Operating Expenses" appropriation, the reports shall include the quantity, planned obligations for the fiscal year, obligations to date, and expenditures to date. The report shall also include an investment description for each purchase or lease planned for the fiscal year, including a description of the capability gap being addressed or enhancement to Coast Guard mission performance;

—The project risk sections shall include the top 5 risks for each Coast Guard acquisition identified in the report, consistent with those on the risk watch list in quarterly program manager reports. The risks should include those that may have future budget implications, such as spare parts. If the project has no risks, that should be clearly stated in the report;

—The Coast Guard is to submit the quarterly acquisition reports by the 15th day of each fiscal quarter in order to be of timely use to the Committee.

FLEET MIX ANALYSIS

In July 2010, the Government Accountability Office [GAO] recommended that the Coast Guard review the cost and mix of its assets and identify trade-offs given fiscal constraints. According to

GAO testimony in April 2011, "The Department of Homeland Security agreed with the recommendation; however, the Coast Guard has not yet implemented it." Since 2008, the Coast Guard has been conducting a study called the "Fleet Mix Analysis" to analyze asset requirements and to validate and recommend fleet mix options to best execute operational missions. Phase 1 of the analysis has been completed, but it was unconstrained by cost considerations and led to unrealistic conclusions considering the current fiscal environment. Phase 2 of the Fleet Mix Analysis is underway, which is examining performance of alternative fleet mixes while applying fiscal constraints. The Coast Guard expects to complete this study in fiscal year 2011. The Committee is also aware of a separate Departmental study that is in the final stages of Departmental review called the "Cutter Fleet Mix Analysis". The Coast Guard shall submit both the "Fleet Mix Analysis" (Phases 1 and 2) and the "Cutter Fleet Mix Analysis" to the Committee and GAO once they are completed, but no later than 30 days after the date of enactment of this act. GAO shall provide an assessment of the results no later than 120 days following the submission of the report to the Committee.

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, 2011	$24,696,000
Budget estimate, 2012	19,779,000
House allowance	12,779,000
Committee recommendation	27,779,000

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 $27,779,000 for the Coast Guard's research, development, test, and evaluation activities, $8,000,000 above the budget request and $3,083,000 above the fiscal year 2011 level.

Included in the amount recommended by the Committee is $8,000,000 for ship-based unmanned aircraft systems [UAS]. This funding, in addition to amounts previously appropriated, is required to purchase the necessary shipboard integration equipment and support an advanced concept technology demonstration.

The Committee encourages the Coast Guard to research and develop a composite or hybrid-composite year-round ice buoy that will perform the same functions as legacy buoys.

RETIRED PAY

Appropriations, 2011	$1,400,700,000
Budget estimate, 2012	1,440,157,000
House allowance	1,440,157,000
Committee recommendation	1,440,157,000

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 $1,440,157,000, as proposed in the budget, for retired pay. This amount is $39,457,000 more than the fiscal year 2011 level.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

Appropriations, 2011	$1,511,332,000
Budget estimate, 2012	1,691,751,000
House allowance	1,666,451,000
Committee recommendation	1,670,237,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,670,237,000 for Salaries and Expenses. This is an increase of $158,905,000 from the fiscal year 2011 level and $21,514,000 below the amount proposed in the budget.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Headquarters, management, and administration	226,284	246,602	201,088
Information Integration and Technology Transformation	.....	.....	43,843
Protection:			
Protection of persons and facilities	769,978	847,963	831,963
Protective intelligence activities	67,688	68,125	68,125
National Special Security Event Fund	998	19,307	19,307
Presidential candidate nominee protection	17,831	113,462	113,462

UNITED STATES SECRET SERVICE—SALARIES AND EXPENSES—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
White House mail screening	22,370	24,315	18,472
Subtotal, Protection	878,865	1,073,172	1,051,329
Investigations:			
Domestic field operations	256,897	223,991	223,991
International field office administration, operations, and training	30,644	30,971	32,971
Electronic crimes special agent program and electronic crimes task forces	56,042	53,051	53,051
Support for missing and exploited children	8,349	8,366	8,366
Subtotal, Investigations	351,932	316,379	318,379
Training: Rowley Training Center	54,251	55,598	55,598
Total, Salaries and expenses	1,511,332	1,691,751	1,670,237

SECRET SERVICE ACTIVITIES

The Committee fully funds the request for the 2012 Presidential campaign, protective intelligence, domestic investigations, Electronic Crimes Task Forces, support for missing and exploited children, and training. The Committee includes $10,000,000, $8,000,000 below the request, for data center migration activities.

The Committee notes that priority for Operational Mission Support funding is given to White House Communication Agency interoperability and cyber security improvements. The Committee directs the Secret Service to provide a report not later than 90 days after the date of enactment of this act on how it plans to obligate the Operational Mission Support and data center migration activities, the level of funding directed to these activities in this act, the anticipated funding requirements in the out-years to complete each activity, and the prioritization given to each activity.

The Committee is aware that due to various efficiencies found by the Secret Service and its decision not to open the "third mail processing lane", the actual requirements to operate the White House mail screening facility is $18,472,000, $5,843,000 below the request. The Committee recommends $18,472,000.

NATIONAL SPECIAL SECURITY EVENTS

The Committee recommends $19,307,000, as requested, for support to currently planned and unanticipated National Special Security Events [NSSEs] for fiscal year 2012. As the Secret Service knows in advance of a number of NSSEs scheduled to occur during the fiscal year, it has been able to plan its budget accordingly. The Committee directs the USSS to provide quarterly briefings on the use of these funds, with the first briefing to occur not later than 30 days after the end of the first quarter.

INFORMATION INTEGRATION AND TECHNOLOGY TRANSFORMATION

The Committee recommends $43,843,000 for Information Integration and Technology Transformation [IITT], the level requested.

In order to provide the appropriate level of visibility to this critical activity, the Committee has created a new program, project, and activity line for Information Integration and Technology Transformation programs. This includes the movement of $7,000,000 requested for IITT activities in the "Protection of persons and facilities" PPA and $36,843,000 in the "Headquarters, management, and administration" PPA.

The Committee has been concerned that the Secret Service has not had a complete understanding of its information technology requirements, the scope of the problem, and how to develop a multi-year plan to address it. In the fiscal year 2010 DHS Appropriations Act, the Committee directed the USSS to work with the DHS Chief Information Officer [CIO] to develop an information technology modernization plan that is consistent with DHS guidance on data center migration and enterprise architecture requirements. This requirement has assisted the USSS in focusing on the need to better address this critical requirement. The Committee includes statutory language withholding $20,000,000 of these funds from obligation until the DHS CIO certifies to the Committee not later than December 1, 2011, that Secret Service modernization activities are consistent with the Department's guidance.

The Committee also directs the USSS to provide greater detail in the justifications accompanying the fiscal year 2013 budget request on all USSS information technology activities.

INTERNATIONAL ACTIVITIES AND OFFICES

The Secret Service's efforts to combat U.S. currency counterfeiting in Colombia have proven effective. In anticipation of counterfeiting activities growing in neighboring Peru, the USSS has sought and received approval from the State Department and the Peruvian government for authority to have a permanent presence in Peru. Previously, USSS support to Peruvian law enforcement has been conducted on a rotating, temporary basis. The Committee encourages execution of the permanent presence.

Additionally, financial crimes continue to emerge in eastern Asia as a threat to the economic stability of the United States. Given the growing Chinese economy and the fact that Beijing is the most visited Asian destination of Secret Service protectees, the Committee understands that the USSS also has requested and recently received final approval by the Ministry of Foreign Affairs of the People's Republic of China for the establishment of a permanent Secret Service office in Beijing. The Committee supports the establishment of a Resident office in Lima, Peru, and recommends $2,000,000 to open and staff the office. The Committee understands that the Secret Service has sufficient base investigative funding to open the Beijing office, but requests a briefing on the future funding requirements no later than November 4, 2011. Additionally, the Committee directs the USSS to provide a briefing on the establishment of both offices not later than February 17, 2012.

FINANCIAL MANAGEMENT

On April 27, 2010, GAO advised the Congress that it had confirmed an Antideficiency Act violation by the United States Secret Service for Presidential candidate protection activities during the

2008 election. On August 8, 2011, DHS sent to the President and Congress the Antideficiency Act report mandated by law confirming the January 2009, violations and identifying corrective actions. The Committee is disappointed that it was more than 15 months between Congress being advised by GAO of the violation and Congress' receipt of the formal report. The Committee directs the Department to adhere to the corrective actions it has established to prevent future violations by improving policies and procedures to ensure that information related to potential future shortfalls are identified for appropriate action so as to avoid a violation of the law. The Committee also directs the Secret Service to develop written procedures for preparing and reviewing budget execution reports as specified in the Secretary's August 8, 2011, letter.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2011	$3,967,000
Budget estimate, 2012	6,780,000
House allowance	6,780,000
Committee recommendation	5,380,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $5,380,000, $1,400,000 below the request and $1,413,000 above the fiscal year 2011 level, for infrastructure improvements and other activities at the James J. Rowley Training Center due to higher funding priorities within a constrained allocation.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

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

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Management and administration	43,490	55,156	37,875
Infrastructure protection and information security:			
Infrastructure protection	323,036	322,278	317,415
Cybersecurity	363,054	459,098	449,959
Telecommunications	152,673	150,365	146,165
Assistant Secretary for Cybersecurity and Communications		4,744	4,744
Federal Protective Service	1,115,000	1,261,537	1,261,537
United States Visitor and Immigrant Status Indicator Technology	333,944	302,271	297,402
Cancellation		(−25,642)	
Subtotal, US-VISIT	333,944	276,629	297,402
Total, National Protection and Programs Directorate (gross)	2,331,197	2,529,807	2,515,097
Offsetting fee collections	−1,115,000	−1,261,537	−1,261,537
Total, National Protection and Programs Directorate (net)	1,216,197	1,268,270	1,253,560

MANAGEMENT AND ADMINISTRATION

Appropriations, 2011	$43,490,000
Budget estimate, 2012	55,156,000
House allowance	42,511,000
Committee Recommendation	37,875,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $37,875,000, for Management and Administration, of which $33,634,000 is for Directorate Administration and $4,241,000 is for the Office of Risk Management and Analysis. In total, this is $5,615,000 below the fiscal year 2011 level, and $17,281,000 below the budget request.

The total amount includes no funding, instead of $12,000,000 as requested in the budget, for data center migration. NPPD is encouraged to submit a budget request for the costs associated with data center migration in fiscal year 2013.

BUDGET EXECUTION

To date, most National Protection and Programs Directorate programs have had appropriated funding available for execution over a 2-year period. This was important when new missions were being developed and programs were in their infancy. For the most complex programs, or programs sensitive to procurement changes, it is still important to have some portion of funding available beyond the fiscal year in which it is appropriated in order to responsibly operate programs. However, many NPPD programs have reached a point where the majority of funds can be executed in the year the funds are appropriated. Unfortunately, NPPD has not prioritized aligning budget execution with the fiscal year, which in turn causes high carryover balances. This continued practice puts important programs at risk of reductions. The Committee directs the NPPD, Office of the Chief Financial Officer, to provide a strategic plan, within 30 days after the date of enactment of this act, regarding how it will align budget execution with the fiscal year including specific detail about realigning obligation timeframes. Further, the plan shall identify the rare instances where execution of funds must occur beyond the fiscal year of the appropriation and provide a justification for why this is necessary. Finally, NPPD is directed to provide specific detail and a justification in the fiscal year 2013 budget submission for any funding request that includes availability for longer than the fiscal year in which the funds are requested.

OFFICE OF RISK MANAGEMENT AND ANALYSIS

The Committee recommends $4,241,000 for the Office of Risk Management and Analysis [RMA], a reduction of $5,281,000 from the budget request and $4,636,000 below the fiscal year 2011 level.

The Committee has repeatedly expressed concern about the ability of RMA to provide applicable risk management and analysis products for practical use by departmental components. The National Academy of Sciences [NAS] found in a recent report that the Department's risk analysis capabilities and methods are inadequate to support decisionmaking because validity and reliability was untested. The NAS study recommended major reforms to the RMA approach to risk modeling and strategic planning, yet no reform or strategic plan has been proposed. Expenditure plans and official responses to questions for the record that have been required by the Committees on Appropriations have not aided in a better understanding of the strategic direction of RMA. The Under

Secretary is directed to provide a strategic plan for the orderly termination of the Office during fiscal year 2012, including transfers of existing capabilities that are valuable for other DHS offices such as NPPD, FEMA, and the Office of Policy. Should the Under Secretary determine that a substantially reorganized office can more effectively accomplish risk management goals for the Department with the resources provided, the Committee will entertain a reprogramming request.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

Appropriations, 2011	$838,763,000
Budget estimate, 2012	936,485,000
House allowance	891,243,000
Committee recommendation	918,283,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends total appropriations of $918,283,000 for Infrastructure Protection and Information Security [IPIS] programs. The Committee rejects the proposal to move funding for the National Computer Forensic Institute to the Federal Law Enforcement Training Center and directs NPPD to maintain the current program in fiscal year 2012.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Infrastructure protection and information security:			
Infrastructure protection:			
Infrastructure and analysis and planning	80,170	74,518	72,700
Sector management and governance	82,194	87,045	84,000
Regional field operations	64,742	61,367	61,367
Infrastructure security compliance	95,930	99,348	99,348
Subtotal, Infrastructure protection	323,036	322,278	317,415
Assistant Secretary for Cybersecurity and Communications	.....	4,744	4,744
Information security:			
Cybersecurity:			
Cybersecurity coordination	4,990	5,000	5,000
US–Computer Incident Response Team [US–CERT] Operations	77,432	82,114	80,000
Federal network security	19,651	40,923	35,000
Network security deployment	176,017	233,602	232,500
Global cybersecurity management	17,506	24,527	24,527
Critical infrastructure cyber protection and awareness	52,637	61,364	61,364
Business operations	14,821	11,568	11,568

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Subtotal, Cybersecurity	363,054	459,098	449,959
Telecommunications:			
Priority telecommunications services	56,170	56,824	56,824
Programs to study and enhance telecommunications	16,624	13,441	13,441
Critical infrastructure protection programs	14,854	11,352	11,352
Next generation networks	21,053	25,253	21,053
Office of emergency communications	43,972	43,495	43,495
Subtotal, Telecommunications	152,673	150,365	146,165
Subtotal, Information security	515,727	609,463	596,124
Subtotal, Infrastructure protection and information security	838,763	936,485	918,283

INFRASTRUCTURE PROTECTION

The Committee recommends $317,415,000 for Infrastructure Protection, $4,863,000 below the request and $5,621,000 below the fiscal year 2011 level.

The Committee includes no less than $15,968,000, for the National Infrastructure Simulation and Analysis Center [NISAC] and $22,268,000 for vulnerability assessments, the same amounts as requested in the budget.

The Government Accountability Office [GAO] found in a recent report (GAO–10–722) that the Department's efforts to assess and promote resiliency, as called for in Homeland Security Presidential Directive-7, related to Critical Infrastructure Identification, Prioritization, and Protection, are evolving but that program management could be strengthened. Recommendations were specifically made by GAO for the Department to develop resiliency performance measures, update guidelines, and develop a feasible approach to disseminate resiliency information. Further, a June 2011 report by the Office of Inspector General (OIG–11–89) found that planning, management, and systems issues hinder DHS' efforts to protect the Nation's cyber infrastructure. NPPD is directed to provide a briefing to the Committee on the resolution of the recommendations from both reports within 30 days after the date of enactment of this act.

The Committee recognizes the importance of continued public-private partnership activities between industry, which is the predominate owner of the Nation's infrastructure, and the Government as it relates to security of critical infrastructure. The Committee notes that the fiscal year 2012 budget request indicates that NPPD will streamline various methods and processes for coordination and information sharing with industry partners through National Infrastructure Protection Plan management, Critical Infrastructure Key Resources coordination, and Sector-Specific Agency management. The Committee directs NPPD to provide a report to the Committee no later than 60 days after the date of enactment of this act on the results from a thorough review of all efforts related to coordinating and executing plans; implementing perform-

ance metrics; sustaining systemic communication; executing Sector-Specific Agency functions; and providing education, training and outreach. Further, the Committee directs GAO to review the results of the NPPD report and related efforts of the streamlining process no later than 60 days after receiving the report to determine the extent to which they were designed to ensure mission clarity; useful and actionable work products; efficacy of planning and information sharing; and that cost savings are achieved where possible.

The Committee encourages NISAC to continue to work with the National Incident Management Systems and Advanced Technologies Institute at the University of Louisiana at Lafayette.

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

The Committee is concerned that there are not enough inspection, enforcement, and compliance personnel to effectively implement the Chemical Facility Anti-Terrorism Standards. NPPD is directed to provide quarterly updates to the Committee on the number of: inspections completed; inspections pending; inspection, enforcement, and compliance personnel on-board, and position vacancies. The Committee encourages the Department to explore possible internal collaborations among DHS agencies, including the Coast Guard, on inspections.

CYBERSECURITY

The Committee recommends $449,959,000 for Cybersecurity, $9,139,000 below the request and $86,905,000 above the fiscal year 2011 level.

When launching the Cyberspace Policy Review, the President declared that, "the cyber threat is one of the most serious economic and national security challenges we face as a nation" and that "America's economic prosperity in the 21st century will depend on cybersecurity." A June 2011 report by the Office of Inspector General (OIG–11–89) found that progress has been made in some areas but that planning, management, and systems issues hinder DHS' efforts to protect cyber space. NPPD is directed to brief the Committee on its progress to address and implement the OIG findings no later than 30 days after the date of enactment of this act.

Of the amount provided, $14,876,000 is for cyber education and $8,012,000 is for outreach and awareness, as requested. The Committee urges NPPD to continue to work with partners in ensuring a focus on professional development and building a knowledge-based workforce on cybersecurity.

The Committee directs the Secretary, in conjunction with the Department of Education, Department of Defense, the National Institutes of Standards and Technology, and the National Science Foundation to provide a report on program investments to date for promoting cybersecurity education and digital literacy. Further, the Committee urges the departments and agencies to coordinate efforts and develop a robust program for promoting cybersecurity

education and digital literacy. The Department of Homeland Security shall brief the Committee by March 1, 2012, on its plans to educate 1,700,000 students over the next 10 years.

The Committee understands that NPPD is coordinating with the Department of Defense regarding pilot programs that will illustrate how innovative technologies can be deployed across Government agencies and key elements of the private sector consistent with an executable operational concept. Further, the Committee is aware that NPPD engages directly with industry to better understand existing and developing cybersecurity technologies in the private sector. These efforts contribute to the President's Cyberspace Policy Review and the Comprehensive National Cyber Security Initiative. NPPD is directed to brief the Committee, no later than 45 days after the date of enactment of this act, on the status of this work to evaluate cybersecurity technologies, including: the number of pilots being conducted; the cost, purpose, and timeframe for each; and how the findings of each will be implemented.

In the joint explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, the Committee directed NPPD, in conjunction with the Federal Emergency Management Agency [FEMA], to develop the necessary tools for all levels of governments to complete a cyber network security assessment. NPPD, in conjunction with FEMA, is directed to provide a briefing to the Committee on the specific timeframe in which the effort will be completed and implemented no later than 45 days after the date of enactment of this act. Further, the briefing shall provide an update on how this effort and other on-going efforts by both components contribute to completion of the recommendation in the September 2010 Report to Congress of the Local, State, Tribal, and Federal Preparedness Task Force to "ensure national cybersecurity efforts address local, State, Tribal, and Territorial preparedness implications".

TELECOMMUNICATIONS

The Committee recommends $146,165,000 for Telecommunications, $4,200,000 below the request and $6,508,000 below the fiscal year 2011 level. Of the total amount, the Committee includes $43,495,000 for the Office of Emergency Communications [OEC], the same amount as the budget request, and $477,000 below the fiscal year 2011 level.

It has been 10 years since the terrorist attacks on September 11, 2001. The failure of communications during that incident has been cited in the 9/11 Commission report and has been the subject of many recommendations for resolution. When Hurricane Katrina struck, another call to resolve communications issues was made. Since that time, the Federal Government and the Department of Homeland Security have devoted significant resources to solving the interoperable communications problem—over $4,500,000,000 in Federal homeland security grants alone. The Committee notes that the initial goal established in the National Emergency Communication Plan—that 90 percent of high-risk urban areas be able to demonstrate response level communications within an hour of routine events with multi-jurisdictions—has been successfully completed within the required timeframe of calendar year 2010.

While progress has been made, there is much more to do. The emergence of commercial broadband services provide emergency responders with new opportunities to improve communications. Despite this potential, public safety faces several challenges in integrating new technologies and proving their reliability. The Committee directs OEC to report to the Committee no later than 180 days after the date of enactment of this act on the progress since September 2001 to improve emergency communications and what challenges lie ahead. Particular focus should be placed on the adoption of broadband technologies and the key issues and barriers still facing the emergency response agencies on this issue. The report is to include any needed update to the National Emergency Communications Plan to reflect the emergence of broadband technologies for public safety and this update shall be developed in cooperation with State, local, and tribal governments, relevant Federal agencies, emergency response providers, and the private sector. Further, the report shall include a plan to develop and disseminate training and best practices on governance, standard operating procedures, equipment purchases, and related issues for broadband technologies; and to deliver technical assistance to public safety agencies on broadband technologies.

The Committee also directs OEC, in conjunction with the Federal Communications Commission [FCC], to brief the Committee on planning, analysis, and coordination efforts with the FCC and other Federal agencies for deployment and operation of the Public Safety Broadband Network no later than 45 days after the date of enactment of this act.

Through the Emergency Communications Preparedness Center, the OEC leads an interagency body that serves as the focal point and clearinghouse for intergovernmental emergency communications information sharing, and for strategic assessment on Federal coordination to advance emergency communications. OEC is directed to provide the annual report required in the 21st Century Emergency Communication Act of 2006 (6 U.S.C. 576) regarding a strategic assessment, and coordination efforts, of Federal agencies to advance the ability to have interoperable communications during a disaster without delay.

The Next Generation Network Priority Services program was established to address the ramifications of continuously evolving communications technology on the Government's ability to deliver national security and emergency preparedness voice communications. The Committee recognizes that while improvements to program management have been made, NPPD still has much work to do in fiscal year 2012 with industry before this program can be fully implemented. NPPD is directed to provide a report to the Committee no later than 60 days after the date of enactment of this act on the milestones reached to date and the timeframe for execution of this program.

