



Chairman John Carter

*Subcommittee on Homeland Security
House Committee on Appropriations*

**Subcommittee Markup – Fiscal Year 2016 Homeland Security Appropriations Bill
July 9, 2015
Opening Statement As Prepared**

Threats to our country continue to grow. We see it daily. Federal computer systems are hacked. Floods and other natural disasters confront local communities. The President's open border policy emboldens smugglers, traffickers, and illegal migrants. And the freedoms we cherish are exploited by home-grown terrorists and violent extremists.

For those reasons, the Department of Homeland Security's missions are more critical now than ever...and it is why it is imperative that we pass this bill. Working with my colleagues, and the ranking member, Mrs. Roybal-Allard, I believe we are presenting legislation that strengthens the security of our homeland, addresses areas where reform is needed, and cuts inefficiencies within the agencies. Thank you all for your hard work, time and effort on this important legislation.

Like every subcommittee, we received a challenging 302(b) allocation. After a thorough scrubbing of the numbers, however, this recommendation ensures both national security and fiscal restraint. I'd like to highlight a few examples of what the bill includes.

For the Coast Guard, the recommendation adds more than \$360 million above the President's request, an amount which: restores the critical enlistment and extension bonuses which were cut in the President's request; enables the Coast Guard to award a contract for the Offshore Patrol Cutter to replace the 50-year old medium endurance cutters; enhances long-range surveillance capabilities with an additional fully missionized C-130J; maintains the current Fast Response Cutter acquisition schedule; renovates crumbling military housing; and increases operational effectiveness with more depot level maintenance of vessels, aircraft, and infrastructure.

At FEMA, cuts to State and Local Programs and Firefighter Assistance Grants are restored to FY15 levels of \$1.5 billion and \$680 million respectively, which is \$299 million above the request.

The Disaster Relief Fund for projected major disasters and known requirements is fully funded at \$7.4 billion.

For CBP, the mark includes funds for: 21,370 Border Patrol agents and 23,775 CBP officers; surveillance tools to increase situational awareness and improve border security; additional sensors, aircraft spares, and a multi-role aircraft; and non-intrusive inspection equipment to replace outdated legacy systems.

For the Secret Service, the recommendation ensures the capacity to hire additional Secret Service agents and officers, addresses training gaps, and improves perimeter security at the White House.

The Department's cybersecurity programs are fully funded to counter cyber threats and protect civilian government networks from cyber-attacks.

The recommendation enables ICE to sustain and improve all aspects of enforcement, investigative, and detention operations by fully funding; 34,040 detention beds for individuals and families who enter the United States illegally; the HERO Child-Rescue Corps, a program that trains returning military veterans to catch internet child pornography rings; the Visa Security Program, assuring that every visa application is screened against terrorist watchlists; and additional attorneys to increase the number of immigration hearings held by DOJ's Immigration Judge teams.

Finally, the E-Verify system – which enables businesses to check whether their employees are eligible to work in the United States – is fully funded.

We've achieved these funding priorities by making thoughtful and appropriate cuts, which I'd like to explain.

Over the last few years, many of DHS's components have failed to achieve their respective hiring goals. In several components, attrition exceeds the Department's ability to hire people. Not only does this problem pose national security and public safety concerns, it has serious budgetary implications. In short, it means funding appropriated for personnel has been misspent and Congress has been denied the level of oversight the taxpayer demands. This bill contains several provisions to rein in this practice.

For example, despite FY15 staffing levels that are far below expectations, the FY16 request proposed major increases in staff. The bill before you takes this excess funding – which is approximately \$505 million – and applies it to programs that protect our homeland. It also directs the Department to conduct an analysis to identify the root causes of the high attrition rates and slow hiring process.

Let me be clear – this bill fully funds our frontline law enforcement staffing, including 21,370 Border Patrol agents and 23,775 CBP Officers. It also eliminates the wasteful slush fund that DHS has been using for unbudgeted and unreported activities.

Another area where the recommendation insists on fiscal discipline is in the oversight of FEMA's Disaster Relief Fund (DRF). It has become common practice for FEMA to carry over billions of dollars in DRF from year-to-year. And like clockwork, every year, the President's request includes full funding for projected upcoming DRF needs and Congress supports it without taking into consideration the carry over balance. There is no good or prudent reason to continue this practice, especially when resources are limited.

Therefore, the recommendation provides full funding for FEMA's FY16 DRF needs as projected in the budget request, but rescinds \$1.26 billion in prior year's unobligated balances. Do not worry that there will be insufficient funds for a declared disaster. Even with this rescission, FEMA expects to end the year with a balance in the DRF of \$1.3 billion, so there is a more than sufficient contingency fund available in case of an emergency.

Finally, I want to address some of the oversight matters that are included in the bill and report. DHS is a relatively young cabinet-level department. For years it has reacted to crises rather than preparing for them. Fortunately, that dynamic is beginning to change.

But, additional tasks remain. As noted many times by this subcommittee, proper oversight of DHS's multi-billion dollar investment portfolio is essential. DHS owes us useful, accurate, up-

to-date information about procurements to ensure that components are accountable for cost, schedule, and performance.

Similarly, DHS's financial management processes are weak. With over 70 different appropriations and more than 100 programs, DHS functions with significant budget disparities and inconsistencies. I am absolutely certain the current budget structure is a contributing factor to the rampant under-execution of personnel costs. We have to change this paradigm.

For that reason, the bill mandates that the FY17 budget request be presented to the Congress in a new format that uses a common appropriation structure for every DHS component. Implementing this type of financial management tool is a strategic imperative with which DHS agrees.

Additional oversight ranges from withholding funds for carelessly failing to comply with repeated subcommittee requests for information – a practice that is totally unacceptable – to statutory requirements for detention beds.

With regard to detention beds, following last year's unprecedented spike in the number families crossing the border illegally, and the lack of sufficient and appropriate family detention space, the FY15 bill included funds for more than 2,700 family beds. This increase in detention capacity means that more families are being removed almost immediately after they arrive illegally in the U.S.

Finally, this bill provides no discretionary or mandatory funds to implement the President's executive actions on immigration. It goes one step further by including two provisions that make sure DHS does not take any steps to implement these actions that are under a court imposed injunction.

Let me address several problems I find very troubling. In the last few years, more and more jurisdictions and Law Enforcement Agencies have made the decision not to honor ICE detainees. Though I respect the rights of every state and municipality to enact laws that govern their respective jurisdictions, refusing to honor ICE detainee is extremely risky when dangerous illegal aliens are released into the community. In addition, the decision creates a burden on ICE, which must locate the fugitive, and endangers the lives of immigration officers who have to apprehend the fugitive.

Likewise, I would be remiss if I didn't note that I find it absolutely intolerable when Secret Service agents, or other law enforcement personnel, act irresponsibly on the job. It is completely unacceptable when the Transportation Security Administration or other components don't respond seriously to Inspector General reports and recommendations about the safety of the nation's airports. Consequently, the bill includes multiple provisions that enable Congress to monitor these problems and put DHS in a better position to anticipate them.

In closing, let there be no mistake – this Committee believes DHS is crucial to national security, public safety, and a strong U.S. economy. And we appreciate the hard work and dedication of the thousands of agents, officers, Coast Guard military personnel, watchstanders, and mission support staff who make it their business every day to keep the nation safe.

For all these reasons, I urge you to support this measure and I look forward to working with you as we move this bill through the legislative process.

I am happy to answer any questions about the mark, but, before I do, I would like to recognize our Ranking Member, Mrs. Roybal-Allard, and then our full Committee Chairman and Ranking Members for any comments they would like to make.

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