



COMMITTEE ON APPROPRIATIONS

David Price (D-NC), Chairman, Subcommittee on Homeland Security

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OPENING STATEMENT OF CHAIRMAN DAVID PRICE ***Subcommittee Markup of the FY 2010 Homeland Security Appropriations Act*** ***June 8, 2009 / 5:00 pm***

I am pleased today to present the 2010 Homeland Security Appropriations bill. The bill reflects an extended period of information-gathering and analysis, with 15 hearings conducted over three months, during which time our Subcommittee tackled some of the broader issues that touch every component of the Department of Homeland Security. Drawing on our investigation and analysis of DHS, this mark offers the resources and direction the Department needs for the coming fiscal year.

Importantly, this bill also reflects the tradition of bipartisan cooperation on our subcommittee, initiated by its first chairman and now Ranking Member Hal Rogers. I want to thank the distinguished Ranking Member for his advice and help in making this a better bill. He and his staff worked cooperatively with us during the bill-writing process, and provided many constructive suggestions and additions. While we may not agree on every item in the bill, I think we agree on most of what the bill includes, and therefore this is product I believe every Member could and should get behind.

Overall, the discretionary total in the bill for the Department of Homeland Security is \$42.625 billion. This is \$2.6 billion, or 6.5 percent, above the comparable fiscal year 2009 amount and about 1 percent below the Administration's request when you exclude the cost of the Coast Guard overseas operations. This funding level reflects the hard decision Congress made in adopting this year's budget resolution, which reduced overall funding levels by \$10 billion. This Subcommittee had to take its share of that cut.

The Department's work to prevent illicit goods and unauthorized individuals from crossing our borders is as important as ever, yet the challenge of border security remains daunting. As Secretary Napolitano famously said when she was Governor of Arizona, "You show me a 50-foot wall and I'll show you a 51-foot ladder at the border." The Subcommittee mark fully supports realistic and strategic efforts to address the security needs of the Southwest Border. Funding is provided to improve the capability of CBP and ICE to combat the import of illegal narcotics from Mexico and reduce the smuggling of weapons and currency that feed the drug cartels. The Subcommittee mark funds the full costs of the target staffing level of 20,019 Border Patrol agents, of whom over 17,000 will be based on the Southwest Border – an increase of more than 50 percent since 2006. It also includes \$692,000,000 for Southwest Border investments for border

infrastructure and technology. This will bring total funding for Southwest Border infrastructure and technology, which includes fencing and vehicle barriers, to \$4.3 billion since 2006.

The mark provides \$97.8 million, or \$27.8 million more than requested, for ICE programs that support the Southwest Border Initiative including: a \$10 million expansion of ICE investigations of transnational gangs; an additional \$10 million for ICE to improve investigations of cross-border weapons smuggling; \$5 million more for ICE drug smuggling investigations; and an additional \$2.8 million to expand human smuggling and trafficking investigations. Finally, the mark includes \$60 million for Operation Stonegarden to enhance state, local and tribal law enforcement operations and assets along the border. We continue the requirement for these grants that the State only serve as a pass-through and that localities' awards are decided only by FEMA and CBP.

In the area of immigration, the bill mandates that \$1.5 billion of the \$5.4 billion appropriated to ICE be targeted for identifying dangerous criminal aliens and prioritizing these individuals for removal once an immigration judge orders them deported. The President and Secretary Napolitano support this priority. The mark fully funds the Administration's request to maintain an annual detention capacity for 33,400 individuals. This level amounts to a 67% increase since 2002 and is the highest detention capacity on record for Federal immigration enforcement. Also, the mark increases the Alternatives to Detention request by \$10 million, recognizing the need to expand this program nation-wide. This program, which costs less per person than detention, is a demonstrably effective and more humane method for monitoring individuals who may have legitimate immigration claims but for whom detention is unreasonably burdensome, such as asylum seekers, families, and the elderly.

The Subcommittee mark funds a number of key transportation and maritime security initiatives. For example, the mark provides \$800 million for the purchase and installation of explosive detection systems so that these machines can be moved in-line with baggage handling systems and out of congested airport lobbies. The mark also provides \$122.8 million for air cargo security activities so that we can meet the 100-percent screening mandate for air cargo by August 2010.

In the area of maritime security, the mark includes \$804,000,000 in funding for work at CBP and the Domestic Nuclear Detection Office to develop systems to screen cargo for weapons or nuclear materials. While there are considerable obstacles to meeting the statutory mandate to scan 100 percent of all U.S.-bound cargo by 2012, the Subcommittee mark provides \$162 million to ensure there is no diminution of the effort to strengthen overseas operations to monitor and target cargo, and to develop better technology to accomplish this mission.

The Subcommittee mark also includes \$241.5 million for the Coast Guard's support for overseas contingencies, including operations in the Persian Gulf and against pirates off the coast of Somalia. In the past, these funds had been carried in supplemental appropriations bills under the Department of Defense and then transferred to the Coast Guard.

Moving these funds to regular appropriations bills and providing them to the Coast Guard directly improves transparency and allows for effective oversight.

The broad interconnectedness of IT networks that we rely on in government, business, and our personal lives makes unprotected systems vulnerable to attack and exploitation by those who seek to harm our nation or our economy. Because the expertise necessary to protect vulnerable computer infrastructure has not generally kept pace with the escalating sophistication and intensity of cyber attacks, the Subcommittee mark provides \$382 million for cyber security efforts.

I am pleased to note that, unlike previous years, the budget finally recognizes State and local emergency managers and responders as equal partners in homeland security. DHS requested \$3.867 billion for grants to assist them with everything from planning to equipment. The Subcommittee strengthens that commitment to our State and local partners by providing \$3.96 billion for comparable grant programs, including: \$330 million for Emergency Management Performance Grants, our one true all-hazards grant program; \$800 million for Firefighter Assistance Grants to equip our Fire Service and help stem the tide of layoffs that diminish public safety; \$950 million for the State Homeland Security Grant Program; and \$887 million for the Urban Area Security Initiative, which is security money targeted to the highest risks of terrorism.

Now that hurricane season has begun, it is important to note that the mark maintains robust funding at \$844 million for FEMA's Management and Administration, and provides \$2 billion for disaster relief activities to maintain our commitment to areas struck by disasters and to maintain a readiness level for future disasters.

The mark includes several policy related items requested by the Administration. For example, we clarify fee authorities for temporary protected status, fraud investigations, and conferences. We extend E-Verify and the chemical security program. We continue a longstanding provision related to imported prescription drugs. And finally, we provide benefits for DHS personnel overseas consistent with the Foreign Service Act.

The mark contains Member-requested and Presidential earmarks, as it did last year. Every Member's project in this mark has been vetted by the Department and was deemed eligible (if it was a part of a grant program) or was deemed consistent with the Department's mission. We also had to cut Member earmarks an additional 5% from last year's earmark level.

This is a good bill, and I hope that every member of the Subcommittee will support it. I'd now like to turn to the distinguished Ranking Member for any opening comments he would like to make.

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