FEDERAL PROTECTIVE SERVICE

Appropriations, 2012 [1]	$1,115,000,000
Budget estimate, 2012 [1]	1,261,537,000
House allowance [1]	1,261,537,000
Committee recommendation [1]	1,261,537,000

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

The Federal Protective Service [FPS] is responsible for the security and protection of Federal property under the control of the General Services Administration [GSA]; and for the enforcement of laws for the protection of persons and property, the prevention of breaches of peace, and enforcement of any rules and regulations made and promulgated by the GSA Administrator and/or the Secretary. The FPS authority can also be extended by agreement to any area with a significant Federal interest. The FPS account provides funds for the salaries, benefits, travel, training, and other expenses of the program, offset by collections paid by GSA tenants and credited to the account.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,261,537,000, as requested, for salaries and expenses of the Federal Protective Service for fiscal year 2012; this amount is fully offset by collections of security fees.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

FEDERAL PROTECTIVE SERVICE

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Basic security	220,000	247,478	247,478
Building specific security	420,000	501,039	501,039
Reimbursable security fees (contract guard services)	475,000	513,020	513,020
Total, Federal Protective Service	1,115,000	1,261,537	1,261,537
Offsetting fee collections	−1,115,000	−1,261,537	−1,261,537

ADEQUATE RESOURCING

Since fiscal year 2007, the Committee has expressed concern over the apparent lack of adequate resourcing for FPS. The attacks on the World Trade Center in 1993 and 2001, the Oklahoma City bombing, the attacks and shootings at the Pentagon and Fort Hood, and the plane attack on the Internal Revenue Service building in Texas are indicative of the threat to the Federal workforce. In fact, according to the Social Security Administration [SSA] Inspector General, threats against SSA employees have risen from 897 in 2007 to 2,336 in 2010. Therefore, the Committee is pleased to see an increase of 121 FTE is included in the budget request. However, concerns remain that FPS is still not properly resourced to complete its mission. Despite a known need for a workforce analysis study and strategic human capital plan, neither has been finalized.

FPS is currently funded through fees assessed to participating agencies by the Office of Management and Budget [OMB]. A provi-

sion is included requiring the Secretary and the Director of OMB to certify that FPS is sufficiently funded to support a staff of 1,371 FTE staff, including at least 1,007 FTE Police Officers, Inspectors, Area Commanders, and Special Agents, the same amount as included in the request, by December 31, 2011. Further, a new provision is included requiring that FPS submit a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment with the fiscal year 2013 budget submission. In addition, the Committee directs GAO to report to the Committee within 60 days after the receipt of the plan on its validity.

The Committee notes that GAO recommended in a recent report (GAO–11–492) that FPS conduct regular fee reviews and make the findings of the reviews available to customers. Further, GAO recommended that FPS evaluate its fee structure and the timing of budgetary decisions. FPS is directed to brief the Committee quarterly on the progress of fulfilling such recommendations.

The Committee is aware that the Department has decided to assume full security and protection responsibilities for agencies that have previously carried this function out through a delegation of authority from the Secretary of Homeland Security. The Committee understands the Department's desire to have better insight into the security operations at all Federal facilities, but the Committee cautions that a "one size fits all," solution could have negative budgetary consequences for the agencies that lose this delegated authority, while at the same time potentially not improving security performance beyond currently provided levels. FPS is directed to submit to the Committees and to GAO, within 60 days of the date of enactment of this act, the proposed plan to assume security and protection responsibilities from agencies that currently hold delegated authority. The plan shall include a cost/benefit analysis of the various models, including the costs associated with FPS carrying out the function compared to the current costs of those services as provided by the agencies receiving the delegation. The Committee directs GAO to review this issue and develop a set of recommendations for consideration by the Congress on security and protection models that could be implemented at the affected agencies. GAO shall report to the Committees with its findings within 180 days of the date of enactment of this act.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

Appropriations, 2011	$333,944,000
Budget estimate, 2012 [1]	276,629,000
House allowance	297,402,000
Committee recommendation	297,402,000

[1] Includes a proposed cancellation of $25,642,000.

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

The US-VISIT program office has lead responsibility within the Department of Homeland Security to work with the Federal Bu-

reau of Investigation [FBI] on the further integration of the Automated Biometric Identification System [IDENT] and the FBI's Integrated Automated Fingerprint Identification System [IAFIS].

COMMITTEE RECOMMENDATIONS

The Committee recommends $297,402,000, $4,869,000 below the budget request excluding the proposed cancellation of $25,642,000 which the Committee rejects, to remain available until September 30, 2014, for the United States Visitor and Immigrant Status Indicator Technology [US-VISIT].

VISA OVERSTAY BACKLOG

If the Government has records of individuals entering the United States who are supposed to depart by a date certain, it is irresponsible to ignore these out-of-status individuals. This represents both a potential national security threat while further undermining our immigration system. In this regard, the Committee is pleased that US-VISIT is beginning to address its backlog of visa overstay records. The Committee directs US-VISIT, jointly with ICE, to submit a report to the Committee on how it will complete this activity no later than 90 days after the date of enactment of this act. The Committee provides up to $5,000,000, available by transfer from ICE, Salaries and Expenses, to assist in this effort.

IMPLEMENTATION OF BIOMETRIC AIR EXIT

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

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

The Committee includes language in the bill providing that not less than $18,000,000 in prior-year balances shall remain available until expended solely for implementation of a biometric air exit capability.

BRIEFINGS

All current quarterly briefings on US-VISIT programs shall be provided on a semiannual basis.

UNIQUE IDENTITY/IAFIS INTEGRATION AND 10-PRINT TRANSITION

Since the creation of the Department, this Committee has strongly supported and encouraged real-time interoperability between the IDENT and IAFIS biometric databases and the transition to capturing 10 fingerprints of all visitors to the United States. The Committee notes that the interoperability effort from September 2006 through April 30, 2010, has identified more than 55,900 individuals with wants and warrants or who are known or suspected terrorists and has prevented their entry into the United States. The Committee recognizes that the FBI's transition to the Next Generation

Identification of fingerprinting technology is an ongoing, multi-year process, and the Committee fully funds the $32,600,000 request for Unique Identity as US-VISIT continues its portion of the interoperability effort with the FBI. The Committee directs the US-VISIT program office to continue aggressively pursuing this issue and to continue providing semiannual briefings on progress being made on Unique Identity.

US-VISIT'S KEY ROLE IN IDENTITY MANAGEMENT AND NATIONAL BIOMETRIC ACTIVITIES

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

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

The Committee is encouraged by the progress US-VISIT has made in working closely with an increasing number of foreign governments as they seek to implement biometrics into their immigration and border management processes, exploring more and more opportunities for gaining global cooperation and collaboration to combat terrorism and international crime. The Committee urges greater coordination with the Department of Defense on biometrics use and sharing. The Committee directs US-VISIT to provide a report to the Committee not later than 60 days after the date of enactment of this act detailing interagency cooperation on biometrics and US-VISIT's role in developing partnerships to strengthen global security.

The Committee notes that US-VISIT 1.0 may enable the US-VISIT program to fulfill its mission and requirements for effectiveness and suitability going forward. The Committee directs US-VISIT to include in the first quarterly briefing update on how US-VISIT 1.0 would ensure that US-VISIT can continue to meet growing and evolving biometric and biographic identity services for its customers.

OFFICE OF HEALTH AFFAIRS

Appropriations, 2011	$139,455,000
Budget estimate, 2012	160,949,000
House allowance	165,949,000
Committee recommendation	159,450,000

SUMMARY

The Office of Health Affairs [OHA], headed by the Chief Medical Officer who also serves as the Assistant Secretary for Health Affairs, leads the Department on medical issues related to natural

and man-made disasters; serves as the principal advisor to the Secretary on medical and public health issues; coordinates biodefense activities within the Department; and serves as the Department's primary contact with other Departments and State, local, and tribal governments on medical and public health issues.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

OFFICE OF HEALTH AFFAIRS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
BioWatch	100,780	115,164	115,164
National Biosurveillance Integration Center	7,000	7,014	3,514
Rapidly Deployable Chemical Detection System	2,400	([1])	([1])
Chemical Defense Program	.....	2,439	5,439
Planning and coordination	2,276	6,162	6,162
Salaries and expenses	26,999	30,170	29,171
Total, Office of Health Affairs	139,455	160,949	159,450

[1] Similar activities funded under Chemical Defense Program.

BIOWATCH

The Committee recommends $115,164,000 for the BioWatch program, $14,384,000 above the fiscal year 2011 level and the same amount as the budget request. From its inception, the Committee has expressed great concern about the troubled implementation and slow progress of the BioWatch program. While concerns remain, the Committee recognizes that progress is being made with the development and maturity of the BioWatch program, including an effort to work more cooperatively with Federal, State, and local partners. The Committee remains committed to ensuring the Nation has an early warning network to detect a biological agent to speed response and recovery from a terrorist event. The Committee encourages OHA to pursue a vigorous schedule and to rectify emerging problems as soon as possible to ensure that important advancements in this critical program can be deployed.

NATIONAL BIOSURVEILLANCE INTEGRATION CENTER

The Committee is supportive of the mission to identify, track, and provide alerts for a biological event of national concern. However, the Committee remains concerned about the lack of a strategic approach to the mission by the National Biosurveillance Integration Center. To date, an adequate plan has not been forthcoming. Therefore, funding for the Center is reduced by $3,486,000 from the fiscal year 2011 level. The remaining amount is provided for the orderly transition of the Center's most necessary and mission critical functions to another coordination or operations center. OHA is directed to provide the Committee a report, no later than 45 days after the date of enactment of this act, regarding the best options for collocation of the necessary functions of the Center with another coordination or operations center, and a timeframe to complete a relocation.

CHEMICAL DEFENSE PROGRAM

Pursuant to the President's budget request, the Rapidly Deployable Chemical Defense System PPA has been renamed to better reflect the growth of the program from a singular focus on a deployable system to a focus that also includes planning, preparedness, response, and strategic communication.

The Committee recommends $5,439,000 for the Chemical Defense Program, which is $3,039,000 above the fiscal year 2011 level for similar activities and $3,000,000 above the budget request. The increase is provided to complete at least two additional demonstration projects in OHA's ongoing effort to build an end-to-end chemical defense architecture. The site shall be competitively selected through the current process based on requirements, priorities, and specifications of the overarching chemical detection architecture. The Committee expects that OHA will prioritize demonstration projects based on risk, and understands that new demonstrations are being considered at airports, outdoor stadiums, and ports. The Committee is concerned that current demonstration projects do not address the threat of terrorist attacks, vessel collisions, or accidental releases at shoreline or riverine chemical facilities and refineries in population centers within the United States and urges the development of a new demonstration project to address the threat to this critical infrastructure sector within 1 year.

PLANNING AND COORDINATION

The Committee recommends $6,162,000, which is $3,886,000 above the fiscal year 2011 level and the same amount as the budget request. As requested, the increase reflects a realignment of funding from the BioWatch PPA. The Committee notes the important role the Food, Agriculture, and Veterinary Defense Division related to Homeland Security Presidential Directive-9 plays in advising Departmental leadership on security issues regarding food, water, agro-defense, veterinary, and zoonotic diseases and directs OHA to adequately support this important activity.

SALARIES AND EXPENSES

The Committee recommends $29,171,000 for salaries and expenses, $999,000 below the budget request and $2,172,000 above the fiscal year 2011 level.

FEDERAL EMERGENCY MANAGEMENT AGENCY

MISSION

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

COMMITTEE RECOMMENDATIONS

The Committee recommends a total program level of $9,780,880,000 for activities of FEMA for fiscal year 2012.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

FEDERAL EMERGENCY MANAGEMENT AGENCY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Operating Expenses [1]	[2] 786,824	814,924	[3] 904,550
State and local programs	2,225,041	3,844,663	[3] 1,476,681
Firefighter Assistance Grants	808,380	([4])	750,000
Emergency Management Performance Grants	339,320	([4])	350,000
Radiological Emergency Preparedness Program	−265	−896	−896
United States Fire Administration	45,497	42,538	45,038
Disaster Relief Fund	2,644,700	1,800,000	[5] 6,000,000
Disaster Assistance Direct Loan Program Account	294	295	295
Flood hazard mapping and risk analysis	181,636	102,712	92,712
National Flood Insurance Fund	(169,000)	(171,000)	(171,000)
National Predisaster Mitigation Fund	49,900	84,937	42,500
Emergency food and shelter	119,760	100,000	120,000
Total, Federal Emergency Management Agency	7,201,087	6,789,173	9,780,880

[1] Formerly Management and Administration.
[2] Excludes a transfer of $105,600,000 from Disaster Relief Fund.
[3] Funding levels reflect a change in PPA structure and a realignment of programs.
[4] Funding proposed under State and local programs.
[5] Includes $4,200,000,000 designated by Congress as disaster relief pursuant to Public Law 112–25.

OPERATING EXPENSES [1]

Appropriations, 2011 [2]	$786,824,000
Budget estimate, 2012	814,924,000
House allowance [2]	707,298,000
Committee recommendation [3]	904,550,000

[1] Formerly Management and Administration.
[2] Excludes a transfer of $105,600,000 from Disaster Relief Fund.
[3] Funding levels reflect a change in PPA structure and a realignment of programs.

Funding for FEMA's Operating Expenses [OE] 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. OE supports FEMA's programs by coordinating between Headquarters and Regional Offices the policy, managerial, resource, and administrative actions.

COMMITTEE RECOMMENDATIONS

FEMA has experienced significant growth over the last decade, and especially since Hurricanes Katrina and Rita. Since 2005, FEMA's base has increased by 104 percent to support preparedness, response, recovery, and mitigation activities Nationwide. FEMA's permanent workforce has grown by 75 percent. During this period of growth, FEMA has also received new authorities and reorganized many times. To effectively manage and sustain such change, discipline is required and transparency is needed. There-

fore, the Committee includes a new program, project, and activity [PPA] structure, an account name change, and a realignment of certain programs into existing accounts. The funding for the "Management and Administration" account is now provided under "Operating Expenses". Further, the funding in the "Operating Expenses" account is divided into PPAs that more clearly identify FEMA operations. Finally, funding for Technical Assistance and Evaluations and Assessments is provided under "Operating Expenses" instead of under "State and Local Programs"; and funding for the Emergency Management Institute is provided under "State and Local Programs" instead of under "Operating Expenses" to better align similar programs.

Activities, as outlined the President's budget and the accompanying congressional justification materials, are funded in the following PPAs. The Administrative and Regional Offices PPA includes the Office of the Administrator, Office of Policy and Program Analysis, Office of External Affairs, Disability Integration and Coordination, Office of Equal Rights, Office of Chief Counsel, Office of Chief Financial Officer, Office of National Capital Region Coordination, Regional Operations, Federal Coordinating Officers, and Evaluations and Assessments. The Preparedness and Protection PPA includes the Office of Preparedness and National Protection, National Continuity, National Preparedness Directorate, Grants Programs Directorate, and Technical Assistance. The Response PPA includes the Office of Response and Recovery, Response Programs, and Logistics Programs. The Recovery PPA includes Recovery Programs. The Mitigation PPA includes Mitigation Programs. The Mission Support PPA includes Office of the Associate Administrator, Chief Administrative Officer, Chief Security Officer, Chief Information Officer, Chief Human Capital Officer, Chief Procurement Officer, and Regional Support. The Centrally Managed Accounts PPA includes Centrally Managed Functions in the Office of the Chief Financial Officer; and Enterprise Operations in the Office of the Chief Administrative Officer, Chief Information Officer, and Chief Security Officer. The Emergency Management Institute is funded under the "State and Local Programs" account.

FEMA shall submit the fiscal year 2013 budget in an account and PPA structure identical to the structure enacted in this act and presented in this report. Furthermore, any report, briefing, or explanatory materials submitted to the Committee in fiscal year 2013 should be presented in this same structure.

Bill language is included providing temporary authority to FEMA to transfer funding among PPAs in the "Operating Expenses" account. FEMA shall notify the Committees if this authority is exercised. The notification shall include a specific and clear justification for the reason the authority was exercised. This provision is for fiscal year 2012 only and shall only be exercised in cases when critical funding decisions did not anticipate the PPA limitations. None of the funds shall be used to create a new PPA, eliminate a PPA, increase funds for a PPA which has been denied or restricted, use funds otherwise directed by Congress or the Committee, or to contract out any functions in accordance with section 503 of this act.

The specific levels recommended by the Committee, as compared to the fiscal year 2011 and budget request levels, are as follows:

OPERATING EXPENSES

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations [1] [3]
Operations activities	[2] [3] 744,663	[3] 780,492	.....
Office of National Capital Region Coordination	6,981	5,319	.....
Urban search and rescue	35,180	29,113	.....
Administrative and Regional Offices	.....	.....	112,157
Office of National Capital Region Coordination	.....	.....	(6,981)
Preparedness and Protection	.....	.....	[3] 117,373
Response	.....	.....	226,228
Urban Search and Rescue Response Systems	.....	.....	(41,250)
Recovery	.....	.....	80,373
Mitigation	.....	.....	43,675
Mission support	.....	.....	210,271
Centrally managed accounts	.....	.....	114,473
Total, Operating expenses	786,824	814,924	904,550

[1] Reflects a change in PPA structure and a realignment of programs.
[2] Excludes a transfer of $105,600,000 from Disaster Relief Fund.
[3] Excludes a transfer from State and local programs.

PROGRAM ACTIVITIES

Of the amounts provided, not less than: $2,000,000 is for the Emergency Management Assistance Compact under the Preparedness and Protection PPA; $2,589,000 is for the National Hurricane Program under the Response PPA; $8,798,000 is for the National Earthquake Hazards Reduction Program and $9,360,000 is for the National Dam Safety Program under the Mitigation PPA; and $7,200,000 is for data center migration under the Centrally Managed Accounts PPA. FEMA is directed to provide full funding to operate and maintain the 11 sites of the Pre-Positioned Equipment Program to ensure the Nation has full coverage with minimal response time provided by this important program.

FISCAL MANAGEMENT AND TRANSPARENCY IN SPENDING

The Committee includes a provision directing FEMA to submit its fiscal year 2013 budget request, including justification materials, by office within the newly established PPA structure. Each office and FEMA region shall include: (1) budget detail by object classification; (2) the number of FTE on-board; (3) the number of FTE vacancies; and (4) the appropriation account(s) used to support the office and the programs managed by the office. This level of detail provides improved transparency and refined tracking of actual spending which is imperative given FEMA's growth in size and mission. The documents transmitting this information should be updated to reflect the new PPA structure.

CORE MANAGEMENT FUNCTIONS

The Committee is pleased to note that that the Administrator's fiscal year 2012–2016 Future Year Homeland Security Program emphasizes establishing priorities, defining outcomes, developing strategies, and budgeting for activities. The Administrator directed FEMA leaders to develop performance plans and budgets that will achieve results and force an open dialogue regarding priorities and available resources.

Because of investments made to rebuild FEMA over the last decade, and especially since Hurricanes Katrina and Rita, catastrophic planning is more integrated among the levels of government; shelter facility data is better managed between the public and private sectors; and the disaster contract acquisition process is now proactive, not reactive. Progress has been made, but improvements must be maintained and there is still much to do. For example, the National Disaster Recovery Framework has not been completed; an effective risk and preparedness assessment system is not in place; FEMA information systems are not sufficient; and the human resources study is not complete. Each of these efforts, while not costly, require FEMA to have a strong base and the necessary resources to finish initiatives that are not final. For this reason, the Committee is deeply concerned about the proposed cuts to FEMA's base.

The fiscal year 2012 budget proposes $999,468,000 in total for FEMA Management and Administration—once all the transfers are accounted for—which is $78,863,000 below the fiscal year 2011 level. No other component in the Department was subjected to such a significant cut to its base operations. Some proposed reductions are a result of onetime costs such as $23,300,000 for proposed FEMA facility upgrades. Other proposed reductions are a result of cost savings to travel, printing, and supplies, which appear prudent in challenging fiscal times. However, the Committee rejects proposed reductions to FEMA's business and information technology systems. This proposal looks like the beginning of a trend observed in previous cycles that FEMA has been through. In tough budget times, readiness efforts are trimmed. This did not serve the Nation well in the response to Hurricanes Katrina and Rita, or Andrew, or Hugo. For this reason, the Committee has rejected the proposed cuts that are not related to onetime costs or reasonable savings.

Further, the Committee recognizes that without a focused effort to institutionalize change to FEMA's core functions, achievements gained to date, and those still needed, will give way to the crisis of the day. Therefore, the Deputy Administrator is directed to provide quarterly briefings to the Committee on the specific progress made to stabilize the core administrative functions, sound budget practices, strategic human capital planning, and modernization of information systems. Briefings shall include an update on the ongoing process to complete a fiscal review of each of FEMA's contracts and programs and implementation of the new PPA structure established in fiscal year 2012 by this Committee. Briefings shall provide an update on the execution of the Integrated Strategic Workforce Planning Initiative to determine the required mission capabilities, identify manpower requirements to achieve the capabilities, and the development and execution of workforce strategies. Finally, FEMA shall provide detailed information regarding the status of fulfilling the OIG recommendations in two recent reports: April 2011 FEMA Faces Challenges in Modernizing Information Technology (OIG–11–69) and May 2011 Information Technology Management Letter (OIG–11–79).

INFORMATION TECHNOLOGY AND MODERNIZATION

The Committee notes with great concern the OIG findings about the challenges FEMA faces in modernizing information technology (OIG–11–69). The OIG states that Information Technology [IT] systems play a critical role in supporting FEMA's response and recovery efforts. However, the OIG found that systems have not fully supported the agency's needs during major disasters and efforts to modernize systems have been hindered by staffing and funding shortages. While FEMA has a number of IT infrastructure modernization initiatives underway, the OIG also found that FEMA does not have a comprehensive strategic information modernization plan; an adequate understanding of existing technology resources; or needed integration with stakeholders. FEMA generally concurred with the findings. This failure inhibits both FEMA internal functions and its ability to coordinate with homeland security and emergency management partners.

For example, there are four systems that handle 80 percent of processing disaster assistance requests, and each operates on a different technical platform. As a result, data is not synchronized and personnel have to manually reconcile information to process the requests. Further, FEMA does not have an electronic capability for States to use when requesting assistance during a disaster. States must fax an assistance request form to FEMA personnel who then enter the information into a tracking system. The problem is further highlighted with mitigation grants. An average of 100 to 200 applications are received during each disaster for mitigation funding. Each application must be submitted on paper and then manually entered into a system for processing. FEMA officials cite that most States are themselves using Web-enabled systems that provide capability for automated requests and real time information sharing on assistance needs during a disaster. Yet, FEMA's antiquated systems prevent it from using this more efficient and cost effective process.

The OIG found that efforts to modernize some of FEMA's critical systems have been put on hold due to DHS consolidation plans. As a result, "legacy systems do not provide the functionality needed to support FEMA's disaster response mission operation in a timely and effective manner." This is a serious impediment to modernization.

The majority of the OIG investigation covered FEMA's disaster response and recovery systems. The Committee notes that planning and preparedness IT systems were not a focal point—mostly because these systems do not exist. State and local governments are making significant use of scalable, virtual workspaces on a platform that leverages existing social networks, especially in regional collaboration efforts. Such a platform supports the type of collaboration required by the March 30, 2011, Presidential Policy Directive—8 [PPD–8], related to National Preparedness, as well as other homeland security policies and goals. Yet, FEMA is in great jeopardy of being left out of the needed collaboration with its partners, as required by the Directive, due to a lack of modern systems.

