

**BENNIE G. THOMPSON, MISSISSIPPI**  
CHAIRMAN

**PETER T. KING, NEW YORK**  
RANKING MEMBER



**One Hundred Eleventh Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515**

March 13, 2009

The Honorable John M. Spratt, Jr.  
Chairman  
House Committee on the Budget  
207 Cannon House Office Building  
Washington, DC 20515

Dear Chairman Spratt:

Pursuant to clause 4(f) of Rule X of the Rules of the House of Representatives, section 301 (d) of the Congressional Budget Act of 1974 (2 U.S.C. 601 et seq.), the Committee on Homeland Security is transmitting herewith to the House Committee on the Budget its views and estimates on all matters within its jurisdiction or functions to be set forth in the budget of Fiscal Year 2010.

I appreciate the opportunity to express the views of the Committee on Homeland Security and its various Members on the President's budget.

Sincerely,

  
Bennie G. Thompson  
Chairman

Enclosure

cc: The Honorable Peter T. King, Ranking Member



**One Hundred Eleventh Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515**

**THE VIEWS AND ESTIMATES  
OF THE COMMITTEE ON HOMELAND SECURITY  
ON THE FISCAL YEAR 2010 BUDGET  
FOR THE DEPARTMENT OF HOMELAND SECURITY**

Pursuant to clause 4(f) of Rule X of the Rules of the House of Representatives, and section 301(d) of the Congressional Budget Act of 1974 (2 U.S.C. 601 *et seq.*), the Committee on Homeland Security (Committee) is transmitting herewith to the House Committee on the Budget its Views and Estimates on matters within its jurisdiction and functions to be set forth in the budget for Fiscal Year (FY) 2010. The Views and Estimates were circulated to all Members of the Committee for their review and comment. While this document reflects the bipartisan views of the Members of the Committee, we note that not all Members necessarily agree with every aspect of the Views and Estimates.

In the absence of a detailed breakdown, by account, of the FY 2010 Department of Homeland Security (DHS) budget request, the Committee is unable to provide comprehensive analysis and reserves the right to supplement this submission. The Committee looks forward to receiving additional details regarding the DHS budget request from the Administration next month, and will further examine the budget request at that time.

**OVERVIEW**

On February 26, 2009, President Barack Obama submitted the FY 2010 “Budget Blueprint” to Congress. The President requested \$42.7 billion in budget authority for the Department of Homeland Security for FY 2010, which the Committee believes will continue to help DHS execute its non-homeland security missions as well as its homeland security missions –detering, detecting, preparing, and responding to terrorism and natural disasters. The Committee believes that funding DHS at the requested level will support this critical multi-mission department and enhance the ability of DHS to address outstanding departmental management and operational challenges. The Committee is pleased that the President’s budget request includes cost-saving mechanisms and that DHS Secretary Janet Napolitano has stated that in order to save taxpayer dollars, she is evaluating changes to fleet management, use of contract employees, employee travel, and the level of cross-training.<sup>1</sup>

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<sup>1</sup> The White House. *Press Briefing by Press Secretary Robert Gibbs, Secretary of Homeland Security Janet Napolitano, and Secretary of Agriculture Tom Vilsack*. 4 March 2009, available at

The Committee concurs with the President's budget request and funding enhancement in the four issue areas described in the Budget Blueprint. These areas are: the Nation's Transportation Systems; Cybersecurity and Research and Development; Border Security and Immigration Services; and State Homeland Security Activities. Herein, the Committee would like to highlight 11 homeland security areas that warrant significant support in the DHS budget. They are: (1) border security; (2) surface transportation security; (3) State, local and tribal homeland security grants; (4) Coast Guard and the maritime security fleet; (5) cybersecurity; (6) transportation security technology; (7) the Quadrennial Homeland Security Review; (8) fusion centers; (9) Science and Technology Directorate; (10) Infrastructure Security Compliance Division; and (11) DHS headquarters consolidation project.

## **BORDER SECURITY**

The Committee supports funding to secure our Nation's borders. A successful border security strategy necessitates a combination of personnel, technology, and infrastructure enhancements. The Committee supports the inclusion of \$45 million in funds in the Budget Blueprint for the expansion of DHS' exit capabilities at key land ports of entry, but the Committee recognizes that more resources will be necessary to fully implement the US-VISIT program. Additionally, the Committee supports the inclusion of \$360 million in the Budget Blueprint to support the approximately 20,000 Border Patrol agents within Customs and Border Protection (CBP). A byproduct of the extensive expansion of the Border Patrol workforce from 10,000 agents in 2000<sup>2</sup> has been a border workforce that requires enhanced training, equipment, and supervision. The Committee recommends that a portion of the funds allocated to CBP also be directed to implement workforce incentives focused on retaining Border Patrol Agents and Customs and Border Protection Officers. Additionally, the Committee urges that funding be provided to support infrastructure and technology enhancements, including the *SBI<sup>net</sup>* program, along the border. The Committee supports the \$720 million allocated for the modernization of border facilities and ports of entry in the American Recovery and Reinvestment Act (P.L. 111-5).

