



U.S. Senate Committee on Appropriations

PRESS RELEASE

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Senate Appropriations Committee Clears Fiscal 2009 Funding Legislation

Washington, D.C. . The Senate Appropriations Committee today approved fiscal year 2009 Homeland Security funding legislation which is aimed at strengthening the protections against terrorist attack on American soil. The bill invests \$41.3 billion in measures that are the nation's highest-priority security projects. This includes an increase of nearly \$2.5 billion above President Bush's budget request, and an increase of \$2.6 billion above the fiscal year 2008 funding level.

The President submitted a flat budget proposal for the Department of Homeland Security (DHS) despite current security challenges facing the nation. The Annual Threat Assessment, released in February by the Director of National Intelligence, confirmed that Al-Qaeda has regrouped in Pakistan and that terrorists continue to pose significant threats to the United States. In addition, the Department continues to believe that the aviation sector is at a high risk of attack.

It has now been five years since the Department of Homeland Security was established. Since it was created, I have pressed the President and the Congress to provide the Department with the resources that it needs to fulfill its critical missions, Senate Appropriations Committee Chairman Robert C. Byrd, D-W.Va., said. "With this bill, we provide the Department with the resources it needs to cope with an evolving terrorist threat, to secure our borders and enforce our immigration laws, and to respond to natural disasters."

Chairman Byrd, who is also Chair of the Senate Appropriations Homeland Security Subcommittee, is particularly troubled by the President's proposal to reduce by almost one-half funding for first responder grants.

Cutting such funding is not the solution to the terrorist threat that the Bush Administration has identified, nor is it the solution to the failure to respond to natural disasters such as Hurricane Katrina. This mark seeks to reverse these dire cuts and fund DHS appropriately, Byrd said. "First responders will be called upon to aid the Midwest and other areas ravaged by water and other natural disasters, so I want to be sure that we are prepared with the resources needed to help our communities respond and rebuild."

Highlights of the fiscal year 2009 Homeland Security funding legislation:

Border Security

- **U.S. Customs and Border Protection (CBP)** . The Committee approved funding for CBP by \$381 million over the fiscal year 2008 level and approximately \$254 million above the President's budget request.
 - Includes \$442.4 million to hire an additional 2,200 Border Patrol agents and attendant support positions, to bring the total number of agents by the end of Fiscal Year 2009 to 20,019 in 2001.
 - Includes \$200 million to fund the new CBP officer retirement program started in the fiscal year 2008 bill.

- Includes \$775 million, as requested, to continue the Secure Border Initiative's technology program for border fencing and infrastructure.
 - Includes a total of \$403.2 million for construction of Border Patrol facilities and repairs to land border ports of entry.
 - Fully funds the \$528 million request for air and marine operations and procurement (including procurement of an additional unmanned aerial system).
 - A total of 682 new CBP officers is included, an increase of 143 positions above the request.
- **U.S. Immigration and Customs Enforcement (ICE)** – The bill provides funding for ICE by \$320 million over the fiscal year 2008 level and \$241 million over the request. Specifically, the bill annualizes the fiscal year 2008 funded activities, supports funding of an additional 1,400 detention beds (for a total of 33,400 beds), and a total of \$60 million for enhancements for worksite enforcement.
 - **Secure Communities Program** – Provides \$160 million for the Secure Communities Program, an initiative first started in the fiscal year 2008 Omnibus Appropriations Act to deport illegal aliens after they are released from prison. Congress appropriated \$200 million last year to begin this project, but the President requested no funds in his budget.

Transportation Security

- **Transportation Security Administration (TSA)** - Provides \$4.277 billion for TSA, \$211.1 million above the budget request, for critical transportation security initiatives.
- **9/11 Act Compliance** - In August of 2007, the President signed the 9/11 Act into law, but failed to adequately fund many of the requirements for transportation security. The bill includes a total of \$971.3 million for activities and requirements authorized in the 9/11 Act, \$250.4 million above the budget request and approximately \$30 million above the enacted level.
- **Explosives Detection Systems (EDS)** – Provides \$294 million, \$140.1 million above the request, for the purchase and installation of EDS for checked baggage at airports.
- **Checkpoint Screening Technologies** - Provides \$200 million above the request, to enhance deployment of checkpoint screening technologies. At the requested level, deployment of emerging screening technology at airport screening checkpoints would be reduced by 63 percent.
- **Screener Workforce** - Provides \$2.692 billion (\$55.9 million above fiscal year 2008) to support 45,643 screeners at approximately 450 airports nationwide.
- **Air Cargo Security** - Provides \$122.8 million for air cargo security, \$18 million above the request and \$49.9 million above the fiscal year 2008 level.
- **Secure Flight** – Provides the President's request of \$82.2 million for the Secure Flight program, which is \$32 million above the fiscal year 2008 enacted level. Under Secure Flight, which was mandated by the Intelligence Reform Act of 2004, TSA is to assume from air carriers the function of matching passenger information against Government terrorist database information for domestic flights.