For these reasons, the Committee rejects the short-sighted budget proposal to reduce FEMA's information technology resources and

restores funding to invest in IT modernization for preparedness, response, recovery, mitigation, and mission support. As a part of the modernization effort, the Committee provides $5,500,000 specifically to expand and fully implement a preparedness, coordination, and planning platform in support of PPD–8. The Deputy Administrator is directed to brief the Committee within 30 days after the date of enactment of this act on the implementation of the OIG findings and a plan to implement a FEMA IT modernization effort. Further, FEMA is directed to provide the Committee an expenditure plan within 90 days after the date of enactment of this act for all IT modernization efforts. The plan shall include a clear description of approaches to meet long-term needs, including at least a ten year timeframe, in an efficient and innovative way. Finally, FEMA is directed to provide a complete long-term strategic plan, in conjunction with the fiscal year 2013 budget submission, to the Committee. The long-term strategic plan shall clearly identify the way in which IT efforts support the agency's mission and drive investments; clear and complete enterprise architecture; and prioritized needs.

Finally, requirements for automation of virtual sharing of information are highlighted in other sections of this report. Making use of technology is a low cost way to improve effectiveness and should be maximized.

PREPAREDNESS

The Committee is pleased that FEMA has initiated a Strategic Foresight Initiative to ensure emergency management officials at all levels are anticipating future issues associated with evolving natural and man-made events. The Committee encourages FEMA to sustain this activity, which will identify dynamics likely to affect emergency management such as the evolving terrorist threat, critical infrastructure and global interdependencies, technological innovation, environmental issues, and shifts in demographics.

The Committee is concerned a large electromagnetic flux could affect the operations of the Nation's infrastructure and safety on a national scale and affect the assets needed to respond to problems associated with such an event, such as communications systems. FEMA is directed to brief the Committee within 30 days after the date of enactment of this act, on the potential impacts to emergency response and recovery related to such an event. The briefing should also include what preparedness measures have been completed and are still needed to mitigate the effects of such an event. The Committee recognizes that many Federal agencies have a role in studying the issue and encourages FEMA to coordinate with those agencies to garner the best information available on this issue for the emergency management community.

The Office of Individual and Community Preparedness shall brief the Committee within 60 days of the date of enactment of this act regarding the specific actions that will be taken to further individual and community preparedness and the associated resource requirements. The briefing shall include a discussion on how resiliency is increased through citizen preparedness, and how childhood education regarding preparedness can facilitate community readiness. Further, FEMA is directed to create an easily assessable in-

ventory of shareable products that have been developed through the Citizens Corps Program to further individual and community preparedness. The Committee understands the products range from school curricula to emergency information which is translated into foreign languages. Sharing this information will maximize the investments made to date.

Additionally, the Committee is pleased with the progress of efforts of the Children's Working Group which was created to coordinate Federal agency efforts to accommodate the unique needs of children in disasters. Accomplishments include guidance which was issued to ensure disaster plans are in place at juvenile justice centers, and the pre-staging of commodities such as infant formula, baby food, and diapers for disaster response. The Committee notes that FEMA was required to establish the National Emergency Family Registry and Locator System in the Post-Katrina Emergency Management Reform Act. The Committee remains concerned that the system for reconnecting children after they are separated from their families during a disaster is still reliant on a non-automated paper system that unnecessarily adds to the time it takes to reunify families. Therefore, the Committee provides no less than $500,000 for FEMA to automate the unaccompanied minors' registry and call center.

ASSESSING READINESS AND FEDERAL GRANT CONTRIBUTIONS

Congress called for an assessment of the Nation's emergency response capabilities in the Post-Katrina Emergency Management Reform Act in October of 2006. Homeland Security Appropriations Acts have stressed the need for progress on this front since fiscal year 2008, and have committed resources to it, especially related to the effectiveness of grants. Because of a lack of transparency and no clear progress on assessments, GAO was directed to provide a quarterly review of FEMA's efforts to complete evaluations and assessments of preparedness and the effectiveness of grants to the Committee. GAO found that between fiscal years 2008 and 2010, FEMA budgeted over $58,000,000 for no less than seven evaluation efforts. Further, GAO found that as of March 2010, FEMA had initiated yet another new framework to assess national preparedness capabilities after evaluating the limitations and lack of usefulness of each of the previous efforts. Still today, there is no metric in place that describes the Nation's preparedness and how grant programs contribute to that effort.

On March 30, 2011, President Obama signed Presidential Policy Directive-8 on National Preparedness. It also calls for a National Preparedness System, which includes a comprehensive approach to assess national preparedness that uses a consistent methodology to measure readiness for all levels of government to prevent, protect against, mitigate against, respond to, and recover from disasters. The Secretary of Homeland Security is directed to submit a description of the system no later than November 24, 2011. FEMA has been assigned as the lead component on this effort. Bill language has been included requiring the Secretary to submit the description of the system to the Congress.

The Committee notes that investments funded with State and local first responder grants have significantly improved disaster re-

sponse capabilities. During the recent tornadoes in Arkansas, the State used its wireless network, largely funded with homeland security grant funding, which enabled an efficient response by first responders to the impacted areas, including enabling the National Guard to communicate on the same system. In Alabama, rescue response units that were purchased with State Homeland Security Grant Program funding, were deployed during recent unprecedented tornadoes. In Missouri, investments in personal protective gear, night vision goggles, medical equipment, generators, search and rescue tools, and communications assets—all supported with grant funding—were used to respond to the devastating tornadoes.

The first responder capacity built in the Nation with grant funds is undeniable. Unfortunately, there is no assessment in place that clearly demonstrates the Nation's readiness posture and what gaps in capability remain. A lack of a demonstrable measure of effectiveness has made funding to build readiness capability susceptible to reductions. Budget pressures at all levels of government require a focus on sustaining capability. Therefore, FEMA is directed to develop guidance for grantees on best practices to manage current funding to ensure the most necessary capabilities are sustained. FEMA is encouraged to provide flexibility in grant expenditures to ensure the least amount of degradation to current capabilities occurs. FEMA is directed to brief the Committee quarterly on the specific processes being put in place to manage the grant programs in a way that promotes sustainability of current capacity.

A provision is included requiring the Administrator to submit the National Preparedness Report and a comprehensive plan to implement a system to measure the effectiveness of grants to State and local communities to the Committee in fiscal year 2012. Further, $1,400,000, 25 percent of the funds for the Office of the Administrator, is withheld from obligation until the Report and a plan are submitted. The report shall include options for revising the programs to make them more effective and more easily administered. The Committee encourages FEMA to use a truly innovative approach to the grant programs and cautions that simply submitting the same proposal to combine several of the programs is not advancing discussion. To that end, the report shall also address the status of implementation of each of the seven recommendations made in the September 2010, Report to Congress of the Local, State, Tribal, and Federal Preparedness Task Force regarding grant administration which included topics for further study, reform, and linkage to capability assessments.

PREPAREDNESS TASKFORCE

The Committee appreciates the effort of the Local, State, Tribal, and Federal Preparedness Task Force and the timely report transmitted to the Congress in September, 2010, which includes recommendations related to the homeland security and emergency management policies, grant administration, and assessments. FEMA, in cooperation with the Office of Intergovernmental Affairs, is directed to continue regular briefings to the Committee regarding the progress of and timeline for implementation of the findings of the Task Force. The Committee expects the initial briefing will include additional information about incentives for communities to

take pre-event steps to reduce the length and magnitude of recovery; revitalizing Regional Advisory Councils; conducting threat and hazard identification risk assessments; linking grant programs to capability assessments; and the use of the Emergency Management Accreditation Program nationwide. Additionally, all briefings required of FEMA in this report that address a topic for which a recommendation was made shall address that recommendation in the briefing.

PUBLIC AND PRIVATE PARTNERSHIPS

Disaster preparedness, mitigation, response, and recovery are efforts that particularly lend themselves to public and private partnerships. In order to effectively respond and recover from an event, the two sectors must work together to protect citizens during a disaster, and help communities rebuild. FEMA is directed to provide a report to the Committee no later than 60 days after the date of enactment of this act on options to better use public and private partnerships to maximize cooperation and accomplish projects that neither sector can complete on their own.

PLANNING

The need for planning related to natural-, technological-, or human-caused emergencies or disasters has been met with varying degrees of acceptance and resistance among the many disciplines and levels of government that must participate to make any disaster planning effort successful. The most recent version of the FEMA Comprehensive Preparedness Guide 101 (CPG 101), released in November 2010, states that planning provides a methodical way to engage the whole community in thinking through the life cycle of a potential crisis, determining required capabilities, and establishing a framework for roles and responsibilities. The goal of CPG 101 is to assist in making the planning process routine across all phases of emergency management and for all homeland security mission areas. The Committee applauds the effort to better clarify and unify planning efforts. However, it remains unclear how committed the emergency management community, as a whole, is to completing comprehensive planning, at all levels of government, to ensure that trained and skilled planners are dedicated to the effort. The Committee directs FEMA, in conjunction with the Homeland Security Studies and Analysis Institute or another appropriate federally funded research and development center, to review and report to the Committees on Appropriations no later than 180 days after the date of the enactment of this act regarding the status of planning nationwide, including catastrophic planning, as well as the need to complete exercises to test the plans. The review shall include the extent to which CPG–101 has been implemented in communities across the Nation and its effectiveness in standardizing the planning process across all phases of emergency management and homeland security mission areas.

TECHNICAL ASSISTANCE

The Committee recommends $10,000,000 for technical assistance, the same amount as the budget request, and $978,000 below fiscal

year 2011. The Committee recognizes the importance of the technical assistance program, which delivers quick and effective problem solving tools for homeland security partners and supports the delivery of technical assistance for three major areas, as outlined in the budget request: grants management; planning; and prevention and protection activities. In administering grants management technical assistance, FEMA should focus on assistance related to expediting the drawdown of Federal funds.

EVALUATIONS AND ASSESSMENTS

The Committee recommends $10,000,000 for evaluations and assessments, $3,972,000 below the fiscal year 2011 level and $4,000,000 below the request. The Committee views the responsibilities encompassed by evaluations and assessments as crucial to policy development, grant funding determinations, and measuring the outcomes of the Nation's preparedness efforts.

NATIONAL DISASTER RECOVERY FRAMEWORK

The Committee is pleased that FEMA has undertaken the development of a National Disaster Recovery Framework to identify the roles and responsibilities of all levels of government, individuals, and the nonprofit and private sectors during each phase of the recovery process. The Committee also recognizes that the Presidential Policy Directive-8, related to National Preparedness, which was issued by the President on March 30, 2011, calls for a Recovery Framework. Additional efforts are required to clarify leadership and coordination issues in the draft framework released in February 2010, and FEMA is directed to remain focused on this effort and provide the necessary resources to improve, finalize, operationalize, and implement the framework.

REGIONAL OFFICES

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

NATIONWIDE CYBER SECURITY REVIEW

In the joint explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, the Committee directed NPPD, in conjunction with FEMA, to develop the necessary tools for all levels of governments to complete a cyber network security assessment. NPPD, in conjunction with FEMA, is directed to provide a briefing to the Committee on the specific timeframe in which the effort will be completed and implemented. Further, the briefing shall provide an update on how this effort and other on-going efforts by both components contribute to completion of the recommendation in the September 2010, Report to Congress of the Local, State, Tribal, and Federal Preparedness Task Force

to "ensure national cybersecurity efforts address local, State, tribal, and territorial preparedness implications".

OFFICE OF NATIONAL CAPITAL REGION COORDINATION

The Committee recommends $6,981,000 for the Office of National Capital Region Coordination [ONCRC], $1,662,000 above the budget request and the same amount as the fiscal year 2011 level. Congress established the ONCRC to enhance domestic preparedness through cooperation of the Federal, State, and local governments in the unique environment of the National Capital Region.

The Committee is concerned that events of low significance such as a single crime scene investigation, and well known and predictable events such as a snowstorm, let alone no-notice events such as the August 24, 2011, earthquake still often bring the National Capital Region traffic patterns to a standstill. This does not bode well for an unexpected man-made event. While there are very real infrastructure challenges in the metropolitan area, in many cases severe impacts could be mitigated through coordinated information and decision-making. The Committee further notes that the ONCRC is charged with several key responsibilities prescribed in the Homeland Security Act of 2002, including developing a process for receiving meaningful input from entities; and ensuring adequate planning, information sharing, and execution of preparedness activities in the National Capital Region. The Committee is concerned that National Capital Region partners have not employed a more fulsome use of technology tools for planning and information sharing to fulfill these requirements. Planning and sharing information is especially complex in the National Capital Region because of the multiple local and State jurisdictions, the District of Columbia, and large presence of Federal Government agencies.

The Committee notes that several urban areas and regional planning partners have successfully implemented Web-based virtual preparedness, coordination, and planning, software platforms for improved coordination involving many communities. Therefore, ONCRC is directed to employ a similar technology solution within the funds provided. ONCRC is directed to brief the Committee on the implementation timeframe for this effort within 30 days of the date of enactment of this act.

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

URBAN SEARCH AND RESCUE RESPONSE SYSTEM

The Committee recommends $41,250,000 for the Urban Search and Rescue System, $12,137,000 above the request and $6,070,000 above the fiscal year 2011 level. The Committee is concerned that

the current geographic distribution of Urban Search and Rescue Teams is not adequate to meet the Nation's disaster response needs, and that the 28 existing teams do not have adequate equipment to respond to chemical, biological, radiological, nuclear, or explosive [CBRNE] events. The Committee therefore provides $12,137,000 above the President's request for additional CBRNE equipment and to establish at least one additional team in underrepresented regions at substantial risk of a natural or man-made disaster, by working with the States to identify existing capabilities that can be incorporated into the Urban Search and Rescue Response System Task Force network. Further, the Committee directs FEMA to establish the additional Team within one year. Finally, FEMA is directed to provide an expenditure plan for the Urban Search and Rescue Response System no later than 60 days after the date of enactment of this act.

STATE AND LOCAL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2011	$2,225,041,000
Budget estimate, 2012 [1]	3,844,663,000
House allowance	1,000,000,000
Committee recommendation	1,476,681,000

[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 accounts.

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

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

STATE AND LOCAL PROGRAMS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Grants:			
State Homeland Security Grants	633,730	1,050,000	430,000
Operation Stonegarden	(54,890)	(50,000)	(50,000)
Urban Area Security Initiative	723,550	920,000	400,000
Regional Catastrophic Preparedness Grants	14,970	.....	.....
Metropolitan Medical Response System	34,930	.....	.....
Citizens Corps	9,980	13,000	.....
Public Transportation Security Assistance/Railroad Security Assistance/Over-the-Road Bus Security Assistance	249,500	300,000	200,000
Port Security Grants	249,500	300,000	200,000
Buffer Zone Protection Program	.....	50,000	.....
Driver's License Security Grants	44,910	.....	.....
Emergency Operations Centers	14,970	.....	15,000
Firefighter Assistance Grants	([1])	670,000	([1])
Emergency Management Performance Grants	([1])	350,000	([1])
Subtotal, Grants	1,976,040	3,653,000	1,245,000
Education, Training, and Exercises:			
Emergency Management Institute	([1])	([1])	16,181
Center for Domestic Preparedness	62,375	62,500	62,500
National Domestic Preparedness Consortium	92,814	44,500	93,000
National Exercise Program	39,920	40,000	34,000

STATE AND LOCAL PROGRAMS—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Continuing training	28,942	20,663	26,000
Technical Assistance	10,978	10,000	([1])
Evaluations and Assessments	13,972	14,000	([1])
Subtotal, Education, Training, and Exercises	249,001	191,663	231,681
Total, State and Local Programs	2,225,041	3,844,663	1,476,681

[1] Funds appropriated/requested under a separate account.

COMMITTEE RECOMMENDATIONS

The Committee recommends $1,476,681,000 for State and local programs. The Committee does not approve the budget request to fund Firefighter Assistance Grants and Emergency Management Performance Grants under this heading. Each program is funded in a separate account, consistent with previous years. The Committee includes a provision providing 5.8 percent of the total amount appropriated for State and local programs for transfer to FEMA "Operating Expenses" for the Preparedness and Protection PPA. This is consistent with the structure of previous years. The Committee also includes a provision allowing grantees to use no more than 5 percent of grant funding for management and administrative costs.

The Committee includes specific timeframes for grant dollar distribution and expects FEMA and the Department to comply with the law to ensure homeland security funds are distributed in a timely manner. For each of the grant programs, grant guidance shall be issued in 25 days, applicants shall apply within 90 days after guidance is issued, and FEMA shall act on the application within 90 days after applications are due.

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

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

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

ing. Additionally, the Committee is concerned that State and local cyber security issues are not receiving the required resources and attention and the Department is encouraged to require State and local governments to include Chief Information Officers in planning efforts. FEMA is encouraged to require States to use grant funding for training against cyber attacks on critical State and local infrastructure. The Committee directs FEMA to issue guidance to States, no later than 30 days after the date of enactment of this act, regarding the funding available from all grant programs to retrofit facilities for the purposes of sheltering during the response phase of a disaster. Further, FEMA shall provide technical assistance to any State seeking support regarding a plan for such sheltering. The Committee is concerned that drinking water and sanitation security needs, especially related to emergency response initiatives, are not adequately addressed and the Department is encouraged to require State and local governments to include rural water associations in planning efforts as well.

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

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

STATE HOMELAND SECURITY GRANT PROGRAM

The Committee recommends $430,000,000 for the State Homeland Security Grant Program [SHSGP], of which $50,000,000 shall be for Operation Stonegarden Grants, $203,730,000 and $4,890,000 below the fiscal year 2011 level respectively. Activities previously funded under Metropolitan Medical Response System, Citizens Corps, Driver's License Security Program, Buffer Zone Protection Program and the Interoperable Emergency Communications Grant Program 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 2012.

URBAN AREA SECURITY INITIATIVE GRANT PROGRAM

The Committee recommends $400,000,000 for the Urban Area Security Initiative [UASI] Grant Program, $323,550,000 below the fiscal year 2011 level. Of this amount, the recommendation includes $10,000,000 for nonprofit entities determined to be at 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, Buffer Zone

Protection Program, and the Interoperable Emergency Communications Grant Program are eligible for funding under UASI.

LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

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

Further, FEMA is directed to provide a report no later than 120 days after the date of enactment of this act, in conjunction with the DHS Office for State and Local Law Enforcement, on the expenditures in this program to date and their specific applicability to prevention.

REGIONAL CATASTROPHIC PREPAREDNESS GRANT PROGRAM

The Regional Catastrophic Preparedness Grant Program was established in fiscal year 2007 in order to provide incentives to State and local governments to develop coordinated regional plans for responding to a catastrophic event. Absent such incentives in large metropolitan areas, governors often did not coordinate effectively with mayors, mayors did not coordinate effectively with neighboring mayors or with county officials. Since the program was established, $155,000,000 has been spent developing coordinated plans in areas that DHS determined were at the highest risk for a catastrophic event. The Committee recognizes that the grant recipients, having completed a majority of the planning effort, are entering the next phase of testing the plans through exercises. Having finalized plans, no funding is provided for the Regional Catastrophic Preparedness Grant Program in fiscal year 2012. The Committee expects that FEMA will continue to assist grantees with program implementation and FEMA is directed to continue its support and assistance to grantees through the remaining performance period of the grants. FEMA is directed to provide a report no later than 180 days after the date of enactment of this act on the accomplishments of this program. The report shall include a discussion of how successes can be transitioned into future catastrophic planning efforts and how on-going planning needs can be sustained and regularly exercised in the long term.

CHILDREN'S NEEDS DURING A DISASTER

On June 8, 2011, Administrator Fugate testified to the progress that has been made in incorporating the recommendations of the FEMA Children's Working Group into Federal agency efforts to ensure that children have their unique needs met during a disaster. Since children compromise approximately 25 percent of the United States population, it is imperative that State and local governments pre-plan for the needs of children. The Committee directs FEMA to provide a report, no later than 120 days after the date of enactment of this act, on the expenditures in all the grant programs that specifically lend to ensuring the needs of children are

taken into account during a disaster and to establish measurable benchmarks for meeting those needs.

PUBLIC TRANSPORTATION SECURITY ASSISTANCE AND RAILROAD SECURITY ASSISTANCE

The Committee recommends $200,000,000 for Public Transportation Security Assistance [PTSA], Railroad Security Assistance [RSA], and Over-The-Road Bus Security Assistance. Of the recommended amount, no less than $20,000,000 is provided for Amtrak security needs. Since 2004, there have been 1,300 terrorist attacks worldwide against mass transit, buses and passenger rail, resulting in more than 4,000 deaths and 14,000 injuries. It is essential that FEMA continue to work with grantees to ensure that funds are used rapidly and effectively. The Committee remains concerned about the slow pace of spending these funds and directs FEMA to brief the Committees on Appropriations no later than 90 days after the date of enactment of this act on efforts to expedite the effective expenditure of these funds.

PORT SECURITY GRANTS

The Committee recommends $200,000,000 for the Port Security Grant Program. The Committee notes that physical security, preparedness and planning for response to a disaster, and training of port facility officials at the Nation's ports is imperative to economic security.

EMERGENCY OPERATIONS CENTERS

The Committee recommends $15,000,000 for Emergency Operations Centers, $30,000 above the fiscal year 2011 level.

CENTER FOR DOMESTIC PREPAREDNESS

The Committee recommends $62,500,000 for the Center for Domestic Preparedness, $125,000 above the fiscal year 2011 level and the same amount as the request level. Included in this amount is funding for the Noble Training Center.

NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM

The Committee recommends $93,000,000 for the National Domestic Preparedness Consortium, instead of $44,500,000, as proposed in the budget. The Consortium, authorized by the 9/11 Act (Public Law 110–53), has conducted training in all 50 States and each U.S. territory. Over 1.6 million first responders have been trained. The existing Consortium members have proven to be an effective delivery system for this important training.

CONTINUING TRAINING GRANTS

The Committee provides $26,000,000 for continuing training grants, $5,337,000 above the request and $2,942,000 below fiscal year 2011, of which State and local government intelligence awareness training shall be no less than $1,000,000 above the level funded in fiscal year 2011. The Committee supports full funding of programs that deliver homeland security curricula in the form of executive education programs and accredited master's degree education.

The Committee also notes the importance of the Mobile Education Team providing half-day, graduate-level seminars on homeland security challenges for Governors, mayors, and senior staff being conducted prior to any emergency their community may experience.

NATIONAL EXERCISE PROGRAM

The Committee recommends $34,000,000 for the National Exercise Program, $5,920,000 below fiscal year 2011, and $6,000,000 below the budget request.

The Committee understands the national exercise program is under review, by the Department and FEMA, to ensure exercises validate response capabilities and provide assessments of plans, organization, training, and equipment needs which are relevant to realistic scenarios. FEMA is directed to brief the Committee no later than 90 days after the date of enactment of this act on any planned and needed program reforms. The briefing shall include a discussion on how exercises can produce specific and measurable accomplishments such as effective regional response protocol, information sharing, and citizen preparedness. Further, the briefing shall provide information regarding an effective way to use reconstruction of actual events that have already occurred as opportunities to validate response capabilities and assess plans, organization, training, and equipment needs.

TRAINING AND EDUCATION

The Committee recognizes that training and education for first responders, emergency managers, and those who participate in disaster management is critical.

The Committee understands that FEMA is reviewing its training and education programs to ensure efficiency and effectiveness. FEMA is directed to report to the Committees on Appropriations no later than 180 days after the date of enactment of this act regarding a comprehensive approach to training and education and identifying any gaps, including a plan to address those gaps.