### **Immigration & Customs Enforcement (ICE)**

The Committee notes that the increasing violence along the U.S. border with Mexico over the past year necessitates special attention in the FY 2010 budget of DHS. We have observed that the Mexican government has made an intensive effort to curtail the power of drug cartels within that country and halt the flow of illegal drugs and other illicit goods into the U.S. However, drug cartel-related violence has the potential to "spill over" into the U.S. The smuggling of weapons and cash from the U.S. into Mexico fuels

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[http://www.whitehouse.gov/the\\_press\\_office/Briefing-by-White-House-Press-Secretary-Robert-Gibbs-3/4/09/](http://www.whitehouse.gov/the_press_office/Briefing-by-White-House-Press-Secretary-Robert-Gibbs-3/4/09/). Last accessed on 10 March 2009.

<sup>2</sup> Congressional Research Service. *Border Security: The Role of the U.S. Border Patrol*, 20 November 2008.

the cartel activity. However, in FY 2009, Immigration and Customs Enforcement (ICE), the Federal law enforcement entity with the authority to investigate smugglers who move weapons from the U.S. into Mexico, did not receive adequate funding for the Border Enforcement Security Task Force (BEST) initiative, which is an investigations platform for the Armas Cruzadas [weapons smuggling] and bulk cash smuggling programs. The Committee recommends that these vital ICE operational programs receive adequate funding, including \$12 million to create four additional BEST teams. The Committee also supports an increase in funding for the counter-narcotics functions of DHS and the \$110 million provided for the E-Verify program in the President's budget request.

The Committee supports the \$1.4 billion in the Budget Blueprint for ICE to identify and remove criminal aliens from the United States. ICE has not received a significant staffing increase since the Department was created. In comparison, the Border Patrol has doubled its personnel from 10,000 to nearly 20,000 agents. Therefore, the Committee strongly supports additional staff for ICE to ensure that it can adequately oversee all its programs.

#### **SURFACE TRANSPORTATION SECURITY**

The Committee is pleased that the President's Budget Blueprint prioritizes the safeguarding of the Nation's transportation systems. This Committee led efforts to enhance surface transportation security in our Nation's surface transportation systems in the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53) which authorized billions in appropriations to help improve security for this critical sector.

For FY 2010, the President requests \$50 million for 15 new Visual Intermodal Protection Response (VIPR) teams for the Transportation Security Administration (TSA). The Committee believes these new VIPR teams will provide TSA with a greater capacity to enhance the security of rail and mass transit systems by selectively patrolling areas in and around subways, bus stations, and other rail terminals. The Committee strongly supports an increase in the budget authority for TSA with respect to surface transportation security for FY 2010. In FY 2009, just \$50 million was provided to TSA for the purposes of surface transportation security inspections, conducting much needed vulnerability and risk assessments, and the continuous development and deployment of a system for the real-time collection of data from tank cars carrying hazardous materials. The Committee also supports adequate funding for TSA to strengthen security of rail systems, including tunnel infrastructure. Additionally, the Committee notes the President's \$25 million request for Intermodal Freight Infrastructure Integrated Planning by DHS and the Department of Transportation; however, questions remain about the scope of the endeavor and whether these resources are intended to inform and develop joint-rulemaking, grant standards, or some other deliverable for FY 2010.

#### **STATE, LOCAL, AND TRIBAL HOMELAND SECURITY GRANTS**

It is essential that Federal, State, local, and tribal governments continue to build their capacity to address terrorism prevention and emergency preparedness and response.

The Committee is in agreement with the Budget Blueprint on the subject of the need for better coordination between DHS and State, local, and tribal governments and is pleased with recent reports that since 2008 States have been more satisfied with the Department's outreach efforts.<sup>3</sup> For FY 2010, the Committee believes the following homeland security grant programs should at least be funded at the levels set forth herein: the State Homeland Security Grant Program (SHSGP) at \$950 million; Urban Area Security Initiative (UASI) at \$840 million; and Emergency Management Performance Grants (EMPG) at \$315 million. Similarly, the Committee supports funding key DHS grant programs, including the Assistance to Firefighters Grant Program, the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, the Port Security Grant Program, the Buffer Zone Protection Program, and the Transit Security Grant Program. The Committee supports adequate funding for Operation Stonegarden. The Committee also recognizes that ensuring interoperability for first responders is a National challenge and supports adequate funding for this priority through critical programs such as Interoperable Emergency Communications Grant Program. The Committee supports increased funding to State, local, and tribal governments to expand their Medical Surge Capacity with the stockpiling and storing of essential supplies.

