



October 9, 2004

Highlights of the Conference Report to Accompany H.R. 4567, the Department of Homeland Security Appropriations Bill for FY 2005

On October 9, 2004, the Conference Report, H. Rept. 108-774, was filed.

Noteworthy

- The Conference Report provides \$33.1 billion, with \$32 billion allocated for discretionary funding. The Committee recommendation is \$895 million above the Administration's request, and \$2.8 billion or 9.2 percent above the FY04 enacted level.
- The Conference Report provides \$2.5 billion for Project BioShield, which fully funds the Administration's request.
- The Conference Report provides \$7.4 billion for the Coast Guard, which is \$622 million above the FY04 enacted level.
- The Conference Report provides \$5.2 billion for the Transportation Security Administration.
- The Conference Report provides \$340 million for the United States Visitor and Immigration Status Indicator Technology (US VISIT), which enhances the security of U.S. citizens and visitors by verifying the identity of visitors with visas.

Highlights

The Bill provides the following allocations by title:

<u>Title</u>	<u>FY05 Bush Request</u>	<u>FY05 Conference Report</u>
Title I: Departmental Management and Operations	\$713.6 million	\$606.7 million
Title II: Security, Enforcement, and Investigations	\$20.0 billion	\$20.7 billion
Title III: Preparedness and Recovery	\$9.2 billion	\$9.5 billion
Title IV: Research and Development, Training, Assessments, and Services	\$2.2 billion	\$2.4 billion

Bill Provisions

Title I – Departmental Management and Operations

Title I provides \$606.7 million for the Department’s Management and Operations, which is \$106 million below the Administration’s request, but \$154.1 million above the FY04 enacted level. Significant spending accounts and language requests include:

Office of the Secretary:

Conference Report: Provides \$85 million for the Office of the Secretary and Executive Management.

Senate-Passed Bill: Provided \$82.2 million.

Chief Information Officer:

Conference Report: Combined the accounts for Department-wide Technology and the Chief Procurement Officer into a single account. Provides \$275 million, of which \$211 million is for the development and acquisition of information technology equipment and related investments.

Senate-Passed Bill: Provided \$222 million in the separate Department-wide Technology account.

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

Title II provides \$20.7 billion for the Department’s Security, Enforcement, and Investigations, which is \$645 million above the Administration’s request, and more than \$1.5 billion above the FY04 enacted level. Significant spending accounts include:

US VISIT Technology:

Conference Report: Provides \$340 million for the United States Visitor and Immigration Status Indicator Technology (US VISIT).

Senate-Passed Bill: Provided \$340 million, which fully funds the Administration’s technology needs for the project.

Customs and Border Protection (CBP):

Conference Report: Provides \$5 billion for Customs and Border Protection. In addition to direct appropriations, CBP will receive approximately \$1.07 billion through fee collections. Reflects base program transfers to Immigration and Customs Enforcement.

Senate-Passed Bill: Provided \$5 billion, which is a little more than \$100 million below the Administration’s request, but nearly \$110 million above the FY04 enacted level.

Immigration and Customs Enforcement (ICE):

Conference Report: Provides \$3.1 billion for Immigration and Customs Enforcement. In addition to direct appropriations, ICE will receive roughly \$200 million through fee collections. Reflects a re-organization that moves program responsibilities for Air and Marine Interdiction to Customs and Border Protection.

Senate-Passed Bill: Provided \$3.4 billion, which is \$102 million above the Administration’s request, and \$3 million above the FY04 enacted level.

- **Federal Air Marshals (FAMs):**

Conference Report: Includes \$662 million for the Federal Air Marshals.

Senate-Passed Bill: Provided \$662 million for the Federal Air Marshals, which is \$50 million above the Administration’s request, and over \$40 million above the FY04 enacted level.

- **Federal Protective Service (FPS):**

Conference Report: Includes \$478 million for the Federal Protective Service.

Senate-Passed Bill: Provided \$478 million for the Federal Protective Service, which fully funds the Administration's request, and is nearly \$54 million above the FY04 enacted level.

Transportation Security Administration (TSA):

Conference Report: Provides \$5.2 billion for the Transportation Security Administration. Included in this funding is \$2.5 billion for aviation security for personnel, compensation and benefits, and training for passenger and baggage screeners.