The report shall include a review of the need for additional capacity for current and emerging training needs such as those for planning, cybersecurity, intelligence, and catastrophic planning, response, and recovery. Additionally, FEMA should consider the need for education programs that develop critical leadership skills, enabling managers to operate in a complex, dynamic disaster environment.

FIREFIGHTER ASSISTANCE GRANTS

Appropriations, 2011	$808,380,000
Budget estimate, 2012 [1]	.....
House allowance	670,000,000
Committee recommendation	750,000,000

[1] Budget 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 fire fighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards.

COMMITTEE RECOMMENDATIONS

The Committee recommends $750,000,000 for firefighter assistance grants, including $375,000,000 for firefighter assistance grants, and $375,000,000 for firefighter staffing grants, to remain available until September 30, 2013. This is $58,380,000 below the fiscal year 2011 level and $80,000,000 above the level requested in "State and Local Programs".

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

The Committee notes that the U.S. Fire Service Needs Assessment, which was required in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010, to be submitted no later than April 9, 2010, has not been received by the Committee. In the event that the Office of Management and Budget review process results in further delay, the Committee expects the Department to submit the assessment forthwith.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Appropriations, 2011	$339,320,000
Budget estimate, 2012 [1]	
House allowance	350,000,000
Committee recommendation	350,000,000

[1] Budget 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], the same level as the amount requested in the budget within the "State and Local Programs" account and $10,680,000 above the fiscal year 2011 level. EMPG is an essential source of funding for State and local emergency management.

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

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

Appropriations, 2011 [1]	($265,000)
Budget estimate, 2012 [1]	(896,000)
House allowance [1]	(896,000)
Committee recommendation [1]	(896,000)

[1] Fee collections are estimated to exceed costs.

The Radiological Emergency Preparedness [REP] program assists State and local governments in the development of off-site radiological emergency preparedness plans within the emergency planning zones of commercial nuclear power facilities licensed by the

Nuclear Regulatory Commission [NRC]. The fund is financed from fees assessed and collected from the NRC licensees to recover the amounts anticipated to be obligated in the next fiscal year for expenses related to REP program activities.

COMMITTEE RECOMMENDATIONS

The Committee provides for the receipt and expenditure of fees collected, as authorized by Public Law 105–276. The budget estimates fee collections to exceed expenditures by $896,000 in fiscal year 2012.

The Committee notes that the events surrounding the Great East Japan Earthquake in March 2011, especially with regard to the effect on the nuclear power plant, serve as a reminder that scenarios should be regularly reviewed and exercises should comport with the most up-to-date information about potential impacts. FEMA is directed to brief the Committees, no later than 30 days after the date of enactment of this act, on the process it undertakes to ensure information about the impact of a disaster is regularly reviewed and exercises are updated to account for possible consequences.

UNITED STATES FIRE ADMINISTRATION

Appropriations, 2011	$45,497,000
Budget estimate, 2012	42,538,000
House allowance	42,538,000
Committee recommendation	45,038,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $45,038,000 for the USFA, which is $459,000 below the fiscal year 2011 level and $2,500,000 above the request.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2011	$2,644,700,000
Budget estimate, 2012	1,800,000,000
House allowance [1]	2,650,000,000
Committee recommendation [2]	6,000,000,000

[1] In addition, $1,000,000,000 of emergency spending is included for Disaster Relief in title VI.
[2] Includes $4,200,000,000 designated by Congress as disaster relief pursuant to Public Law 112–25.

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

The Committee recommends $1,800,000,000 for disaster relief, the same amount as the budget request. The Committee remains frustrated that the Office of Management and Budget refuses to be forthcoming and transparent regarding estimates for the Disaster Relief Fund. Lack of information and a clear strategy to pay for disasters has forced the Disaster Relief Fund to a level of funding so low that new recovery projects were put on hold for 6 months in 2010 and have been put on hold again in August of 2011. In an attempt to avoid stopping recovery projects in fiscal year 2011, the Department of Homeland Security base budget was cut to pay for a predicted shortfall in the Disaster Relief Fund. This funding shift came at the expense of State and local preparedness grants. It makes no sense to cut funding for programs that prepare for future events to fund past disasters. The Committee also includes bill language requiring an expenditure plan and quarterly reports for disaster readiness and support costs; and a monthly report and a quarterly report on the disaster relief expenditures. Additionally, the Committee recommends bill language transferring $16,000,000 to the Department of Homeland Security Office of Inspector General for audits and investigations.

In addition, pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, $4,200,000,000 is designated as disaster relief. This additional funding will begin to address the shortfall in fiscal year 2012 for natural disasters in all 50 States. The Committee expects FEMA to regularly update its estimates of the shortfall. Most of this funding is for catastrophic disasters such as Hurricanes Katrina, Rita, Gustav, and Ike, the Mississippi River floods of 2008 and 2011, the Tennessee flood of 2010, the recent tornadoes, flooding in the Upper Midwest, and Hurricane Irene.

The Committee is concerned that the slow and cumbersome pace of public assistance project awards is delaying recovery in areas that need it most. FEMA is directed to expedite public assistance projects for past disasters, especially those related to catastrophic events.

The Administrator of FEMA shall respond to the State of Louisiana's request of April 29, 2011, for recalculation of assistance available under section 404 of the Stafford Act within 30 days of the date of enactment of this act.

The Committee recognizes that mitigation projects, particularly those related to home buyouts, are often complex and involve many layers of government and their governing laws and practices. Nonetheless, the Committee is frustrated with the extraordinary length of time it sometimes takes to make a final decision on allowable

mitigation projects, which causes a delay in important mitigation work. This is particularly egregious in regard to homeowners who may find themselves without a decision on the purchase of a flooded home under the program even 3 years or more after a flood. FEMA is directed to report to the Committee no later than 60 days after the date of enactment of this act on methods to expedite decisionmaking regarding mitigation projects among all levels of government, including revisions to FEMA practices and guidance that may be issued to State and local governments.

The Committee urges the Administrator to reimburse verifiable costs incurred for mitigation work performed by homeowners under section 404 of the Stafford Act, including costs incurred by homeowners that did not receive timely and accurate information regarding reasonable cost guidelines for otherwise eligible mitigation work that exceeds amounts specified in the prevailing Unit Cost Guidance.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 2011	$294,000
Budget estimate, 2012	295,000
House allowance	296,000
Committee recommendation	295,000

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

COMMITTEE RECOMMENDATIONS

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

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

FLOOD HAZARD MAPPING AND RISK ANALYSIS [1]

Appropriations, 2011	$181,636,000
Budget estimate, 2012	102,712,000
House allowance	102,712,000
Committee recommendation	92,712,000

[1] Formerly called the Flood Map Modernization Fund.

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

develop appropriate disaster response plans for Federal, State, and local emergency management personnel.

COMMITTEE RECOMMENDATIONS

The Committee recommends $92,712,000 for Flood Hazard Mapping and Risk Analysis, $10,000,000 below the budget request and $88,924,000 below the fiscal year 2011 level.

Updating our Nation's Flood Insurance Rate Maps and certifying the safety of our levees is an important task, and the Committee supports efforts to provide better information to residents about flood risk in their communities. The Committee urges FEMA to continue to work with the United States Army Corps of Engineers [USACE] to ensure the accuracy of the maps, coordinate outreach to local stakeholders throughout this process, and better coordinate answers to questions about flood mapping, flood insurance, and flood control infrastructure projects. In a recent report (GAO–11–689R) GAO found that FEMA and USACE have indicated that they do not have the information system capability to fully complete the reporting requirements included in Senate Report 111–118 accompanying the fiscal year 2010 Supplemental Disaster Relief and Summer Jobs Act, including providing GAO with the relevant information needed to review the agencies timely response to communities involving water control infrastructure. In the report, GAO recommends alternatives to ensure FEMA fulfills the reporting requirement without incurring the purported expenses claimed by the agencies. FEMA, in conjunction with the Corps, is directed to brief the Committee within 30 days of the date of enactment of this act on the alternatives that are most feasible to ensure completion of the report and to provide the report to the Committee and to the GAO within 90 days.

The Committee is pleased that FEMA has offered communities the option to request review of pending flood maps by Scientific Resolution Panels comprised of independent experts and encourages the continuation of this adjudicative option. The Committee also commends FEMA for improving the accuracy of its flood risk analysis by modifying mapping procedures to account for all levees within a community, including those which offer varying degrees of protection, on newly developed Flood Insurance Risk Maps.

FEMA is directed to convene a joint task force with USACE to better align NFIP levee accreditation requirements with levee inspections performed by or for USACE such that information and data collected for either purpose can be used interchangeably to the maximum extent practicable toward satisfying levee accreditation requirements. FEMA shall provide a report to the Committee on the progress of this task force within 6 months after the date of enactment of this act.

NATIONAL FLOOD INSURANCE FUND

Appropriations, 2011 [1]	($169,000,000)
Budget estimate, 2012 [1]	(171,000,000)
House allowance [1]	(171,000,000)
Committee recommendation [1]	(171,000,000)

[1] Fully offset by fee collections.

The National Flood Insurance Fund is a fee-generated fund which provides funding for the National Flood Insurance Program. This program enables property owners to purchase flood insurance otherwise unavailable in the commercial market. The National Flood Insurance Act of 1968 authorizes the Federal Government to provide flood insurance on a national basis. This insurance is available to communities which enact and enforce appropriate floodplain management measures and covers virtually all types of buildings and their contents up to $350,000 for residential types and $1,000,000 for all other types.

COMMITTEE RECOMMENDATIONS

The Committee recommends $171,000,000, as proposed in the budget, for the National Flood Insurance Fund, of which $40,000,000 is for expenses under section 1366 of the National Flood Insurance Act (42 U.S.C. 4104c) to provide assistance planning to States and communities for implementing floodplain management measures to reduce or eliminate the long-term risk of flood damage to buildings and other structures eligible for insurance under the National Flood Insurance Program.

The Committee does not recommend elimination of funding for the Severe Repetitive Loss Program, as proposed in the budget. Instead, FEMA is directed to streamline the process and eligibility requirements for the program to ensure its most effective use to prevent loss of property and save disaster relief resources. FEMA is directed to brief the Committee on the implementation of the improved process within 60 days after the date of enactment of this act.

NATIONAL PREDISASTER MITIGATION FUND

Appropriations, 2011	$49,900,000
Budget estimate, 2012	84,937,000
House allowance	40,000,000
Committee recommendation	42,500,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $42,500,000 for PDM, $42,437,000 below the request and $7,400,000 below the fiscal year 2011 level. The Committee continues to support predisaster mitigation, and recognizes the importance of coordinating predisaster mitigation projects with projects being completed through the Hazard Mitigation Grant Program.

The Committee recommendation includes language in the bill that provides that up to $3,000,000 of the funds may be made available for administrative purposes.

EMERGENCY FOOD AND SHELTER

Appropriations, 2011	$119,760,000
Budget estimate, 2012	100,000,000
House allowance	120,000,000
Committee recommendation	120,000,000

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 $120,000,000 for Emergency Food and Shelter, which is $20,000,000 above the budget request level and $240,000 above the fiscal year 2011 level. The Committee continues to support the Emergency Food and Shelter Program, and recognizes it as one program, in conjunction with other Federal programs, that serves those in immediate need of food and shelter assistance.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Appropriations, 2011	$146,300,000
Budget estimate, 2012	369,477,000
House allowance	132,361,000
Committee recommendation	120,924,000

United States Citizenship and Immigration Services [USCIS] funds expenses necessary for the administration of laws and the provision of services related to people seeking to enter, reside, work, and naturalize in the United States. In addition to directly appropriated resources, fee collections are available for the operations of USCIS.

Immigration Examinations Fees.—USCIS collects fees from persons applying for immigration benefits to support the adjudication of applications, as authorized by the Immigration and Nationality Act (8 U.S.C. 1356).

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

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

COMMITTEE RECOMMENDATIONS

The Committee recommends total resources of $2,891,650,000, including direct appropriations of $120,924,000 and estimated fee collections of $2,770,726,000.

The Committee recommends no funding for the acquisition workforce initiative, instead of $1,467,000 as requested in the budget. However, the Committee encourages USCIS to use existing appropriations and fee authority to hire and train qualified procurement personnel.

E-VERIFY

The Committee recommends $102,424,000 for the E-verify program, as requested. The Committee supports E-Verify and the effort the Department is performing to improve E-Verify's ability to automatically verify those who are work authorized, detect identity fraud, and detect system misuse and discrimination. E-Verify is both a tool for employers committed to maintaining a legal workforce and a deterrent to illegal immigration. The Committee notes progress continues to be made on reducing the mismatch rate.

The growth in E-Verify use by employers has significantly increased from fewer than 25,000 employers in fiscal year 2007 to more than 250,000 employers in fiscal year 2011. The May 26, 2011, Supreme Court decision regarding the constitutionality of States' mandating use of E-Verify likely will result in continued use of this system in maintaining a legal workforce. The Committee directs the Director of USCIS to provide a report not later than 90 days after the date of enactment of this act identifying the costs of expanding the use of E-Verify.

The Committee urges USCIS to continue to work to enhance the system to further improve performance, to continue its public outreach and education campaign, and to perform a new, independent evaluation of the system during the first quarter of fiscal year 2012. The Committee further expects USCIS to commit additional resources to compliance enforcement.

ASYLUM AND REFUGEE FEES

The budget proposes $203,400,000 in direct appropriations to cover the costs associated with processing asylum and refugee applications. The Committee notes that section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) provides the Department with broad discretion on how fees collected may be used. Specifically, it states that immigration examination fees "may be set at a level that will ensure recovery of the full costs of providing all such services, including the costs of similar services provided without charge to asylum applicants or other immigrants. Such fees may also be set at a level that will recover any additional costs associated with the administration of the fees collected."

The Committee recommends no appropriated funds for asylum and refugee services or the systematic alien verification for entitlements program. The Committee notes that Congress is unable to use appropriated dollars to fund these programs in this time of reduced appropriations and a need to prioritize limited discretionary dollars. The Committee expects USCIS to immediately revise its fee schedule to accommodate the costs of these programs—as was done for approximately 20 years until November 23, 2010. The Committee urges USCIS to further revise its fees in recognition of the reality that no additional appropriations will be available to cover the costs of these activities. The Committee further directs the Department to submit a reprogramming within 30 days after the date of enactment of this act, to reflect the continuation of these activities as fee-funded. The Committee notes that funding for military naturalization activities has been requested in the Department of Defense [DOD] budget and expects that any issues related to Department of Defense authority to pay for such activities will be resolved in the authorization process. No funding is provided to USCIS for this purpose. The Committee also notes that approximately $91,000,000 in the H and L Fund for fraud investigations was carried over into fiscal year 2011 and are available to be used for these and other purposes.

To the extent required, the Committee urges USCIS and DOD to enter into a memorandum of understanding that all future costs of military naturalizations will be borne by DOD.

IMMIGRANT INTEGRATION

The Committee recommends $8,000,000 for immigrant integration grants, $3,000,000 below the level provided in fiscal year 2011 and $11,749,000 below the level requested in the budget. The Committee believes it is important to assist individuals following the law and working to become citizens. However, the Committee directs that no appropriations be used to operate the Office of Citizenship Services and that its operation continue to be fee-funded. Additionally, the Committee is concerned that costs to administer the grant program currently may exceed 11 percent of the grant award total and directs that no more than 5 percent of the appropriated grant funds be used to administer the program in fiscal year 2012.

DATA CENTER MIGRATION

The Committee recommends $10,500,000, for data center migration activities, a reduction of $2,000,000 below the request.

NATURALIZATION CEREMONIES

The Committee encourages USCIS to work with local public and private groups to schedule naturalization and oath of allegiance ceremonies as part of Flag Day, Independence Day, and Constitution Day celebrations.

COMMITTEE RECOMMENDATIONS

The following table, which includes appropriations and estimated fee collections, summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Appropriations:			
E-Verify	103,193	102,424	102,424
Data Center consolidation	2,157	12,500	10,500
Systematic Alien Verification for Entitlements [SAVE]	.....	29,937	.....
Immigrant Integration Programs	11,000	19,749	8,000
REAL ID Act implementation	.....	.....	.....
Asylum and refugee services	29,950	203,400	.....
Acquisition workforce	.....	1,467	.....
Total, Appropriations	146,300	369,477	120,924
Fee collections:			
Adjudication services (fee account):			
District operations	1,169,135	1,157,137	1,157,137
Service Center operations	508,281	519,518	519,518
Asylum, Refugee and international operations	62,630	88,364	291,764
Records operations	102,471	103,902	103,902
Business transformation	164,025	234,400	234,400
Subtotal, Adjudication services	2,006,542	2,103,321	2,306,721
Information and customer services (fee account): Information and customer services	83,501	85,773	85,773

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES—PROGRAM SUMMARY—Continued

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Administration (fee account):			
Administration	336,514	348,295	348,295
SAVE, (fee account)			29,937
Total, fee collections	2,426,557	2,537,389	2,770,726

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

Appropriations, 2011 [1]	$235,447,000
Budget estimate, 2012 [2]	238,957,000
House allowance [2]	238,957,000
Committee recommendation [2]	238,957,000

[1] Includes $1,306,000 for Federal Law Enforcement Accreditation.
[2] Includes $1,304,000 for Federal Law Enforcement Accreditation.

The Federal Law Enforcement Training Center Salaries and Expenses appropriation provides funds for basic and some advanced training to Federal law enforcement personnel from more than 80 agencies. This account also allows for research of new training methodologies; provides for training to certain State, local, and foreign law enforcement personnel on a space-available basis; and accreditation of Federal law enforcement training programs.

COMMITTEE RECOMMENDATIONS

The Committee recommends $238,957,000 for salaries and expenses of the Federal Law Enforcement Training Center [FLETC] for fiscal year 2012. Within the funds provided is $29,716,000 for Management and Administration and $1,304,000 for the Federal Law Enforcement Training Accreditation Board.

The Committee includes bill language requiring the Director of FLETC to ensure all training centers are operated at the highest capacity feasible throughout the fiscal year. The Committee also expects the Director to maintain training at or near capacity before entering into new leases with private contractors or establishing new partner organizations.

INTEGRITY TRAINING

The Federal Government has experienced a significant increase in law enforcement officer hiring in the years since the tragic attacks on September 11, 2001. The Committee believes it is critical that all Federal law enforcement personnel, especially new hires, receive comprehensive training in ethics and public integrity. The Committee notes that Federal law enforcement personnel receive ethics training as part of their basic training at FLETC and expects that all newly hired Federal law enforcement officers will receive such training wherever they are trained.

ACCREDITATION

The Federal Law Enforcement Training Accreditation [FLETA] process sets the standards for Federal law enforcement training. The accreditation of a Federal law enforcement academy or program provides assurance that the academy voluntarily submitted to a process of self-regulation; and, that they have successfully achieved compliance with a set of standards that have been collectively established by their peers within their professional community that demonstrate adherence to quality, effectiveness, and integrity. The focus of the effort is to accredit Federal academies; entry-level and advanced or specialized training programs; instructor training; and other programs that affect multiple Federal, State, and local law enforcement officers. The Committee recommends $1,304,000 for the FLETA Board. FLETA should lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Appropriations, 2011	$35,385,000
Budget estimate, 2012	37,456,000
House allowance	35,456,000
Committee recommendation	33,456,000

This account provides for the acquisition and related costs for expansion and maintenance of facilities of the Federal Law Enforcement Training Center [FLETC]. This includes construction and maintenance of facilities and environmental compliance. The environmental compliance funds ensure compliance with Environmental Protection Agency and State environmental laws and regulations.

COMMITTEE RECOMMENDATIONS

The Committee recommends $33,456,000, $4,000,000 below the President's request and $1,929,000 below the fiscal year 2011 amount, for acquisition, construction, improvements, and related expenses for expansion and maintenance of FLETC facilities requested in the budget.

SCIENCE AND TECHNOLOGY

SUMMARY

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

MANAGEMENT AND ADMINISTRATION

Appropriations, 2011	$140,918,000
Budget estimate, 2012	149,365,000
House allowance	140,565,000
Committee recommendation	143,000,000

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 $143,000,000 for management and administration of programs and activities carried out by S&T. Of this amount, the Committee recommends not to exceed $10,000 for official reception and representation expenses.

The recommended amount is $6,365,000 below the budget request and $2,082,000 above the fiscal year 2011 level. The recommendation does not include funding for data center migration, however the Department is encouraged to resubmit the request with the fiscal year 2013 budget.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

Appropriations, 2011	$686,659,000
Budget estimate, 2012	1,027,067,000
House allowance	398,213,000
Committee recommendation	657,000,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommends $657,000,000, for research, development, acquisition, and operations of S&T. The recommended amount is $370,067,000 below the request and $29,659,000 below the fiscal year 2011 level.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

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

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Borders and Maritime Security	32,167		
Chemical and Biological	166,577		
Command, Control, and Interoperability	68,593		
Explosives	111,813		
Human Factors	11,458		
Infrastructure and Geophysical	25,056		
Innovation	31,330		
Test and Evaluation, Standards	18,130		
Transition	41,645		
Research, Development, and Innovation		659,850	439,783
RD&I: Apex R&D		[17,900]	
RD&I: Border Security		[42,965]	
RD&I: Chem/Bio/Radiological/Nuclear/Explosives Defense		[342,462]	
RD&I: Counter Terrorist R&D		[26,707]	
RD&I: Cyber Security		[64,102]	
RD&I: Disaster Resilience		[165,714]	
Acquisition and Operations Support		54,154	54,154
Laboratory Facilities (operations and construction)	140,000	276,500	126,500
University Programs	39,890	36,563	36,563

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

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Total, Research, Development, Acquisition and Operations	686,659	1,027,067	657,000

BUDGET STRUCTURE

The President's request includes a new budget account structure for the Research, Development, Acquisition and Operations appropriation. This new structure proposes to reorganize 12 PPAs focused on various research areas into four new PPAs and moves the vast majority of S&T's research programs into one PPA called "Research, Development, and Innovation [RD&I]". The Committee does not support the consolidation of all research areas into one account, as it reduces transparency and accountability of S&T's primary research funding. Therefore, the Committee slightly modifies the requested budget structure by including the six research areas identified in the budget request as PPAs under RD&I: Apex Research and Development [R&D]; Border Security; Chemical, Biological, Radiological, Nuclear, and Explosives Defense; Counter Terrorist R&D; Cyber Security; and Disaster Resilience. Due to the reduction below the request, the recommendation does not allocate resources between the RD&I PPAs. However, S&T is to provide a PPA distribution to the Committee for RD&I no later than 30 days after the date of enactment of this act.

REPORTING REQUIREMENTS

S&T is directed to continue to provide the following:

—quarterly briefings to the Committee on the test and evaluation status of all level 1 acquisitions;

—a report on results of its research and development for the prior fiscal year; and

—a report on the amounts de-obligated from projects during the prior fiscal year and what projects those funds were subsequently obligated to.

The reports listed above are to be submitted in conjunction with the fiscal year 2013 President's budget request. Further, the report on the results of research and development should detail all technologies, technology improvements, or capabilities delivered to front line users, and if the technology or capability was the result of a project reviewed and prioritized by the Integrated Product Team process.