The Committee supports the \$260 million that would be available to help improve information sharing and analysis at the first preventer level. However, the Committee will seek more clarification from the Administration that the funding for this effort would come for the existing homeland security funding grant programs. The Committee recognizes that, across the country, State, local, and tribal authorities are experiencing unprecedented budgetary challenges and some are even being forced to furlough law enforcement officers and other vital first responders. Therefore, to ensure that DHS-provided grants are effectively being applied to prepare for and respond to acts of terrorism, natural disasters, and other emergencies, the Committee supports aggressive oversight by DHS of grant expenditures made by recipients.

Finally, the Committee supports funding for the Citizen Corps Program in order to promote personal and community preparedness for a catastrophic incident. The Committee believes that this program is critical to creating a culture of resilience at all levels throughout the Nation.

#### **COAST GUARD AND THE MARITIME SECURITY FLEET**

The Committee supports funding in FY 2010 for the Integrated Deepwater System (Deepwater) – the U.S. Coast Guard's 25-year recapitalization program to modernize the aging and deteriorating fleet of ships and aircraft. The Committee continues to believe that the recapitalization of the Coast Guard's surface and air fleet is absolutely necessary to the both the national security and homeland security of the United States. However, the Committee continues to have reservations about the management and execution of the procurement and acquisition process for Deepwater. The Committee will continue to provide vigorous oversight, monitoring the program's overall

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<sup>3</sup> *More States Satisfied with Homeland Security Contacts*, CONG. DAILY, Mar. 10, 2009, at 8.

cost and time-line for acquisition. In FY 2009, Deepwater received \$1 billion with \$245 million designated for aircraft and \$571 million dedicated to surface ships.

## **CYBERSECURITY**

The Committee supports the \$355 million sought in the President's budget request to enhance the resiliency of the Nation's public and private cyber infrastructure. More broadly, the Committee supports DHS' role as the Federal government leader in combating cybersecurity threats to the United States. The Committee believes the threat posed by cyber attacks is real and increasing in quantity and complexity. The Committee strongly supports the DHS Office of Cybersecurity and Communications (CS&C), including National Cyber Security Division (NCSA) and the United States Computer Emergency Readiness Team (US-CERT), which are critical to protect our Nation's information networks. As the government develops programs designed to implement the comprehensive National Cybersecurity Initiative, this Committee will closely monitor DHS' efforts and help ensure this vital mission is accomplished.

## **TRANSPORTATION SECURITY TECHNOLOGY**

The Committee supports continued capital investments in aviation and maritime security technology, including the Transportation Security Administration's continued purchase and installation of checked baggage and checkpoint explosives detection systems. The Committee notes that the American Recovery and Reinvestment Act (P.L. 111-5) provided \$1 billion in new resources for the purchase and installation of such equipment. The Committee encourages the future development of technologies that balance security with convenience, including investments in those systems that expedite the passenger screening process, and the integration of risk and cost benefit analysis within TSA's Passenger Screening Program (PSP).

In addition, the Committee supports the continued deployment of the Transportation Worker Identification Credential (TWIC) as the Department's standard for a biometrically enhanced identification. The Committee will continue to conduct oversight of the implementation of the TWIC program and is concerned that more progress has not been made with respect to deploying readers at port facilities and on vessels to ensure that the security benefits of these new biometrically-enhanced identification cards are realized. The Committee supports funding for the deployment of TWIC readers in a timely manner.

## **QUADRENNIAL HOMELAND SECURITY REVIEW**

DHS is required to submit the first Quadrennial Homeland Security Review (QHSR) in FY 2010, as required by the Implementing Recommendations of the 9/11 Commission Act (P.L. 110-53). Specifically, the QHSR is to be "a comprehensive examination of the homeland security strategy for the Nation, including recommendations regarding the long-term strategy and priorities for homeland security and guidance on programs, assets, capabilities, budget, policies, and authorities for the

Department.”<sup>4</sup> This review will help DHS further align component agencies and personnel along a common path with a set of common core missions.