Coast Guard

- The mark provides a total of \$9.2 billion for the Coast Guard, \$145 million above the request and \$584 million above fiscal year 2008.

- **Deepwater** – Provides more than \$1 billion for the Coast Guard's acquisition program to modernize its fleet of ships and planes . known as %Deepwater+. This is \$23.7 million above the request and \$230.9 million above fiscal year 2008.
- **Critical Personnel** – Provides funding for 328 billets above the request for critical positions such as marine inspectors, boat crews, and watchstanders.
- **Response Boats** – Provides \$108 million for Coast Guard response boats, \$44 million above the request. This amount provides for 36 boats in FY 2009, 22 above the request.

Federal Emergency Management Agency

- The bill rejects the President's proposal to reduce state and local grant funding by 48 percent; provides an increase of \$1.88 billion over the President's Budget request for state and local homeland security grants and training, including first responder grants.
- The following programs are restored to the fiscal year 2008 level: Regional Catastrophic Preparedness Grants ; Rail and Transit Security Grants ; Port Security Grants; Interoperable Communications; Firefighter Assistance grants, including SAFER hiring grants; Emergency Management Performance Grants.
- The Committee provides increase of over \$200 million for FEMA Management and Administration. This effort builds on an increase of \$100 million provided in fiscal year 2008 to rebuild core capacities within FEMA after the Administration let it wither on the vine. With this increase, FEMA permanent staffing will have been increased by 133 percent since Hurricane Katrina in fiscal year 2005.

Policy Items

- **Reorganization Authority** - A general provision is included to preclude the Department from using funds during fiscal year 2009 to reorganize without congressional approval. The Department was granted broad authority in the Homeland Security Act of 2002 to reorganize its functions and organizational units without congressional approval. This authority has been used by the Department nine times. Continuous reorganizations impede the ability of the Department to operate effectively.
- **Human Resources System** – Language is included in the bill prohibiting funds to implement a new personnel system that would adversely impact the rights of collective bargaining unit employees.
- **Civil Liberties and Privacy Protection** – A general provision is included prohibiting funds from being spent on the National Applications Office and the National Immigration Information Sharing Operation until the Secretary certifies that these programs comply with all the applicable privacy and civil liberties standards.
- **Vice Presidential Protection** – As requested by the President, the bill provides the Secret Service authority to protect the Vice President, and his spouse, after he leaves office. The authority is limited to fiscal year 2009 since the House passed a bill addressing this matter.

Other Highlights

- **Departmental Headquarters** – Meets the request of \$120 million to begin construction of a new headquarters facility at the St. Elizabeths campus in Washington, D.C.
- **Chemical Regulatory Activities** – The bill includes \$75 million, \$12 million more than the President's request of \$63 million, and \$25 million more than fiscal year 2008 funding.
- **Cyber Security** – Provides a total of \$318.5 million, \$25 million more than the request of \$293.5 million and \$108 million over fiscal year 2008, to bolster efforts to protect critical public and private sector computer systems from exploitation.
- **Vulnerability assessments** – Increases funding for the vulnerability assessments program to \$25.4 million, an increase of \$8 million over the request, and \$10 million over fiscal year 2008, to quicken the pace that vulnerability assessments are conducted at Tier 1 and 2 facilities so mitigation of their vulnerabilities can be hastened.
- **Nuclear defense planning** -- \$10 million is added to build on the fiscal year 2007 supplemental efforts toward giving planning guidance to high threat areas to help prevent injury and death should they suffer nuclear attack. The administration has requested no money to address this issue.
- **Border Community Interoperable Communications Demonstration Projects** . Recommends \$10 million for six international projects authorized by the 9/11 Act.

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