The Committee is aware of several S&T efforts underway to ensure that technology solutions being developed have realistic objectives, support the Department's missions, and can be transitioned to the end user for operational use. No later than 120 days after the enactment of this act, S&T is to brief the Committee on its progress in implementing its new strategic initiatives, including:

—transition to use (moving new technologies from concept to practical application);

—improving private sector partnerships;

—technology foraging;
—acquisition support for DHS components;
—support of the First Responder Community; and
—addressing high-priority "urgent" problems identified by component heads—known as Apex R&D Projects.

APEX R&D

The Committee notes that S&T is embarking on a new program called Apex, 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 of S&T. In fiscal year 2012, S&T plans to focus its Apex funding on the Secret Service to provide technology solutions for its protective mission. S&T began an operational analysis of the Service's protective mission technology in fiscal year 2011, which will form the basis of the Apex program's focus in fiscal year 2012. The Committee is supportive of the Apex concept, especially since it is focused on expediting technology solutions to the field. S&T and the Secret Service are to brief the Committee no later than 60 days after the date of enactment of this act and periodically thereafter on progress made to field improved technologies for the Service's protective mission, including a schedule for evaluation and testing of technical solutions in relevant operational environments.

DISASTER RESILIENCE

The Committee notes that, within the last decade, record-breaking hurricanes, tornadoes, and floods have devastated the Southeast Region of the United States. These events have cost our Nation thousands of lives and billions of dollars. This region also has the potential for a significant earthquake. Therefore, the Committee encourages S&T to continue competitively awarded work with appropriate universities and existing Federal research centers to address these unique challenges.

CYBERSECURITY

The Committee believes that sophisticated cyber attacks, such as those launched against Estonia, Georgia, and elsewhere around the world, could have devastating consequences if such attacks targeted America's economic power. Disrupting U.S. financial services could result in a renewed global economic downturn based on perceived insecurities in the electronic infrastructure relied upon for market transactions. Within the amount provided for RD&I, the Committee encourages S&T to robustly fund cyber security research and development, including programs that will assist the U.S. financial industry in preparing for and defending against cyber attacks.

FIRST RESPONDER COMMUNICATIONS EQUIPMENT STANDARDS

S&T, in conjunction with the Director of the National Institute of Standards and Technology, shall continue assessing the compliance of first responder communication equipment with common

standards for digital public safety radio communications (Project 25 standards).

TEST AND EVALUATION [T&E]

Within the amount provided for "Acquisition, Operations and Support", no less than $6,641,000 shall be for S&T to establish policies and procedures for and 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.

LABORATORY FACILITIES

The Committee recommendation includes $126,500,000 for Laboratory Facilities, $150,000,000 below the amount requested and $13,500,000 below fiscal year 2011. The recommendation includes $108,300,000 for laboratory operations and $18,200,000 for infrastructure improvements at the Transportation Security Laboratory, as requested.

The recommendation does not include $150,000,000 in construction costs for the National Bio and Agro-Defense Facility [NBAF]. The Committee recognizes the need for a next-generation biological and agricultural defense facility to protect the country's agriculture and public health. As mandated by Public Law 112–10, the Department is in the process of updating its Site Specific Risk Assessment [SSRA] for the NBAF site, which will be reviewed by NAS. The Department estimates completion of the SSRA by January 2012 and completion of the NAS evaluation by June 2012. Until these important assessments are completed, it is pre-mature to recommend construction funding for this project. The Committee is also concerned that the $150,000,000 is not a useable construction segment for the NBAF project. The Committee directs S&T to provide an updated cost schedule coupled with useable and realistic funding segments no later than 30 days after the date of enactment of this act.

RADIOLOGICAL AND NUCLEAR

The Committee recommendation approves the transfer of the Radiological and Nuclear research program from the Domestic Nuclear Detection Office. The amount dedicated to this program shall be determined by S&T and submitted with it's RD&I PPA allocation to the Committee. The Committee strongly endorses the consolidation of this research into S&T, and directs S&T to conduct an independent review of all of the current research projects within this area and the state of technology development across the private sector before determining the research priorities for fiscal year 2012.

UNIVERSITY PROGRAMS

The Committee recommendation includes $36,563,000 for University Programs, as requested.

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 $268,000,000 for activities of DNDO for fiscal year 2012. The recommendation is a decrease of $73,744,000 below the fiscal year 2011 level and a decrease of $63,739,000 below the level proposed in the budget request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

DOMESTIC NUCLEAR DETECTION OFFICE

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Management and Administration	36,918	41,120	37,000
Research, Development, and Operations	274,886	206,258	191,000
Systems Acquisition	29,940	84,361	40,000
Total, Domestic Nuclear Detection Office	341,744	331,739	268,000

MANAGEMENT AND ADMINISTRATION

Appropriations, 2011	$36,918,000
Budget estimate, 2012	41,120,000
House allowance	40,000,000
Committee recommendation	37,000,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $37,000,000 for Management and Administration. The recommendation is an increase of $82,000 above the fiscal year 2011 level and $4,120,000 below the level proposed in the budget request. Of this amount the Committee recommends not to exceed $3,000 for official reception and representation expenses.

STRATEGIC PLAN OF INVESTMENTS

The Committee includes bill language requiring DNDO to establish a strategic plan of investments necessary to implement the Department's responsibilities under the domestic component of the global nuclear detection architecture. The plan is to:

—identify the various elements of the domestic architecture, the roles and responsibilities of each Departmental entity;

—investments being made in fiscal years 2012 and 2013 to secure pathways into the United States (sea, land, and air);

—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.

While the strategic plan of investments is to cover the Department's implementation responsibilities, it shall include a section on DNDO's focus on surge capabilities and the ability of Federal, State, and local level assets to be mobilized together to respond to suspected radiological threats.

RESEARCH, DEVELOPMENT, AND OPERATIONS

Appropriations, 2011	$274,886,000
Budget estimate, 2012	206,258,000
House allowance	245,194,000
Committee recommendation	191,000,000

The Research, Development and Operations account funds the development of nuclear detection systems and the integration and advancement of national nuclear forensics capabilities.

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $191,000,000 for Research, Development and Operations. The recommendation is a decrease of $83,866,000 below the fiscal year 2011 level and $15,258,000 below the level proposed in the budget request. The recommendation includes the transfer of the transformational research and development program to the Science and Technology Directorate.

Even with the transfer of long-term Radiological and Nuclear R&D to the Science and Technology Directorate, the Committee notes that the request for DNDO includes $104,256,000 in other R&D activities in fiscal year 2012. Given the constrained fiscal environment, the Committee directs the Department to evaluate whether it would be appropriate to consolidate DNDO's "Systems Development" and "Test and Evaluation Infrastructure and Operations" activities within the Science and Technology Directorate, the primary DHS research component. The Committee sees potential savings and efficiencies through the elimination of unnecessary overhead and consolidation of redundant programs that may exist between the two organizations. In addition, the evaluation should consider providing the acquisition dollars both for radiation portal monitors and human portable radiation detection systems directly to the operational components that operate them. DNDO's primary DHS customers (U.S. Customs and Border Protection, Coast Guard, and Transportation Security Administration) have well established and mature acquisition programs. It makes little sense to have another acquisition structure requiring administrative overhead simply to segregate the procurement of radiation detection equipment from all other acquisitions. The results of this evaluation shall be provided to the Committee no later than 120 days after the date of enactment of this act.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

RESEARCH, DEVELOPMENT, AND OPERATIONS

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Systems Engineering and Architecture	33,195	31,858	31,230
Systems Development	52,851	69,689	60,000
Transformational Research and Development	96,326	.....	.....
Assessments	38,139	43,104	40,000
Operations Support	32,756	36,837	35,000
National Technical Nuclear Forensics Center	21,619	24,770	24,770
Total, Research, Development, and Operations	274,886	206,258	191,000

QUARTERLY BRIEFINGS

The Committee believes DNDO must aggressively pursue its preventive radiation/nuclear detection mission, and go beyond addressing the potential threat posed by the use of cargo containers to transport nuclear or radioactive materials or weapons. It is critical that DNDO prioritize its efforts based on risk and with attention to pathways such as general aviation, the maritime domain, land border threats, including rail, and in areas between ports of entry, and in urban areas and critical locations in the Nation's interior. The Committee is aware of several ongoing DNDO studies to determine vulnerabilities and mitigation solutions in these areas and therefore directs DNDO to continue quarterly briefings on progress in developing technological solutions; the status of such technologies, including their strengths and weaknesses; and timetables to develop and deploy them. Specific programs to be covered include the State and Local Rad/Nuc challenge, human portable tripwire program, cargo imaging for shielded nuclear threats, long-range radiation detection, rail cargo scanning for international rail, small vessel standoff detection program, and air cargo scanning. The briefings shall include results from test and evaluation assessments, where applicable.

The Committee also directs DNDO to continue quarterly briefings on developments of red team exercises and assessments and progress in developing alternatives to existing detection materials and systems, in particular progress in finding alternatives to neutron detectors based on Helium-3.

TEST AND EVALUATION

The Committee applauds DNDO's objective to minimize internal "end-to-end" development efforts and rely more heavily on the private sector to develop new technologies and improve existing systems. However, to successfully carry out this new focus, a strong test and evaluation process is necessary to ensure external solutions meet Federal standards. Thorough testing and evaluation of new technologies prior to their acquisition and deployment is also essential to prevent wasteful and unnecessary spending. Therefore, the Committee fully funds the request for Test and Evaluation Infrastructure and Operations.

The Committee encourages DNDO to test new radiation detection technologies that the commercial sector may offer, such as

those that have the potential to detect shielded and unshielded nuclear materials like advanced radiography and muon tomography.

SYSTEMS ACQUISITION

Appropriations, 2011	$29,940,000
Budget estimate, 2012	84,361,000
House allowance	52,000,000
Committee recommendation	40,000,000

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

COMMITTEE RECOMMENDATIONS

The Committee recommendation includes $40,000,000 for Systems Acquisition. The recommendation is an increase of $10,060,000 above the fiscal year 2011 level and a decrease of $44,361,000 below the level proposed in the budget request.

The following table summarizes the Committee's recommendations as compared to the fiscal year 2011 and budget request levels:

SYSTEMS ACQUISITION

[In thousands of dollars]

	Fiscal year 2011 enacted	Fiscal year 2012 budget request	Committee recommendations
Radiation Portal Monitor Program		37,361	8,000
Securing the Cities	19,940	27,000	22,000
Human Portable Radiation Detection Devices	10,000	20,000	10,000
Total, Systems Acquisition	29,940	84,361	40,000

RADIATION PORTAL MONITORS

The Committee recommendation includes $8,000,000 for the Radiation Portal Monitor [RPM] program instead of the $37,361,000 requested. The request to procure and deploy 44 Advanced Spectroscopic Portal [ASP] monitors is denied given that the Secretary has suspended all further development on ASP. The $8,000,000 is for DNDO to purchase and deploy legacy RPMs to address gaps in coverage at our seaports, land ports, airports, and rail entrances.

SECURING THE CITIES

The Committee recommendation includes $22,000,000 for Securing the Cities [STC] instead of $27,000,000, as requested. Of this amount, $20,000,000 is to continue efforts in New York City, as requested and $2,000,000 to initiate the establishment of a STC program in another major U.S. city. Prior to obligating funds for a new STC and no later than 120 days after the date of enactment of this act, the Committee directs DNDO to report on its efforts to implement the recommendations made in the "External Strategic Assessment" of the STC program. This report shall specify DNDO's efforts to: establish a detailed cost analysis to understand life cycle costs; a Federal exit strategy and transition plan; and performance measures to judge the success of the program.

HUMAN PORTABLE RADIATION DETECTION SYSTEMS

The Committee recommendation includes $10,000,000 for the Human Portable Radiation Detection Systems program, the same level funded in fiscal year 2011.

ADVANCED SPECTROSCOPIC PORTAL MONITORS CERTIFICATION

Bill language is included prohibiting the Department from full-scale procurement of ASP monitors until the Secretary submits a report to the Committees on Appropriations certifying that a significant increase in operational effectiveness will be achieved. In addition, separate and distinct certifications shall be submitted by the Secretary prior to the procurement of ASPs for primary and secondary deployment that address the requirements for operational effectiveness of each type of deployment. Finally, DNDO is prohibited from engaging in high-risk concurrent development and production of mutually dependent software and hardware components of detection systems.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

Section 501. The bill includes a provision that no part of any appropriation shall remain available for obligation beyond the current fiscal year unless expressly provided.

Section 502. The bill includes a provision that unexpended balances of prior appropriations may be merged with new appropriations accounts and used for the same purpose, subject to reprogramming guidelines.

Section 503. The bill includes a provision that provides authority to reprogram appropriations within an account and to transfer up to 5 percent between appropriations accounts with 15-day advance notification of the Committees on Appropriations. A detailed funding table identifying each congressional control level for reprogramming purposes is included at the end of this statement. These reprogramming guidelines shall be complied with by all departmental components funded by this act.

The Committee expects the Department to submit reprogramming requests on a timely basis, and to provide complete explanations of the reallocations proposed, including detailed justifications of the increases and offsets, and any specific impact the proposed changes will have on the budget request for the following fiscal year and future-year appropriations requirements. Each request submitted to the Committees should include a detailed table showing the proposed revisions at the account, program, project, and activity level to the funding and staffing (full-time equivalent) levels for the current fiscal year and to the levels required for the following fiscal year. The Committee continues to be disappointed by the quality, level of detail, and timeliness of the Department's proposed reprogrammings.

The Committee expects the Department to manage its programs and activities within the levels appropriated. The Committee reminds the Department that reprogramming or transfer requests should be submitted only in the case of an unforeseeable emergency or situation that could not have been predicted when formulating the budget request for the current fiscal year. When the Department submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the Department to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming or transfer request unapproved.

The Department shall not propose a reprogramming or transfer of funds after June 30 unless there are extraordinary cir-

cumstances, which place human lives or property in imminent danger.

Section 504. The bill includes a provision relating to the Department's Working Capital Fund [WCF] that: extends the authority of the Department's WCF in fiscal year 2012; 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 2012 budget; makes funds available for the WCF available until expended; ensures departmental components are only charged for direct usage of each WCF service; makes funds provided to the WCF available only for purposes consistent with the contributing component; requires the WCF to be paid in advance or reimbursed at rates which will return the full cost of each service; and subjects the WCF to the requirements of section 503 of this act. The WCF table included in the Department's congressional justification accompanying the President's fiscal year 2012 budget shall serve as the control level for reprogramming and transfer purposes in compliance with section 503 of this act.

Section 505. The bill includes a provision that not to exceed 50 percent of unobligated balances remaining at the end of fiscal year 2012 from appropriations made for salaries and expenses shall remain available through fiscal year 2013, subject to reprogramming.

Section 506. The bill includes a provision providing that funds for intelligence activities are specifically authorized during fiscal year 2012 until the enactment of an act authorizing intelligence activities for fiscal year 2012.

Section 507. The bill includes a provision requiring notification of the Committees 3 business days before any grant allocation, grant award, contract award (including Federal Acquisition Regulation-covered contracts), other transaction agreement, a task or delivery order on a DHS multiple award contract, letter of intent, or public announcement of the intention to make such an award totaling in excess of $1,000,000. If the Secretary determines that compliance would pose substantial risk to health, human life, or safety, an award may be made without prior notification but the Committees shall be notified within 5 full business days after such award or letter is issued. Additionally, FEMA is required to brief the Committees 5 full business days prior to announcing publicly the intention to make an award under State and Local Programs.

Section 508. The bill includes a provision that no agency shall purchase, construct, or lease additional facilities for Federal law enforcement training without the advance approval of the Committees on Appropriations.

Section 509. The bill includes a provision that none of the funds may be used for any construction, repair, alteration, or acquisition project for which a prospectus, if required under chapter 33 of title 40, United States Code, has not been approved. The bill excludes funds that may be required for development of a proposed prospectus.

Section 510. The bill includes a provision that consolidates, continues, and modifies by reference prior-year statutory bill language into one provision. These provisions concern contracting officers'

training, Federal building energy performance, fleet and transportation efficiency, and sensitive security information protocols.

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

Section 512. The bill includes a provision prohibiting any person other than the privacy officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 to alter, direct that changes may be made, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

Section 513. The bill includes a provision prohibiting funds to be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

Section 514. The bill includes a provision regarding competitive sourcing for United States Citizenship and Immigration Services.

Section 515. The bill includes a provision requiring the Chief Financial Officer to submit monthly budget execution and staffing reports within 45 days after the close of each month.

Section 516. The bill includes a provision directing that any funds appropriated or transferred to TSA "Aviation Security", "Administration", and "Transportation Security Support" in fiscal years 2004 and 2005, that are recovered or deobligated shall be available only for procurement and installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification. Quarterly reports must be submitted identifying any funds that are recovered or deobligated.

Section 517. 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 518. The bill includes a provision relating to undercover investigative operations authority of the Secret Service.

Section 519. 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 520. The bill includes a provision prohibiting the obligation of funds appropriated to the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, or the Office of the Chief Financial Officer for grants or contracts awarded by any means other than full and open competition. Certain exceptions apply. This provision does not require new competitions of existing contracts during their current terms. The IG is required to review Departmental contracts awarded noncompetitively and report on the results to the Committees.

Section 521. The bill includes a provision regarding the enforcement of section 4025(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3724) regarding butane lighters. This provision is made permanent in fiscal year 2012.

Section 522. 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 au-

thorized by a statute enacted after the date of enactment of this act.

Section 523. The bill includes a provision that precludes DHS from using funds in this act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components of the Department, subject to section 503 of this act.

Section 524. The bill includes a provision prohibiting funding to grant an immigration benefit to any individual unless the results of background checks required by statute to be completed prior to the grant of benefit have been received by DHS.

Section 525. The bill includes a provision prohibiting the use of funds to destroy or put out to pasture any horse or other equine belonging to the Federal Government unless adoption has been offered first.

Section 526. The bill includes a provision regarding waivers of the Jones Act.

Section 527. 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 528. 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 529. The bill includes a provision extending other transactional authority for DHS through fiscal year 2012 and eliminates a GAO reporting requirement that is no longer necessary.

Section 530. The bill includes a provision requiring the Secretary to link all contracts that provide award fees to successful acquisition outcomes.

Section 531. The bill includes a provision prohibiting the obligation of funds for the Office of Secretary and Executive Management for any new hires that are not verified through the E-Verify Program.

Section 532. The bill includes a provision contained in Public Laws 109–295, 110–161, 110–329, 111–83, and 112–10 related to prescription drugs.

Section 533. 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.

The Committee notes that the Fund is comprised of assets forfeited to the Federal Government as the result of law enforcement investigations and operations conducted primarily by agencies of the Department of the Treasury and DHS. The President's budget proposes to rescind/transfer $630,000,000 of the Fund and gives the credit to agencies under the jurisdiction of the Financial Services and General Government Appropriations Subcommittee. Approximately one-third of the Forfeiture Fund balance proposed for rescission is the result of DHS law enforcement activities. The Committee directs the President, if he proposes to rescind Treasury Forfeiture Funds in his fiscal year 2013 budget, to divide the funds

equitably between the two Departments based upon their contributions to the Fund.

Section 534. The bill includes a provision prohibiting funds from being used to plan, test, pilot, or develop a national identification card.

Section 535. The bill includes a provision requiring a report summarizing damage assessment information used to determine whether to declare a major disaster.

Section 536. The bill includes a provision relating to the liquidation of Plum Island assets and how the proceeds from this sale may be applied.

Section 537. 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 538. 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 539. The bill includes a provision extending current law concerning individuals detained at the Naval Station, Guantanamo Bay, Cuba.

Section 540. The bill includes a permanent FLETC provision regarding the definition of the term "rural".

Section 541. The bill includes a provision prohibiting funds in this act to be used for first-class travel.

Section 542. The bill includes a provision prohibiting funds to be used for adverse personnel actions for employees who use protective equipment or measures, including surgical masks, N95 respirators, gloves, or hand-sanitizers in the conduct of their official duties.

Section 543. 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 544. The bill includes language pertaining to the construction of the National Bio- and Agro-defense facility in Manhattan, Kansas.

Section 545. A provision is included that provides an additional amount of $10,000,000 for the Federal Emergency Management Agency "State and Local Programs" to reimburse costs incurred by State and local governments affected by National Special Security Events, including use of services, personnel, equipment, and facilities. The Federal Emergency Management Agency shall brief the Committees on Appropriations within 60 days of the date of enactment of this act regarding the process to distribute this funding, including the application process and eligible costs. Funds shall remain available until September 30, 2013 and are not subject to any legislated timeframes required under "State and Local Programs".

Section 546. The bill includes a provision providing some flexibility to the Department for financing a response to an immigration emergency.

Section 547. The bill includes a provision permitting administrative law judges to be available temporarily to serve on an arbitration panel as needed for cases related to Hurricanes Katrina and Rita.

Section 548. The bill includes a provision on the proper disposal of personal information collected through the Registered Traveler program.

Section 549. 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 550. The bill includes language that requires certification that the 100 percent screening of air cargo carried on passenger aircraft mandate contained in the 9/11 Act has been met and biannual reports on the strategy to meet this mandate if certification does not occur 180 days after the date of enactment of this act.

Section 551. 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 552. 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 553. The bill includes a provision allowing the Secretary to transfer data center migration funds made available by this act between appropriations for the same purpose after notifying the Committees 15 days in advance. The bill provides an additional $15,000,000 for data center migration activities to be allocated by the Secretary pursuant to this section.

Section 554. The bill includes a provision allowing the Advanced Training Center to charge fees in fiscal year 2012 and thereafter for any service or thing of value it provides to the Federal Government or non-government entities or individuals, so long as the fee does not exceed the full costs associated with the service or thing of value. Any fees that are collected are to be deposited in a separate account and used without further appropriation for necessary expenses of the Advanced Training Center program.

Section 555. The bill includes a provision related to the sale of LORAN properties.

Section 556. The bill includes a provision permitting the Department to sell ICE-owned detention facilities and use the proceeds from any sale for improvement to other facilities provided that any such sale will not result in the maintenance of less than 33,400 detention beds. ICE is required to notify the Committees on Appropriations 15 days prior to announcing any sale.

Section 557. The bill includes language that provides a total of $55,979,000 for consolidation of the new DHS headquarters at St. Elizabeths and consolidation of mission support activities. Within 60 days after the date of enactment of this act, the Secretary shall submit an expenditure plan to the Committee highlighting how these funds will be allocated. The Committee is concerned that current and projected future year funding limitations will result in the Coast Guard being the only departmental entity located at the con-

solidated headquarters site. The Committee directs the Department to reexamine the planned mix of DHS offices that are to be located at the St. Elizabeths campus. Initial results of this analysis shall be presented to the Committee with the expenditure plan. Quarterly briefings on the consolidation plans, including any deviation from the expenditure plan, status of approvals, and project schedule should occur thereafter.

Section 558. The bill includes language authorizing an increase to aviation security passenger fees for fiscal year 2012.