The Committee strongly supports funding to ensure that DHS will conduct a robust QHSR. The Committee expects that DHS will need significant resources over the \$1.65 million appropriated in FY 2009. The Committee views the QHSR as an invaluable tool – if executed properly – for improving the ability of DHS to carry out its missions. The Committee, however, is concerned that the resource plan and staffing levels sought in FY 2009 for the QHSR team are insufficient to ensure that the QHSR is robust and completed on time. The Committee supports additional resources, if sought, in the FY 2010 budget, to allow DHS to devote more staff to the QHSR initiative and meet the December 31, 2009 deadline.

### **FUSION CENTERS**

The Committee is pleased to see the President’s interest in fortifying the Nation’s intelligence and information sharing system. The Committee supports the emphasis placed on allowing grant recipients to use grant funding for intelligence analysts to support State and local fusion centers as required by Public Law 110-412. The Committee believes it is critical that fusion centers receive the support necessary to detect terrorist threats in a manner that is in accordance with constitutional privacy and civil liberties.

### **SCIENCE & TECHNOLOGY DIRECTORATE**

The Committee urges support for the DHS Centers of Excellence and research and development priorities. The Committee will continue to encourage the Department to increase partnerships with academia and others in the private sector to foster a creative environment for the development and implementation of critical homeland security science and technologies.

The Committee believes the Science and Technology Directorate should focus its budget on the functional areas of Chemical, Biological, Radiological, Nuclear and Explosives detection and response. Critical capability gaps in these areas have been identified by the seven operational components of DHS. In addition, the Committee recognizes the cross-cutting nature of the innovation (high risk/high reward research) and development conducted by the Homeland Security Advanced Research Project Agency, with its High Impact Technology Solutions (HITS) and Homeland Innovated Prototypical Solutions (HIPS) programs. This work is the true core of the research and development effort at DHS. All of these programs are currently funded at approximately \$350 million, and the Committee supports at least level funding for FY 2010.

The Committee also supports the work of the Domestic Nuclear Detection Office, and supports continued funding for testing, certification, and deployment of the Advanced Spectroscopic Portal monitor (ASP), as well as full funding for the Securing

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<sup>4</sup> “Implementing Recommendations of the 9/11 Commission Act of 2007” (P.L. 110-53)

the Cities initiative. Regarding the ASP program specifically, the Committee continues to support the requirement that the Secretary must certify that ASP provides a “significant increase in operational effectiveness,” as required under current law, before full scale procurement. These programs are critical to the national radiation detection architecture, and will help protect the Nation against a terrorist attack utilizing a radiological or nuclear device.

The Committee, in general, supports the biosurveillance activities of the Department and is pleased to see the Administration’s interest in pursuing this important aspect of public health security and biodefense. The Committee supports a request for sufficient funding to allow for deployment of the next generation of BioWatch sensors and the execution of other DHS programs, such as the National Bio-Surveillance Integration Center (NBIC). The Committee supports the Department in its effort to achieve participation of other agencies necessary for a fully functioning NBIC. Moreover, the Committee also encourages DHS to look beyond the detection of emerging threats and plan for a broad range of health preparedness and response activities, including, but not limited to, recovery and mitigation that address the acts of bioterrorism, large-scale disease events and agricultural disasters.

#### **INFRASTRUCTURE SECURITY COMPLIANCE DIVISION**

The Committee supports the full funding of the Infrastructure Security Compliance Division (ISCD) within the DHS Office of Infrastructure Protection. This Division is responsible for the implementation of the Chemical Facility Anti-Terrorism Standards (CFATS), including the review and approval of thousands of vulnerability assessments and site security plans at critical chemical facilities. Full funding of the ISCD will permit DHS to secure the staffing resources necessary to conduct site inspections to ensure compliance and implementation of CFATS requirements.

#### **DHS HEADQUARTERS CONSOLIDATION PROJECT**

Currently, DHS is housed in over 70 buildings located at over 40 separate sites throughout the National Capital Region. The DHS leadership asserts that the lack of physical consolidation creates less than ideal facility protection capabilities and adversely affects communication, coordination, and cooperation across components.<sup>5</sup> Importantly, under the American Recovery and Reinvestment Act (P.L. 111-5), the DHS Headquarters Consolidation project was appropriated \$650 million, divided between DHS and the General Services Administration (GSA) for the construction of the headquarters at the St. Elizabeths campus in Anacostia, Washington, DC. This appropriation is in addition to the \$100 million provided to DHS for FY 2009 in P.L. 110-329. Upon completion, the leadership, operations coordination, program management, and policy operations of DHS and its components would work, on one secure campus, which will enhance the ability of DHS to execute its multiple vital missions.