Senate-Passed Bill: Provided \$5.2 billion, which is nearly \$500 million more than the Administration's request, and more than \$800 million above the FY04 enacted level.

- **Air Cargo:**

Conference Report: Includes \$115 million for air cargo security and enforcement and research and development, which is an increase of \$30 million from the Administration's request and the FY04 enacted level.

Senate-Passed Bill: Provided \$118 million for air cargo security.

- **Rail Security:**

Conference Report: Includes \$12 million for the nation's railway security measures.

Senate-Passed Bill: Included \$15 million for the nation's railway security measures.

U.S. Coast Guard:

Conference Report: Provides \$7.4 billion for the United States Coast Guard. The Integrated Deepwater System is provided \$724 million.

Senate-Passed Bill: Provided \$7.4 billion, which is \$54 million above the Administration's request, and more than \$577 million above the FY04 enacted level.

U.S. Secret Service:

Conference Report: Provides \$1.2 billion for the United States Secret Service.

Senate-Passed Bill: Provided \$1.1 billion, which fully funds the Administration's request and is nearly \$40 million above the FY04 enacted level.

Title III – Preparedness and Recovery

Title III provides \$9.5 billion for the Department's Preparedness and Recovery, which is \$284 million above the Administration's request, and \$3.9 billion less than the FY04 enacted level. Significant spending accounts and language requests include:

State and Local Programs:

Conference Report: Provides \$3 billion for state and local programs.

Senate-Passed Bill: Provided \$2.8 billion for state and local programs, which is \$216 million below the Administration's request, and \$422 million below the FY04 enacted level.

- **Basic State Grants:**

Conference Report: Includes \$1.1 billion subject to section 1014 of Public Law 107-56 (USA PATRIOT Act).

Senate-Passed Bill: Provided \$940 million to be distributed on a per capita basis, subject to section 1014 of Public Law 107-56 (USA PATRIOT Act).

- **Urban Areas Security Initiative Grants:**

Conference Report: Includes \$885 million for discretionary grants to high-threat urban areas.

Senate-Passed Bill: Provided \$875 million for discretionary grants to high-threat urban areas.

Firefighter Assistance Grants:

Conference Report: Provides \$715 million for firefighter assistance grants, of which \$65 million is to fund the SAFER Act.

Senate-Passed Bill: Provided \$800 million, which is \$300 million above the Administration's request.

Emergency Management Performance Grants:

Conference Report: Provides \$180 million for emergency management performance grants. This program is being maintained as a stand-alone program within State and

Local Government Coordination and Preparedness, rather than merging it with State and local basic grants, as proposed by the Administration.

Senate-Passed Bill: Provided \$180 million, which is \$10 million above the Administration's request, and \$2 million above the FY04 enacted level.

Emergency Preparedness and Response:

Conference Report: Provides \$5.6 billion for Emergency Preparedness and Response.

Senate-Passed Bill: Provided \$5.6 billion, which fully funds the Administration's request.

○ **Biodefense Countermeasures:**

Conference Report: Includes \$2.5 billion for biodefense countermeasures, better known as "Project BioShield."¹

Senate-Passed Bill: Provided \$2.5 billion for biodefense countermeasures, better known as "Project BioShield," which fully funds the Administration's request.

○ **Disaster Relief Fund:**

Conference Report: Includes \$2 billion for the Disaster Relief Fund.²

Senate-Passed Bill: Provided \$2.2 billion.

Title IV – Research and Development, Training, Assessments, and Services

Title IV provides \$2.4 billion for the Department's Research and Development, Training, Assessments, and Services, which is nearly \$151 million above the Administration's request, and \$218 million above the FY04 enacted level. Significant spending accounts include:

Bureau of Citizenship and Immigration Services:

Conference Report: Provides \$160 million for Citizenship and Immigration Services. In addition to direct appropriations, CIS will receive roughly \$1.5 billion through collected fees.

¹ Public Law 108-90 appropriates \$5.5 billion to remain available until September 30, 2013, of which an amount not to exceed \$3.4 billion is available for advance obligation during FYs 04-08.