Section 559. The Committee, in recognition of on-going fiscal distress in local communities, includes a provision which requires that Staffing for Adequate Fire and Emergency Response Grants shall be used to retain firefighters, instead of only for increasing the number of firefighters. The provision also prohibits funds to be used to enforce certain requirements of the Federal Fire Prevention and Control Act of 1974 related to the program. The Committee expects this provision to be applied in the same manner as similar provisions in Supplemental Appropriations Act, 2009, and the American Recovery and Reinvestment Act of 2009 for the fiscal year 2009 and 2010 program.

Section 560. The bill includes language pertaining to spills of national significance and reimbursement for the Coast Guard.

Section 561. The bill includes a provision to impose increased penalties on individuals who circumvent security screening at airports.

Section 562. A provision is included related to recoupment of debts in cases where funds were distributed based on an error made by FEMA.

Section 563. A provision is included regarding reimbursement by FEMA of Small Business Administration Loans for eligible hazard mitigation activity. Execution of this authority shall not result in an individual being reimbursed more than once for the same mitigation activity.

Section 564. The bill includes language waiving certain requirements for the fiscal year 2011 SAFER grant program.

Section 565. The bill includes language that makes available an additional $18,300,000 for Coast Guard to replace a rotary wing airframe. The Coast Guard has lost four helicopters to accidents over the past few years. This provision is designated as an emergency and is offset with unobligated emergency balances.

Section 566. The bill includes language rescinding unobligated balances made available to the Department when it was created in 2003.

Section 567. The bill includes a $7,000,000 rescission of the unobligated, prior year balances available for U.S. Immigration and Customs Enforcement, "Salaries and Expenses".

Section 568. The bill includes a $10,000,000 rescission of the unobligated, prior year balances available for U.S. Immigration and Customs Enforcement, "Automation Modernization".

Section 569. The bill includes a provision rescinding $48,503,000 in unobligated prior-year balances from TSA.

Section 570. The bill includes a provision rescinding $20,000,000 in unobligated prior-year balances available for Science and Technology, "Research, Development, Acquisition, and Operations".

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2012, 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, 2012, the House and Senate Committee reports, and the conference report and accompanying joint explanatory statement of the managers of the committee of conference.

If a percentage reduction is necessary, in implementing that reduction, components of the Department of Homeland Security shall apply any percentage reduction required for fiscal year 2012 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 2012 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 2012:

U.S. Customs and Border Protection: Salaries and Expenses; Automation Modernization; Border Security Fencing, Infrastructure, and Technology; Air and Marine Interdiction, Operations, Maintenance, and Procurement; and Construction and Facilities Management;

U.S. Immigration and Customs Enforcement: Salaries and Expenses; and Automation Modernization;

Transportation Security Administration: Aviation Security; Surface Transportation Security; Transportation Threat Assessment and Credentialing; Transportation Security Support; 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;

United States Secret Service: Salaries and Expenses; and Acquisition, Construction, Improvements, and Related Expenses;

National Protection and Programs Directorate: Management and Administration; and U.S. Visitor and Immigrant Status Indicator Technology;

Office of Health Affairs;

Federal Emergency Management Agency: Operating Expenses; State and Local Programs; Disaster Relief; Flood Hazard Mapping and Risk Analysis; Firefighter Assistance Grants; National Flood Insurance Fund; and Emergency Food and Shelter;

United States Citizenship and Immigration Services.

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on September 7, 2011, the Committee ordered reported H.R. 2017, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012 and for other purposes, with an amendment in the nature of a substitute, by a recorded vote of 00–00, a quorum being present. The vote was as follows:

Pursuant to paragraph 7(c) of rule XXVI, on September 7, 2011, the Committee ordered favorably reported en bloc the fiscal year

2012 budget allocation a proposed by the Chairman, and a bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; a bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; and a bill (H.R. 2017) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes, with an amendment in the nature of a substitute; provided, that each bill be subject to further amendment and that each bill be consistent with its spending allocations, by a recorded vote of 28–2, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Inouye	Mrs. Hutchison [1]
Mr. Leahy	Mr. Johnson (WI)
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson (SD)	
Ms. Landrieu	
Mr. Reed	
Mr. Lautenberg	
Mr. Nelson	
Mr. Pryor	
Mr. Tester	
Mr. Brown	
Mr. Cochran	
Mr. McConnell	
Mr. Shelby	
Mr. Alexander	
Ms. Collins	
Ms. Murkowski	
Mr. Graham	
Mr. Kirk	
Mr. Coats	
Mr. Blunt	
Mr. Moran	
Mr. Hoeven	

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

[1] By unanimous consent, the Committee permitted Senator Hutchison to change her vote to "nay".

which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italics; and existing law in which no change is proposed is shown in roman.

TITLE 6—DOMESTIC SECURITY

CHAPTER 1—HOMELAND SECURITY ORGANIZATION

SUBCHAPTER VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

PART D—ACQUISITIONS

§ 391. Research and development projects

(a) Authority

[Until September 30, 2011] *Until September 30, 2012,* and subject to subsection (d), the Secretary may carry out a pilot program under which the Secretary may exercise the following authorities:

* * * * * * *

[(b) Report

[Not later than 2 years after the effective date of this chapter, and annually thereafter, the Comptroller General shall report to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate on—

[(1) whether use of the authorities described in subsection (a) of this section attracts nontraditional Government contractors and results in the acquisition of needed technologies; and

[(2) if such authorities were to be made permanent, whether additional safeguards are needed with respect to the use of such authorities.]

[(c)] *(b)* Procurement of temporary and intermittent services

The Secretary may—

(1) procure the temporary or intermittent services of experts or consultants (or organizations thereof) in accordance with section 3109(b) of title 5; and

(2) whenever necessary due to an urgent homeland security need, procure temporary (not to exceed 1 year) or intermittent personal services, including the services of experts or con-

sultants (or organizations thereof), without regard to the pay limitations of such section 3109.

[(d)] *(c)* Additional requirements

(1) In general

The authority of the Secretary under this section shall terminate [September 30, 2011,] *September 30, 2012,* unless before that date the Secretary—

(A) issues policy guidance detailing the appropriate use of that authority; and

(B) provides training to each employee that is authorized to exercise that authority.

(2) Report

The Secretary shall provide an annual report to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives detailing the projects for which the authority granted by subsection (a) was used, the rationale for its use, the funds spent using that authority, the outcome of each project for which that authority was used, and the results of any audits of such projects.

[(e)] *(d)* Definition of nontraditional Government contractor

In this section, the term "nontraditional Government contractor" has the same meaning as the term "nontraditional defense contractor" as defined in section 845(e) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note).

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 46—JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER VII—FBI TRAINING OF STATE AND LOCAL CRIMINAL JUSTICE PERSONNEL

§ 3771. Training and manpower development

(a) Functions, powers, and duties of Director of Federal Bureau of Investigation

The Director of the Federal Bureau of Investigation is authorized to—

* * * * * * *

PRIOR PROVISIONS

* * * * * * *

EMPLOYMENT OF ANNUITANTS BY FEDERAL LAW ENFORCEMENT TRAINING CENTER

Pub. L. 107–206, title I, § 1202, Aug. 2, 2002, 116 Stat. 887, as amended by Pub. L. 109–295, title IV, Oct. 4, 2006, 120 Stat. 1374; Pub. L. 110–161, div. E, title IV, Dec. 26, 2007, 121 Stat. 2068; Pub. L. 110–329, div. D, title IV, Sept. 30, 2008, 122 Stat. 3677, provided that:

"(a) The Federal Law Enforcement Training Center may, for a period ending not later than [December 31, 2012] *December 31, 2014*, 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.

* * * * * * *

TITLE 49—TRANSPORTATION

SUBTITLE VII—AVIATION PROGRAMS

CHAPTER 463—PENALTIES

PART A—AIR COMMERCE AND SAFETY

SUBPART IV—ENFORCEMENT AND PENALTIES

§ 46301. Civil penalties

(a) GENERAL PENALTY.—(1) A person is liable to the United States Government for a civil penalty of not more than $25,000 (or $1,100 if the person is an individual or small business concern) for violating—

* * * * * * *

(5) PENALTIES APPLICABLE TO INDIVIDUALS AND SMALL BUSINESS CONCERNS.—

(A) An individual (except an airman serving as an airman) or small business concern is liable to the Government for a civil penalty of not more than $10,000 for violating—

(i) chapter 401 (except sections 40103(a) and (d), 40105, 40106(b), 40116, and 40117), section 44502 (b) or (c), chapter 447 (except sections 44717–44723), [or chapter 449] *chapter 449* (except sections 44902, 44903(d), 44904, and 44907–44909)*, or section 46314(a)* of this title; or

* * * * * * *

§ 46314. Entering aircraft or airport area in violation of security requirements

(a) PROHIBITION.— * * *

[(b) CRIMINAL PENALTY.—(1) A person violating subsection (a) of this section shall be fined under title 18, imprisoned for not more than one year, or both.

[(2) A person violating subsection (a) of this section with intent to commit, in the aircraft or airport area, a felony under a law of the United States or a State shall be fined under title 18, imprisoned for not more than 10 years, or both.]

(b) CRIMINAL PENALTY.—A person violating subsection (a) of this section shall be fined under title 18, imprisoned for not more than 10 years, or both.

(c) NOTICE OF PENALTIES.—

(1) IN GENERAL.—Each operator of an airport in the United States that is required to establish an air transportation security program pursuant to section 44903(c) shall ensure that signs that meet such requirements as the Secretary of Homeland Security may prescribe providing notice of the penalties imposed under sections 46301(a)(5)(A)(i) and subsection (b) of this section, are displayed near all screening locations, all locations where passengers exit the sterile area, and such other locations at the airport as the Secretary of Homeland Security determines appropriate.

(2) EFFECT OF SIGNS ON PENALTIES.—An individual shall be subject to the penalty provided for under section 46301(a)(5)(A)(i) and subsection (b) of this section without regard to whether signs are displayed at an airport as required by paragraph (1).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007, PUBLIC LAW 109–295

TITLE V

GENERAL PROVISIONS

SEC. 501. * * *

* * * * * * *

SEC. 532. (a) UNITED STATES SECRET SERVICE USE OF PROCEEDS DERIVED FROM CRIMINAL INVESTIGATIONS.—During fiscal year [2011] *2012 and thereafter*, with respect to any undercover investigative operation of the United States Secret Service (hereafter referred to in this section as the "Secret Service") that is necessary for the detection and prosecution of crimes against the United States—

* * * * * * *

SEC. 550. (a) * * *

* * * * * * *

(b) Interim regulations issued under this section shall apply until the effective date of interim or final regulations promulgated under other laws that establish requirements and standards re-

ferred to in subsection (a) and expressly supersede this section: *Provided*, That the authority provided by this section shall terminate [on October 4, 2011] *on October 4, 2012*

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010, PUBLIC LAW 111–83

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS

SEC. 559. (a) Subject to subsection (b), none of the funds appropriated or otherwise made available by this Act may be available to operate the Loran-C signal after January 4, 2010.

* * * * * * *

(e) If the certifications described in subsection (b) are made, the Secretary of Homeland Security, acting through the Commandant of the Coast Guard, may, notwithstanding any other provision of [law, sell] *law, hereafter sell* any real and personal property under the administrative control of the Coast Guard and used for the Loran-C system, by directing the Administrator of General Services to sell such real and personal property, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard: *Provided*, That the proceeds, less the costs of sale incurred by the General Services Administration, [shall be deposited] *shall hereafter be deposited* as offsetting collections into the Coast Guard "Environmental Compliance and Restoration" account and, [subject to appropriation,] *without further appropriations,* shall be available until expended for environmental compliance and restoration purposes associated with the Loran-C system, for the costs of securing and maintaining equipment that may be used as a backup to the Global Positioning System or to meet any other Federal navigation requirement, for the demolition of improvements on such real property, and for the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration: *Provided further*, That after the completion of such activities, the unexpended balances shall be available for any other environmental compliance and restoration activities of the Coast Guard.

DEPARTMENT OF DEFENSE AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011, PUBLIC LAW 112–10

DIVISION B—FULL-YEAR CONTINUING APPROPRIATIONS, 2011

TITLE VI—HOMELAND SECURITY

SEC. 1647. (a) * * *

(b) No funding [provided in this division] *made available in this or any other Act* shall be used for construction of the National Bio- and Agro-defense Facility until the Department of Homeland Security has, pursuant to the schedule submitted by the Department of Homeland Security on March 31, 2011, to the Committees on Appropriations of the Senate and House of Representatives—

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 Committee allocations to its subcommittees of amounts in the budget resolution for 2012: Subcommittee on Homeland Security:				
Mandatory	1,440	1,440	1,402	[1] 1,402
Discretionary	41,000	45,458	44,985	[1] 45,275
Security	41,000	45,458	NA	NA
Nonsecurity	.....	.....	.....	.....
Projection of outlays associated with the recommendation:				
2012	.....	.....	.....	[2] 26,858
2013	.....	.....	.....	9,102
2014	.....	.....	.....	5,590
2015	.....	.....	.....	2,496
2016 and future years	.....	.....	.....	2,307
Financial assistance to State and local governments for 2012	NA	5,257	NA	251

[1] Includes outlays from prior-year budget authority.
[2] Excludes outlays from prior-year budget authority.

NA: Not applicable.

Consistent with the funding recommended in the bill for disaster funding and overseas contingency operations and in accordance with section 251(b)(2)(D) of the BBEDCA and section 106 of the Deficit Control Act of 2011, the Committee anticipates that the Budget Committee will file a revised section 302(a) allocation for the Committee on Appropriations reflecting an upward adjustment of $4,458,000,000 in budget authority plus associated outlays.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
DEPARTMENT OF HOMELAND SECURITY							
TITLE I—DEPARTMENTAL MANAGEMENT AND OPERATIONS							
Departmental Operations							
Office of the Secretary and Executive Management:							
Immediate Office of the Secretary	4,641	5,164	4,641	5,000	+359	−164	+359
Immediate Office of the Deputy Secretary	2,674	1,918	1,918	1,918	−756	.....	.....
Office of the Chief of Staff	2,572	2,802	2,000	2,600	+28	−202	+600
Office of Counternarcotics Enforcement	2,997	3,814	3,200	2,130	−867	−1,684	−1,070
Executive Secretary	8,104	8,402	8,200	8,100	−4	−302	−100
Office of Policy	41,133	42,423	34,000	40,000	−1,133	−2,423	+6,000
Office of Public Affairs	6,368	6,419	5,800	6,370	+2	−49	+570
Office of Legislative Affairs	6,698	6,341	6,000	6,340	−358	−1	+340
Office of Intergovernmental Affairs	2,632	2,908	2,750	2,650	+18	−258	−100
Office of General Counsel	23,762	22,422	22,400	22,422	−1,340	.....	+22
Office for Civil Rights and Civil Liberties	20,367	24,613	21,100	23,000	+2,633	−1,613	+1,900
Citizenship and Immigration Services Ombudsman	6,188	6,336	6,200	6,300	+112	−36	+100
Privacy Officer	8,408	8,971	8,491	8,603	+195	−368	+112
House floor amendment	.....	.....	−64,350	.....	.....	.....	+64,350
Subtotal	136,544	142,533	62,350	135,433	−1,111	−7,100	+73,083
Office of the Under Secretary for Management:							
Immediate Office of the Under Secretary for Management	2,733	7,558	2,550	2,558	−175	−5,000	+8
Office of Security	71,760	71,236	70,200	71,236	−524	.....	+1,036
Office of the Chief Procurement Officer	74,597	78,771	75,150	78,000	+3,403	−771	+2,850
Office of the Chief Human Capital Officer:							
Salaries and expenses	24,477	28,161	25,660	25,165	+688	−2,996	−495
Human resources	17,097	16,686	15,680	14,172	−2,925	−2,514	−1,508
Subtotal	41,574	44,847	41,340	39,337	−2,237	−5,510	−2,003

Office of the Chief Administrative Officer:							
Salaries and expenses	43,300	41,248	40,700	41,000	−2,300	−248	+300
Nebraska Avenue Complex (NAC)	5,489	5,398	5,000	5,000	−489	−398	.....
Subtotal	48,789	46,646	45,700	46,000	−2,789	−646	+300
House floor amendment	.....	.....	−128,070	.....	.....	.....	+128,070
Subtotal, Office of the Under Secretary for Management	239,453	249,058	106,870	237,131	−2,322	−11,927	+130,261
Office of the Chief Financial Officer	53,323	62,395	50,860	51,000	−2,323	−11,395	+140
Office of the Chief Information Officer:							
Salaries and expenses	86,738	105,578	105,500	105,578	+18,840	.....	+78
Information technology services	51,314	38,800	38,800	38,800	−12,514	.....	.....
Infrastructure and security activities	147,108	89,525	73,000	79,525	−67,583	−10,000	+6,525
Homeland Security Data Network	47,566	44,069	44,000	44,069	−3,497	.....	+69
House floor amendment	.....	.....	−139,180	.....	.....	.....	+139,180
Subtotal	332,726	277,972	122,120	267,972	−64,754	−10,000	+145,852
Analysis and Operations	334,360	355,368	344,368	339,368	+5,008	−16,000	−5,000
Total, Departmental Operations	1,096,406	1,087,326	686,568	1,030,904	−65,502	−56,422	+344,336
Office of Inspector General							
Operating expenses	113,646	144,318	124,000	125,000	+11,354	−19,318	+1,000
Transfer from Disaster relief fund	(15,968)	.....	(16,000)	(16,000)	(+32)	(+16,000)	.....
Total, Office of Inspector General	129,614	144,318	140,000	141,000	+11,386	−3,318	+1,000
Total, title I, Departmental Management and Operations	1,210,052	1,231,644	810,568	1,155,904	−54,148	−75,740	+345,336
(by transfer)	(15,968)	.....	(16,000)	(16,000)	(+32)	(+16,000)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS							
U.S. Customs and Border Protection							
Salaries and expenses:							
Headquarters, Management, and Administration:							
Management and administration, border security inspections and trade facilitation	516,102	688,878	670,494	672,152	+156,050	−16,726	+1,658
Management and administration, border security and control between ports of entry	495,862	738,462	720,009	721,736	+225,874	−16,726	+1,727
Rent	450,812	483,749	483,749	483,749	+32,937	.....	.....
Subtotal	1,462,776	1,911,089	1,874,252	1,877,637	+414,861	−33,452	+3,385
Border security inspections and trade facilitation:							
Inspections, trade, and travel facilitation at ports of entry	2,474,344	2,507,235	2,562,235	2,567,235	+92,891	+60,000	+5,000
Harbor maintenance fee collection (trust fund)	3,274	3,274	3,274	3,274	.....	.....	.....
International cargo screening	103,945	68,757	79,557	68,757	−35,188	.....	−10,800
Other international programs	11,119	10,684	10,684	10,684	−435	.....	.....
Customs-Trade Partnership Against Terrorism (C–TPAT)	45,454	44,979	44,979	44,979	−475	.....	.....
Trusted Traveler programs	10,751	6,311	6,311	6,311	−4,440	.....	.....
Inspection and detection technology investments	144,162	149,537	149,537	149,537	+5,375	.....	.....
Automated targeting systems	32,389	31,400	46,400	36,400	+4,011	+5,000	−10,000
National Targeting Center	47,347	46,950	46,950	51,950	+4,603	+5,000	+5,000
Training	20,778	37,834	37,834	37,834	+17,056	.....	.....
Subtotal	2,893,563	2,906,961	2,987,761	2,976,961	+83,398	+70,000	−10,800
Border security and control between ports of entry:							
Border security and control	3,508,244	3,530,994	3,530,994	3,530,994	+22,750	.....	.....
Training	36,094	88,610	88,610	88,610	+52,516	.....	.....

Subtotal	3,544,338	3,619,604	3,619,604	3,619,604	+75,266	.....	.....
Air and Marine Operations	295,521	287,901	287,901	287,901	−7,620	.....	.....
Subtotal, Salaries and expenses	8,196,198	8,725,555	8,769,518	8,762,103	+565,905	+36,548	−7,415
Appropriations	(8,192,924)	(8,722,281)	(8,766,244)	(8,758,829)	(+565,905)	(+36,548)	(−7,415)
Harbor maintenance trust fund	(3,274)	(3,274)	(3,274)	(3,274)	.....	.....	.....
Automation modernization:							
Automated Commercial Environment/International Trade Data System	147,794	169,755	140,000	140,000	−7,794	−29,755	.....
Current operations protection and processing support (COPPS)	188,108	194,275	194,275	194,275	+6,167	.....	.....
Subtotal	335,902	364,030	334,275	334,275	−1,627	−29,755	.....
Border security fencing, infrastructure, and technology (BSFIT):							
Development and deployment	324,620	337,000	312,377	212,377	−112,243	−124,623	−100,000
Operations and maintenance	172,019	133,248	133,248	133,248	−38,771	.....	.....
Program management	76,385	57,375	54,375	54,375	−22,010	−3,000	.....
House floor amendment	.....	.....	10,000	.....	.....	.....	−10,000
Subtotal	573,024	527,623	510,000	400,000	−173,024	−127,623	−110,000
Air and Marine Interdiction, Operations, Maintenance, and Procurement:							
Operations and maintenance	370,899	361,087	361,087	365,087	−5,812	+4,000	+4,000
Procurement	144,395	109,479	138,879	141,479	−2,916	+32,000	+2,600
Subtotal	515,294	470,566	499,966	506,566	−8,728	+36,000	+6,600
Construction and facilities management:							
Facility construction and sustainment	223,170	226,726	180,000	185,000	−38,170	−41,726	+5,000
Program oversight and management	36,310	57,096	54,096	54,096	+17,786	−3,000	.....
Subtotal	259,480	283,822	234,096	239,096	−20,384	−44,726	+5,000
Total, U.S. Customs and Border Protection direct appropriations	9,879,898	10,371,596	10,347,855	10,242,040	+362,142	−129,556	−105,815
Fee accounts:							
Immigration inspection user fee	(525,443)	(527,629)	(527,629)	(527,629)	(+2,186)	.....	.....
Immigration enforcement fines	(1,037)	(1,041)	(1,041)	(1,041)	(+4)	.....	.....
ESTA	.....	(44,524)	(44,524)	(44,524)	(+44,524)	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Land border inspection fee	(28,598)	(28,909)	(28,909)	(28,909)	(+311)	.....	.....
COBRA passenger inspection fee	(390,974)	(440,521)	(385,521)	(385,521)	(−5,453)	(−55,000)	.....
APHIS inspection fee	(318,472)	(323,000)	(323,000)	(323,000)	(+4,528)	.....	.....
Global Entry user fee	(2,500)	(2,615)	(2,615)	(2,615)	(+115)	.....	.....
Puerto Rico collections	(89,980)	(91,779)	(91,779)	(91,779)	(+1,799)	.....	.....
Small airport user fee	(8,164)	(8,167)	(8,167)	(8,167)	(+3)	.....	.....
Subtotal, fee accounts	(1,365,168)	(1,468,185)	(1,413,185)	(1,413,185)	(+48,017)	(−55,000)	.....
Total, U.S. Customs and Border Protection	11,245,066	11,839,781	11,761,040	11,655,225	+410,159	−184,556	−105,815
Appropriations	(9,879,898)	(10,371,596)	(10,347,855)	(10,242,040)	(+362,142)	(−129,556)	(−105,815)
Fee accounts	(1,365,168)	(1,468,185)	(1,413,185)	(1,413,185)	(+48,017)	(−55,000)	.....
U.S. Immigration and Customs Enforcement							
Salaries and expenses:							
Headquarters management and administration (non-detention and removal operations):							
Personnel compensation and benefits, services and other costs	295,121	237,842	234,251	227,251	−67,870	−10,591	−7,000
Headquarters managed IT investment	219,363	194,727	184,227	186,527	−32,836	−8,200	+2,300
Subtotal	514,484	432,569	418,478	413,778	−100,706	−18,791	−4,700
Legal proceedings	221,666	215,935	215,935	215,935	−5,731	.....	.....
Investigations:							
Domestic	1,702,038	1,714,234	1,714,234	1,739,234	+37,196	+25,000	+25,000
International investigations:							
International operations	112,872	114,928	114,928	114,928	+2,056	.....	.....
Visa Security Program	35,686	29,489	32,489	38,289	+2,603	+8,800	+5,800