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<sup>5</sup> U.S. Government Accountability Office. *Federal Real Property: DHS Has Made Progress, but Additional Actions are Needed to Address Real Property Management and Security Challenges*. GAO-07-658. June 2007.

The Committee notes that the estimated completion benchmark for the DHS headquarters consolidation project is FY 2016 and the total cost is estimated at \$3.4 billion. The Committee will continue close oversight of this vital project to ensure that resources are adequate for DHS and GSA to keep pace with the FY 2016 timeline and are expended appropriately, with an eye towards avoiding costly overruns. To that end, the Committee will continue, on a continuing basis, to monitor and assess the progress of this project.

## WASTE, FRAUD, ABUSE, AND IMPROVING GOVERNMENTAL PERFORMANCE

Pursuant to section 321 of the FY 2009 congressional budget resolution, S. Con. Res. 70, the Committee will continue its bipartisan commitment to improve the governmental performance of DHS. Specifically, the Committee believes there are opportunities to reduce waste, fraud, and abuse at DHS by (1) improving contracting and acquisitions, (2) enhancing the acquisition workforce; and (3) increasing oversight of grants to States, local, and tribal governments

The Committee is engaged in oversight of the acquisition process at DHS, including a commitment to ensuring contracts are awarded through a fair and open process that complies with Federal rules and regulations, while providing opportunities for small and disadvantaged businesses. For example, the Committee held four hearings<sup>6</sup> examining one of the major acquisition projects for DHS — the *SBI*net program, the technology component of the Secure Border Initiative. The Committee received testimony from a Government Accountability Office (GAO) official that DHS had failed to effectively define requirements and contractors delivering *SBI*net had failed to effectively manage testing, creating a program which was “ambiguous and in continued state of flux.”<sup>7</sup> The Committee will continue to vigorously monitor governmental performance in this program in the 111<sup>th</sup> Congress, especially in light of the appropriation of \$100 million for the expedited deployment of border security technology in the American Recovery and Reinvestment Act (P.L. 111-5).

The Committee has dedicated resources to investigate waste, abuse, and mismanagement of DHS contracts as a result of insufficient staffing levels in the acquisition workforce. At a hearing held by the Committee in September 2008, a GAO official stated that it is imperative to develop an acquisition workforce to implement and monitor acquisitions in order to increase procurement oversight and reduce cost overruns, schedule delays, or less than expected performance.<sup>8</sup> Also at that hearing, a DHS official testified about the growth and success of the acquisition intern program that should play a

<sup>6</sup> Hearings were held by the Committee on Homeland Security in June 2007, “Project 28: The Future of *SBI*net”; October 2007, “The Future of Border Security: Can *SBI*net Succeed?”; February 2008, “Project 28: Lessons Learned and the Future of *SBI*net”; and September 2008, “Mismanagement, Missteps, and Missed Benchmarks: Why the Virtual Fence Has Not Become a Reality”.

<sup>7</sup> United States. Cong. House. The Committee on Homeland Security, *Testimony submitted Randolph C. Hite*, 10 September 2008, 110<sup>th</sup> Cong. 2nd sess.

<sup>8</sup> United States. Cong. House. Subcommittee on Management, Investigations, and Oversight, Committee on Homeland Security, *Testimony submitted John P. Hutton*, 17 September 2008, 110<sup>th</sup> Cong. 2nd sess.

key long-term role in building the Department's acquisition workforce. The Committee will continue to assist DHS in monitoring development of its acquisition workforce, and will promote the implementation of training and qualifications to ensure workforce development and appropriate assignment to acquisition projects.

Finally, the Committee will continue its efforts to oversee the effectiveness and management of grants to State, local, and tribal governments for homeland security initiatives in the Grant Programs Directorate within the Federal Emergency Management Agency (FEMA). Since FY 2002, Congress has appropriated over \$29 billion for homeland security assistance to States, specified urban areas and critical infrastructures (such as ports and rail systems). Due to the significant amount of funding awarded to State, local, and tribal governments over the years, the Committee has deemed it important to monitor grant programs to make certain investments in homeland security are not wasteful or mismanaged. In January 2009, a report by the DHS Office of Inspector General identified areas for improvement in the management of grant programs, including financial reporting, questioned costs, monitoring and oversight, procurement practices, measurable program goals and objectives, needs assessments, and personal property controls.<sup>9</sup> The Committee is committed to supporting DHS and FEMA to implement remedial measures and actions to enhance their management of grant programs.

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<sup>9</sup> United States Department of Homeland Security, Office of Inspector General. *Annual Report to Congress on States' and Urban Areas' Management of Homeland Security Grant Programs*, OIG-09-17, January 2008.

*Bennie G. Thompson*

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