² These funds are in addition to any FY04 supplemental dollars requested by the Administration and approved by the Congress.

Senate-Passed Bill: Provided \$140 million, which fully funds the Administration's request, but is almost \$95 million below the FY04 enacted level.

Federal Law Enforcement Training Center:

Conference Report: Provides \$222.3 million for the Federal Law Enforcement Training Center.

Senate-Passed Bill: Provided \$224.3 million, which is \$28 million above the President's request, and nearly \$33 million above the FY04 enacted level.

Information Analysis and Infrastructure Protection:

Conference Report: Provides \$894 million for Information Analysis and Infrastructure Protection.

Senate-Passed Bill: Provided \$875.5 million, which is \$11 million more than the Administration's request, and nearly \$42 million more than the FY04 enacted level.

○ **Critical Infrastructure Protection:**

Conference Report: Includes \$269 million, \$191 million of which is for activities including the Buffer Zone and Site Security Program for protection of chemical facilities, nuclear power plants, nuclear spent-fuel storage facilities, water-treatment facilities, bridges, subways, tunnels, and other critical infrastructures; and \$78 million is to identify these critical infrastructures and their vulnerabilities, assess identified risks, and deploy a database of these infrastructures.

Senate-Passed Bill: Provided \$258 million, \$193 million of which is for activities including the Buffer Zone and Site Security Program for protection of chemical facilities, nuclear power plants, nuclear spent-fuel storage facilities, water-treatment facilities, bridges, subways, tunnels, and other critical infrastructures; and \$65 million is to identify these critical infrastructures and their vulnerabilities, assess identified risks, and deploy a database of these infrastructures.

○ **Critical Infrastructure Outreach:**

Conference Report: Includes \$106 million to enable the Department to share data with infrastructure owners and operators on their vulnerabilities, and for the hosting of departmental applications, network connectivity, and critical-data storage.

Senate-Passed Bill: Provided \$92 million.

- **Cyber Security:**

Conference Report: Includes \$67.3 million for cyber security program activities carried out by the National Cyber Security Division to capitalize on existing IAIP capabilities, and to invest in new capabilities to monitor for, predict, and prevent cyber attacks.

Senate-Passed Bill: Provided \$67.3 million.

Science and Technology:

Conference Report: Provides \$1.1 billion for research, development, acquisition, and operations of the Science and Technology (S&T) Directorate.

Senate-Passed Bill: Provided \$1.1 billion, which is nearly \$76 million more than the Administration's request, and \$202 million more than the FY04 enacted level.

- **Biological Countermeasures:**

Conference Report: Includes \$362 million to deter, detect, and mitigate acts of biological terrorism against the United States, and to develop technologies to assess the performance of prototypes and test systems for continued improvements as larger-scale systems are deployed.

Senate-Passed Bill: Provided \$346 million.

- **Other Countermeasures:**

Conference Report: Includes \$122 million for nuclear and radiological countermeasures for use in operational environments; \$53 million for the development of technologies to defend against attacks with chemical warfare agents or toxic industrial chemicals; and \$20 million for high explosives countermeasures.

Senate-Passed Bill: Included \$128 million for nuclear and radiological countermeasures for use in operational environments; \$52 million for the development of technologies to defend against attacks with chemical warfare agents or toxic industrial chemicals; and \$34 million for high explosives countermeasures.

- **Rapid Prototyping:**

Conference Report: Includes \$76 million for the technical support working group responsible for the rapid development and prototyping of new technologies in support of homeland security.

Senate-Passed Bill: Included \$75 million.

○ **University Programs:**

Conference Report: Includes \$70 million of continued funding for the establishment of a university-based system to enhance and strengthen the efforts of homeland security on our nation's campuses.

Senate-Passed Bill: Included \$69 million.

○ **Counter Man-Portable Air Defense Systems:**

Conference Report: Includes \$61 million for systems development to protect the nation's commercial aircraft against the threat of man-portable air defense systems.

Senate-Passed Bill: Included \$61 million.

Title V – General Provisions

Title V is composed of General Provisions concerning reprogramming, the Working Capital Fund, Federal Law Enforcement Training standards and capacity levels, the Buy America Act, CAPPS II, A-76, and other issues.