Subtotal	148,558	144,417	147,417	153,217	+4,659	+8,800	+5,800
Subtotal, Investigations	1,850,596	1,858,651	1,861,651	1,892,451	+41,855	+33,800	+30,800
Intelligence	69,842	81,503	81,503	82,503	+12,661	+1,000	+1,000
Detention and removal operations:							
Custody operations	1,794,406	2,023,827	2,050,545	2,023,827	+229,421	.....	−26,718
Fugitive operations	229,682	154,597	154,597	154,597	−75,085	.....	.....
Criminal alien program	192,539	196,696	196,696	196,696	+4,157	.....	.....
Alternatives to detention	72,075	72,373	72,373	72,373	+298	.....	.....
Transportation and removal program	281,878	276,632	276,632	276,632	−5,246	.....	.....
House floor amendment	.....	.....	1,000	.....	.....	.....	−1,000
Subtotal	2,570,580	2,724,125	2,751,843	2,724,125	+153,545	.....	−27,718
Comprehensive identification and removal of criminal aliens	199,600	184,064	194,064	184,064	−15,536	.....	−10,000
Subtotal, Salaries and expenses	5,426,768	5,496,847	5,523,474	5,512,856	+86,088	+16,009	−10,618
Automation modernization	73,852	13,860	23,860	21,710	−52,142	+7,850	−2,150
Construction	.....	.....	.....	.....	.....	.....	.....
Cancellation of unobligated balances	.....	−16,300	.....	.....	.....	+16,300	.....
Total, U.S. Immigration and Customs Enforcement direct appropriations	5,500,620	5,494,407	5,547,334	5,534,566	+33,946	+40,159	−12,768
Fee accounts:							
Immigration inspection user fee	(116,387)	(116,869)	(116,869)	(116,869)	(+482)	.....	.....
Breached bond/detention fund	(75,000)	(75,000)	(75,000)	(75,000)	.....	.....	.....
Student exchange and visitor fee	(120,000)	(120,000)	(120,000)	(120,000)	.....	.....	.....
Subtotal	(311,387)	(311,869)	(311,869)	(311,869)	(+482)	.....	.....
Total, U.S. Immigration and Customs Enforcement.	(5,812,007)	(5,806,276)	(5,859,203)	(5,846,435)	(+34,428)	(+40,159)	(−12,768)
Appropriations	(5,500,620)	(5,510,707)	(5,547,334)	(5,534,566)	(+33,946)	(+23,859)	(−12,768)
Fee accounts	(311,387)	(311,869)	(311,869)	(311,869)	(+482)	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Transportation Security Administration							
Aviation security:							
Screening operations:							
Screener workforce:							
Privatized screening	144,470	144,193	144,193	144,193	−277	.....	.....
Screener personnel, compensation, and benefits	2,920,813	3,060,493	3,030,167	3,028,381	+107,568	−32,112	−1,786
Subtotal	3,065,283	3,204,686	3,174,360	3,172,574	+107,291	−32,112	−1,786
Screener training and other	243,402	252,526	245,165	250,776	+7,374	−1,750	+5,611
Checkpoint support	328,843	254,093	181,285	214,893	−113,950	−39,200	+33,608
EDS/ETD Systems:							
EDS procurement and installation	290,843	272,738	222,738	222,738	−68,105	−50,000	.....
Screening technology maintenance & utilities	316,247	332,265	332,265	332,265	+16,018	.....	.....
Operations integration	21,455	.....	.....	.....	−21,455	.....	.....
Subtotal	628,545	605,003	555,003	555,003	−73,542	−50,000	.....
Subtotal, Screening operations	4,266,073	4,316,308	4,155,813	4,193,246	−72,827	−123,062	+37,433
Aviation security direction and enforcement:							
Aviation regulation and other enforcement	318,285	373,239	354,294	382,989	+64,704	+9,750	+28,695
Airport management and support	489,142	571,503	568,334	571,216	+82,074	−287	+2,882
FFDO and flight crew training	25,118	25,461	25,461	25,461	+343	.....	.....
Air cargo	114,689	114,654	120,654	120,654	+5,965	+6,000	.....
Subtotal	947,234	1,084,857	1,068,743	1,100,320	+153,086	+15,463	+31,577
Aviation security capital fund (mandatory)	(250,000)	(250,000)	(250,000)	(250,000)	.....	.....	.....
Total, Aviation security (gross)	5,213,307	5,401,165	5,224,556	5,293,566	+80,259	−107,599	+69,010
Offsetting fee collections (current law)	−2,100,000	−2,030,000	−2,030,000	−2,030,000	+70,000	.....	.....

Aviation passenger security fee(proposed fee increase)	.....	−280,000	.....	−280,000	−280,000	.....	−280,000
Total, Aviation security (net, discretionary)	3,113,307	3,091,165	3,194,556	2,983,566	−129,741	−107,599	−210,990
Surface transportation security:							
Staffing and operations	39,712	38,514	38,514	38,514	−1,198	.....	.....
Surface transportation security inspectors and canines	66,037	96,234	91,234	96,234	+30,197	.....	+5,000
Subtotal	105,749	134,748	129,748	134,748	+28,999	.....	+5,000
Transportation Threat Assessment and Credentialing:							
Secure Flight	84,194	92,414	92,414	92,414	+8,220	.....	.....
Crew and other vetting programs	78,479	91,540	91,540	71,540	−6,939	−20,000	−20,000
TWIC fees	(9,200)	(8,300)	(8,300)	(8,300)	(−900)	.....	.....
Hazardous materials fees	(12,000)	(12,000)	(12,000)	(12,000)	.....	.....	.....
Alien Flight School fees (by transfer from DOJ)	(4,000)	(4,000)	(4,000)	(4,000)	.....	.....	.....
Certified cargo screening program	(5,200)	(5,200)	(5,200)	(5,200)	.....	.....	.....
Large aircraft security program	(1,200)	(1,200)	(1,200)	(1,200)	.....	.....	.....
Secure identification display area checks	(8,000)	(8,000)	(8,000)	(8,000)	.....	.....	.....
Other security threat assessments	(100)	(100)	(100)	(100)	.....	.....	.....
General aviation at DCA	(100)	(100)	(100)	(100)	.....	.....	.....
Indirect air cargo	(1,400)	(1,400)	(1,400)	(1,400)	.....	.....	.....
Sensitive security information (SSI) fees	(20)	(20)	(20)	(20)	.....	.....	.....
Subtotal	203,893	224,274	224,274	204,274	+381	−20,000	−20,000
Direct appropriations	(162,673)	(183,954)	(183,954)	(163,954)	(+1,281)	(−20,000)	(−20,000)
Fee funded programs	(41,220)	(40,320)	(40,320)	(40,320)	(−900)	.....	.....
Transportation security support:							
Headquarters administration	254,000	320,794	289,798	293,474	+39,474	−27,320	+3,676
Information technology	466,092	485,612	450,000	453,100	−12,992	−32,512	+3,100
Human capital services	233,658	264,299	250,000	252,500	+18,842	−11,799	+2,500
Intelligence	32,911	42,992	42,992	42,992	+10,081	.....	.....
Subtotal	986,661	1,113,697	1,032,790	1,042,066	+55,405	−71,631	+9,276
Federal Air Marshals:							
Management and administration	805,275	860,260	845,260	850,000	+44,725	−10,260	+4,740
Travel and training	122,667	131,115	116,115	131,115	+8,448	.....	+15,000
Subtotal	927,942	991,375	961,375	981,115	+53,173	−10,260	+19,740

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Total, Transportation Security Administration	7,687,552	8,115,259	7,822,743	7,905,769	+218,217	−209,490	+83,026
Offsetting fee collections	(−2,100,000)	(−2,310,000)	(−2,030,000)	(−2,310,000)	(−210,000)	.....	(−280,000)
Aviation security capital fund	(250,000)	(250,000)	(250,000)	(250,000)	.....	.....	.....
Fee funded programs	(41,220)	(40,320)	(40,320)	(40,320)	(−900)	.....	.....
Total, Transportation Security Administration (net)	5,296,332	5,514,939	5,502,423	5,305,449	+9,117	−209,490	−196,974
Coast Guard							
Operating expenses:							
Military pay and allowances	3,345,303	3,447,753	3,434,872	3,434,061	+88,758	−13,692	−811
Civilian pay and benefits	737,702	780,556	775,063	784,256	+46,554	+3,700	+9,193
Training and recruiting	204,087	213,282	213,282	213,321	+9,234	+39	+39
Operating funds and unit level maintenance	1,138,474	1,109,323	1,109,450	1,109,623	−28,851	+300	+173
Centrally managed accounts	345,174	351,478	343,348	342,653	−2,521	−8,825	−695
Intermediate and depot level maintenance	869,291	917,113	936,768	936,140	+66,849	+19,027	−628
(Defense function)	(594,000)	(598,278)	(598,278)	(598,000)	(+4,000)	(−278)	(−278)
Overseas contingency operations (defense function)	254,000	.....	258,278	258,000	+4,000	+258,000	−278
Subtotal	6,894,031	6,819,505	7,071,061	7,078,054	+184,023	+258,549	+6,993
Appropriations	(6,640,031)	(6,819,505)	(6,812,783)	(6,820,054)	(+180,023)	(+549)	(+7,271)
Overseas contingency operations (Defense function)	(254,000)	.....	(258,278)	(258,000)	(+4,000)	(+258,000)	(−278)
Environmental compliance and restoration	13,172	16,699	10,198	16,699	+3,527	.....	+6,501
Reserve training	133,365	136,778	131,778	134,278	+913	−2,500	+2,500
Acquisition, construction, and improvements:							
Vessels:							
Survey and design-vessels and boats	.....	6,000	6,000	6,000	+6,000	.....	.....
Response boat-medium	41,916	110,000	90,691	110,000	+68,084	.....	+19,309
In-service cutters sustainment	.....	14,000	14,000	14,000	+14,000	.....	.....
National security cutter	690,616	77,000	.....	77,000	−613,616	.....	+77,000

Offshore patrol cutter	44,910	25,000	25,000	25,000	−19,910	.....	.....
Fast response cutter	239,520	358,000	240,000	358,000	+118,480	.....	+118,000
Cutter boats	2,994	5,000	5,000	5,000	+2,006	.....	.....
Medium endurance cutter sustainment	29,940	47,000	47,000	47,000	+17,060	.....	.....
Subtotal	1,049,896	642,000	427,691	642,000	−407,896	.....	+214,309
Aircraft:							
Airframe replacement (CGNR 6017)	.....	18,300	.....	18,300	+18,300	.....	+18,300
Maritime patrol aircraft	39,920	129,500	129,500	104,500	+64,580	−25,000	−25,000
HH-60 conversion projects	31,936	56,100	.....	56,100	+24,164	.....	+56,100
HH–60 acquisition/conversion/sustainment	.....	.....	74,400	.....	.....	.....	−74,400
HC–130H conversion/sustainment projects	24,950	62,000	.....	62,000	+37,050	.....	+62,000
Long range surveillance aircraft	.....	.....	62,000	.....	.....	.....	−62,000
HH–65 acquisition/conversion/sustainment	.....	.....	61,000	.....	.....	.....	−61,000
HH–65 conversion/sustainment projects	.....	24,000	.....	24,000	+24,000	.....	+24,000
HC–130J Fleet introduction	3,992	.....	.....	.....	−3,992	.....	.....
Unmanned aircraft systems	.....	.....	2,000	.....	.....	.....	−2,000
Subtotal	100,798	289,900	328,900	264,900	+164,102	−25,000	−64,000
Other:							
Government program management	44,910	35,000	30,000	30,000	−14,910	−5,000	.....
Systems engineering and integration	28,942	17,140	17,140	17,140	−11,802	.....	.....
C^4ISR	30,439	34,500	44,500	34,500	+4,061	.....	−10,000
Technology obsolesce prevention	998	.....	.....	.....	−998	.....	.....
CG–LIMS	.....	6,500	6,500	6,500	+6,500	.....	.....
Nationwide automatic identification system (NAIS)	.....	5,000	5,000	5,000	+5,000	.....	.....
National distress and response system Rescue 21	35,928	65,000	65,000	65,000	+29,072	.....	.....
Interagency operational centers	.....	3,000	3,000	3,000	+3,000	.....	.....
Deepwater Logistics	49,900	.....	.....	.....	−49,900	.....	.....
Subtotal	191,117	166,140	171,140	161,140	−29,977	−5,000	−10,000
Shore Facilities and Aids to Navigation:							
Major Shore, ATON and Survey and design	63,867	92,900	50,000	92,900	+29,033	.....	+42,900
Major acquisition systems infrastructure	.....	94,500	66,000	94,500	+94,500	.....	+28,500
Minor shore	3,199	6,292	.....	6,292	+3,093	.....	+6,292
Military housing	1,996	.....	.....	.....	−1,996	.....	.....
Subtotal	69,062	193,692	116,000	193,692	+124,630	.....	+77,692

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Military housing	.....	20,000	.....	20,000	+20,000	.....	+20,000
Personnel and related support:							
Core acquisition costs	509	600	600	600	+91	.....	.....
Direct personnel costs	105,362	109,592	107,342	109,592	+4,230	.....	+2,250
Subtotal	105,871	110,192	107,942	110,192	+4,321	.....	+2,250
Subtotal, Acquisition, construction, and improvements	1,516,744	1,421,924	1,151,673	1,391,924	−124,820	−30,000	+240,251
Research, development, test, and evaluation	24,696	19,779	12,779	27,779	+3,083	+8,000	+15,000
Health care fund contribution (permanent indefinite discretionary)	265,321	261,871	261,871	261,871	−3,450	.....	.....
Retired pay (mandatory)	1,400,700	1,440,157	1,440,157	1,440,157	+39,457	.....	.....
Total, Coast Guard	10,248,029	10,116,713	10,079,517	10,350,762	+102,733	+234,049	+271,245
Appropriations	(9,994,029)	(10,116,713)	(9,821,239)	(10,092,762)	(+98,733)	(−23,951)	(+271,523)
Overseas contingency operations	(254,000)	.....	(258,278)	(258,000)	(+4,000)	(+258,000)	(−278)
(Mandatory)	(1,400,700)	(1,440,157)	(1,440,157)	(1,440,157)	(+39,457)	.....	.....
(Discretionary)	(8,847,329)	(8,676,556)	(8,639,360)	(8,910,605)	(+63,276)	(+234,049)	(+271,245)
United States Secret Service							
Salaries and expenses:							
Protection:							
Protection of persons and facilities	769,978	847,963	847,963	831,963	+61,985	−16,000	−16,000
Protective intelligence activities	67,688	68,125	68,125	68,125	+437	.....	.....
National special security event fund	998	19,307	12,307	19,307	+18,309	.....	+7,000
Presidential candidate nominee protection	17,831	113,462	113,462	113,462	+95,631	.....	.....
White House mail screening	22,370	24,315	24,315	18,472	−3,898	−5,843	−5,843
Subtotal	878,865	1,073,172	1,066,172	1,051,329	+172,464	−21,843	−14,843
Investigations:							
Domestic field operations	256,897	223,991	223,991	223,991	−32,906	.....	.....

International field office administration, operations, and training	30,644	30,971	30,971	32,971	+2,327	+2,000	+2,000
Electronic crimes special agent program and electronic crimes task forces	56,042	53,051	53,051	53,051	−2,991	.....	.....
Support for missing and exploited children	8,349	8,366	8,366	8,366	+17	.....	.....
Subtotal	351,932	316,379	316,379	318,379	−33,553	+2,000	+2,000
Headquarters, management and administration	226,284	246,602	228,302	201,088	−25,196	−45,514	−27,214
Rowley training center	54,251	55,598	55,598	55,598	+1,347	.....	.....
Information integration & technology transformation	.....	.....	.....	43,843	+43,843	+43,843	+43,843
Subtotal, Salaries and expenses	1,511,332	1,691,751	1,666,451	1,670,237	+158,905	−21,514	+3,786
Acquisition, construction, improvements, and related expenses	3,967	6,780	6,780	5,380	+1,413	−1,400	−1,400
Total, United States Secret Service	1,515,299	1,698,531	1,673,231	1,675,617	+160,318	−22,914	+2,386
Total, title II, Security, Enforcement, and Investigations	32,440,178	33,196,186	33,150,360	33,108,434	+668,256	−87,752	−41,926
Appropriations	(32,186,178)	(33,212,486)	(32,892,082)	(32,850,434)	(+664,256)	(−362,052)	(−41,648)
Overseas deployments and other activities	(254,000)	.....	(258,278)	(258,000)	(+4,000)	(+258,000)	(−278)
Rescissions/cancellations	.....	(−16,300)	.....	.....	.....	(+16,300)	.....
(Fee Accounts)	(1,717,775)	(1,820,374)	(1,765,374)	(1,765,374)	(+47,599)	(−55,000)	.....
TITLE III—PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY							
National Protection and Programs Directorate							
Management and administration:							
Administrative activities	34,613	45,634	33,634	33,634	−979	−12,000	.....
Risk management and analysis	8,877	9,522	8,877	4,241	−4,636	−5,281	−4,636
Subtotal	43,490	55,156	42,511	37,875	−5,615	−17,281	−4,636
Infrastructure Protection and Information Security:							
Infrastructure protection:							
Infrastructure analysis and planning	80,170	74,518	71,518	72,700	−7,470	−1,818	+1,182
Sector management and governance	82,194	87,045	81,545	84,000	+1,806	−3,045	+2,455
Regional field operations	64,742	61,367	57,367	61,367	−3,375	.....	+4,000
Infrastructure security compliance	95,930	99,348	91,848	99,348	+3,418	.....	+7,500
Subtotal, Infrastructure protection	323,036	322,278	302,278	317,415	−5,621	−4,863	+15,137

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Assistant Secretary for Cybersecurity/Communication	.....	4,744	.....	4,744	+4,744	.....	+4,744
Information Security:							
Cybersecurity:							
Cybersecurity Coordination	4,990	5,000	4,000	5,000	+10	.....	+1,000
U.S. Computer Response Team (US–CERT) Operations	77,432	82,114	79,116	80,000	+2,568	−2,114	+884
Federal Network Security	19,651	40,923	28,924	35,000	+15,349	−5,923	+6,076
Network Security Deployment	176,017	233,602	229,101	232,500	+56,483	−1,102	+3,399
Global Cyber Security Management	17,506	24,527	24,527	24,527	+7,021	.....	.....
Critical Infrastructure/Cyber Protect/Awareness	52,637	61,364	61,364	61,364	+8,727	.....	.....
Business Operations	14,821	11,568	11,568	11,568	−3,253	.....	.....
Subtotal, Cybersecurity	363,054	459,098	438,600	449,959	+86,905	−9,139	+11,359
Telecommunications:							
Priority telecommunications services	56,170	56,824	56,824	56,824	+654	.....	.....
Programs to study and enhance telecommunications	16,624	13,441	13,441	13,441	−3,183	.....	.....
Critical infrastructure protection programs	14,854	11,352	11,352	11,352	−3,502	.....	.....
Next generation networks	21,053	25,253	25,253	21,053	.....	−4,200	−4,200
Office of emergency communications	43,972	43,495	43,495	43,495	−477	.....	.....
Subtotal, Telecommunications	152,673	150,365	150,365	146,165	−6,508	−4,200	−4,200
Subtotal, Information Security	515,727	609,463	588,965	596,124	+80,397	−13,339	+7,159
Subtotal, Infrastructure Protection and Information Security	838,763	936,485	891,243	918,283	+79,520	−18,202	+27,040
Federal Protective Service:							
Basic security	220,000	247,478	247,478	247,478	+27,478	.....	.....
Building-specific security	420,000	501,039	501,039	501,039	+81,039	.....	.....

Reimbursable Security Fees (contract guard services)	475,000	513,020	513,020	513,020	+38,020	.....	.....
Subtotal, Federal Protective Service	1,115,000	1,261,537	1,261,537	1,261,537	+146,537	.....	.....
Offsetting collections	−1,115,000	−1,261,537	−1,261,537	−1,261,537	−146,537	.....	.....
U.S. Visitor and Immigrant Status Indicator Technology	333,944	302,271	297,402	297,402	−36,542	−4,869	.....
Rescission	.....	−25,642	.....	.....	.....	+25,642	.....
Subtotal	333,944	276,629	297,402	297,402	−36,542	+20,773	.....
Total, National Protection and Programs Directorate	1,216,197	1,268,270	1,231,156	1,253,560	+37,363	−14,710	+22,404
Appropriations	(2,331,197)	(2,555,449)	(2,492,693)	(2,515,097)	(+183,900)	(−40,352)	(+22,404)
Rescissions/cancellations	.....	(−25,642)	.....	.....	.....	(+25,642)	.....
Offsetting collections	(−1,115,000)	(−1,261,537)	(−1,261,537)	(−1,261,537)	(−146,537)	.....	.....
Office of Health Affairs							
BioWatch	100,780	115,164	115,164	115,164	+14,384	.....	.....
National biosurveillance integration center	7,000	7,014	12,013	3,514	−3,486	−3,500	−8,499
Rapidly deployable chemical detection system	2,400	.....	.....	.....	−2,400	.....	.....
Chemical defense program	.....	2,439	2,439	5,439	+5,439	+3,000	+3,000
Planning and coordination	2,276	6,162	6,162	6,162	+3,886	.....	.....
Salaries and expenses	26,999	30,170	30,171	29,171	+2,172	−999	−1,000
Total, Office of Health Affairs	139,455	160,949	165,949	159,450	+19,995	−1,499	−6,499
Federal Emergency Management Agency							
Management and administration:							
Operating activities	744,663	780,492	666,555	.....	−744,663	−780,492	−666,555
Defense function	(74,551)	(99,099)	(99,099)	.....	(−74,551)	(−99,099)	(−99,099)
Urban search and rescue response system	35,180	29,113	35,250	.....	−35,180	−29,113	−35,250
Office of National Capital Region Coordination	6,981	5,319	5,493	.....	−6,981	−5,319	−5,493
Subtotal	786,824	814,924	707,298	.....	−786,824	−814,924	−707,298
(Defense)	(74,551)	(99,099)	(99,099)	.....	(−74,551)	(−99,099)	(−99,099)
(Nondefense)	(712,273)	(715,825)	(608,199)	.....	(−712,273)	(−715,825)	(−608,199)
(Transfer from Disaster relief fund)	(105,389)	.....	(105,600)	.....	(−105,389)	.....	(−105,600)
(Transfer from state and local programs)	(129,052)	(184,544)	(100,000)	.....	(−129,052)	(−184,544)	(−100,000)
(Available from firefighter assistance grants)	(46,886)	.....	(67,000)	.....	(−46,886)	.....	(−67,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
(Available from emergency mgnt performance grants)	(10,180)		(35,000)		(−10,180)		(−35,000)
Subtotal, Management and administration	1,078,331	999,468	1,014,898		−1,078,331	−999,468	−1,014,898
Operating expenses:							
Administrative and regional offices				112,157	+112,157	+112,157	+112,157
Office of National Capital Region Coordination				(6,981)	(+6,981)	(+6,981)	(+6,981)
Preparedness and protection				117,373	+117,373	+117,373	+117,373
Response				226,228	+226,228	+226,228	+226,228
Urban search and rescue response system				(41,250)	(+41,250)	(+41,250)	(+41,250)
Recovery				80,373	+80,373	+80,373	+80,373
Mitigation				43,675	+43,675	+43,675	+43,675
Mission support				210,271	+210,271	+210,271	+210,271
Centrally managed accounts				114,473	+114,473	+114,473	+114,473
Defense function				(99,099)	(+99,099)	(+99,099)	(+99,099)
Subtotal				904,550	+904,550	+904,550	+904,550
(Defense)				(99,099)	(+99,099)	(+99,099)	(+99,099)
(Nondefense)				(805,451)	(+805,451)	(+805,451)	(+805,451)
(Transfer from state and local programs)				(85,647)	(+85,647)	(+85,647)	(+85,647)
(Available from firefighter assistance grants)				(37,500)	(+37,500)	(+37,500)	(+37,500)
(Available from emergency mgmt performance grants)				(10,500)	(+10,500)	(+10,500)	(+10,500)
Subtotal, Operating expenses				1,038,197	+1,038,197	+1,038,197	+1,038,197
Subtotal, Management & admin/Operating expenses	1,078,331	999,468	1,014,898	1,038,197	−40,134	+38,729	+23,299
Grants and Training:							
State and local programs:							
Homeland security			752,337				−752,337
State Homeland Security Grant Program	578,840			380,000	−198,840	+380,000	+380,000
Operation Stonegarden	54,890		55,000	50,000	−4,890	+50,000	−5,000

Driver's license security grants	44,910				−44,910		
Citizen Corps	9,980				−9,980		
Metropolitan medical response	34,930				−34,930		
Urban area security initiative	723,550			400,000	−323,550	+400,000	+400,000
Nonprofit security grants	(19,000)			(10,000)	(−9,000)	(+10,000)	(+10,000)
Regional catastrophic preparedness grants	14,970				−14,970		
Public transportation security assistance and railroad security assistance	249,500			200,000	−49,500	+200,000	+200,000
Amtrak security	(19,960)			(20,000)	(+40)	(+20,000)	(+20,000)
Over-the-road bus security assistance	(4,990)				(−4,990)		
Port security grants	249,500			200,000	−49,500	+200,000	+200,000
Buffer Zone Protection Program grants							
Emergency Operations Centers	14,970			15,000	+30	+15,000	+15,000
National Programs:							
National Domestic Preparedness Consortium	92,814		44,500		−92,814		−44,500
Center for Domestic Preparedness	62,375		62,500		−62,375		−62,500
National exercise program	39,920		40,000		−39,920		−40,000
Technical assistance	10,978		10,000		−10,978		−10,000
Continuing training grants	28,942		25,663		−28,942		−25,663
Evaluations and assessments	13,972		10,000		−13,972		−10,000
Subtotal	249,001		192,663		−249,001		−192,663
Education, Training, and Exercises:							
Emergency Management Institute				16,181	+16,181	+16,181	+16,181
Center for Domestic Preparedness				62,500	+62,500	+62,500	+62,500
National Domestic Preparedness Consortium				93,000	+93,000	+93,000	+93,000
National Exercise Program				34,000	+34,000	+34,000	+34,000
Continuing training				26,000	+26,000	+26,000	+26,000
Subtotal, Education, Training & Exercises				231,681	+231,681	+231,681	+231,681
State and Regional Preparedness Program:							
State Homeland Security Grant Program		1,050,000				−1,050,000	
Operation Stonegarden		(50,000)				(−50,000)	
Citizen Corps Grants		13,000				−13,000	
Assistance to Firefighters Grants		670,000				−670,000	
Emergency Management Performance Grants		350,000				−350,000	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Subtotal, State and Regional Preparedness Program	.....	2,083,000	.....	.....	.....	−2,083,000	.....
Metropolitan Statistical Area (MSA) Preparedness Program:							
Urban Area Security Initiative	.....	920,000	.....	.....	.....	−920,000	.....
Port Security Grants	.....	300,000	.....	.....	.....	−300,000	.....
Rail/Public Transportation Security Grants	.....	300,000	.....	.....	.....	−300,000	.....
Amtrak	.....	(20,000)	.....	.....	.....	(−20,000)	.....
Buffer Zone Protection Program	.....	50,000	.....	.....	.....	−50,000	.....
Subtotal, MSA Preparedness Program	.....	1,570,000	.....	.....	.....	−1,570,000	.....
Training, Measurement and Exercise Program:							
National Exercise Program	.....	40,000	.....	.....	.....	−40,000	.....
Continuing training Grants	.....	20,663	.....	.....	.....	−20,663	.....
Center for Domestic Preparedness	.....	62,500	.....	.....	.....	−62,500	.....
National Domestic Preparedness Consortium	.....	44,500	.....	.....	.....	−44,500	.....
Technical assistance and evaluation	.....	24,000	.....	.....	.....	−24,000	.....
Subtotal, Training, Measurement and Exercise Program	.....	191,663	.....	.....	.....	−191,663	.....
(Defense function)	.....	(50,000)	(50,000)	(50,000)	(+50,000)	.....	.....
Subtotal, State and Local Programs	2,225,041	3,844,663	1,000,000	1,476,681	−748,360	−2,367,982	+476,681
(Defense)	.....	(50,000)	(50,000)	(50,000)	(+50,000)	.....	.....
(Nondefense)	(2,225,041)	(3,794,663)	(950,000)	(1,426,681)	(−798,360)	(−2,367,982)	(+476,681)
(transfer to Operating expenses)	(−129,052)	(−184,544)	(−100,000)	(−85,647)	(+43,405)	(+98,897)	(+14,353)
Subtotal, State and Local Programs (net)	2,095,989	3,660,119	900,000	1,391,034	−704,955	−2,269,085	+491,034
Firefighter assistance grants:							
Fire grants	404,190	.....	335,000	375,000	−29,190	+375,000	+40,000

Staffing for Adequate Fire and Emergency Response (SAFER) Act grants	404,190	.....	335,000	375,000	−29,190	+375,000	+40,000
Subtotal	808,380	.....	670,000	750,000	−58,380	+750,000	+80,000
(available to Operating expenses)	(−46,886)	.....	(−35,000)	(−37,500)	(+9,386)	(−37,500)	(−2,500)
Subtotal, Firefighter assistance grants	761,494	.....	635,000	712,500	−48,994	+712,500	+77,500
Emergency management performance grants	339,320	.....	350,000	350,000	+10,680	+350,000	.....
(available to Operating expenses)	(−10,180)	.....	(−35,000)	(−10,500)	(−320)	(−10,500)	(+24,500)
Subtotal	329,140	.....	315,000	339,500	+10,360	+339,500	+24,500
Subtotal, Grants and training	3,372,741	3,844,663	2,020,000	2,576,681	−796,060	−1,267,982	+556,681
Radiological Emergency Preparedness Program	−265	−896	−896	−896	−631	.....	.....
United States Fire Administration	45,497	42,538	42,538	45,038	−459	+2,500	+2,500
Disaster Relief Fund	2,644,700	1,800,000	2,650,000	1,800,000	−844,700	.....	−850,000
(Disaster relief category)	.....	.....	.....	4,200,000	+4,200,000	+4,200,000	+4,200,000
Subtotal, Disaster Relief Fund	2,644,700	1,800,000	2,650,000	6,000,000	+3,355,300	+4,200,000	+3,350,000
(transfer to Operating expenses)	(−105,389)	.....	(−105,600)	.....	(+105,389)	.....	(+105,600)
(transfer to Inspector General)	(−15,968)	.....	(−16,000)	(−16,000)	(−32)	(−16,000)	.....
Subtotal, net of transfers	2,523,343	1,800,000	2,528,400	5,984,000	+3,460,657	+4,184,000	+3,455,600
Disaster assistance direct loan program account:							
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	.....	.....	.....
Direct loan subsidy	294	295	296	295	+1	.....	−1
Flood hazard mapping and risk analysis	181,636	102,712	102,712	92,712	−88,924	−10,000	−10,000
National flood insurance fund:							
Salaries and expenses	22,145	22,000	22,000	22,000	−145	.....	.....
Flood plain management and mapping	146,855	149,000	149,000	149,000	+2,145	.....	.....
Subtotal	169,000	171,000	171,000	171,000	+2,000	.....	.....
Offsetting fee collections	−169,000	−171,000	−171,000	−171,000	−2,000	.....	.....
National predisaster mitigation fund	49,900	84,937	40,000	42,500	−7,400	−42,437	+2,500
Emergency food and shelter	119,760	100,000	120,000	120,000	+240	+20,000	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Total, Federal Emergency Management Agency	7,201,087	6,789,173	5,681,948	9,780,880	+2,579,793	+2,991,707	+4,098,932
(by transfer)	(291,507)	(184,544)	(307,600)	(133,647)	(−157,860)	(−50,897)	(−173,953)
(transfer out)	(−307,475)	(−184,544)	(−291,600)	(−149,647)	(+157,828)	(+34,897)	(+141,953)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)			
Total, title III, Protection, Preparedness, Response and Recovery Directorate	8,556,739	8,218,392	7,079,053	11,193,890	+2,637,151	+2,975,498	+4,114,837
Appropriations	(8,556,739)	(8,244,034)	(7,079,053)	(6,993,890)	(−1,562,849)	(−1,250,144)	(−85,163)
Rescissions		(−25,642)				(+25,642)	
Disaster relief category				(4,200,000)	(+4,200,000)	(+4,200,000)	(+4,200,000)
By transfer	(291,507)	(184,544)	(307,600)	(133,647)	(−157,860)	(−50,897)	(−173,953)
Transfer out	(−307,475)	(−184,544)	(−291,600)	(−149,647)	(+157,828)	(+34,897)	(+141,953)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)			
TITLE IV—RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES							
United States Citizenship and Immigration Services							
Appropriations:							
Acquisition workforce		1,467				−1,467	
Data center consolidation	2,157	12,500		10,500	+8,343	−2,000	+10,500
Systematic Alien Verification for Entitlements		29,937	29,937			−29,937	−29,937
E-Verify program	103,193	102,424	102,424	102,424	−769		
Immigrant integration programs	11,000	19,749		8,000	−3,000	−11,749	+8,000
Asylum and refugee services	29,950	203,400			−29,950	−203,400	
Subtotal	146,300	369,477	132,361	120,924	−25,376	−248,553	−11,437
Adjudication services (fee account):							
District operations	(1,169,135)	(1,157,137)		(1,157,137)	(−11,998)		(+1,157,137)
Service center operations	(508,281)	(519,518)		(519,518)	(+11,237)		(+519,518)
Asylum, Refugee and International Operations	(62,630)	(88,364)		(291,764)	(+229,134)	(+203,400)	(+291,764)
Records operations	(102,471)	(103,902)		(103,902)	(+1,431)		(+103,902)

Business transformation	(164,025)	(234,400)	.....	(234,400)	(+70,375)	.....	(+234,400)
Subtotal, Adjudication services	2,006,542	2,103,321	.....	2,306,721	+300,179	+203,400	+2,306,721
Information and customer services (fee account):							
Information and customer services	(83,501)	(85,773)	.....	(85,773)	(+2,272)	.....	(+85,773)
Administration (fee account):							
Administration	(336,514)	(348,295)	.....	(348,295)	(+11,781)	.....	(+348,295)
Systematic Alien Verification for Entitlements (SAVE) (fee account)	.....	.....	.....	(29,937)	(+29,937)	(+29,937)	(+29,937)
Immigration Examinations Fee Account:							
Adjudication services:							
District operations	.....	.....	(1,132,630)	.....	.....	.....	(−1,132,630)
Service center operations	.....	.....	(494,333)	.....	.....	.....	(−494,333)
Asylum, refugee and international operations	.....	.....	(293,978)	.....	.....	.....	(−293,978)
International operations	.....	.....	.....	.....	.....	.....	.....
Records operations	.....	.....	(103,902)	.....	.....	.....	(−103,902)
Business transformation	.....	.....	(234,400)	.....	.....	.....	(−234,400)
(Digitization program) display only non-add	.....	.....	(29,000)	.....	.....	.....	(−29,000)
Subtotal	.....	.....	2,259,243	.....	.....	.....	−2,259,243
Information and customer services:							
Operating expenses	.....	.....	(85,773)	.....	.....	.....	(−85,773)
Administration:							
Operating expenses	.....	.....	(348,295)	.....	.....	.....	(−348,295)
Subtotal, Immigration Examinations Fee Acct	.....	.....	2,693,311	.....	.....	.....	−2,693,311
H1–B Visa Fee Account:							
Adjudication services:							
Service center operations	.....	.....	(13,000)	.....	.....	.....	(−13,000)
H1–B and L Fraud Prevention Fee Account:							
Adjudication services:							
District operations	.....	.....	(24,507)	.....	.....	.....	(−24,507)
Asylum and refugee operating expenses	.....	.....	(1,386)	.....	.....	.....	(−1,386)
Service center operations	.....	.....	(12,185)	.....	.....	.....	(−12,185)
Subtotal	.....	.....	38,078	.....	.....	.....	−38,078

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
Total, United States Citizenship and Immigration Services	(2,572,857)	(2,906,866)	(2,876,750)	(2,891,650)	(+318,793)	(−15,216)	(+14,900)
Appropriations	(146,300)	(369,477)	(132,361)	(120,924)	(−25,376)	(−248,553)	(−11,437)
Fee accounts	(2,426,557)	(2,537,389)	(2,744,389)	(2,770,726)	(+344,169)	(+233,337)	(+26,337)
Federal Law Enforcement Training Center							
Salaries and expenses:							
Law enforcement training	234,141	207,937	207,937	207,937	−26,204		
Management and administration		29,716	29,716	29,716	+29,716		
Accreditation	1,306	1,304	1,304	1,304	−2		
Subtotal, Salaries and expenses	235,447	238,957	238,957	238,957	+3,510		
Acquisitions, construction, improvements, and related expenses: direct appropriation	35,385	37,456	35,456	33,456	−1,929	−4,000	−2,000
Total, Federal Law Enforcement Training Center	270,832	276,413	274,413	272,413	+1,581	−4,000	−2,000
Science and Technology							
Management and administration	140,918	149,365	140,565	143,000	+2,082	−6,365	+2,435
Research, development, acquisition, and operations:							
Border and maritime security	32,167				−32,167		
Chemical and biological	166,577				−166,577		
Command, control, and interoperability	68,593				−68,593		
Explosives	111,813				−111,813		
Human factors	11,458				−11,458		
Infrastructure and geophysical	25,056				−25,056		
Innovation	31,330				−31,330		
Test and evaluations/standards	18,130				−18,130		
Transition	41,645				−41,645		

Research, development, and innovation	.....	659,850	106,500	439,783	+439,783	−220,067	+333,283
Apex R&D	.....	(17,900)	.....	.....	.....	(−17,900)	.....
Border Security	.....	(42,965)	.....	.....	.....	(−42,965)	.....
Chemical, Biological, Radiological, Nuclear, and	.....	(342,462)	.....	.....	.....	(−342,462)	.....
Counter Terrorism Defense	.....	(26,707)	.....	.....	.....	(−26,707)	.....
Cyber Security	.....	(64,102)	.....	.....	.....	(−64,102)	.....
Disaster Resilience	.....	(165,714)	.....	.....	.....	(−165,714)	.....
Acquisition and operations support	.....	54,154	53,650	54,154	+54,154	.....	+504
Laboratory facilities(operations and construction)	140,000	276,500	201,500	126,500	−13,500	−150,000	−75,000
University programs	39,890	36,563	36,563	36,563	−3,327	.....	.....
Subtotal	686,659	1,027,067	398,213	657,000	−29,659	−370,067	+258,787
Total, Science and Technology	827,577	1,176,432	538,778	800,000	−27,577	−376,432	+261,222
Domestic Nuclear Detection Office							
Management and administration	36,918	41,120	40,000	37,000	+82	−4,120	−3,000
Research, development, and operations:							
Systems engineering and architecture	33,195	31,858	30,000	31,230	−1,965	−628	+1,230
Systems development	52,851	69,689	69,000	60,000	+7,149	−9,689	−9,000
Transformational research and development	96,326	.....	45,000	.....	−96,326	.....	−45,000
Assessments	38,139	43,104	40,000	40,000	+1,861	−3,104	.....
Operations support	32,756	36,837	36,424	35,000	+2,244	−1,837	−1,424
National Technical Nuclear Forensics Center	21,619	24,770	24,770	24,770	+3,151	.....	.....
Subtotal	274,886	206,258	245,194	191,000	−83,886	−15,258	−54,194
Systems acquisition:							
RPM/ASP program	.....	37,361	20,000	8,000	+8,000	−29,361	−12,000
Securing the Cities	19,940	27,000	22,000	22,000	+2,060	−5,000	.....
HPRDS program	10,000	20,000	10,000	10,000	.....	−10,000	.....
Subtotal	29,940	84,361	52,000	40,000	+10,060	−44,361	−12,000
Total, Domestic Nuclear Detection Office	341,744	331,739	337,194	268,000	−73,744	−63,739	−69,194
Total, title IV, Research and Development, Training, and Services	1,586,453	2,154,061	1,282,746	1,461,337	−125,116	−692,724	+178,591
(Fee Accounts)	(2,426,557)	(2,537,389)	(2,744,389)	(2,770,726)	(+344,169)	(+233,337)	(+26,337)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2011 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2012—Continued

[In thousands of dollars]

Item	2011 appropriation	Budget estimate	House allowance	Committee recommendation	Senate Committee recommendation compared with (+ or −)		
					2010 appropriation	Budget estimate	House allowance
TITLE V—GENERAL PROVISIONS							
Rescissions	−556,907				+556,907		
NSSE reimbursement fund	7,485				−7,485		
ICE Salaries and expenses (rescission)			−20,997				+20,997
Violent crime reduction programs (rescission)			−595				+595
ICE construction (rescission)			−11,300				+11,300
NSSE Reimbursement funds				10,000	+10,000	+10,000	+10,000
Data center migration				15,000	+15,000	+15,000	+15,000
St. Elizabeths/Mission support	77,245	215,273		55,979	−21,266	−159,294	+55,979
Reimbursement for Spills of National Significance (Sec. 560)				1,000	+1,000	+1,000	+1,000
CG AC&I aircraft replacement (emergency)				18,300	+18,300	+18,300	+18,300
CG AC&I (rescission, emergency)				−7,300	−7,300	−7,300	−7,300
USCIS (rescission, emergency)				−7,000	−7,000	−7,000	−7,000
TSA Aviation Security (rescission, emergency)				−4,000	−4,000	−4,000	−4,000
CG AC&I (rescission) (legacy)				−2,577	−2,577	−2,577	−2,577
ICE S&E (rescission) (legacy)				−4,000	−4,000	−4,000	−4,000
Violent Crime (rescission) (legacy)				−407	−407	−407	−407
DHS Office for Domestic Preparedness (rescission)				−3,121	−3,121	−3,121	−3,121
FEMA National Pre-Disaster Mitigation Fund (legacy) (rescission)				−678	−678	−678	−678
CBP S&E (rescission) (legacy)				−7,101	−7,101	−7,101	−7,101
ICE S&E (rescission)				−7,000	−7,000	−7,000	−7,000
ICE Auto Mod (rescission)				−10,000	−10,000	−10,000	−10,000
TSA (rescission)				−48,503	−48,503	−48,503	−48,503
S&T RDA&O (rescission)				−20,000	−20,000	−20,000	−20,000
Total, title V, General Provisions	−472,177	215,273	−32,892	−21,408	+450,769	−236,681	+11,484
Appropriations	(84,730)	(215,273)		(81,979)	(−2,751)	(−133,294)	(+81,979)
Emergency appropriations				(18,300)	(+18,300)	(+18,300)	(+18,300)
Rescissions	(−556,907)		(−32,892)	(−103,387)	(+453,520)	(−103,387)	(−70,495)
Rescission of emergency appropriations				(−18,300)	(−18,300)	(−18,300)	(−18,300)

TITLE VI—EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF							
Section 601:							
Public Law 110–329, Div. A Sec. 129 DOE loan program (rescission of emergency funding)	.....	.....	−500,000	.....	.....	.....	+500,000
Transfer from DOE to Disaster Relief (emergency)	.....	.....	(1,000,000)	.....	.....	.....	(−1,000,000)
Total, title VI, Emergency Supplemental Funding for Disaster Relief	.....	.....	−500,000	.....	.....	.....	+500,000
Grand total	43,321,245	45,015,556	41,789,835	46,898,157	+3,576,912	+1,882,601	+5,108,322
Mandatory	(1,400,700)	(1,440,157)	(1,440,157)	(1,440,157)	(+39,457)	.....	.....
General purpose discretionary	(41,920,545)	(43,575,399)	(40,349,678)	(45,458,000)	(+3,537,455)	(+1,882,601)	(+5,108,322)
Appropriations	(42,223,452)	(43,617,341)	(40,624,292)	(41,103,387)	(−1,120,065)	(−2,513,954)	(+479,095)
Emergency appropriations	.....	.....	.....	(18,300)	(+18,300)	(+18,300)	(+18,300)
Overseas contingency operations	(254,000)	.....	(258,278)	(258,000)	(+4,000)	(+258,000)	(−278)
Disaster relief category	.....	.....	.....	(4,200,000)	(+4,200,000)	(+4,200,000)	(+4,200,000)
Rescission/cancellation	(−556,907)	(−41,942)	(−32,892)	(−103,387)	(+453,520)	(−61,445)	(−70,495)
Rescission of emergency appropriations	.....	.....	(−500,000)	(−18,300)	(−18,300)	(−18,300)	(+481,700)
(Fee funded programs)	(4,144,332)	(4,357,763)	(4,509,763)	(4,536,100)	(+391,768)	(+178,337)	(+26,337)
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)	(25,000)	.....	.....	.....
(by transfer)	(307,475)	(184,544)	(323,600)	(149,647)	(−157,828)	(−34,897)	(−173,953)
(transfer out)	(−307,475)	(−184,544)	(−291,600)	(−149,647)	(+157,828)	(+34,897)	(+141,953)

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